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MADRAS LEGISLATIVE ASSEMBLY DEBATES

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

4th, 5th, 6th, 7th, 12th, 13th, 14th, 16th and 17th October 1950.

Volume V (Nos. 1 to 9).

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THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 4th October 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.

Regional language for official correspondence.

* 221 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Chief Minister be pleased to state whether the Government have decided on directing all official correspondence between officials and the public to be carried in the regional language?

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

SRI V. RAGHAVAYYA:—"Are the Government aware, Sir, that there has been a persistent demand on the part of the public that the administration of the State should be conducted as far as possible in the regional language so far as district correspondence of the administration is concerned?"

THE HON. SRI B. GOPALA REDDI:—"We are aware, Sir, that there is a demand for correspondence to be carried on in the regional language; but there are certain obvious difficulties which have to be overcome before we can introduce the system in all the districts."

JANAB MUHAMMAD RAZA KHAN:—"Is it not a fact, Sir, that in the district of Tiruchirappalli and another district in the Andhra all the correspondence takes place in Tamil and Telugu and if so, may I know, Sir, what are the results and whether they have been satisfactory from the point of view of the Government?"

THE HON. SRI B. GOPALA REDDI:—"There is no question of satisfaction or dis-satisfaction as that is what is being done; but just now we are unable to extend it to other districts."

JANAB ABDUL HAMEED KHAN:—"Is it not a fact, Sir, that wherever correspondence was being carried on in the regional language, they are giving it up, particularly in Tiruchirappalli and they want to go back to English?"

THE HON. SRI B. GOPALA REDDI:—"They cannot go back to English because it is a matter done under the orders of the Government. May I know who wants to give it up, is it the district officials or the non-officials?"

JANAB ABDUL HAMEED KHAN:—"The people, Sir."

THE HON. SRI B. GOPALA REDDI:—"I do not think the people of Tiruchirappalli are anxious to go back to English."

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SRI A. KALESWARA RAO :—“ When the policy of the Government of India is that within fifteen years English should be abandoned altogether, may I know, Sir, what steps the Government are taking in that direction? ”

MR. SPEAKER :—“ The question is about regional language. ”

SRI A. KALESWARA RAO :—“ Unless you carry on the administration in the regional language from now, how can you enforce that? ”

THE HON. SRI B. GOPALA REDDI :—“ We have already made a beginning in the two districts of Tiruchirappalli and East Godavari and with regard to the national language, we are spending large sums of money for spreading it. ”

SRI D. V. RAMASWAMI :—“ Is it not a fact, Sir, that even in 1937 this policy has been accepted by the first Congress Government, and they accepted the idea of receiving petitions and giving Government replies in memoranda as far as possible in the regional language and even Hon. Ministers at that time did in some cases give replies in official correspondence in the vernacular? ”

THE HON. SRI B. GOPALA REDDI :—“ There is no difficulty in accepting the principle of carrying on correspondence in the regional language; perhaps even prior to 1937, the policy was there and there were many hon. Members who were speaking in Telugu or Tamil; but with regard to implementation, there are certain obvious difficulties and we will have to overcome them. ”

SRI V. RAGHAVAYYA :—“ Do not the Government realize that there is a lot of difficulty in making the ordinary villager understand the various orders of Government and cannot this difficulty be obviated by using Telugu in the Telugu districts and Tamil in the Tamil districts in ordinary day to day routine correspondence of the Government? ”

THE HON. SRI B. GOPALA REDDI :—“ We are not lagging behind in our love of the regional language; we certainly feel that the correspondence should be carried in the language known to the people; but, as I said, we cannot switch on to something in which there are certain inherent difficulties. ”

SRI S. NAGAPPA :—“ In view of the fact that most of the poor classes are not wellversed with English language and are not able to follow not only correspondence but also the discussions that take place in official and non-official meetings, will the Government consider the desirability of posting officers knowing the regional language of the area to which they are posted? ”

THE HON. SRI B. GOPALA REDDI :—“ Certainly we are taking all steps to see that people knowing the language of the locality are posted to the districts; with regard to the other question there are still larger number of people who cannot follow correspondence in Telugu. ”

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SRI T. VISWANATHAM :—“ The Hon. the Leader of the House referred to obvious difficulties and inherent difficulties; may I ask what are the inherent difficulties as distinct from obvious difficulties and what are the difficulties which are neither inherent nor obvious? ”

MR. SPEAKER :—“ Question No. 222. ”

SRI T. VISWANATHAM :—“ Our rules, Sir, do not provide for the Minister declining to answer a question put to him. ”

MR. SPEAKER :—“ He may refuse to answer. ”

SRI T. VISWANATHAM :—“ But in the rules there is nothing to say that he can refuse . . . ”

MR. SPEAKER :—“ But we are following the parliamentary procedure according to which it is allowed. ”

Rural water-supply scheme.

* 222 Q.—SRI S. NAGARAJA MANIGAR : Will the Hon. the Minister for Health be pleased to state—

(a) the stage at which the protected rural water-supply scheme for Kaveripatnam, Salem district, stands; and

(b) whether it is proposed to be expedited?

THE HON. DR. T. S. S. RAJAN :—“ (a) & (b) The investigation of a protected water-supply scheme for the Kaveripatnam Panchayat (Salem district) was sanctioned under the Rural Water-supply scheme, but it could not be taken up for want of trained field staff. The Sanitary Engineering Branch has since been reorganized. The investigation of this scheme will be taken up next summer. ”

SRI S. NAGARAJA MANIGAR :—“ May I know, Sir, whether there is anything like priorities in the execution of these schemes and what rank it occupies in the matter of priority? ”

THE HON. DR. T. S. S. RAJAN :—“ There is a priority in water-supply schemes and for every year the scheme is arranged and published and the whole scheme of water-supply undertakings are worked according to priorities. ”

SRI S. NAGAPPA :—“ May I know, Sir, when the estimates and plans were prepared and when were they sanctioned and what the estimated cost of the scheme is and how many people will benefit from it and what is the duration that has been fixed for completing the scheme? ”

THE HON. DR. T. S. S. RAJAN :—“ The hon. Member must have noticed that this is a very recent scheme and it is only last year that the case was put forward and Rs. 2.5 lakhs has been sanctioned for it. When the scheme comes into effect, we will be able to say how many people will benefit from it. ”

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Sanitary condition of Cooum river.

* 223 Q.—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Public Works be pleased to state—

- (a) the steps that are being taken to keep the Cooum river in a clean, hygienic and navigable state;
- (b) whether there are any proposals to flush the same;
- (c) the authority responsible for leasing the banks of the Cooum for erecting tin-sheds, etc.; and
- (d) whether any steps are being taken to check the breeding of mosquitoes on the banks and if so, by whom and the steps that are being taken?

THE HON. SRI M. BHAKTAVATSALAM:—"Attention is invited to the paper * placed on the table."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask, Sir, if the Government are convinced that as a result of the steps already taken the condition of the Cooum has been made satisfactory enough and in keeping with the public health of the City of Madras?"

THE HON. SRI M. BHAKTAVATSALAM:—"We will consider further steps to be taken when the results of the experiments that are conducted in the Poondi Research Station are known."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know what happened to the sand pump that was fitted in the mouth of the Cooum for pumping sea water into the Cooum and whether the Government will revive the question of pumping sea water into the river?"

THE HON. SRI M. BHAKTAVATSALAM:—"That also is being examined, Sir."

JANAB M. S. ABDUL MAJID:—"Is it not a fact, Sir, that the experiment in Poondi is going on for the last three years and may I know at least the present results of such experiments?"

THE HON. SRI M. BHAKTAVATSALAM:—"Till we have the result of the experiment we have to carry on experiments, whether it is two or three years."

SRI N. S. VARADACHARI:—"Will the Government take steps to see that the sullage water of the Penitentiary and other Government buildings are not flushed into the Cooum?"

THE HON. SRI M. BHAKTAVATSALAM:—"We shall examine the question."

Backward communities.

* 224 Q.—SRI S. NAGARAJA MANIGAR: Will the Hon. the Minister for Education be pleased to state—

- (a) when the list of backward communities was revised last; and
- (b) when it is proposed to be revised next?

* Printed as Appendix I on page 81 infra.

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THE HON. SRI K. MADHAVA MENON:—" (a) The list of backward communities was revised last in 1940.

" (b) The revision is under consideration of Government at present."

SRI S. NAGARAJA MANIGAR:—"Is it not a fact that a number of communities which deserve to be included in the list have made representations to the Government and so there is the urgency of attending to this matter at an early date?"

THE HON. SRI K. MADHAVA MENON:—"That is the very reason why we are considering the question of revision of the list of backward communities."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether the Government have considered the question of backward communities with reference to the Constitution and if so, what conclusions the Government have come to for their protection?"

THE HON. SRI K. MADHAVA MENON:—"Obviously, we have to consider it under the provisions of the Constitution but as I said, we have not come to any conclusion yet."

Liquor permits to Government servants.

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

(a) the number of Government servants that have received alcoholic drink permits exempting them from the operation of the Prohibition Act in the year 1949-50; and

(b) the number among them who are Gazetted Officers and their names?

THE HON. SRI N. SANJEEVA REDDI:—" (a) During the year 1949-50, permits to possess liquor for personal consumption were given to nine Indian, one Anglo-Indian and forty-two European Government servants including those employed under the Central Government (including three non-gazetted officers).

" (b) Thirty-two of these Government servants were Gazetted Officers. In the case of 17 Officers information is not readily available as to whether they were gazetted officers or not. A statement* showing the names of these 49 officers is placed on the table of the House."

SRI V. RAGHAVAYYA:—"Judged from the very large number of officials, do not the Government think that it is very incongruous that many of the officials who may be judicial officers should break the law by night and administer it by the day?"

THE HON. SRI N. SANJEEVA REDDI:—"I do not think the number is very great as my hon. Friend puts it. Forty-nine is really a very small number compared to the hundreds and

* Printed as Appendix II on pages 83-84 infra.

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thousands of Government servants that we have here. I consider it to be very small and not very much as he would like to have it."

SRI L. N. GOPALASWAMI:—"If the Government really believe in Prohibition, is it not their first duty to see that no liquor permits is given to any of the Government servants at least?"

THE HON. SRI N. SANJEEVA REDDI:—"Since Government servants are also human beings, they are liable to fall ill; we are granting it to those who may otherwise fall ill and so, I do not think we can refuse it to Government servants."

SRI A. KALESWARA RAO:—"May I know, Sir, how many officials have got permits in the Prohibition or in the Police Department?"

MR. SPEAKER:—"The statement is laid on the table of the House."

JANAB N. MUHAMMAD ANWAR:—"Will the Government at least prevent the District Superintendents of Police from having these permits as they will not be discharging their administrative duties without mental reservations?"

THE HON. SRI N. SANJEEVA REDDI:—"I do not think that any District Superintendent of Police has been given the permit. I am not sure if we could ban one particular type of officer; if it is bad, it should be bad for everybody."

Construction of wells by the Labour Department.

* 226 Q.—SRI K. SHANMUGAM: Will the Hon. the Minister for Rural Development be pleased to lay on the table of the House a statement showing—

(a) the wells dug by the Labour Department in Nellore district from 1947 to 1950; and

(b) the cost of construction of each well?

THE HON. SRI B. PARAMESWARAN:—"A statement^a is placed on the table of the House."

SRI S. NAGAPPA:—"Arising out of the answer given, Sir, I see for the whole year of 1946-47, only five new wells have been sunk in the Nellore district. May I know the number of applications received during that period?"

THE HON. SRI B. PARAMESWARAN:—"A separate question may be put."

SRI S. NAGAPPA:—"May I know, Sir, what is the average time taken by the Labour Department to sink a well?"

THE HON. SRI B. PARAMESWARAN:—"It all depends upon the soil where the well is sunk."

^a Printed as Appendix III on page 85 infra.

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SRI S. NAGAPPA:—"Sir, so far as the Rayalaseema and Nellore districts are concerned, since the soil there is rocky, the Labour Department is not able to keep up to the programme, will Government consider the desirability of leaving a drilling machine at the disposal of the Labour Department?"

THE HON. SRI B. PARAMESWARAN:—"We see that in Nellore district so far as sinking of wells is concerned, nearly sixteen thousand rupees have been spent for a year, and altogether for the last four years nearly sixty-four thousand rupees have been spent, and I am satisfied with the progress made."

Additional blocks for the Engineering College at Guindy.

* 227 Q.—SRI D. V. RAMASWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have any proposal to construct a few more blocks to the existing Engineering College at Guindy to accommodate more students; and

(b) whether the Government have also considered the desirability of introducing "Shift System" in all the Engineering Colleges?

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

" (b) Yes. The matter was however dropped as the Universities were not in favour of introducing the shift system in colleges."

SRI D. V. RAMASWAMI:—"Sir, may I ask the Government, that in view of the fact that Government have recognized the need to employ more engineers in the several development schemes, and more especially with regard to irrigation, whether it is not absolutely necessary to expedite the process whereby more students could be admitted into the engineering colleges by binding them over to serve in our State for a minimum specific period, so that our State may be self-contained in the matter of irrigation and other allied matters?"

THE HON. SRI M. BHAKTAVATSALAM:—"I do not know what process should be expedited. If more students are admitted, it is not possible to introduce shift system; because students have to work from 6 a.m. to 4-30 p.m. and what has to be attended in the morning cannot be attended to in the evening."

SRI S. NAGAPPA:—"May I ask Government, when we are admitting students into the engineering colleges, will it not be better to make them enter into an agreement to serve our State for a specific minimum period after taking their degree?"

THE HON. SRI M. BHAKTAVATSALAM:—"I am afraid that question does not arise out of this question."

SRI L. N. GOPALASWAMI:—"Arising out of the answer of the Hon. Minister, may I ask him whether it will be practically impossible to have the shift system in the engineering colleges in

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view of the fact that the laboratories and workshops which are the most essential things are occupied by the students only for a few hours in the day?"

THE HON. SRI M. BHAKTAVATSALAM:—"Not only the University but also the Principals feel it is practically impossible to introduce shift system in the engineering colleges."

Yarn shortage in the State.

* 228 Q.—SRI K. S. NATARAJA GOUNDER: Will the Hon. the Minister for Industries be pleased to state the steps the Government have taken to solve the yarn shortage in the State?

THE HON. SRI C. PERUMALSWAMI REDDI:—"The information* is placed on the table."

SRI N. S. VARADACHARI:—"May I ask the Hon. Minister whether he will be pleased to give an opportunity to Members of this House to discuss the policy underlying the sanctioning of loans to various industries?"

THE HON. SRI C. PERUMALSWAMI REDDI:—"I did not follow the question. May I request the hon. Member to repeat his question."

SRI N. S. VARADACHARI:—"I am sorry I confused one question with another."

Increased price for paddy and rice.

* 229 Q.—SRI N. S. VARADACHARI: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that the District Supply Officer, Tanjore, acting on behalf of the Collector, announced an increase of price of paddy and rice to take effect from 7th December 1947;

(b) whether it was also a fact that a surcharge at the rate of Re. 1-6-0 per maund of paddy and Rs. 2 per maund of rice was levied on stocks that were with the stockists as on the evening of 6th December 1947;

(c) whether the surcharge amount was paid under protest by the stockists;

(d) whether any stockist filed and obtained a decree against the Government; and

(e) the total amount involved in these deposits by stockists on that date?

THE HON. SRI J. L. P. ROCHE VICTORIA:—" (a), (b) & (c) Yes. The increase in price and the collection of difference between the old and the new prices on the stocks held on the evening of 6th December 1947 were ordered by the Government and the Collector and the District Supply

* Printed as Appendix IV on page 86 infra.

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Officer acted only under the direction of the Government. It was only a few stockists who protested against the payment of the surcharge; the rest paid the amount without protest.

" (d) Yes. One Sri P. Subramania Ayyar, Miller, Punthottam, Tanjore district.

" (e) The total collections as on 15th July 1950 in respect of the stocks held on 6th December 1947 in the entire State amounted to Rs. 91,36,949 or 91.3 lakhs approximately."

SRI N. S. VARADACHARI:—"Is the Hon. Minister aware that most of these claims by millowners are getting time-barred and that they are hastening to file suits in courts and obtain decree against the Government?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Yes, Sir, besides the one who has already filed and got a decree, there are others also trying to file suits in the lower courts."

SRI A. VEDARATNAM PILLAI:—"May I know, Sir, whether the increase in price is intended for the producer or the middleman?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The increase, as you are aware, was effected in 1947 with a view to meet the demand at that time for an increased price. It is now really three years since that was done, and the real situation at that time was probably quite different from what it is to-day."

JANAB M. A. MUHAMMAD IBRAHIM:—"Is it not a fact, Sir, that this sort of collection is arbitrary and that it cannot be justified on legal grounds?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I do not think so."

DR. S. SUBRAHMANYAM:—"Are the Government aware that this surcharge was passed on to the consumer while the prices were fixed by the Collector of the districts, and if so, may I know what steps the Government have taken to pay back to the consumer what has been collected from him?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is not due to the consumer, because, in meeting other charges and by paying for other incidental expenses, the whole amount has been spent."

SRI N. S. VARADACHARI:—"As the Government have to pay not merely the difference in the price but also have to bear the cost of the suit and other incidental expenses, may I request them not to settle these disputes through court, but prefer the method of settlement out of court?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"As the party had already gone to court, we had no other course but to await the result of the suit. At this stage it is not possible to consider the question of "settlement out of court", unless the initial move comes from the other party."

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SRI V. M. RAMASWAMI MUDALIYAR :—“Masanauch as a large sum to the tune of 91.3 lakhs is involved, may I know whether the Government do not consider it wasteful to drive all these parties to court for the recovery of this colossal amount, incurring incidentally wasteful expenditure, and so, may I know why the Government should not think of calling those parties together and arrive at a settlement out of court?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“As I have said in my answer, some others have already paid the amount, and it is only a few who have not paid this increase in price. And so, having obtained it from some, it is correct to collect from the rest also, if need be, through court.”

SRI T. VISWANATHAM :—“May I know whether there is any similar surcharge levied in other districts also?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“The question concerns only with the Tanjore district with regard to increase in price with effect from 7th December 1947.”

SRI T. VISWANATHAM :—“I know it refers to Tanjore district, and that is why I asked the question whether there is any similar surcharge levied in other districts?” (Laughter.)

SRI L. N. GOPALASWAMI :—“Are the Government satisfied that these claims made by the paddy owners are justified, and, if so, why not the Government approach them direct?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“They dispute the claim and it has to be decided only through court.”

Wells subsidy.

* 230 Q.—SRI S. NAGARAJA MANIGAR : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the subsidy for digging wells is proposed to be granted in the coming years also; and

(b) if not, why not?

THE HON. SRI H. SITARAMA REDDI :—“(a) The payments under the New Well Subsidy Scheme 1950-51 will be made up to 31st October 1950 throughout the State except in the Districts of Madras and the Nilgiris. The question of continuing the scheme during 1951-52 is under the consideration of the Government.

“(b) Does not arise.”

SRI S. NAGARAJA MANIGAR :—“Sir, this being one of the few good things that we are doing to the cultivators, if not the only thing, may I ask Government to continue it at all costs, during the coming years also?”

THE HON. SRI H. SITARAMA REDDI :—“I take the compliment of the hon. Member and I shall consider his suggestion.”

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JANAB MOHAMED ABDUL SALAM :—“Sir, in the matter of digging wells, are the Government aware of the advice given by Hon. Mr. Munshi, Minister for Food in the Central Government, to take the services of one Paniwala Maharaj, a water-diviner, and if so, whether this Government have sought the services of that Paniwala Maharaj?”

THE HON. SRI H. SITARAMA REDDI :—“In this State itself we have certain water-diviners and we are utilizing the services of local Paniwala Maharajas.” (Laughter.)

BEGUM SULTAN MIR AMIRUDDIN :—“May I know what steps the Government are taking to see that the Well Subsidy Scheme is really a success and that old wells are not shown as new ones?”

THE HON. SRI H. SITARAMA REDDI :—“If any such cases are brought to the notice of Government, the Government will take severe action in the matter.”

JANAB M. S. ABDUL MAJID :—“May I know the extent of acreage that has been brought under cultivation as a result of the Well Subsidy Scheme?”

THE HON. SRI H. SITARAMA REDDI :—“I do not have the figures with me now; but this question has been answered on a former occasion.”

SRI M. R. APPA RAO :—“May I know what punishment the Government propose to give to the people who do not dig wells but have taken subsidies?”

THE HON. SRI H. SITARAMA REDDI :—“Very deterrent punishment will be given.”

SRI S. NAGARAJA MANIGAR :—“Sir, on a previous occasion, when a similar question was put, it was answered that the grant of subsidies to the repair of old wells was under consideration of the Government. May I know at what stage it is?”

THE HON. SRI H. SITARAMA REDDI :—“Notice.”

JANAB M. MUHAMMAD ISMAIL :—“Is it a fact that the money spent on this scheme is not commensurate with the result obtained; and if so, what steps the Government are taking to rectify that position?”

THE HON. SRI H. SITARAMA REDDI :—“I took it, the hon. Member heard the remarks of the hon. Friend, Sri Nagaraja Manigar, who stated that this was the only best scheme taken by the Government.”

JANAB M. MUHAMMAD ISMAIL :—“That may be the only scheme; perhaps the Government were not capable of putting forward a better scheme. But I want to know whether the result obtained from the scheme is commensurate with the expenditure incurred in connexion with it?”

THE HON. SRI H. SITARAMA REDDI :—“It is a question of opinion. It is not a question of investing money and

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declaring a dividend. It is a question of Grow More Food. It is a question of helping to increase the food supply and improving the condition of cultivators in this State."

SRI S. NAGAPPA :—" Sir, in view of the fact that the sinking of wells in Rayalaseema and Nellore districts costs two to three thousand rupees, will Government consider the desirability of granting one-third of the actual cost instead of giving a uniform scale of seven hundred or five hundred and fifty rupees? "

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

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

II.—ADJOURNMENT MOTION RE FOOD CRISIS IN THE KRISHNA DISTRICT.

MR. SPEAKER :—" The hon. Member Sri A. Kaleswara Rao has given notice of a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance. The motion reads as follows . . . "

JANAB ABDUL HAMEED KHAN :—" You are already smiling."

MR. SPEAKER :—" I do not know what the hon. Member means by saying that I am smiling. I have always got a smiling face."

JANAB ABDUL HAMEED KHAN :—" We very much welcome your smile, Sir. But there are occasions when a smile indicates the trend of your ruling."

MR. SPEAKER :—" Let not the hon. Member misunderstand me. The motion reads as follows :—

" I give notice hereby that I shall move for the adjournment of the Legislative Assembly to discuss a matter of urgent public importance namely the food crisis in the Krishna district generally and in the town of Vijayavada in particular caused by the improper procurement and export of rice methods pursued by the Government and their neglect of the district."

I must tell the House that this is not an urgent matter. The food crisis has been continuing in our State for a very long time. Further, I must bring to the notice of the hon. Member in particular and the House in general that under the Madras Assembly Rules, an adjournment motion must not revive discussion on a matter which has been discussed on an adjournment or otherwise in the same session. In the last sitting, we discussed the food situation and the method of procurement. I allowed not only a two-day debate but also an half-hour debate on the matter."

SRI A. KALESWARA RAO :—" Sir, I wish to submit that the crisis is unexpected and a very recent development. Krishna is a surplus district. The Government took away all the paddy

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from the district and then only they found that there was practically no paddy left to sustain the district particularly during the coming two and a half months. The crisis is a recent development which we could not have anticipated at the time of the food debate. At that time the position in the district was quite all right, there was sufficient stock and the officials were giving hopes to the people and allaying the scare or alarm. But recently the Government found that the position was serious and sent their officers to the neighbouring districts to procure at least seventy-five thousand bags. But the officers did not succeed. I submit that the crisis is a recent development and therefore the adjournment motion cannot be said to revive discussion on a matter which has already been discussed."

MR. SPEAKER :—" I wish to tell the House that the crisis is not a recent occurrence; it has been there for a long time. Further, under rule 42 (iii) of the Assembly Rules, an adjournment motion must not revive discussion on a matter which has been discussed on an adjournment or otherwise in the same session. On these grounds, I rule the motion out of order."

SRI S. NAGARAJA MANIGAR :—" Sir, the food situation is very grave in my district, and from newspaper reports we learn that it is so in many other districts also. There has been practically no grain in the ration shops for the last two days in my place as well as in the Krishnagiri town. I do not demand an adjournment of the House; I only make a request to the Hon. Leader of the House through you to allot some time for discussing this vital subject. Food is very necessary for the people. On account of the control orders, people are not able to make arrangements for their food otherwise than what they get through official machinery."

THE HON. SRI B. GOPALA REDDI :—" I think it will not be possible to allot any time during this session. Anyhow, we shall see. If the hon. Member puts down a short notice question, we will give all the information."

III.—GOVERNMENT RESOLUTION.

DELIMITATION PROPOSALS OF THE STATE GOVERNMENT—
DISCUSSION—cont.

MR. SPEAKER :—" The House will now continue the discussion of the delimitation proposals. The Hon. Sri B. Gopal Reddi has already moved that the proposals of the Government for delimitation of constituencies be taken into consideration. There are a number of amendments. Following the usual practice, I will call upon those who have given notice of amendments to move their amendments formally. The original motion as well as the amendments will then be before the House for discussion."

Sri K. Bashyam is not in his place.

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SRI K. BOKKAI GOWDER :—“ Sir, I move—

“Add the following at the end :—

“and on such consideration this Assembly recommends to the Madras Government to modify their delimitation proposals for Madras State Assembly and for the House of the people in regard to the Nilgiris district as follows :—

A. To Madras State Assembly.

Serial number and name of the constituency.	Extent of the constituency.	Number of general seats.
1 Ootacamund	Ootacamund and Gudalur taluks.	1
2 Coonoor	Coonoor taluk	1

B. To the House of the people.

Serial number and name of the constituency.	District or districts.	Name of the Assembly constituencies.	Total population in thousands.	Number of general seats.
1 Ootacamund	Nilgiris	Ootacamund	529	1
	Coimbatore	Coonoor		
	Malabar	Mettupalayam		
		Wynaad		

SRI M. A. EASWARAN :—“ I second the amendment.”

SRI T. VISWANATHAN :—“ Sir, I move—

“Add the following at the end :—

“and on such consideration this Assembly is of the opinion that

(1) All municipalities with a population of above a lakh should be allotted at least one seat in the Assembly;

(2) Visakapatnam municipality which has a population of more than one lakh and twenty-five thousand and which is soon going to have by extension of the municipal limits another twenty or twenty-five thousand population, should be constituted into a separate constituency;

(3) that Sabbavaram or Kottavalasa should be added on to Visakapatnam taluk and the said taluk be made into a constituency with one seat.”

SRI D. V. RAMASWAMI :—“ I second the amendment.”

MR. SPEAKER :—“ Sri K. Linga Raju is not in his place.”

SRI L. N. GOPALASWAMI :—“ Sir, I move—

“Add the following at the end :—

“and on such consideration this Assembly is of opinion that the proposals contained therein have not taken into account the following important factors, namely, (1) the taluk as an entity and the compact nature of the same which has been mutilated and (2) the negotiability of the constituencies so formed.”

SRI P. VENKATARAMA AYYAR :—“ I second the amendment.”

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SRI N. S. VARADACHARI :—“ Sir, I move—

“Add the following at the end :—

“and on such consideration this Assembly while recommending generally the adoption of single member constituencies in the election to the House of the People and in the elections to the State Legislature, desires to adopt the introduction of multi-member constituencies in one-fourth at least of the total number of constituencies with the principle of cumulative voting.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ I second the amendment.”

JANAB M. MUHAMMAD ISMAIL :—“ Sir, I move—

“Add the following at the end :—

“and on such consideration this Assembly is of opinion that

(1) in delimiting constituencies the areas in which a minority is living in a substantial number should not be assigned to more than one constituency but should be kept as far as possible in one constituency; and

(2) that in general the delimitation should be so worked out as to give a seat to the figure of the population originally fixed by the authorities for the purpose or one nearest to it.”

JANAB M. V. HYDROSS :—“ I second the amendment.”

MR. SPEAKER :—“ Sri K. R. Karanth is not in his place.”

SRI V. I. MUNISWAMI PILLAY :—“ Sir, I move—

“Add the following at the end :—

“and on such consideration this Assembly recommends to the Madras Government to modify their delimitation proposals for the Madras State Assembly and for the House of the People in regard to the Nilgiris district as follows :—

A. To Madras State Assembly.

Serial number and name of the constituency.	Extent of the constituency.	Number of seats.
1 Ootacamund	Ootacamund and Gudalur taluks.	1 General seat.
2 Coonoor	Coonoor taluk.	1 Reserved seat for Scheduled castes.
Avanasi	Mettupalayam (part of Avanasi taluk).	

B. To the House of the People.

Serial number and name of the constituency.	District or districts.	Name of the Assembly constituencies.	Total population in thousands.	Number of general seats.
1 Ootacamund	Nilgiris	Gudalur	6.27	1
		Ootacamund		
		Coonoor		
	Coimbatore	Avanasi taluk.		
	Malabar	Wynaad		

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SRI S. NAGAPPA :—“ I second the amendment.”

JANAB MUHAMMAD RAZA KHAN :—“ Sir, I move—

“ Add the following at the end :—

“ and on such consideration this Assembly is of opinion :—

(1) That in order to afford Muslims and such other minorities, opportunities for being elected to the State Legislative Assembly some constituencies at least must be delimited so as to include therein areas where such minority communities are in considerable strength discarding if necessary principle of minimum population and contiguity.

(2) That the Madras city should have at least twenty seats for representation in the State Legislative Assembly.”

JANAB M. A. MUHAMMAD IBRAHIM :—“ I second the amendment.”

SRI P. VENKATARAMA AYYAR :—“ Sir, I move—

“ Add the following at the end :—

“ and on such consideration this Assembly is of opinion that the reserved seat for Schedule Castes in Kumbakonam A and B be shifted to some other unit where their population is in a higher percentage and Kumbakonam A and B be each made a general constituency, in view of the fact that Kumbakonam contains far less percentage of Schedule Caste population as compared with the other taluks of the district.”

SRI L. N. GOPALASWAMI :—“ I second the amendment.”

MR. SPEAKER :—“ Sri Pydah Venkatanarayana is not in his place.”

SRI K. BRAHMANANDAM REDDI :—“ Sir, I move—

“ Add the following at the end :—

“ and on such consideration this Assembly recommends to the Madras Government to modify their delimitation proposals for Madras State Assembly in regard to Guntur district as follows :—

District.	Constituency.	Extent of the constituency as amended.	Population in thousands.
Guntur	12	Tadikonda	
		Pedakurapad	
Guntur	13	Achampet East (16,000)	136
		Achampet west and south (24,000).	
		Sathevapalli	
		Phirangipuram (all these firkas are of one taluk)	157
Guntur	14	Narasaraopet	
		Nadedla	
Guntur	15	Rompioherala (all of one taluk)	156
		Chilekalurpet	
		Martur	
		Addanki	151”

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The amendment was duly seconded.

MR. SPEAKER :—“ The motion as well as the amendments are before the House for discussion.”

JANAB MUHAMMAD RAZA KHAN :—“ Mr. Speaker, Sir, I heard with great interest and the respect that it deserves the speech delivered the other day by the Hon. Finance Minister who is in charge of elections. I read the explanatory memorandum attached to the delimitation proposals. It is really good that the hon. Sri M. Anantasayanam Iyengar and the other members of his Committee are present to hear the views of the Members. There is difference in the views expressed by the Hon. Leader of the House and the views expressed by some other members of the party in power. Naturally, I am sure the Government of Madras and the Advisory Committee will have some regard and respect for the views expressed by the Members of the House. Proposals, knowing that they are good, should not be brushed aside for the simple reason that they emanate from the Opposition Members. It is only in that spirit that the Government of Madras refused to accept the suggestion made in this House that the Madras State, situated as it was, should have plural-member constituencies with cumulative voting. In fact, I can bring to the notice of the Hon. Finance Minister how great persons, newspapers and other political parties have supported the proposition. I wish to draw your kind attention to the fact that Sri T. R. Venkatarama Sastri, who cannot be accused of any communal bias, has supported it.”

THE HON. SRI B. GOPALA REDDI :—“ On a point of order, Sir. Some time ago we discussed for two days whether we should have single-member constituencies or plural-member constituencies. The amendment then moved by the Leader of the Opposition advocating plural-member constituencies was voted down and the House accepted the principle of single-member constituencies. On that basis we have formulated the proposals. Is it open to the hon. Member now to go back upon that decision of the House and ask for plural-member constituencies?”

MR. SPEAKER :—“ It is not open to the hon. Member.”

JANAB M. MUHAMMAD ISMAIL :—“ It is true that my amendment was voted down by the House. The proposals before the House are based on single-member constituencies and in discussing them, Members are free to oppose single-member constituencies and advocate plural-member constituencies. Therefore any reference to plural-member constituencies cannot be tabooed altogether.”

JANAB MUHAMMAD RAZA KHAN :—“ I did anticipate the point of order raised by the Hon. Leader of the House.

“ If I remember aright—I speak subject to correction as I have not got the official report—the Hon. Leader of the House said that these were the views of the Madras Government and

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that the Advisory Committee would surely consider any new points of view that might be placed before them. Certain States like the Uttar Pradesh have really supported plural-member constituencies. I do not think the Hon. Leader of the House gave us any idea that he received any direction from the Central Government that, except for reserved seats, the constituencies should be single-member constituencies. I thought it would be much better to draw the kind attention of the Advisory Committee instead of the attention of the Government of Madras who seem to have settled views."

THE HON. SRI B. GOPALA REDDI:—"We did receive instruction from the Chief Election Commissioner some time ago that we should formulate our tentative proposals on the basis of single-member constituencies. It is in accordance with that instruction that we formulated our proposals."

JANAB MUHAMMAD RAZA KHAN:—"It looks doubtful whether the Hon. Finance Minister will change his views in the light of the discussion in this House. Fortunately the members of the Anantasayanam Iyengar Committee are present to hear our views. I do not like to say anything which will be tantamount to disrespect to them. Though they are going to decide in an advisory capacity, yet they should not look at the questions coming up before them from a party point of view. The members of the Committee and the Government that appointed them belong to the same party. All the people concerned except Mr. Sen belong to the same party. In elections, every party should have a chance to function and be represented on the Legislature. It may be that the party in power may capture as many as 370 seats in the future Assembly. But the presence of even about five members representing other parties and minorities will go a long way in placing before the House the other points of view than those of the Government. The reason why I say this is this. When Mr. Sen was in Madras some months ago, he invited some leaders to express their opinion. From the newspaper report of that conference, we find that whenever a new idea was suggested, some members of the Committee—we do not know who they were—said that it was an attempt of the communalists to enter by the back door. That is prejudging the issue. To me, the Government of Madras and the Delimitation Advisory Committee seem to be moving in the same direction. Therefore I feel that the members of that Committee should keep an open mind. The Hon. Finance Minister seems to have simply divided the whole State into 375 constituencies. In future there will be only territorial representation; there will be no functional representation, no communal representation, no representation for trade and commerce. I say it is against the realities of the situation. The Hon. Leader of the House seems to think that the position in this country is as perfect as in advanced countries like England and America where elections are fought out on political and economic issues. Unfortunately we are not in that position. Certain sub-communal

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tendencies are likely to manifest themselves in the coming elections. All these days there was emphasis on Muslim communalism. But hereafter a Hindu may contest against another Hindu and this will engender sub-communal feeling.

"Sir, it is quite likely that if a taluk in a district is divided 11- or split up into 2½ or 2¾ and tacked on to half or one-fourth of the neighbouring taluk for the purpose of forming a third constituency, as has been done in these proposals, naturally people in the taluk would be at a disadvantage and would not view such delimitation proposals with favour. In the elections for general constituencies like these, any other feelings may not play a prominent part except personal feelings, or communal or sub-communal feelings. Therefore the Government of Madras and the Central Government ought to have some consideration for these things. But the Hon. Minister for Finance takes shelter under the plea that the Constitution does not lay down any provisions for the delimitation of constituencies, in such a manner as to facilitate communal parties to come in, and therefore he would not go beyond the provisions of the Constitution. But, Sir, in spite of this, the Congress Party has to face various difficulties in contesting the last district board elections. In fact, Sir, if I remember right, and I am sure the Hon. Finance Minister would also remember, that in certain places the Congress Party was defeated in the last district board elections. There the defeat was not due to their politics and policies, but was due merely to communal and sub-communal feelings of the voters in the particular constituency. Therefore you cannot brush aside the fact that people are animated by communal or personal feelings at elections like these and you must take the warning from the recent district board elections, because the same thing might happen in the coming general elections. At the time of elections, people do not consider and vote purely on the merits of the candidates, or on the principles, or programmes and policies of the parties. They are simply carried away by the feeling whether the candidate is a Hindu or a Muslim, a Brahman or a Non-Brahman and whether he belongs to the community to which the voters belong. If you examine these delimitation proposals from that aspect, I am sure, they will not satisfy anybody and will not work very well.

"Sir, with regard to the general principle, I know that the Hon. Finance Minister has been very scrupulous to see that every constituency has got a population of 145,000. Perhaps it may not be possible for anyone to scrutinize the population of the various taluks and examine whether there has been a proper delimitation of constituencies there or not, but all the same we have heard certain complaints that certain taluks have been subdivided and tacked on to certain firkas in other taluks, thus depriving of the right of one taluk to have separate representation. For instance, some complaints were made that certain firkas of Madanapalle have been tacked on to Vayalpad, resulting in the deprivation of another seat for the Madanapalle taluk. There may be a number of such things which can be brought to the notice of the Hon.

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Finance Minister, for rectification, before these proposals are finalized, but this is an instance which has struck me on going through these proposals.

"Then Sir, I come to a very inconvenient question, inconvenient to the Hon. Finance Minister and the Members of the Government and also to the Members of the Party in power, and that is with regard to the representation of Muslims and other minorities in the Legislature of the State. The amendment that I have moved seeks to remedy this defect and its says—

"That in order to afford Muslims and such other minorities, opportunities for being elected to the State Legislative Assembly some constituencies at least must be delimited so as to include therein areas where such minority communities are in considerable strength discarding, if necessary, the principle of minimum population and contiguity."

Sir, I am very happy to say that a similar amendment has been given notice of by the hon. Gentleman Mr. Bhushyam, who is an Ex-Law Minister of the Government of Madras. I think he has taken a very realistic view of things and that is why he has proposed an amendment exactly similar to mine and nobody can accuse him that he has suddenly become a communalist or that he has developed any kindly feelings towards Muslims. He has taken a right and a realistic view of things and wants the Muslims to have their representation also in the future Assembly. But if it is the view of the Central Government and of the Government of Madras that Muslims should not have their say in the Assembly and should not be returned to it, then it does not matter to us, whether we come in or not. On the other hand, if the Government really feel that the Muslims who constitute about 45 to 50 lakhs and other minority communities like Christians and others who also constitute a considerable proportion of the population in this State, should not go unrepresented and should have their say in the Assembly, then these delimitation proposals are not likely to achieve that object. Sir, I can say with the little knowledge I have of the present-day conditions, that it would be very difficult and almost impossible for the members of the minority communities to come in through the general constituencies and when I refer to minority communities, let not the Hon. Finance Minister think that only communalist members like myself or that members of my party want to come in. It is not with that object that I am making this suggestion. Even the Nationalist Muslims, if they are put up as candidates by any party, cannot hope to come in, through general constituencies. I am not the only one holding this view. Even Pundit Pant, Chief Minister of United Province, who is a staunch Congressman and who has got a better knowledge and experience of the political condition not only of that State, but also of the whole of this country, has expressed the view that in any area with a single-member constituency, under the present circumstances and environment, it would be almost impossible for any Muslims or for the matter of that, any member of the minority community to contest elections against the members of the majority community and come out successful. That is the reality of the situation. I do concede the fact that the Government of

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Madras, the Central Government and the party in power are trying to shape things in this country in such a way that people should cease to think in terms of their own community or that they should appeal to communal sentiments or tickle communal vanities. I am also one with them so far as it goes. But unfortunately political consciousness among the masses has not developed to such an extent as to enable them to use their individual discretion in exercising their franchise. It may take five years or even a decade or more, but as matters stand, it would be very difficult indeed for these minority communities to come in. Therefore, it is up to the Government of India and of this Government to do justice to them by making suitable provisions in their delimitation proposals.

"Sir, if you have some idea of the geography of the City of Madras or of the districts, you will find that there are always some pockets of Muslims or other minorities here and there because it is usual for people of the same communities to live together. For instance, if you take certain divisions or localities in the City of Madras, you will find that there are Muslims predominantly living there, with Muslim streets and Muslim roads, and in these areas, the Muslims would form the majority of the population. It would therefore be unfair and unjust if you club these areas with other predominantly Hindu areas and form a constituency for the general elections, because the Hindus would naturally be the majority in the constituency and surely no Muslim could hope to contest and win the elections. If the Government want to do justice to these people, and if they want that the Assembly should also reflect Muslim opinion, they should form a small constituency comprising these Muslim pockets and allow the Muslims to elect a candidate of their own choice. In the same way, they could take some compact Muslim areas in the districts also and form constituencies, without doing any violence to the Constitution, so as to enable representatives from those constituencies to have their say on matters exclusively relating to Muslims, if not on general matters. That would be real democracy and that is the way to get minority representation in the Assembly.

"Sir, the Hon. Finance Minister may say that our Constitution does not envisage such a kind of delimitation of constituencies. I do not think, Sir, that there is any civilized country in the world whose constitution is specifically designed to deny the right of minorities for representation in its legislature. After all, Sir, what is it that minority representatives can do in an Assembly like this and what is it that we have been doing here as minority representatives? Sir, I have said this many times before and the Hon. Premier with his long experience in this Assembly knows it very well that after all we have been simply making representations, explaining our difficulties and voicing forth our grievances on the floor of this House and nothing more. We have neither the strength nor the power to influence the decisions of the Government. Do you want to deprive us of even this right of representation of our grievances in the Assembly?

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"You know, Sir, that only members of the minority communities would be in a position to understand and appreciate the difficulties and disabilities of their communities and that it is only they who could rightly reflect their opinion. If to-morrow there are no representatives of the minority communities here in this Assembly and if we simply go as Ex-M.L.As. and make representations to Government on any question affecting our community, the very Members who adorn these Treasury Benches to-day would ask, 'In what capacity are you making these representations?' I therefore feel that it is only fair and just that there should be some members of the minority communities to represent their views and feelings and their grievances and disabilities in the Assembly and it is up to the Government to find a way out in order to provide for minority opinion being reflected in the Assembly by representatives of their own choice. I do not say that you should accept my proposal or my amendments as such. I do not want to speak about other districts because I am not so much conversant with the conditions there and it is for the representatives of the minorities from those districts to put their case. At least so far as the City is concerned, let the Government accept my proposal. I do not know whether my hon. Friend from Malabar would speak about the condition of the minorities there. So far as the Andhra districts are concerned, my hon. Friend Mr. Salam could speak with a certain amount of authority on the subject and he knows that there are many Muslim pockets in the Andhra districts, whose opinion should be reflected in the Assembly. I, therefore, submit, Sir, that even now it is not too late for the Hon. Leader of the House and the Government of Madras to revise these proposals and demarcate certain areas and form constituencies in such a way as to enable the minority communities to return the candidates of their choice to the Assembly.

"Sir, if you take up the City of Madras, I think that the Muslim population here would be somewhere between 150,000 and 2 lakhs. I wish to point out that the 8 seats allotted for the City are very very small compared to the total population and its importance. Of these only one seat has been allotted for the Scheduled castes. I feel that the Madras City should have at least 20 seats in the Assembly. Please do not simply turn down this proposal because it has come from me. Do not think that it is our desire or the desire of the minorities to come in by the back-door. I may say frankly that it is no pleasure to us to be sitting here to be taunted, insulted and ridiculed day in and day out by the members of the party opposite, to be told that we are communalists, that we are minorities and that we only speak and think in terms of our own community and so on. But whatever it is, Sir, we feel that we owe a duty to our community and we want to serve and help it in our own way, whether it is possible for us to do anything or not. Therefore there is nothing wrong about it and there is nothing for which we should feel ashamed of. I wish that the Hon. Leader of the House and the Advisory Committee

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will consider this aspect of the matter, and if they have no objection, we are prepared to wait upon them on a deputation and convince them, if possible, of the necessity for giving representation to the minorities in the Assembly. As I said, even now it is not too late and these proposals are only tentative and the Government can revise them, if they want. As I have already referred to at the beginning, many of the taluks have been divided and sub-divided in an arbitrary manner and tacked on to some firkas here and some firkas there, in order to make up the required number of population for constituencies being carved out to suit certain people. I am sure they are not going to work well and even from the point of view of the party in power, these proposals will not be acceptable to many of its members.

"Now, Sir, I come to the very important proposition which I have made in the latter part of my amendment, namely, the representation that is to be given to the City of Madras. I have already mentioned that the 8 seats allotted for Madras is very inadequate, considering its importance. I do not know, Sir, on what basis the Government have proposed that number, and how they have arrived at the figure of 10 lakhs as the total population of the City. I think that the present population of Madras must be much more than 10 lakhs, and according to some authority, it is about 15 lakhs at present. Even on this basis, Madras should be allotted more seats than 8. It should be remembered that the Madras City stands on an entirely different footing from any other district. This is a metropolitan City comprising a population drawn from the various districts of this State, representing various interests and functions and following various important professions. Therefore, representation on the basis of population would not suffice. There should be functional representation and representation should be given to special interests, to women, to the Chambers of Commerce, to the University, etc. All these things have been overlooked. If it is the intention of the Madras Government that there should be only territorial representation, then surely the various important interests which I have just mentioned would have no place in the Assembly and that would create a very serious situation. The territorial members cannot speak with any authority on any important and special subjects and I am sure that the Hon. Gentleman the Leader of the House, coming as he does from the Nellore district, will not overlook this important point and see that at least 20 seats are allotted for the City of Madras in the State Assembly, so that the various special interests might be represented therein. Sir, you know, that hitherto Madras City has been invariably represented by people from outside the City. The hon. Gentleman Sri Prakasam who is not a citizen of Madras is representing a part of the City. Similarly, the hon. Gentleman Sri Guntur Narasimha Rao, who does not also belong to Madras got himself elected by another constituency in the City. So also the hon. Gentleman Sri N. S. Varadachari, whose native place is Kumbakonam has been representing another constituency in Madras."

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SRI N. S. VARADACHARI :—“ On a point of personal explanation, Mr. Speaker, I wish to point out that the hon. Gentleman is speaking with complete ignorance about my native place. I have been living in the City for the last forty years and I am every inch a citizen of Madras. I do not want that the statement of the hon. Member should go unchallenged.”

JANAB MUHAMMAD RAZA KHAN :—“ I am sorry, Sir, for the mistake. I was about to say, Tirupati, but owing to the slip of the tongue, I said, Kumbakonam. However, much he may claim as a citizen of Madras, I know he comes from Tirupati and that is his native place. But however, I shall leave it at that. My point is that the Madras City has all along been represented by people who really do not belong to Madras although they have come and settled here. Of course, there is nothing wrong about it, but what I want to say to the Hon. Leader of the House is that he should not have treated the Madras City on the same basis as other districts, and number of candidates to be returned from the City. In fact the actual population at present would be about 15 to 17 lakhs, and people from Malabar, South Kanara, Tamil Nad and Andhra have come and settled here permanently and therefore he should increase the number of seats for Madras to at least 20 even if it would mean a reduction of some seats in the mufassal. I would therefore request the Hon. Leader of the House and the Advisory Committee to be good enough to accept the two amendments I have moved.”

MR. SPEAKER :—“ The debate on this motion will be continued tomorrow also. I propose to call the Hon. Leader of the House to reply at 1 o'clock tomorrow and there will not be any sitting in the afternoon. I hope hon. Members will co-operate with me in seeing that the debate concludes by that time. I now fix 15 minutes as the time-limit for each speaker.”

SRI T. VISWANATHAM :—“ Sir, you have been good enough to allot two days for the discussion of this important subject and therefore let us have two full days, Sir. Otherwise we shall have to curtail our speech and be content with giving one or two suggestions. Let the Hon. Leader of the House begin his reply by 4 p.m. tomorrow and finish it by 5 p.m. and then meet the Members of the Delimitation Committee, if he wants.”

JANAB M. MUHAMMAD ISMAIL :—“ Sir, I request you not to fix any time-limit at this stage. You please see how the debate proceeds, and then you may decide about the time-limit. Please give us two full days until tomorrow evening.”

THE HON. SRI B. GOPALA REDDI :—“ I originally suggested that one day might suffice for the debate, but on representation from hon. Members we agreed for two days. Tomorrow the Hon. Ministers are meeting the members of the Delimitation Committee in the afternoon. I think they want the whole of tomorrow afternoon. Therefore we were forced to cut down the debate to 1½ days. We will not have Assembly tomorrow afternoon. Members of the

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Delimitation Committee will meet the Ministers of the Government. I, therefore, requested you to have debate for one and a half days.”

* JANAB M. MUHAMMAD ISMAIL :—“ You know, Sir, and it bears repetition, that this question of delimitation is a matter of supreme importance. It is of importance not only for this generation but also for the future generation. Therefore, nothing will be lost by giving two days for this debate at this stage, because things are taking a concrete shape. This is the time when the members of the Committee must have the views of all the Members of this House. Sir, I am sure the members of the Madras State by having their meeting some time after the debate in this House is over. They will surely do that if only the Hon. Ministers of this State make that suggestion. Sir, I think it is not really two days, under the present arrangement, that the Government are giving to us. Tomorrow we will have only one hour's debate, because questions will take one hour and the Hon. the Leader of the House will begin his reply by 1 p.m. Therefore, it is not really two days that we are given. I request you, Sir, to give us two full days as was originally promised.”

JANAB ABDUL HAMIED KHAN :—“ Sir, I also urge very strongly that we should have longer time for this debate, because there are many hon. Members who wish to speak on this very important subject. When the Hon. the Leader of the House got up to speak on the suggestion made by the hon. Gentleman Sri Viswanatham that we should have two days, I thought he would give a very valid reason. But his only reason was that the Government had an engagement with the members of the Delimitation Committee tomorrow afternoon. Therefore, should the Members of this House be deprived of their expression of views on this very important subject? The Government should have thought of this question without forgetting the importance of this House and the views expressed in this House. I would request the Hon. Leader of the House to consider whether it is not advisable to adhere to the original idea of having the discussion for two days.”

THE HON. SRI B. GOPALA REDDI :—“ Sir, I expressed a difficulty with regard to the engagement with the Members of the Delimitation Committee. It is not our intention to cut down or curtail the expression of views by hon. Members. We certainly wish them to speak. Nobody claims any permanency for these delimitation proposals. Even the Constitution says that after every census operation, the Government should take into consideration the movement of population, and then the Election Commissioner should see that there is a fair distribution of voters among the various constituencies. Nobody claims any permanency with regard to these proposals. I suggest that if it is the wish of the House, we shall sit a little late to-day and finish the debate tomorrow forenoon. We may sit till 6 o'clock to-day.”

SRI T. VISWANATHAM :—“ May I know, Sir, if it is not possible for the Hon. Ministers to meet the members of the Delimitation Committee after 5 p.m. tomorrow, and not take away the time that is promised to us? ”

MR. SPEAKER :—“ The Hon. the leader of the House says that we may sit till 6 o'clock to-day. ”

AN HON. MEMBER :—“ It is an extraordinary suggestion! ”

MR. SPEAKER :—“ I shall see how the debate proceeds. I now fix 15 minutes for each hon. Member. The hon. Member Sri N. S. Varadachari will now speak. ”

* SRI N. S. VARADACHARI :—“ Mr. Speaker, Sir, I wish I had not spoken on this occasion but for a feeling that in the interests of democracy we should make as wholesome and as wide an experiment as possible in the very first of our elections. It is not as if any method settled for the time being is going to be the method for all time. It can be subject to revision. By law of Parliament it can be altered. But views must be properly expressed and the assessment of such views will be made in due course though they may not be accepted almost immediately. I admit, Sir, straightway that the easiest method of working a Constitution, and specially elections, is the single-member constituency. Unfortunately, we model ourselves too much on the British pattern. In the English Constitution the single-member constituency is well known. But we have not examined its fitness for this country as a whole. With so many differences as between political parties and non-political parties, if we want a fair and good election, representative of all shades of opinion in the country, the majority being represented properly all the same, we certainly need not have the single-member constituency. I shall deal with the disadvantages of single-member constituencies as a whole. Under this system we have only a very small area before each of the candidates, and, in all likelihood, minor issues may predominate to the detriment of major issues absolutely being driven underground. The surest method to perpetuate communalism in this country, and more especially in this State, is to adopt the single-member constituency. No doubt, as I said, it is easy and we can always pick holes in single-member constituencies. I do not know which it is, but the American practice of gerrymandering and logrolling may take place very often in these constituencies. We can just shift constituency to suit one particular community or other. It is very unfortunate that the previous speaker insisted on the return of Muslims. While I gladly welcome the return of Muslims as political fronts, I certainly do not want the return of Muslims as Muslims or of any other community as belonging to that community. I want this country to be educated as a free democracy and free to vote on all important problems of the country and on all important problems which may arise for the time being. What is the chance of a very small constituency, specially for the State Legislature, where the candidate would be immediately looking on

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his own prospects of success emphasising this or that minor issue to the disadvantage of others, who may be concentrating on the settlement of major issues at an election? I know it is very difficult to fix an election on issues. Even in a highly trained democracy like England, it is not always on an issue that an election turns. But in a poorly trained democracy like ours, and torn by conflicting divisions and all sorts of cross-divisions in the country, the single-member constituency is full of disadvantage, and even danger. But the Government had chosen the method. As a matter of fact, the Hon. the Minister stated that they were asked to prepare a scheme on the basis of single-member constituencies. I do not think there can be any instruction to that effect. The Government may exercise their discretion for, after all, it is a recommendation that we make in the manner which we think will serve the interests of the country best. What is the advantage in a large constituency as against the disadvantages I have pointed out in a single-member constituency? Before I proceed to consider that, let me point out another thing to hon. Members of the House. Suppose there is a very sharp contest in certain constituencies, and the candidate is returned by a bare majority of 10 or 100 votes. Does it really represent the opinion of the constituency? Very often other considerations prevail, and it will be extremely doubtful if it is wisdom, in such cases, to treat the person so elected as the sole representative of that area or of that constituency, and simply disenfranchise, as it were, at one stroke the big minority or perhaps the equivalent of the majority which voted for the other candidate. Suppose in a contest of only two, we practically exclude so much of the other opinion. This is a great disadvantage in a single-member constituency. While I do not want to totally go back on the single-member constituencies, I consider, perhaps, the area is very large for an election to the House of the People in the Centre, or it covers a very large number of voters so that a certain amount of general popularity for the candidate's return is ensured at the election. But in this case, where the constituency is very small, and where we can practically sacrifice an equivalent to a majority, as if it were nothing at all, we will get all sorts of paradoxical positions in single-member constituencies. As against that, I have proposed an amendment making an experiment with all sorts of constituencies. We will have single-member constituencies in some areas. We will have constituencies in certain other areas with two members, where a reservation is made for the Harijans, and finally we will have a number of plural-member constituencies with the principle of cumulative voting. This does not matter. Select the very best where communalism is least prevalent. If it is thought that in the cities there is a mixture of all communities, and populations are fairly represented all over, have it by all means in those areas. But I would recommend it for the rural areas not with a view to provide for Muslims or for Christians, but with a view to provide for strong minority opinion which may like to deal with immediate problems like food, for instance, which is in great debate as to whether we should have full control or partial control or total decontrol. (Janab Abdul Hameed Khan : ‘ How do you

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find?') 'How do you find' asks an hon. Member. I ask 'what did you find in the last election'. The hon. Member found that he was a Muslim, which was no issue at all. The hon. Member will find in the next election that the issue is totally changed and that the immediate problems of the country come up for decision, and that he will have to go to each voter, if not to his house, at least in an organized public meeting, and make a pronouncement of his policy. If we do not do that, I for one will not hesitate to get such pronouncements made at organized public meetings in the City and elsewhere wherever I happen to reside.

12-15 p.m. "It is very unfortunate that hon. Mr. Raza Khan should have advocated cumulative voting and plural member constituency merely with a view to secure the return of certain Muslims. (Janab M. Muhammad Ismail: 'He had no such idea.') But the whole trend of his speech seemed almost to insist on this central thing that a community as such would be sacrificed and left without protection or shelter unless a different method was adopted for the elections. But the point I had in my mind was based on two principal reasons. One was that as far as possible local issues should be kept behind and important issues not only for the day but for long term administration should become the centre of fighting ground in the elections as between the various organized parties. That would be possible only if we have multi-member constituencies. After all, nothing is lost by this. We are making new experiments. Why not experiment in all directions, find out which gives which results and then make amendments to the law, if necessary, which will provide, if not for a uniform pattern all over the country, at least for some fair method of election which will ensure the proper return of opinions of the people represented by various organizations in the country?

"Sir, I am not speaking as Member of any one Party. I may not doubt in the least the success of the Party to which the Government belong or to which I belong. But if we want fair and good elections, we must have a method whereby results can be verified if not at this election, at least in the coming years, so that we may run into a powerful and good democracy representative of sections of organized opinion in the country. What is the meaning of saying, 'We want a good Opposition.'? A good Opposition is an effective corrective to Governments which exist. Why don't you have it now? It is due to various reasons, because we have not fought the elections on issues that may arise in future. We have fought perhaps our previous elections on the basis of previous history. Previous history cannot be forgotten; it will still be remembered in the coming years and will play a great part in elections. But if we are to train our people in the methods of enlightened democracy, I straightway urge upon not only the Advisory Committee but the Government of India which is going to bring an Election Bill before Parliament, to think over this problem deeply and consider whether it is advantageous as a whole to have single-member constituencies in concentrated small islands as it were of opinion and then run the risk of total extinction of certain sections of opinion which it might

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be good for us to have represented in the various Houses in the country. That was a general principle which I wanted to urge upon Government.

"It may be said that this is not a uniform method and that cannot be worked. But already the method that has been propounded is not a very uniform one. There are certain single-member constituencies. Already complaints will have been heard that a particular community residing in particular villages has been put into a particular constituency and that thereby the chances of a minority getting elected will be jeopardized. That is what I would call the American method of upsetting constituencies. But all the amendments now proposed seek to regroup single-member constituencies. That is not what I am after. I do not mind fighting in any constituency, whether it is single-member constituency or plural-member constituency, whether it is cumulative voting or otherwise. What I want is a good enlightened democracy, representative of all organized shades of opinion in the country, led by leading political parties. That is the object of my amendment and I commend it to the House for acceptance."

* SRI L. N. GOPALASWAMI :—"Mr. Speaker, Sir, so far as the general principle of single or dual member constituencies is concerned, I think much has been debated upon, and to my knowledge nobody has given any proof that the system of single-member constituency would not work properly. Single-member constituency is the only possible method that can reflect public opinion without any communal bias. It is no longer open to us, constituted as we are in a secular State, to think that we should somehow provide for some people who, though they represent a minority, should be allowed to represent only that section of public opinion and that we are to be guided by that public opinion. It is open to any member of any community to join any political organization which he thinks proper and through that organization to bring forth his opinion to bear upon the public. It is no longer possible and it is not even right that we should say that a member simply because he happens to belong to a minority in this country should be given some opportunity to get himself elected. If we extend that proposition, we won't stop with one minority or two minorities, and as we are constituted in this country, we have thousands of minorities, even more than the number of seats to be given both in the State Assembly and in the House of the People. It is, therefore, up to us, if we are really politically-minded, to cease to think in terms of people of this community or that community, of this religion or that religion, and of one community preponderating over another community and so on. All those persons should come together in the political field. There is bound to be difference of opinion; we have to have difference of opinion. If only a difference of political opinion is to be reflected, anybody can join any political party he likes to whatsoever community he may belong and have his opinion brought before the public, and if the public of that locality are in consonance with his opinion, he can get himself elected to any of these Assemblies. But so far as the general

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principle is concerned, I entirely agree to the system of single-member constituencies and I have, therefore, no alternative suggestion to offer.

"Coming to the constituencies themselves, the Hon. Minister in charge of Elections the other day laid down certain conditions for their delimitation. Most of them were quite good and I can absolutely endorse everyone of them. But when we look into the practical things that have been worked out on the basis of the suggestions that he put forward, we find that they have been more upset than observed. For one instance, the Hon. Minister said that the districts would be kept as a whole, so far as the House of the People was concerned."

THE HON. SRI B. GOPALA REDDI :—"Only with regard to our State Assembly constituencies."

* SRI L. N. GOPALASWAMI :—"But it is but proper that even with regard to the House of the People, these districts should be left alone. If several districts have to be clubbed together to form constituencies, I do not see any objection to our sticking to these districts as units. Coimbatore, Salem, Tiruchirappalli, Tanjore and South Arcot have been clubbed together in one constituency. Though these constituencies comprise of five districts only, another district the Nilgiris has been added to Coimbatore, a portion of Coimbatore to Salem, a portion of Salem to Tiruchirappalli, a portion of Tiruchirappalli to Tanjore and a portion of Tanjore to South Arcot. In that way no district is compact and we have, by simply adding one outside place to one district, carried the cumulative effect of this intermingling of districts into so many other things. My suggestion is this. Each of these five districts has roughly a population of 30 lakhs. The statute provides that 7.5 lakhs should be the population for each constituency. These five districts can easily be converted into (4 x 5), which contains a population of more than 30 lakhs and that is Salem. If that part of Salem can be added to Tiruchirappalli or South Arcot which is adjunct to it, then the whole problem can be solved, instead of repeating over and over again the practice of adding one district to another district. I hope the Hon. Minister, if he has yet time to see, will look into these things and set them right. As it is Tiruchirappalli district has been divided into 4 constituencies of which there is only one constituency which represents in its entirety the Tiruchirappalli district, the remaining three constituencies having been clubbed with South Arcot, Tanjore or Salem. In this way the present distribution is really unworkable from the point of view of districts. This will be a great handicap to the voters as well as the candidates, because there are two districts which differ in the revenue division and the candidate has to get voters from both districts. This is a thing which should be avoided, if it can be avoided. My suggestion is that it can be avoided. The total number of seats allowed is 20. If these

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five constituencies can be made into four constituencies, we can make equal distribution of these 20 seats without interfering with any other district in the group.

"Coming to the State Assembly constituencies, the Hon. Minister said that as far as possible he had not interfered with the firkas and to a certain extent the taluks.

"He has also made another important change so far as the representation of Scheduled Castes is concerned. He definitely laid it down that that taluk which had the greatest Harijan population would be taken for representation of Scheduled Castes. But so far as Tiruchirappalli is concerned, Perambalur taluk which has got the highest population computed according to the principle laid down has been ignored for that purpose. I also hear in Tanjore, Mannargudi which abounds in Harijan population has been ignored and some other constituency has been taken for giving representation to Harijans. These have to be looked into.

"I can speak only with some amount of knowledge so far as my district is concerned. I have tried in my own way to make out a map of the district of Tiruchirappalli with the constituencies as laid down by the Government. I find that one constituency is fully in length with no breadth at all. For example, if a constituency is 100 miles in length and 20 miles in breadth, it will represent 2,000 square miles. 50 x 40 will be easily negotiable from the point of view of voters as well as of candidates. But that has been ignored. So also a taluk has been split in three places. Lalgudi, Tiruchirappalli and Srirangam from three different taluks are to form one constituency. If at all, a portion of a taluk has to be taken out, one or two firkas only have to be taken and that to from the adjoining taluk; and not three firkas to three different taluks.

"So far as the two portions of Tiruchirappalli district divided by the river Cauveri are concerned, viz., the southern portion and the northern portion, more representation has been given to the north than to the south. From the point of view of the number of taluks or of population, the proportion between the South and the North works out to nearly 11 : 8.5 whereas in fact representation has been given in the proportion of 10 : 9. The southern portion has a larger population than the northern portion and all the four municipalities in the district, viz., Karur, Tiruchirappalli, Srirangam and Pudukottai, are in the south. All the same greater representation has been given to the North. That is a thing which again I request the Government to go into.

"I have also imagined to myself how the constituencies can be clubbed together if these things are conceded and prepared a plan. If the constituencies are delimited in the way I propose we can have square constituencies within the same limit of population but at the same time more negotiable and taking out only as few firkas or taluks as possible.

"If really these constituencies have to work in the interests 12-30
and for the benefits of the electors and the candidates, then they p.m.
should be made easily negotiable. I wish that these things should

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be taken into consideration by our Government also. I have made a representation in this regard to the Delimitation Committee. But all the same, if the Government themselves take note of these points, things would be made much easier. I do not know whether the Delimitation Committee can go into the various details of all the 25 districts in this State and come to a conclusion. This is a matter affecting 25 districts and one cannot easily decide one way or the other without going into the relevant details. It would really be very difficult for the Committee to go into the cases of all these divisions and subdivisions in the various districts. So it is for the local Government who can understand these minute details much easier and take decisions which would be just for all concerned.

“Another point on which I wish to lay emphasis is with regard to the adoption of these constituencies. The figures of population alone have been taken into account, and limits have been fixed. According to this the average quota per seat in terms of population works out to about 1.15 lakhs in respect of the Assembly of the State and about 7.25 lakhs in respect of the House of the People. Applying this population basis, constituencies have been formed. One area is taken out and then to make up the balance some firkas from the north, some from the south, some from the east and some from the west, with the result that in some cases, the whole taluk has been mutilated. Wherever the population falls short by a few thousands, some other taluk is taken and a constituency formed instead of adjusting within a taluk itself. I know that in many cases, the taluk has been mutilated beyond recognition, resulting in the disturbance of some of the constituencies, like Pudukottai constituency, Srirangam constituency, Kulitalai constituency and Karur constituency. This sort of mutilation of whole taluks and disturbance of the constituencies should be avoided. If you want to make a change with regard to the formation of a particular constituency, naturally you will have to touch upon another constituency. If you once begin to do that, you will have to reshuffle the whole thing. You should lay down a principle that the taluks would not be disturbed as far as possible, and wherever a taluk is not enough by itself to form a whole constituency the adjoining taluk which has more than one seat will be taken and that with the least disturbance to the taluks concerned. Otherwise it would work great hardships. If the constituencies are formed taking one firka from the right and one from the left and clubbing them together, then the whole thing will have to be negotiated through another constituency with other firkas lying in the middle. This is certainly not very desirable.”

THE HON. SRI B. GOPALA REDDI :—“Is there no contiguity?”

SRI L. N. GOPALASWAMI :—“There is no contiguity at all. However, if you mean by contiguity, the existence of roads, then I may say that there are roads which connect the places I have mentioned in a circuitous route. But that does not

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that there is contiguity. Of course there are roads connecting the various taluks like Tiruchirappalli, Tiruvarambur, Thógamalai, Kulitalai, etc. I only wish that all these points with regard to the formation of constituencies should be carefully studied. Otherwise, the whole thing would become unworkable. So I would like to represent all these difficulties to the Delimitation Committee through the Government. If all the points mentioned by me here on the floor of the House are kept in mind, I am sure most of the difficulties would be got rid of.”

* BEGUM SULTAN MIR AMIRUDDIN :—“Mr. Speaker, Sir, as the main subject before us has been discussed at length on the floor of this House on a previous occasion, I do not propose to dwell on it at length to-day. With reference to single-member constituencies I wish once again to emphasise that conditions in India are different from those prevalent in advanced countries like the United Kingdom. Therefore it is not wise and realistic on the part of this Government to formulate their proposals on lines similar to those obtaining in the countries of the West. You know, Sir, that in the United Kingdom there are not so many differences as are to be found in this country. It is mainly in the realm of politics that differences prevail there, and as such single-member constituencies are not unsuitable to that land. But in a country like ours torn with innumerable differences, political, religious, etc., single-member constituencies cannot give satisfaction to all interests. Since Mr. Anantasayanam Ayyangar the Chairman of the Delimitation Advisory Committee for this State is present here to-day, I wish to make a reference to a remark which he made at a conference that was convened in this City by the Election Commissioner, Mr. Sen, during his last visit. Mr. Ayyangar would remember that he stated on that occasion that the demand for plural-member constituencies was a device on the part of the Muslims to establish communalism through the back-door. The answer to this has been given to-day by the hon. Gentleman Mr. N. S. Varadachari who is not a Muslim, but a staunch Hindu. He has turned the tables on Mr. Ayyangar and has emphatically declared to-day on the floor of the House that the surest method of perpetuating communalism is to adopt single-member constituencies. Therefore I wish to implore the authorities not to view this question in the light of communalism. The whole idea is that the minorities, whether they are Muslims, whether they are Christians, whether they are minorities based on economic interests, should also be given a chance to have their place in the working of the future constitution of the country. I implore Mr. Anantasayanam Ayyangar to revise his ideas with reference to this question of single-member constituency. The purport of the speech of my hon. Friend, Mr. Raza Khan, has not been correctly appreciated. Mr. Varadachari remarked that he did not appreciate the idea of Mr. Raza Khan emphasising the case of Muslims alone. I am sorry Mr. Varadachari has left the place. I should say that he has missed the whole point. The whole idea behind the demand of Mr. Raza Khan was that the Muslims should also

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be enabled to come in, in view of the fact that the India of to-day has to maintain its prestige in the eyes of the world. As conditions stand at present and if delimitation proposals are to be framed as they have been formulated to-day, very few Muslims will be elected at the forthcoming elections. I wish to enquire if the Hon. Prime Minister of India will view such proposals with equanimity. To-day, India is holding a proud and privileged position in the United Nations. If India is to save her face in the world, if India is to maintain her prestige and if India is to maintain her good name in the world and world politics, I should say that it is her bounden duty to see that sufficient number of Muslims also are returned at the forthcoming elections. Let the Hon. Chairman and Members of the Delimitation Committee not view this question in the light of Muslim interests and all that. Let them view this question in the light of the interests and prestige of this country regardless of the fact whether Muslim community is to be benefited or not. I also request the Hon. Leader of the House to revise his opinion in regard to this matter. I have always deplored communalism and I do so with greater emphasis to-day. Sir, after all, what is communalism? Everybody says communalism, but no hon. Member is clear about it. According to me, communalism is nothing but corporate selfishness, whether it be on the part of the majority or on the part of the minority community. As far as I see, the greatest form of communalism is the idea of grabbing at everything for themselves without leaving anything to others. Some people have the idea of grabbing at everything. That is real communalism and not the idea of a small minority community trying to exercise self-expression. Surely the latter cannot be dubbed in as communalism. On the other hand, the idea of a particular community in trying to grab at everything for itself much to the detriment of others and not allowing the minorities to have their due share is communalism. I wish that this sort of communalism will be suppressed by the Government and by those who are at the helm of affairs. I do not want to plead on behalf of the Muslims, because I know it will be misinterpreted. But I do want to plead, in the name of the prestige of India which it enjoys to-day in world affairs, with the Hon. Leader of the House and with the Delimitation Advisory Committee to revise their opinion about single-member constituency and instead have plural-member constituency in this State. Sir, the Hon. Leader of the House stated that he had been asked to formulate proposals on the lines of the single-member constituency. But, I think that no definite mandate has been given to him that he should do so. I wish he exercised his discretion in this matter. The State of Madras should have set an example in this regard to the rest of the country as it has done in many other matters. It is very necessary that at the forthcoming elections, opportunities should be given to all minorities—economic, religious and all kinds of minorities—to have their due share in the administration of the State. Otherwise, there will be no peace and contentment in this country. Therefore, it is the duty of the Delimitation Advisory Committee to give weight not merely to

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the suggestions of Congress organization, but of all organizations and parties with reference to the delimitation proposals. Sufficient attention should be paid to the suggestions of even those who are staunchly opposed to the Congress. As I said in the beginning, I am not pleading on behalf of Muslims alone, but am pleading on behalf of all minorities, political, religious or otherwise.

“Another question to which I wish to advert is the paucity of seats allotted to Madras City. I note that only 8 seats have been allotted to Madras City and that there is to be no women's constituency hereafter. My hon. Friend, Mr. Raza Khan, wanted me to urge for the maintenance of women's seats but I told him emphatically that I would not plead the cause of women to-day. (Hear, hear.) We do not desire that any special representation should be afforded to us and we are prepared to take our chances along with men. I am sure there are women who by their competence and ability can even excel men. My only point is, wherever there are such women, give them equal chances. I hope that on the basis of merit and merit alone, such women will be given adequate opportunities to come in at the future elections. It is only a sort of test. Therefore I am not going to champion the cause of women with reference to the Madras City. I only want to stress that eight seats are not enough and at least ten seats should be given, having regard to the population of the City and also having regard to the fact that this City happens to be the place where the intelligent people from all parts of the State congregate.

“It therefore deserves better representation. If there is not sufficient representation for the intelligentsia in future legislatures I am afraid democracy would prove to be a mere mobocracy. Having regard to these facts it is desirable that the number of seats allotted to the City of Madras should be increased from 8 at least to 10. I hope the Hon. the Leader of the House will accept this suggestion.

“In conclusion, I wish to express the hope that the Government and the members of the Delimitation Advisory Committee who are here will revise their opinions in the light of the views expressed by us keeping before their mind's eye the interests of India as a whole. My appeal to the Committee is to act in such a manner as will raise the prestige of this country in the eyes of the world.”

SRI K. BHASHYAM :—“Mr. Speaker, Sir, I am sorry I was a little late and I apologise to you for not being in time to move the amendments I had given notice of. I am glad, however, that you have given me an opportunity now to express my opinion on the proposals placed before the House. I propose to say a few words on the amendments I had proposed to move but could not be moved.

“Sir, some of my hon. Friends will certainly be intrigued at the amendments proposed by me. In fact many have asked how really I have made up my mind to ask for communal representation

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in respect of a thing wherein we were for none at all. They said, 'why should we perpetuate communalism in this State?' Sir, I plead guilty to the charge to some extent. If I had taken part in the discussion that took place in this House some time ago on the Government's delimitation proposals, I would have certainly asked for plural-member constituencies and not for single-member constituencies for it is my opinion that with single-member constituencies, the party in power will practically have the run of the elections and no outside, independent body or independent person can come in. As a staunch Congressman, I personally feel that in the Legislative Assembly and in the Legislative Council, there must be a strong minority for the purpose of offering constructive criticisms on proposals made by the Government. I would have pleaded for plural-member constituencies so that persons who are not of the Congress view may have a chance of coming into the Legislature. The House having, however, accepted single-member constituencies, I felt that its rigour must be nullified in some way. It is with this view that my amendments were given notice of. I am certain—indeed I am almost prophesying—that the Congress will be in power even after the forthcoming elections. It possesses good strength, giant strength, and when it possesses giant strength it must use it in a generous and just way. The minorities must be given an opportunity to form an opposition inside the Legislature. That is my chief object. There is also a further justification for my amendments. If there has been no communalism in this land, I would not have these proposals. Everybody is going on attacking one community or another. Even the Government here is not free from the taint of communalism. (The Hon. Sri B. Gopala Reddi: 'Including you.') Sir, I can say with confidence that I am correct in my statement. If a candidate, who is not a Non-Brahman, stands for election in a constituency where the majority of the voters are Non-Brahmans, there is no chance of his getting elected, even if he be a Congress candidate, in the existing circumstances. The Hon. the Leader of the House said the other day that the minorities would certainly be represented and the Congress party would be very generous towards them. If he means to be generous by taking them into the Congress fold, then it is another matter. It will not solve our problem. I am speaking about the case of minorities in general. I will not use the name of my community for I shall be construed as being selfish. There are several minorities here who according to the present proposals would have to be at the mercy of the party in power. There are persons who do not see eye to eye with the Congress. There are persons who are looked upon as belonging to minority communities even in the Congress ranks. My first amendment was meant to provide a chance for such people to have representation in the Legislature.

"As regards my second amendment, the Government have proposed that where there is reservation that constituency must be a plural-member one. Even for the single-member constituencies, the population, viz., about 150,000, is very considerable,

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and it is impossible for a candidate to get into contact with the electorate. In the first place, it is not possible even to know who the voters are. If it is made twice that number as is sought to be made in the case of plural-member constituencies, I do not know what expression I should use. It will be physically impossible to get at the voters. It will be difficult to hold meetings. This will work a great hardship on the Harijans who are directly involved in this matter. They will be the most unfortunate people since they may not know who is the right man to be elected due to lack of contact. It is for these reasons that I advocate separate constituencies for Harijans and Scheduled Castes. By this, I do not mean separate electorates but the bringing together of all Harijans and other Scheduled Castes voters—though they may belong to different districts in certain cases—and form a separate constituency for them. The number of voters concerned is so very considerable, at any rate, more considerable than in the case of single-member constituencies, that my suggestion, if accepted, will certainly obviate the disadvantage the concerned candidates may suffer from. It will be a joint electorate and not a separate electorate as I have already said. So far as the Harijan candidate is concerned, he will be free to contest in an area where there is a large number of Harijans. For example, there are many villages in the Chingleput district which can be clubbed together to form a Harijan constituency. It may not comprise the whole district. It may occupy half the district at the most. The candidate will not be put to the necessity of going to two constituencies and canvass votes. I know there are many difficulties involved in accepting my suggestion. But what I want to point out is that these people should not go unrepresented or not properly represented through our fault.

"Sir, the third amendment which I had given notice of moving, relates to representation of graduates and teachers in the Legislative Council. I propose that the teachers and graduates may be given each one constituency for the whole State. After all, they are an enlightened and educated electorate and they will put up only the best men for election. Let us not say at least here that we want two seats for Andhras, two seats for Tamils, one for Kerala and one for Karnataka. There is provision for election on the basis of proportional representation by the single transferable vote. So there is no fear of an Andhra not getting elected at all. If an Andhra candidate is sufficiently popular with the people certainly he will get elected.

"Sir, these are the proposals I wanted to make and I have placed them before the Government. I hope the Government will accept these proposals. By doing so, they will be helping the Congress party itself to regain its prestige by being just and generous towards the minority communities. They will give a chance to the minorities to voice their feelings, to give vent to their feelings, in the Assembly. Sir, I know the majority party may not agree with me in these views. At least let me hope that

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the Delimitation Committee will bear in mind the opinions expressed and to be expressed in this House to-day while making their recommendations to the Government of India and give them due weightage."

* SRI V. I. MUNISWAMI PILLAY :—" Mr. Speaker, Sir, when we are discussing the proposals of the Government for the delimitation of constituencies in the State for election to the State Legislature and the House of the People, we should not forget what has happened after the signing of the Poona Pact. The Scheduled Castes were asked to forego separate electorates and then to merge themselves into the joint electorate. But now, Sir, the proposal of the Government is that certain seats will be reserved for Scheduled Castes and tribes and the constituencies where such seats are reserved will be clubbed with the adjoining general constituencies, and both will form into plural-member constituencies, the electorate being asked to elect one candidate for the general seat and another for the reserved seat.

"As has been pointed out by my hon. Friend, Sri Bhashyam, the difficulty is greater now as far as the settling of the seats for the Harijans is concerned. Though it is done on a population basis it is a candidate of the Schedule Castes who is to contest, and has to seek suffrage of double the number of these two constituencies. I think this is very hard. It will not be possible under the present economic conditions that a Harijan would be in a position to canvass votes in a double constituency as it is set now. This is my feeling. It is not my idea to get excluded from non-Scheduled Castes but that certain facilities be allowed for the Scheduled Castes. It is highly necessary that a single-member constituency has to be allotted to the Harijans if justice is to be done to the community. Though it has been made clear in the constitution that certain facilities have been given to the Scheduled Castes, that is, reservation of seats for ten years, even in this ten years, I feel that if the proposal made by the Madras Government is to be taken note of and acted upon the difficulties of the Harijans will be greater. So I am sure, not only the Government of Madras but also the hon. Members that have come from Parliament will take note of the difficulties of the Scheduled Castes and see how far they could eliminate these difficulties under the new set up.

"Now, Sir, coming to the amendment which I have given notice of, I find that no seat has been allotted for the Scheduled Castes in the Nilgiris. In the explanatory memorandum Government have said that the 375 seats have been distributed equitably among the districts in the proportion of the district population. Nowhere have they set any exception to any district. I think, of all the districts that come under the State of Madras, the Nilgiris is also one. Why, Sir, this district alone should be deprived of a seat for the Scheduled Castes? It may be argued: 'Because there are not enough population of Scheduled Castes no seat has been allotted for the particular district.' What guarantee is there that the last census that was taken in 1941 gives the correct population

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of the Scheduled Castes in the district. This is a popular district having a large extent of plantation area which absorbs lakhs of Schedule Castes coming from the plains to the hills. The census that was taken during that year clearly shows that the Scheduled Caste labourers who lived on the plantation or have left for the plains have been entirely eliminated. Otherwise the census would have given a better percentage for the district.

"Apart from this, if the history of the composition of the Council were taken from 1920 it would be seen that the previous Governments have taken into account the importance of the Nilgiris and even nominated a Member from the community from that district. Sir, at a time when the Harijan movement has come to this stage, I feel it is highly necessary that a seat ought to be reserved for the Scheduled Castes in the Nilgiris. With the existing population of the three taluks of the Nilgiris, the Government may feel some difficulty in allotting a seat for the Scheduled Castes. What I would suggest is that Mettupalayam, part of the Avanashi taluk of the Coimbatore district may safely be added to the Coonoor taluk which would give the population that would be required to allot a seat for the Scheduled Castes.

"Another point to which I want to refer is this. In their anxiety to give increased representation for Malabar, the Nilgiri district has been split. I feel it is a great injustice and I appeal to the Government to think over the matter several times before they send final proposals to the Government of India. Ootacamund which has been the sanatorium which has had the opportunity of being the summer headquarters of the Government for several decades should not be deprived of a seat and it is most unfortunate that, Ootacamund, which has been the capital of the district is to be clubbed with Malabar. I ask the Government whether it is fair. After the proposal, the whole district to a single man has risen, and expressed disappointment. The Hon. the Finance Minister who is in charge of the portfolio, when he was in Ootacamund recently, was told not only by men like me but by the poorest of the poor about the disappointment at the proposal. I think the Hon. Minister was convinced of the justice of the case. Nilgiris should not be treated in this manner. Take the population itself. They are not so bad for the purpose of allotting two seats for the Nilgiris. They can very well take Gudalur, Ootacamund, Coonoor and also a part of Mettupalayam. This would give the required population for two seats. I would ask the Government to earmark one seat for the Scheduled Caste."

THE HON. SRI B. GOPALA REDDI :—"Two seats for Scheduled Caste only or one?"

* SRI V. I. MUNISWAMI PILLAY :—"My plea is for the Scheduled Caste and only one seat.

"Now, Sir, coming to the representation to the House of the People, I appeal strongly to the Government to see that a seat is reserved for the Nilgiris. For this purpose I would suggest that

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the population of the Avanashi taluk which is after all a contiguous Tamil portion, can be clubbed with the Nilgiris. This would give the population of 627,000, the statutory requirement for a seat. I strongly feel that there ought to be a representative from the Nilgiris. Apart from this, even in the matter of the potato industry, the industry if it is to survive, ought to have a representative because, to-day from July to November, it is the Nilgiris that supplies the entire potato requirements in India. (Laughter.) The recent unfortunate earthquake in Assam deprived them of their market for this commodity at Calcutta and other places in North India. It is the Nilgiris that is catering to the needs of Calcutta. Even the other day when the Hon. Mr. Munshi was here, he said that this district had been neglected. Trees have been cut off. Soil erosion has taken place. So it is seen that the Government of India is so sympathetic towards the Nilgiris. Again, being a tourist centre, which is going to be an All-India tourist centre, I feel that the Government of Madras and also the Government of India should concede a seat to this district. With these few words, Sir, I move my amendment.

JANAB MOHAMED ABDUL SALAM :—“ Mr. Speaker, Sir, it must be a sight for the Gods to see that a representative of the Congress party should plead for a single-member constituency when in the history of the Congress for the last 50 years they have been asking for a double-member constituency. Is it not a fact that in 1920, in 1935 and perhaps in various other occasions, member after member of this party in power has argued for a double-member constituency? To-day, what is the reason for asking for a single-member constituency? Has a change come in the mentality of the Congress, has a change come in the country itself or has a change come in the human nature itself? No, Sir. There is only one reason. In those days they were not in power. To-day they are in power.

“ This is a debate for a delimitation of single-member constituencies. Delimitation of a single-member is delimitation of a single party, the party in power and the single party in power in India is the Congress party. Any activity of this Government whether by the State Government, by the advisory committees or by the very Centre itself, shall be to gain power and keep it for them for ever or perhaps till a deluge comes, a power in India that will wrest power by force, perhaps, provided these people do not behave properly. It is true that our Hon. Minister, the Leader of the House who sits there smiling (laughter) recently said he called his Secretary Mr. Venkateswaran and said: ‘ How many seats are there; what is the population of the district, alright, the Hon. Minister is a very busy man. He is in charge of many portfolios. As is usual with him, he signed some papers and said: ‘ Here are the seats.’ In his usual way he simply divided the seats by some arithmetic. It will be known very soon whether he has done this for good for himself or for his party. We are going

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to have 2 crores of voters under the adult franchise and if the policy is not controlled or not properly controlled by this Government or by the Government of India, perhaps they will have to sue for it and they will repent the day for which they were dogmatic about single-member constituency. I wish I had not spoken, but in the interest of democracy I am speaking. Democracy in India is impossible till the Congress party is liquidated (laughter) and unless parties are started anew, anew on ideological and economic basis. It is not possible to have democracy when the League or the Congress really exist in India. (Laughter.) We do not have democracy here. It is a Government of the Congress, by the Congress and for the Congress, and it shall be there till all is taken away from the Congress. The Hon. the Leader of the House said: ‘ We are very charitable, we are very sensible and we will give seats to minorities.’ ”

THE HON. SRI B. GOPALA REDDI :—“ I made an appeal to the parties to see that they selected the candidates.”

JANAB MOHAMED ABDUL SALAM :—“ Perhaps the Hon. Gentleman, the Leader of the House, is thinking that the Congress party is as powerful as it was in 1935 or 1945. It is a dream. In those days even lamp-posts were elected because a Congress ticket was tied round it. It is not going to happen now. (Laughter.) On one occasion the Hon. the Leader of the House himself said the Congress has only 10 per cent credit and not cent per cent. If that is the case, I do not know what is going to happen to the Government and the members themselves and the present members also. I ask whether it is not a fact that even the Congress party is divided in its ranks.”

MR. SPEAKER :—“ The hon. Member has to speak on the subject and not on the Congress. We are not speaking about the Congress here.” (Laughter.)

JANAB MOHAMED ABDUL SALAM :—“ We are discussing 1-15
delimitation of constituencies for the purpose of elections. There p.m.
cannot be elections without the Congress party and I have to discuss about parties in this connexion.”

MR. SPEAKER :—“ The hon. Member is not in order in speaking about parties. If he proceeds further with that, I will have to pull him up. Let him speak on the motion before the House.”

JANAB MOHAMED ABDUL SALAM :—“ I have to say, Sir, that I support the amendment of hon. Mr. Bhashyam . . . ”

MR. SPEAKER :—“ There is no amendment of hon. Mr. Bhashyam before the House.”

JANAB MOHAMED ABDUL SALAM :—“ An amendment has been circulated in the name of hon. Mr. Bhashyam. It speaks of minorities communities. May I discuss about minorities, Sir? ”

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MR. SPEAKER :—“ The hon. Member may speak on the motion before the House. Let him not ask me on what subject he may speak.”

JANAB MOHAMED ABDUL SALAM :—“ Sir, the hon. Members Mr. Raza Khan and Mr. Bhashyam have given notice of some amendments suggesting certain ways and means by which minority communities can enter the Legislature. If I cannot speak on those amendments and if the Hon. the Leader of the House objects to it, I have nothing to say, Sir. There are not only communal minorities, but all sorts of minorities. I know in some places the Reddis are in a minority. They cannot be properly represented unless there is a double-member constituency.

“ Sir, it is a well-known fact that the party in power would like to keep all the power for itself for ever. I have heard whispers that these constituencies have been so arranged as to help the blocks or the cliques in the party, for there are certain block and cliques in the party in power. It can be clearly seen from the fact that the Hon. the Leader of the House has refused to consult this House before he sent his proposals to the Election Commissioner. He refused to give a day even then for the discussion of these proposals and he said that no purpose will be served by our discussing them here. It was said that the proposals were confidential, but these were revealed to us too late in the day. The hon. Gentleman, Mr. L. N. Gopalaswami, has very clearly pointed out that the contiguity of the places has not been maintained in certain constituencies. Now the Hon. Leader of the House may say that he has already sent the proposals to the Election Commissioner. This clearly shows that the Hon. the Leader of the House has refused to consult his own partymen and this House. Now the only remedy lies in Mr. Anantasayanam Ayyangar's Committee. It is up to the Committee and the President of the Indian Republic to see that all the interests are safeguarded and that power is not grabbed and retained by some people for ever.

“ Now, I want to ask the Hon. the Leader of the House why in certain districts even firkas have been mutilated.”

THE HON. SRI B. GOPALA REDDI :—“ Even in my speech the other day, I said that about forty firkas have been split and that was because we had to see that the population limits were not exceeded. The maximum figure of 750,000 should not be exceeded on any account.”

JANAB MOHAMED ABDUL SALAM :—“ The Hon. the Leader of the House is ready with some argument for everything. But I am sure things can be arranged in a very different way. On the very first day we asked for maps, but we were not given. Even satisfying the conditions mentioned by the Hon. the Leader of the House, things can be arranged in a different way. They are afraid that if double-member constituencies are arranged certain other communal parties might come in. What made them fear like that? Why should they think that they will not be in power and something

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will happen to them? Why should they be panicky about double-member constituencies? That is the question, which the Hon. the Leader of the House, when he speaks tomorrow, will have to answer. What exactly is the reason for not recommending double-member constituencies? The Hon. the Leader of the House himself said that the instructions of the Election Commissioner, Mr. Sen, were not in the nature of directions but only in the nature of suggestions and that other Governments like that of Uttar Pradesh have recommended double-member constituencies in certain cases, and that even in the elections under the 1935 Constitution, though the rule was single-member constituency, there were exceptions. There were about 10 to 15 constituencies and the Hon. Leader of the House knows accurately”

THE HON. SRI B. GOPALA REDDI :—“ About 6 or 7.”

JANAB MOHAMED ABDUL SALAM :—“ There was nothing wrong in having 6 or 7 seats in double-member constituencies out of 215 seats. I ask, Sir, when we have 500 seats, is it not possible to have at least 50 double-member constituencies. There is no argument for and there is no point in what you have done. You have simply done it and posted the thing to the Election Commissioner and you have asked us to go and represent matters before the Advisory Committee. That is the line of argument of the Hon. the Leader of the House. In the last elections, in spite of the fact that double-member constituency was not the rule, they found that there was need for reservation of 6 or 7 seats out of 215 seats in double-member constituencies. Now it is up to the Advisory Committee and the President to set apart at least 50 seats out of 500 for double-member constituencies. Even granting that we are thinking of high class democracy as the Hon. the Leader of the House said, setting apart 50 seats out of 500 is not going to take away anything democratic from the Constitution.

“ Sir, the Hon. the Leader of the House may ask me why I do not like single-member constituencies. It is simply for this reason. In foreign countries we have heard of dictators for the whole country, but in our country we have dictators of the party in power in every town, taluk, division and district. No party can exist for ever on its past record alone. But so long as these dictators are there and they are helped by the Government, it is not possible for any other party or person to come forward. Therefore it is, I want that there should not be single-member constituencies at least in some places. The Hon. the Leader of the House may say, ‘ Oh, it is all unnecessary.’ There are no dictators. We are not anxious for power. We are going to the people.’ But, at least for the sake of dispelling doubts in the minds of the people and for taking away the planks in the arguments of your opponents and showing that the rumours that the constituencies have been arranged to suit your friends are baseless, at least for this purpose, what will be lost if 50 or 60 seats are reserved for double-member constituencies?

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“Sir, ‘Communalism’ has been the stock argument of the Government. This Government is the embodiment of communalism and it is communalism run riot. We need not go outside to see what is communalism. The history of this Government and the Treasury Benches is the history of communalism run riot. These people say that we want to come by the back-door. But they have themselves said that they stand by the Communal Government Order and they are going to the Federal Court on that issue. They stand by communal representation in every aspect including even the Ministry. Order after order issued by the Government every day shows that this Government exist and live on communal jealousies and other communal aspects. For them to tell the hon. Leader of the Opposition, who has been here for the last five years and who has given no occasion for the charge of communalism, that he is thinking of coming by the back-door, is not fair and it is not at all proper for the Government spokesman to have said so. Then where is the sanctity of debate and where is democracy? You arrange for a debate on delimitation of constituencies and when we speak on the question and give alternative suggestions, we are told that we want to come by the back-door. The very Government are here by the back-door. Have we not seen the past Premiers of this Government one after another giving statement after statement showing that everything is not well in this State. Sir, back-door is known only to this party and none else. We give our views here with the purest of motives. We are not here for power and we do not want to get into Legislatures. Nobody knows what is going to happen in the future”

MR. SPEAKER:—“The hon. Member’s time is up and he may please resume his seat.”

* SRI K. BOKKAI GOWDER:—“Mr. Speaker, Sir, much against my own desire not to take part in any debate, I am forced to express on the floor of this august House the emphatic protest of the people of my district against the proposals of the Madras Government for delimiting the constituencies and distributing the seats. Mr. Speaker, Sir, these proposals, to speak in the mildest possible language, are atrocious and outrageous in so far as they relate to my district. My district has been subjected to some discrimination for some years now and the Government are pursuing that discrimination policy. It was subject to much ill-treatment. I have warned the Government on the floor of the House not to pursue that policy towards my district. I have often sank in silence because I knew that my solitary voice will not prevail with the Government, who are riding rough-shod on the weaker sections of the people and on those whose votes may not count for them. The present proposals are the unkindest cut of all. They have laid their axe at the very heart of the district and it is bleeding. The soul of the people is cut. Their life-breath is taken away. That is the way in which the Government are dealing with my district of Nilgiris.

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“Mr. Speaker, Sir, in delimiting the constituencies and distributing the seats, certain fundamental principles will have to be adhered to. The Leader of the House has explained them both in this House and in the other House. First of all, the integrity of the district should be kept intact at all costs. But what has happened to my district? They have cut off a major portion of my district and given it away to Malabar to placate the people of Malabar, perhaps. I do not know. The headquarter taluk Ootacamund and Gudalur are given away to Malabar. This is the unkindest cut of all. Here they have tried to create an artificial ‘38th Parallel’ as in Korea. That is the only thing with which we can compare it. They have ignored the very fundamental principle they have laid down. Rather, they have taken care to violate the fundamental principle which has to be adhered to in delimiting constituencies.”

MR. SPEAKER:—“The hon. Member may continue his speech after lunch. The House will now rise and meet again at 2-30 p.m.”

(After lunch—2-30 p.m.)

* SRI K. BOKKAI GOWDER:—“Mr. Speaker, Sir, when the House adjourned for lunch I was pointing out how this Government had taken care to violate, and not to adhere to the principles regarding delimitation of constituencies and distributing the seats. My district, as per population, is entitled to two seats. The Government have conceded it; for they have stated so in their explanatory memorandum. There, it is seen, that the Nilgiris district is given two general seats. But in the actual distribution, my district gets only one seat; and Coonoor taluk gets that seat. The other seat is given away to Malabar under some guise, which, I shall explain, how, presently. Sir, they have unnecessarily split up firkas only to facilitate a major portion of my district to be given over to Malabar. In doing so, they have not at all taken into account facility of communications. Where is Ootacamund, the headquarters of the Nilgiris district, and where is Wynaad? Wynaad is in an outlying part of the Malabar district. There is no communication between the two places except one road. Besides this road, there is no other communication at all between the two places. This question of communications, the Government have completely ignored in delimiting constituencies. They have laboured to give an explanation for this action, namely, for handing over a major portion of my district to Malabar district, under the guise of reserving a seat for scheduled tribes. Sir, let me tell you this: the total population of scheduled tribes in my district is less than five thousand. It is somewhere between three thousand and four thousand. The Irulas have been omitted. The other hill tribes in the districts are: the Todas numbering about four hundred, the Kotabs numbering 1,200, the Kurumbas numbering less than 1,000. These are the main hill tribes. Besides there will be about three hundred to four hundred Paniyals in the Gudalur taluk of my district. The

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Gudalur taluk is called the Wynaad of the Nilgiris. So, Sir, the total population of the hill tribes in my district is no more than five thousand. It is between three thousand and four thousand. I am just putting the figure as high as possible. These people are evenly distributed throughout the district. Out of seven Kotah, hamlets in the district, five of them are in the Coonoor taluk and the rest in the Ootacamund taluk. The Todas are sprinkled all over the district. So also the Kurumbas. And this Government have laboured to find a reason for clubbing a portion of my district with that of Malabar to reserve a seat for the hill tribes stating that these tribes are concentrated in the northern portion of the district. This is a falsehood in its nakedness. There is no necessity for reserving a seat for the scheduled tribes of my district. I can represent the Todas, the Kurumbas and others much better than the Paniyals of Wynaad."

THE HON. SRI B. GOPALA REDDI:—"What about the hill tribes of Wynaad?"

SRI K. BOKKAI GOWDER:—"The Wynaad man cannot represent the hill tribes of my district adequately. So, on a population basis, my district is entitled to get two seats. This Government, in their anxiety to hand over my district to Malabar, have cast to winds even the sense of honesty. In their explanatory memorandum to the Government of India, they say, the Nilgiris district is given two general seats and Malabar district is given 24 general seats. But in actual distribution, we find, the Nilgiris district has been shown as getting one seat and Malabar getting 25 seats. So I beg to submit that so far as the constituency for the State Legislature is concerned, my district should get two seats, one seat for Ootacamund and Gudalur taluks and the other for the Coonoor taluk, if any slight modification is necessary for equalizing population I have no objection to that. But what has been done now is simply outrageous, and I submit the Government have done this in order to pursue their game of discrimination. This should not be allowed."

"Then, Sir, as regards the House of the People, let me suggest that while entirely agreeing with hon. Mr. Muniswami Pillay about the importance of the district, about its peculiar position and so on, I do submit that the district should have been given one seat. Sir, various important national assets are there in the district. There is the Cordite Factory; there are the Staff College and Wellington Barracks; there is the Wenlock Downs; there is the National Park; there is the Pasteur Institute. It is the tourist centre. Perhaps it is the international tourist centre as well. There is the public school and all that. All these things are important to the Central Government and they have got their stakes in the district. If a representative is given to this district in the House of the People, this district would be well off. That is why I have mentioned in my amendment that the Nilgiris district should be given one seat in the House of the People, constituency

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being Ootacamund and Gudalur taluks comprising one constituency and Coonoor taluk forming another constituency, the Mettupala and Coonoor constituency of the Coimbatore district and the Wynaad constituency of the Malabar district. In this way, the Nilgiris district can be given a representation in the House of the People. I am not asking anything too much in this case. The importance of the district warrants it. This Government have not been able to maintain this district in a way which is expected of any good Government to do. This district is the treasure house of our nation. Perhaps it pays the highest revenue to the Government of India; it is a district which brings in large revenue from foreign exchange by export of tea. It is paying two to three crores of revenue to Government of India by way of excise duty on tea and coffee alone. So a representation to that area in the House of People will not be too much. I do not know how this Government thought of splitting this district into two, giving one portion to the Coimbatore district and the other portion to the Malabar district. It is a mischievous thing to split up the district. If Government are not willing to give any seat to my district, please maintain its integrity at least. Even if you give the whole district to one constituency in Coimbatore district, that at least would satisfy common sense."

"Then, Sir, with regard to hon. Mr. Muniswami Pillay's suggestion that the Scheduled Caste seat should be reserved in my district, I do not see the force of his argument."

THE HON. SRI B. GOPALA REDDI:—"So you want two seats for the Badagas!" (Laughter.)

SRI K. BOKKAI GOWDER:—"My hon. Friend is confusing things. It is all a tri-lingual area there. The urban areas are inhabited by the Tamils, while the rural areas are inhabited by the Badagas. The entire population is tri-lingual. It is that mentality of discrimination that the Government have approached this problem and usurped one general seat from my district. I want the integrity of my district to be maintained. I do not want it to be split up, one portion being given over to one district and another portion to another district. Only now I see the mentality with which they have been pursuing this game. It is very unfair and unjust to say that I am pleading for two Badaga seats. Mr. Speaker, you will excuse me for losing my temper."

"With regard to the House of People I was stating that my district is a national asset; it has a national park, the Wenlock Downs is just catching the eye of the Central Government."

MR. SPEAKER:—"The hon. Member has just one minute more."

SRI K. BOKKAI GOWDER:—"I shall finish my speech within that time. I request this Government to come to their senses and respond to the wish of the people of my district."

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2-45 p.m. JANAB MAHIN SCHAMNAD :—“ Mr. Speaker, Sir, I do not find anything in the delimitation proposals about the people of Divi Islands. I do not know how the people in the Divi Islands are classified in the present delimitation of constituencies. I do not even know whether they have been disfranchised or they have been given any right to exercise their franchise. If so, in what constituencies? There are groups of islands. For instance, there are the Amin Divi group of islands, Laccadive group of islands and also other groups. In Amin Divi group of islands there are more than 6,000 people, in Laccadive group of islands there are more than 20,000 people and so also in other groups. People in these islands are mostly Muslims. (At this stage the Deputy Speaker occupied the Chair.) Madam, these islands are backward tracts, but considering the importance of these islands, they deserve to be constituted as a separate constituency.”

THE HON. SRI B. GOPALA REDDI :—“ What is the total population of all those islands? ”

JANAB MAHIN SCHAMNAD :—“ If those islands cannot be constituted into a separate constituency, at least they may be included either in Malabar or South Kanara.”

“ Now, Madam, regarding the polling booths in villages, I must say that people feel a lot of difficulty in going to booths which are far away from the villages, about 20 or 30 miles distant. In some villages there are no road convenience and even in villages where there are roads and other conveniences, people cannot afford to pay for the conveyance, being poor. Moreover, females cannot travel even by conveyances. So, unless the voters are taken by the candidates who arrange for conveyance, for feeding them and make other conveniences for their voting, they cannot go to the booths, because they cannot return the same day, but have to halt there on account of the distance of the booths from their places. In such a case, they will have to be at the mercy and influence of the candidates. Therefore, I say it is quite necessary to have a polling booth in every revenue village. In that case, people can go to the polling booth without any difficulty and exercise their vote and they need not require facilities for conveyance, feeding or any other help. Then they need not be under the mercy of the candidates either. Even the females can go and exercise their vote without any difficulty.”

SRI T. VISWANATHAM :—“ Madam, Deputy Speaker, speaking generally on this resolution, I agree with some of the general criticisms already made by the previous speakers that there has been an undue tampering with of the boundaries of districts and taluks in the matter of constituencies for the State Assembly and even a more undue tampering of the district boundaries with regard to seats for the House of People. A cursory glance at the list placed on the table of the House by the Government will prove that. I also agree with the criticism which has been strongly voiced

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against the vivisection of the Nilgiris district. I consider, as hon. MR. Bokkar Gowder considers; that Nilgiris is the treasure-house of this State; it is not only so of this State, but of the entire nation and the reasons advanced by the Government for the vivisection of the district, are not at all convincing. If you turn to page 11 of the Explanatory Memorandum, it is stated that this vivisection was necessary to provide a seat for Scheduled Tribes. It is really very interesting argument if one takes into account the strength of the Scheduled Tribes in Wynaad as compared with the strength of the Scheduled Tribes in the northern portion of this State. Madam, if you refer to page 13 of the Census Report of 1941 you will find that in Wynaad the strength of the tribal population is only about 11,000 and they want to provide a seat for them whereas, if you go to the Visakhapatnam district, to which I shall return later, you will see how even 30,000, 50,000 or even a lakh of people have not been provided with an extra seat. I say, therefore, their argument is not convincing. Apart from the district boundaries, the Nilgiris are a compact block with certain physical features about them, which cannot be lost sight of, but should have been taken into account. Whatever other political reasons there might have been, I submit, this Government should reconsider their decision with regard to the Nilgiris.

“ Then, Madam, coming to my own district, first I want to speak generally about the position of the cities. I really wonder why it was taken for granted that urban representation should be removed in the formation of territorial constituencies. Why was it taken for granted; under what direction or under what rule or with what consultation? This House has not been consulted in the matter and people have not been taken into confidence. The Government, only after everything was over practically and after they finalized their proposals, and even then only after interpellations and requests, made their proposals known to the members of this House. We knew nothing, in fact about the proposals when they agreed to 375 seats—and not 500 which we are now claiming under the Constitution to which we are entitled. We had not been consulted before. The Government always talk of direction from the north. But, there is also a direction from the south and the south has got to be consulted, I submit. Again, why was the Government consulted in the matter? Did the President of the Indian Union consult the Madras Government, only to get the views of the executive? Surely not. He wanted to know the views of the Madras Government, in consultation with the people of this State, at least of their representatives in this Legislature and no better consultation could have been made. We did not know what was happening. But, I understand, certain persons who have got the ear of the Ministry have been consulted. I have got grave objections to that procedure. Even five or six months ago one friend told me that Visakhapatnam will not have a seat hereafter. I do not know how five or six months ago, that friend had come to know of it . . . ”

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THE HON. SRI B. GOPALA REDDI:—“According to the People's Representation Act, every constituency must have uniform population.”

* SRI T. VISWANATHAM:—“I agree that it is so according to the People's Representation Act. How did that friend know and why was I kept out of that knowledge? And after the publication of these proposals, I sent out circular letters to some friends in the district in order to know their reactions on the delimitation proposals. This is what one friend wrote to me in reply, “there is no necessity to change that constituency; it is arranged with our consultation.” That is the letter which I got. It is a very peculiar and intriguing position.”

SRI M. BAPINEEDU:—“May I know, Madam, whether that letter is intended for publication or for information?”

DEPUTY SPEAKER:—“It is not intended for publication, but for our information.”

SRI T. VISWANATHAM:—“If my hon. Friend, Mr. Bapineedu wants, I shall make it the property of the House. I am citing this merely to show that certain friends were apparently consulted while we were not consulted. Then, Madam, I have a special grievance to make. I come from a place which is one of the most important towns not only in this State but also in this country as a whole. What is the population of Visakhapatnam? The Hon. Minister put the population of Visakhapatnam as 67,000. It is most astonishing and it is an outrageous travesty of the fact. How he could have ever put it 4 per cent less than the census figure of 1941 is a thing which passes my understanding. He should have known the population of Visakhapatnam now, because he comes there almost every month. The population of Visakhapatnam is more than 125,000 and in fact, the ration cards show that it is more than 165,000. Whether the ration cards show it or any other cards show it, we who live there and administer the affairs of people know that the population is nothing less than 125,000 or 130,000. But the Government and the Election Officer, who is supposed to be an expert L.C.S. officer, put the figure at 67,000, that is, 4 per cent below the census figure of 1941. Besides, Madam, proposals for the extension of the municipal limits of Visakhapatnam are pending before the Government for the last three years and I am expecting the orders of Government within almost a week or fortnight from to-day. So, this extension will bring in another 30,000 or 40,000 population. So, the total population of Visakhapatnam will not be less than the quota fixed by the Government for a seat. I, therefore, submit, Madam, that under no circumstance Visakhapatnam should be deprived of a seat. As a general principle too cities which have got more than, say, a lakh of population, should be constituted into separate constituencies by themselves, because these big cities have got certain features which are absent from what are called rural

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areas. It is a matter well known to everybody who has taken part in politics that people in large towns like Visakhapatnam take larger interest in politics and have got greater experience and more extended experience in the exercise of franchise than others. More than that, there is this practical difference in the matter of canvassing votes in a town with a lakh of people and in a rural area with the same population.

“The difficulty of canvassing one lakh in a city like Visakhapatnam will be as much as the difficulty in canvassing three or four lakhs of rural voters. In towns, it is necessary to go from house to house for canvassing. The Hon. Minister for Finance, having been returned from a rural constituency, does not perhaps know it and we have to go twice or thrice to the house and it is not so in the village. Apart from the general proposition, I insist that Visakhapatnam taken on its own merits has got a population of more than 125,000 and it is likely to have a population of 165,000 very soon, and it should be given a seat. I have also given notice of an amendment that Kothavalasa on the northern side or Subbavaram on the south-west may be added to Visakhapatnam taluk and one seat should be given to that constituency; with this addition, the population will be 160,000 and I urge that it should be given a seat.

“I now come to the representation of scheduled tribes. We find from the Explanatory Memorandum that one seat has been given to Parvatipur and another seat has been provided for Salur. The tribal population of Parvatipur is 31,000 but at Salur, it is only 5,000 and even there a number of plainsmen have been clubbed together. I have moved in those parts and I know that the number of tribal population is not more than 5,000. And yet what happens to the real Agency population? There is a continuous area with tribal population from Narasapatnam to Srungavarapukota which is forgotten and has not been taken into account; Gudem has a tribal population of 53,000 and Golugonda 5,000 and there is only one seat for them. Srungavarapukota, Chintapalli, Gudem and Golugonda will give you more than a lakh of tribal population but they are given only one seat whereas Salur with five thousands is given one seat and Parvatipur with 31,000 is given another. I submit that representation to Parvatipur and Salur may be scrapped and both may be given to Golugonda and Gudem. These seats have been reserved for the tribal population and I ask the Hon. Minister not to be led away by interested representations but to confine the seats to scheduled tribes and to areas where the tribes predominate and predominate in a very extraordinary degree.

“Then, Madam, when we come to the House of the People, it is still a more wonderful mismanagement and I do not know who is responsible for it. I do not know if the intention is to give a seat somewhere in Srikakulam leaving Araku and Lammasinghi and Gudem. The population in the former area is less than 50,000 and so, I feel, it has to be given to the Golugonda-Gudem. Srungavarapukota Agency areas. The population here is 161,000 but there in Srikakulam constituency it is only 50,000; even if you include

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the plains people, it would not be anywhere near the other figure. Therefore, for Heaven's sake, change the seat if you want to observe the terms of the Constitution.

"I do not know how when the People's Representation Act was passed, it was understood that there should be no urban constituencies except for a few and I am not sure whether any direction had been given by the Centre that they should be abolished in the process of delimitation. All the same, the Government have in their proposals discarded the urban areas. I would submit, Madam, that these 21 urban constituencies should be still further increased so as to cover all towns which have a population of over one lakh. I must say that these towns are the store-houses of political knowledge and political motive power starts from urban areas. It is all easy to say that everything is from the rural areas. We work and administer from urban areas and the Government and its machinery have their being in the urban areas and you cannot get rid of urban areas. It is only proper that due representation should be given to them. It should not be understood that rural and urban areas are in conflict. Let it be remembered that most of the people who take interest in politics come from urban areas. At any rate it will be so for some time to come. Therefore, I beg to submit that the Government should pay attention to this aspect of the matter and see that Visakhapatnam which has a population of 125,000 now and which is likely to go up to 165,000 very soon should get a representation."

THE HON. SRI B. GOPALA REDDI :—"What is the number of voters?"

SRI T. VISWANATHAM :—"The number of voters may not be large; but that is not my fault."

THE HON. SRI B. GOPALA REDDI :—"It is neither the fault of the Government."

* SRI T. VISWANATHAM :—"Even before their men started work, they issued a notification that no remuneration will be paid to them. A number of people complained to me that the enumerators had not come to them. They have made such a complaint even in the City of Madras and that is why they have shown a population of 10 lakhs while it is fifteen lakhs. Why do you have dreams and live in fairy land? You must know the real position. You enumerated twice. Enumerators were sent in 1949 and they were again sent in 1950 and the Government could have instructed them to write out in one column the total number of people in the house. They did not do it but they made a mathematical inference about the total figure and it is all unreal."

THE HON. SRI B. GOPALA REDDI :—"Some people asked for it and we told them that they would not get it."

* SRI T. VISWANATHAM :—"But the result was that it made them tardy and now you want to enforce an inferential population upon us as against the very spirit of the Statute that the constituency must be based on the population and not what you

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infer from some process which you say is as good as enumeration but which is not. In no other municipality has the population been reduced but it has happened in Visakhapatnam. To my misfortune and to the misfortune of the Government whose reputation for accuracy is lost on this ground because it is a terrible mistake. I ask the Government not to stick to their figure but to allot a separate constituency for Visakhapatnam as it deserves a seat in any point of view."

JANAB M. V. HYDROSS :—"Madam, I wish to say a few words with special reference to Malabar. I find that 28 seats have been allotted to Malabar on the basis of population, namely, 42 lakhs and fourteen thousands. I submit that this is an underestimate and it will be found from a perusal of the records pertaining to rations, allowing a margin for temporary ration-drawers, that the population of Malabar, not including the portion in Nilgiris district, will be about 52 lakhs, that is ten lakhs more."

THE HON. SRI B. GOPALA REDDI :—"What is the census figures of 1941?"

* JANAB M. V. HYDROSS :—"It will be about 45 lakhs. The areas comprising the Amindivi Islands and the portion we want to bring from Nilgiris district is not taken into consideration. Anyhow ration statistics give us some statistics and my submission is that the 28 seats allotted for Malabar is insufficient in view of the population."

"Then, Madam, the other point which I wish to urge is that in delimiting constituencies, the area in which minorities are living in substantial numbers should not be assigned to more than one constituency but should be kept intact. That is the amendment given by my leader and if we consider the allotment of seats with reference to this principle we see what great havoc has been done to the Muslim community of Malabar. It will be found that one seat has been assigned to Ponnani for the scheduled castes and the other places wherein seats have been assigned for the scheduled castes are Alathur and Wandur and these are areas in which we do not find any appreciable number of scheduled castes. The allotment of seats for scheduled castes in these constituencies is detrimental to the interests of the Muslim community in Malabar. Seats have been allotted splitting up the various areas in such a way that the areas where Muslims inhabit in one block have been split up into different areas where the members belonging to other communities are in a majority. For instance the Kuttipuram firka in my constituency, which is an area where there is a large number of Muslims, has been divided up into two parts and one has been given to Tirur firka and another portion has been given to Tiruthala firka and in the same manner Kondotty in Ernad taluk which is another area where Muslims inhabit in very large numbers has been divided into two and one part has been given to Wandur and another portion has been tacked on to Kottakkal. In the same way, Quilandy firka is divided between Perambra and Quilandy constituencies. Predominantly Muslim areas in Malabar have been divided

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into separate units. I do not know who has done and whether it is done with any motive. Anyhow the fact is there. In the footnote to the delimitation proposals, it is said that further delimitation will be done in consultation with the Collector of Malabar. These are matters that have to be taken into consideration by the Government before coming to a final settlement. The powers of the Collector in this matter will be very limited. When the Government send a proposal, the Collector will have to simply follow it."

THE HON. SRI B. GOPALA REDDI :—" We will not consult the Collector with regard to the splitting up of the taluks. Only the selection of compact villages to form the population strength will be done in consultation with the Collector."

JANAB M. V. HYDROSS :—" I am glad that the Hon. Minister is agreeable to consult the Collector at least in regard to selection of villages. These proposals should be decided in such a way as to infuse confidence in the minds of the minority. Muslims form about one-third of the population of Malabar. Even now they feel that the splitting up of certain areas is a device for over-riding the rights of minorities."

" Then I come to the Islands. Hon. Mr. Schannad referred to the Laccadive Islands. Here again the Hon. Minister said that population was taken into account. The Islanders are a backward set of Muslims and there are no people of other communities in the Islands. They are governed by a certain regulation called the Laccadive Islands and Minicoy Regulation. The ordinary civil or criminal law of this land does not apply there. They are ruled by their Ameen. The Collectors of Malabar and South Kanara have got some appellate authority over the decision of the Ameen. It is surprising to note that there is not a single high school in the Islands. In Minicoy, there is only one higher elementary school. There are a number of such Islands—Agathi, Androth, Kalpeni, Kavarathur and so on. Their population ranges between 4,000 and 12,000. Educationally the Islands are very backward. Nobody from the mainland can go to the Island without the permission of the Collector. It is very difficult for any ship to go near the Island. The ships halt at a distance of two miles and from there the distance has to be covered in steam launches. For about five months in a year nobody can go to the Islands as all communications between them and the mainland are cut off. According to the footnote to the delimitation proposals, the Islands are treated as part of a mainland constituency for the technical reason that they come under the fifth schedule to the Constitution. In the rainy season it is impossible for anybody in the mainland to go to the Island or for anybody in the Island to come to the mainland to do election propaganda. Therefore I submit that, despite the rule that there should be a minimum population to constitute one constituency, the Islands should be constituted into a separate constituency. We can recommend to the Central Government that that effect even now. (Interruption by the Hon. Sri B. Gopala Reddi.) I do not say that the population is sufficient to make up one constituency according to the present rule. Rules are made

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for men and men are not made for rules. It is up to this Government to tell the Central Government that the Islands are far away from the mainland, the nearest Island being two-hundred miles away, and that therefore the ordinary system of representation will not work properly. In addition to this, this is the first time that the Islanders are facing an election. There has been no election in the Islands so far."

THE HON. SRI B. GOPALA REDDI :—" Hitherto I think they formed part of the Calicut Constituency."

JANAB M. V. HYDROSS :—" They are now tacked on to Chevayur firka. During the last election, the Islanders did not get any representation at all. Therefore, Madam, I suggest that some method should be devised to give real representation to the Islanders on the State Legislature. With these remarks, I support the amendment moved by the Leader of the Opposition."

* SRI K. LINGA RAJU :—" Madam, Deputy Speaker, it has been fairly settled that delimitation should be on the basis of single-member constituencies, as it is said to be a directive from the north."

THE HON. SRI B. GOPALA REDDI :—" From the Centre."

* SRI K. LINGA RAJU :—" It is not exactly in the Centre. We take our directives from the north. So there is no point at this stage in discussing whether we should have plural-member or single-member constituencies though in the interests of minorities we have to support plural-member constituencies. Even on the basis of single-member constituencies, I am afraid things have not been done strictly on the basis of contiguity of areas and population. As my hon. Friend Sri T. Viswanatham has said, certain delimitation proposals had already been in circulation among some privileged members of this House who had access to the records, and they knew them. I was told that in the East Godavari district, the Rajahmundry town and firka was made into one constituency. But according to the proposal as now published, an additional population of 6,000 has been added on to that constituency. In the Explanatory Memorandum, a very wholesome principle has been enunciated that firkas should not be split up. But some 40 firkas were split up according to the admission of the Hon. Minister himself."

THE HON. SRI B. GOPALA REDDI :—" Out of 1,200 and odd firkas, we were obliged to split up only 40 firkas. In Malabar every firka is retained intact because the population is huge."

* SRI K. LINGA RAJU :—" I have got enough data to show that the firkas were unnecessarily split up, perhaps to suit the convenience of some individuals. For instance, where was the necessity for trifurcating the Mandapeta firka?"

THE HON. SRI B. GOPALA REDDI :—" We looked into the matter and we only bifurcated and not trifurcated the firka. I think we submitted an erratum to the Chief Election Commissioner."

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* SRI K. LINGA RAJU :—“ I thank the Hon. Minister for bifurcating and saving the firka from trifurcation.

“ For a number of years, people who have been doing public work have been used to work in units of districts, taluks and firkas. I would have been very happy if the districts or at least the taluks have been kept intact. So far as my district is concerned, I can say that the delimitation could have been done without impairing the present set-up of the revenue firkas and taluks. I have worked out the details for submission to the Parliamentary Delimitation Committee. I can convince the House that there was no need to bifurcate the firka under any circumstances.

“ In the Central Delta, an excess population of 30,000 in each taluk is said to have been condoned. In the original proposals that were under circulation Totaramudi firka of Amalapuram taluk was included in the Ramachandrapuram taluk constituencies. Now the firka is again included in Amalapuram taluk. It looks as though several changes in the original proposals have been made at the instance of somebody. Some influence seems to have been brought to bear on the delimitation proposals. Personally, I wish that the task of delimitation is entrusted to a small committee consisting of one or two judges and one or two administrators. Its recommendations, with the modifications necessary in the light of the discussion in this House, could have been adopted as the State Government proposals. All these days the proposals have been kept a secret. Only after considerable agitation, they were made public. From all accounts it is clear that the delimitation has not been done strictly on the basis of population and contiguity of areas.

“ I want to point out a difficulty in regard to the Scheduled Tribe seat which is given to the East Godavari district. The entire taluks of Nugur, Bhadrachalam, Chodavaram and Ellavaram and parts of the taluks of Rajahmundry and Peddapuram have been clubbed together to make up a population of 300,000. This is a constituency which cannot be negotiated easily. The distance from the one end of Nugur taluk bordering the Central Provinces right up to Eleswaram, Jaddangi and Addatigala is about three hundred miles. Ordinarily it takes three to four days to cover this distance and if rains come in, it is impossible to negotiate the area. The whole area is to be arranged like this. In this particular matter at least, I would like a single-member constituency constituted comprising the Agency taluks of Bhadrachalam, Nugur, Ellavaram and Chodavaram for a Scheduled Tribes seat. If there is no alternative than to tag it on to a general seat, I would like to add this area to Eleswaram, Parvatipuram and Jaggampeta firkas in Peddapuram taluk. As it is, Peddapuram taluk has been divided between three taluks, namely, Agency, Peddapuram and Rajahmundry. A firka from Peddapuram is tacked on to Rajahmundry unnecessarily and a firka from Rajahmundry is added to Bhadrachalam. This confusion could have been avoided by maintaining the entity of the taluks.

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“ In the matter of the House of the People Constituencies pertaining to East Godavari district, there is this confusion extending over districts. Excluding Tuni Constituency, East Godavari, has fifteen constituencies and there can be a neat division into three seats. There is no need to cross the river and club Narasapur, Bhimavaram and Tanuku taluk with Razole and Amalapuram only for the purpose of giving a seat for the Scheduled Caste. The constituencies in Kakinada, Ramachandrapuram, Amalapuram and Razole taluks can be clubbed together to make up 7.5 lakhs of population. These taluks have considerable Scheduled Caste population to deserve a seat. With these observations, I once again request the Hon. Leader of the House to see that as far as possible the taluk and firka units are not disturbed in the matter of State constituencies and district units in the matter of the House of the People constituencies.

“ The whole area is to be arranged like this. In this particular matter at least I would like a single-member constituency constituted comprising the taluks of Peddapuram, Nugur, Ellavaram and Chodavaram for a Scheduled Tribes seat. If an alternative is to be made, and it has to be tacked on to a general seat, I would like portions of Eleswaram, Peddapuram and other areas be fitted into one constituency, and that constituency may be given to a Scheduled Tribes seat along with the Bhadrachalam agency. As it is, Peddapuram taluk has been divided between three taluks, namely, Agency, Peddapuram and Rajahmundry. A firka from Peddapuram is tacked on to Rajahmundry unnecessarily and a firka from Rajahmundry is added to Bhadrachalam. This confusion could have been avoided by maintaining the integrity of the taluks. I once again urge on the Government to see that some arrangement is made so that a Scheduled Tribe candidate is given an exclusive seat, preferably in Bhadrachalam and Nugur areas. In the matter of the House of People also (preferably the Kakinada seat), both the Razole and Amalapuram seats may be clubbed together for a constituency, because, for a Scheduled Tribes seat, we need not go to Narasapuram and other places. We need not cross the river for the purpose of simply giving a seat to the Scheduled Tribes. All these taluks of Ramachandrapuram, Kakinada and the two deltaic areas of Razole and Amalapuram constitute the largest population of Scheduled Caste people, and justifiably they should have been given a seat. With these observations, I once again request the Hon. the Leader of the House to see that as far as possible the taluk and firka units are not disturbed.”

* JANAB H. S. HUSSAIN :—“ Madam Deputy Speaker, if my information is correct, this Government submitted these proposals to the Government of India some time ago without consulting or taking into confidence this sovereign Legislature of this State. Now, these proposals are placed before this House for criticism and for suggestions so that this Government, and, if not this Government, the Central Government, and, if not the Central Government, the Parliamentary Delimitation Committee that is now sitting in Madras, might reconsider these proposals in the light of the debate that is taking place here. So far so good. But

3-30
p.m.

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then we feel still that we are only conducting a post-mortem examination of the Government's proposals. The Government's attitude ought not to have been like this towards this House, and I would, for one, very strongly protest against the conduct of this Government in submitting these proposals without first submitting them to the criticism of this House. Anyway they have done so. Perhaps they have done so with the best of intentions. But still it is open to them to correct or modify their proposals in the light of the discussion that is taking place in this House and, they may also support this House in any constructive criticism that is offered in the matter of alterations to be made in these proposals, and submit those altered proposals or suggestions to the Parliamentary Delimitation Committee themselves. Therefore I hope the two days that are being spent over this important matter will not be in vain if the Government would be in a position to revise their own proposals and make fresh suggestions to the Delimitation Committee here. There is the question of single-member constituency and plural-member constituency. This question was debated once before in this House. Then the question of back door and front door and all kinds of doors was also raised. But I feel that it should always be an open door. There is no question of front door and back door representation of the people of the country in the governance of the country. Therefore, as far as possible, the door should be kept open to all, and that means equal opportunities should be given to all sections of the people irrespective of caste, creed or colour, and not reserved for the benefit of one single political party. That is my contention so far as the main feature of these delimitation proposals of our Government are concerned. After all, what is democracy? Democracy means the full guarantee of liberty. And what is liberty? It means equal opportunities to every individual in this State, and if that is not guaranteed to every single individual, and if equal opportunity is not given to an individual to enter the legislature of his own State, I do not see what kind of democracy it will be under the proposed delimitation of constituencies in our State, unless more seats are provided for each constituency. If not two or more than two, at least two plural-member constituencies would have been much better. But that is denied. I am afraid a time might come when democracy may end in the dictatorship of a few. That ought not to be the tendency of any Government which call themselves a democratic Government.

"Now, Madam Deputy Speaker, so far as my district of South Kanara is concerned, I can say that the delimitation proposals of our Government are on the whole satisfactory in that the Government have adopted certain well defined principles on which they have proceeded to delimit the constituencies in my district. But there are two things which I would like to point out to the Government. They have provided for 10 seats. Including the Scheduled Castes seat, it ought to be 11 seats according to the principle adopted by the Government of one constituency for a population ranging from 125,000 to 165,000. I should point out to the Government that the Puttur constituency in my district

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split up. That taluk, with an addition of a firka of my taluk, namely, Karkal, has been made into a constituency with a population of 258,000. I do not see how the Government have departed from their own principle of one constituency for a population ranging from 125,000 to 165,000. The standard basis for a constituency is 145,000. Therefore, I would suggest to the Hon. the Leader of the House to see that the Puttur constituency is split up into two with a population of 129,000 for each. This also comes within the principle adopted by the Government. I do not attribute any motive to the Government. It may be a mistake or it may be an oversight. But still it is there. The Government may of course say that they have provided for a reserved seat there. But that does not make any difference. Both the candidates will have to face the same constituency and the same number of voters they will have to represent. Of course it is a whole taluk. That makes no difference. Supposing both the candidates are opposed. What will be the position? The Harijan candidate or the Scheduled Caste candidate will have to go to all the voters. So also the general seat candidate will have to go to all the voters. Both of them will be put to great difficulties. Therefore I say that Government should split up Puttur into two parts each with a population of 129,000, namely, Puttur A and Puttur B. That would be better. I do not find any such arrangement in the proposals formulated by our Government and submitted to the Government of India. I hope the Parliamentary Delimitation Committee which is now here will make a note of this, and I am sure the Hon. the Leader of the House will also kindly make a note of this, and see that justice is done to our district."

THE HON. SRI B. GOPALA REDDI :—"I do not quite follow the hon. Member."

* JANAB H. S. HUSSAIN :—"According to the proposals before us, Puttur taluk, with an addition of a firka from the Karkal taluk, is delimited as a constituency with a population of 258,000. For this constituency the Government have given a general seat and also a reserved seat. This does not make any difference. My suggestion is that it should be split up into two constituencies of 129,000 each. This comes within the principle adopted by the Government, namely, one seat for a population ranging between 125,000 and 165,000. Otherwise the constituency becomes unwieldy."

THE HON. SRI B. GOPALA REDDI :—"What about the reserved seat?"

* JANAB H. S. HUSSAIN :—"Wherever the Government find that Harijans are in large numbers, they may give a reserved seat to that constituency. If it is not in Puttur, it has to be given somewhere else. By all means wherever there is a large population of Harijans, a reserved seat may be given. This would be a better arrangement. This will also give South Kanara one more representative. We will get 11 seats including the reserved seat. I do not see why the Government should deprive us of one more representative."

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THE HON. SRI B. GOPALA REDDI :—“ We have already given one additional seat to South Kanara.”

* JANAB H. S. HUSSAIN :—“ I do not think so, Madam. From the point of view of population and also from the point of view of the principle adopted by the Government themselves, they are not doing justice to South Kanara so far as Puttur taluk is concerned. Why should a constituency be delimited consisting of a population of 258,000? The Government will have to explain this. Is there any motive? I do not of course attribute any. Is it gross ignorance? I am surprised to see that the Chief Election Officer who served in our district as Sub-Collector should have suggested this delimitation. Mr. S. Venkateswaran knows the condition of the Puttur taluk. It is a hilly taluk, and the villages are situated in the corners of the hills and valleys. They are in the recesses of the hills. It will be very difficult to manage this constituency if it is so vast consisting of a population of 258,000. I think I am making a reasonable request to the Government, and it is for them to consider. If they do not consider it (I do not know what word I should use) it is because they do not want to consider or they have no mind to consider or they may have a motive behind such a move. Still, it is open to them to reconsider the whole situation, and split up Puttur and give one more representative to South Kanara.

“ Madam, I do not wish to say anything more in this matter, and I thank you, Madam, for having given me this opportunity to speak on the proposals.”

3-45 p.m. * SRI K. BRAHMANANDAM REDDI :—“ Madam, Deputy Speaker, I do not know whether it would be proper for me to reopen the question of what best suits the State, single-member constituencies or multi-member constituencies. So far as this Government are concerned, I suppose they are committed to single-member constituencies. Madam, you are aware of the discussion that took place in both the Houses of the Legislature and the exhaustive reply of the Hon. the Leader of the House on the relative merits of single-member and multi-member constituencies. So, I feel it is unnecessary for me to take you in that debatable question again and spend the time of the House. But I want to say a plain fact in a plain way. Hon. Gentlemen opposite have been time and again agitating you, Madam, in spite of the protestations of the hon. Gentlemen for multi-member constituencies with cumulative voting. I tell you, Madam, in spite of the protestations of the hon. Gentlemen opposite to the contrary, it is bringing in separate electorates through the backdoor. I repeat it, not with any view to offend the hon. Gentlemen. It is not my intention to hurt their feelings, but what I say is that it means in effect nothing but that. Separate electorates are dead; thanks to the efforts of very eminent politicians, belonging to the minority communities also, the system of separate electorates has been put an end to. We know what havoc these separate electorates have brought into this country. No man who has lived in the past decade or two will wish again for separate electorates in this country. It is no use of the hon. Gentlemen trying to bring back to life a dead and decomposed carcass. If we are to progress and

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progress quickly, we must think in terms of the nation and not in terms of this community or that community or of this religion or that religion, where politics are concerned. Democracy means that the voice of the majority in a constituency must prevail. If the system of cumulative voting is adopted, if in a constituency there are a lakh of voters and 5 candidates stand for election, about 11,000 people can defeat a man who has the support of more than 10 to 45 per cent of the voters of that constituency. Is that democracy? Does it not mean that you are trying to bring up the candidate who has the support of 11,000 people alone through the backdoor? It is a plain fact. No argument is necessary and I do not want to spend any more time on this question.

“ My amendment concerns my district or the area in which I live. Of course, I must express my appreciation of the way in which the Government or their Election Commissioner has arranged these constituencies. I know it is very difficult task. But for what this gentleman has been doing for these six months, he has received nothing but rebukes. There are two or three general principles which have been adopted in arranging these constituencies. I am referring to the State Assembly constituencies. The principles are that a firka should not be disturbed except for the most compelling reasons and that as far as possible taluks also should not be disturbed.

“ In Guntur district, if we look at constituencies Nos. 12 to 15, we will find that they not only disturb two taluks but two firkas also and the disparity in the population strength of those constituencies is more than 33,000 to 40,000. The population of one firka is 160,000 and that of another firka is 127,000. What I wish to say is this. Instead of breaking two firkas, one firka alone may be disturbed and the necessary allotment can be made with more equitable population strength.

“ If from item (12) Tadikonda constituency, a part of Atchampet, i.e., a population of 24,000, is taken away and added on to the next item (13) Sattenapalle constituency, then the Tadikonda constituency will consist of 136,000 population. Then, if from item (13) Sattenapalle constituency, Narasaraopet (northern part) is taken away, in lieu of the addition of 24,000 population from Atchampet, and if that part of Narasaraopet is added on to the next item (14), then the Sattenapalle constituency will still remain with its existing population, viz., 157,000. Now, Chilakaluripet (northern part) may be taken away from item (14), and added on to item (15). Thus, if Atchampet is disturbed, you need not disturb Narasaraopet, and Chilakaluripet firkas.

“ Coming to the constituencies for the House of the People, I think that the Election Commissioner might have thought that if Chilakaluripet firka is not disturbed for the formation of constituencies for the State Assembly, the Guntur constituency for the House of the People might exceed the population strength of 7.5 lakhs which is prohibited under the statute. But keeping that limit in view, I have the amendment. If we work out according to my amendment, the constituency will not exceed the present strength of

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749,000 population. I request the Hon. the Leader of the House to take my suggestion on to the Election Commissioner and see whether the matter cannot be adjusted.

“Regarding the constituencies for the House of the People, our Guntur district is tacked on to Nellore on the southern side and to Vijayavada on the northern side. We do not know where we are, whether we are to be led by the Nellore people or the Vijayavada people. I do not want to go into the question deeply. But I suppose an adjustment can be made conveniently. I request the Government to look into that matter also.

“Thank you, Madam.”

* **SRI P. VENKATARAMA AYYAR** :—“கனம் தலைவர் அவர்களே! தஞ்சை ஜில்லா 11 தாலுகாக்கள் கொண்டது. அதற்காக 19 ஸ்தானங்கள் ஒதுக்கப்பட்டிருக்கிறது. இதில் ஐந்து இடங்களில் இரட்டை ஸ்தானங்களும் அதாவது பத்து ஸ்தானங்களும் 9 தனி ஒத்தலத ஸ்தானங்களும் ஒதுக்கப்பட்டிருக்கின்றன. இந்த இரட்டை ஸ்தானங்களில் ஒன்று ஹரிஜனங்களுக்கும், மற்றொன்று பொதுத்தொகுதியாகவும் ஒதுக்கப்பட்டிருக்கிறது. இப்படி ஒதுக்கப்பட்டிருந்தாலும் எந்த இடத்தில் ஹரிஜனங்கள் அதிகமாக இருக்கிறார்களோ அந்த இடத்தில்தான் தனி ஸ்தானம் ஒதுக்கப்படவேண்டும். அதைதான் நமது சனம் நிதி மந்திரி அவர்கள் சென்ற தடவையில் இந்த தொகுதி நிர்ணய விஷயமாக விவாதித்துக் கொண்டிருக்கிற காலத்தில் சொன்னார்கள். அப்படியே பார்க்கிற காலத்தில் ஹரிஜனங்கள் தஞ்சை ஜில்லா சர்க்காடி தாலுகாவில் 35%-ம், நன்னிலம் தாலுகாவில் 29%-ம், மன்னார்குடியில் 27.7%-ம், திருத்தறைப்பூண்டியில் 26.4%-ம் இம்மாதிரி ஒவ்வொரு தாலுகாவிலும் பார்க்கிற காலத்தில் கும்பகோணம், தஞ்சாவூரில் 19, 18 சத விதம்தான் இருக்கிறார்கள். ஆகையால் இவற்றிற்கு இரட்டை ஸ்தானங்கள் கொடுத்திருப்பதை எடுத்து ஹரிஜனங்கள் அதிகமாகவுள்ள இடங்களுக்கு இரட்டை ஸ்தானங்கள் கொடுக்கவேண்டும். அப்படியில்லாமல் இரட்டை ஸ்தானங்களை கும்பகோணம் தஞ்சாவூருக்கு ஒதுக்கியிருப்பது சரியல்ல என்று எடுத்துக்காட்டி விரும்புகிறேன். ஆகவே கும்பகோணத்திற்கு இரண்டு ஸ்தானங்களையும் தஞ்சாவூருக்கு இரண்டு ஸ்தானங்களையும் தனித்தனியாக வைத்து விட்டு எந்த இடங்களில் ஹரிஜனங்கள் அதிக விதிதாசாரம் இருக்கிறார்களோ அதாவது மன்னார்குடி, சர்க்காடி, திருத்தறைப்பூண்டி போன்ற இடங்களில் இரட்டை ஸ்தானங்கள் கொடுக்கவேண்டுமென நான்கனம் மந்திரி அவர்களுக்குத் தெரிவித்துக்கொள்ளுகிறேன். இது என்னுடைய தொகுதி சம்பந்தப்பட்ட வரை பொது ஜனங்களுடைய அபிப்பிராயமாக இருக்கிறபடியாலும் நியாயத்தை உணர்ந்து, கும்பகோணம், தஞ்சை தாலுகாவிற்குக் கொடுக்கப்பட்டிருக்கிற இரட்டை ஸ்தானங்களை ஹரிஜனங்கள் அதிக விதிதாசாரமுள்ள இடங்களுக்குக்கொடுக்கவேண்டுமெனக் கேட்டுக்கொண்டு என்னுடைய வார்த்தையை முடித்துக்கொள்ளுகிறேன்.”

4 p.m.

* **SRI K. A. NACHIAPPA GOUNDER** :—“Madam Deputy Speaker, the matter of delimitation of constituencies has been approached by some hon. Members, on the lines whether there must be single-member constituency or plural-member constituency. I think it is too late in the day to speak about that just now, as it has been taken as the accepted principle that single-member constituency will have to be adopted, and wherever double-member seats will have to be reserved for Scheduled castes, double-member constituency will come in. The hon. Gentleman Mr. Salam has been accusing the Congress that in order to gain their strength, they have taken to single-member constituencies. I will have to disabuse that sort of

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idea from him by pointing out that if it is plural-member constituency, it will be all the more convenient for the Congress; because, the area will be vast and they will be able to secure support from all over, whereas particular individuals who want to come in cannot command the facility over such a large area. So, if it is plural-member constituency, it will be in the interests of the Congress. But as the Congress party is ruling the country, they should not think of the party interests alone, but have to think of the public interest also. That is why, they have resorted to single-member constituency. Though it is not advantageous to the Congress, they have chosen the single-member constituency in the interests of the public.

“Another point that has been raised, Madam, is with reference to reservation of Harijan seats and whether Harijan seats can come under single-member constituency. I should point out that it is not fair, because if Harijan candidates alone are to stand for election in any particular constituency, people will have no choice except to choose one of that community alone from that constituency. It would not be fair and reasonable in the public interests if the people of a constituency is forced to select their representative from the Scheduled castes in case the reservation is made in a single-member constituency. So, in order to avoid this sort of contingency, they have made them double-member constituencies wherever reservation is made. Hence it is quite proper and fitting that there should be double-member constituency in such cases. One cannot therefore have any dispute over this and it will prove nothing but a matter of crying in the wilderness. I only wanted to point out this aspect of the question to avoid discussion going in this trend.

“With regard to the delimitation of constituencies, I will have to observe that though the Government in their explanatory memorandum say that they have taken the administrative convenience and the compactness of the area and road facilities into consideration, in actual practice, they have not done so. As far as the State Assembly constituencies are concerned, I must say that they should not disturb the taluks as far as possible. If a constituency runs into two or three taluks, the member representing the concerned constituency will have to contact three tahsildars and two deputy collectors for their public work. In these days of democracy, the representatives of the people should have easy contact with the officials so as to carry on the administration of the Government in the proper way. In order to facilitate convenience in this regard, compactness of a constituency must be maintained. If the constituency is to run into two, three or in some cases four taluks, it cannot facilitate the representative to function effectively in the best interests of the people whom he has to represent. In order to point out this sort of defect, I may take up the Salem district where the constituencies have been framed for the State Assembly. They have divided one taluk Krishnagiri and taken it into four constituencies. Barur firka of Krishnagiri taluk is unnecessarily shunted into Dharmapuri constituency. This necessitated Nallampalli firka of Dharmapuri taluk

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being forced into Omalur taluk and make Omalur firka being shunted into Salem taluk. Consequently Karipatti firka of Salem taluk has been shunted into Harur constituency making it unduly long. Whereas they could conveniently take away Barur firka and Krishnagiri taluk straight into Harur taluk and form a convenient constituency with Barur, Mathur, Santhur firkas of Krishnagiri taluk and Kallavi and Uttangurai firkas of Harur taluk, which are contiguous and compact thus leaving Dharinapuri, Omalur and Salem taluks undisturbed to have self-contained constituencies. Harur constituency will also form a compact area in that case with Harur, Morappur, Thirthamalai and Pallipatti firkas in it. The population figures also work quite favourably. If you go on taking away one firka from a taluk and tacking it on to another which is a self-contained one for two constituencies, the result will be that all taluks will be disturbed. According to the proposals made by Government, out of the ten taluks in the district, they have left only two taluks, viz., Namakkal and Tiruchengode, intact and the other 8 taluks are disturbed. I must point out that it is easily possible to conform to their principles and yet leave five taluks, Dharinapuri, Omalur and Salem in addition to Namakkal and Tiruchengode absolutely intact. I have worked up my proposals in this regard and have submitted a detailed memorandum to the Secretary to the Parliamentary Delimitation Committee giving my suggestions, and they are clear and self-explanatory and I wish that they may be acted upon. I make this appeal to apply these principles not only with regard to Salem district, but also with regard to all the districts. It must be adopted as a definite principle that each taluk should be left intact unless it is absolutely expedient to split it for unavoidable reasons with regard to the State assembly constituency.

"As regards reservation of seats for Scheduled castes in the State Assembly, I must say that the Government should not concentrate all the reservation in any part of the district. In the explanatory memorandum furnished by the Government it is clearly stated that 'the plural-member constituencies should be located in areas where the minority communities concerned are concentrated within the district, adjustment being made to avoid the effect of neglecting other significant parts of the district.' This principle has not been put into practice as far as Salem district is concerned. Salem district has got reservation of three Scheduled castes seats; one reservation is in Namakkal Constituency, one in Tiruchengode Constituency and the third in Salem Constituency. All these are concentrated in one particular area of the district in its southern part thus neglecting the northern part of the district altogether. The Government may say that they have made the reservation considering the density of Scheduled caste population. In making the reservation, I will have to point out that the Government have taken the Scheduled caste population of the whole taluk and made the reservation not in the whole taluk, but in a particular constituency within the taluk.

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For instance, they may say that the taluk of Tiruchengode has got the highest Scheduled Caste population, but they are not confining the reservation for the whole taluk. They are confining the reservation only to three firkas of the taluk which constitute the constituency. The three firkas themselves have got a population of 290,000 and one general seat and one Scheduled Caste, etc., allotted to it. But within that constituency, the Scheduled caste population will be only somewhere about 45,000. The figure 69,000 and odd noted as Scheduled Caste population is for the whole taluk. If the Scheduled Caste population of a constituency is taken into consideration, in the northern portion of the district there is considerable strength of Scheduled Caste population in the Harur and Barur constituencies as I put them where reservation can be resorted to. To avoid, as the Government themselves say in the explanatory memorandum, location of such constituencies in concentrated areas, they can take it conveniently to the northern part of the district. In that way, they can distribute the Scheduled Castes seats in an even manner in the whole district. My argument for taking away the Scheduled Caste reservation from Tiruchengode is this. I do not want to disturb Namakkal since it has got a Scheduled Caste seat even now and so it must continue. Regarding reservation of seat for the Salem constituency, I must state that Salem being the headquarters of the district where the electorate can return an enlightened Scheduled Caste representative, I do not want to disturb that seat either. Hence I have to pitch upon the seat as Tiruchengode for being shifted to the part of the district. If this is done, the concentration will be avoided and there will be fair adjustment and it will be consistent with the policies and principles laid down by the Government.

"Madam, I now come to the House of the People. There also I should like to stress that the district must be kept in tact as much as possible. I feel that this can be done. Let me cite an example. The district of Coimbatore has a population of about 30 lakhs forming 20 State Assembly seats, and we can conveniently form 4 constituencies for the House of the People. Salem district has a population of about 31 lakhs with 21 State Assembly seats and there also we can form 4 constituencies to the House of the people. Instead of that, the Government take one Assembly constituency of Coonoor into Coimbatore district for the House of the People and thus mischief begins."

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

* SRI K. A. NACHIAPPA GOUNDER:—"I may point out that when they take Ootacamund with Malabar, they can conveniently take Coonoor also there and form a constituency so that the whole district may be within one area. They want to take in Ootacamund and Gudalur into Malabar and leave away Coonoor into Coimbatore district. This introduction of Coonoor into Coimbatore makes it necessary for one Assembly constituency

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of Coimbatore to be shunted into Salem as they put it. Thus, Bhavani Assembly constituency is shunted out into Salem. When Bhavani comes into Salem there is a grave mistake, as contiguity of the area is broken. When they take Bhavani into Salem constituency of the House of the People, they jump over Edappadi State Assembly constituency which is lying between Bhavani and Tiruchengode. By the introduction of Bhavani into Salem district, they are taking away a two-member constituency, viz., Namakkal into Tiruchirappalli. Similarly, some of the Assembly constituencies of Tiruchirappalli have been shunted into South Arcot and Tanjore. In order to avoid this sort of linking one district with another, they can manage to take Coonoor into the Malabar region. If this is done, Coimbatore will be self-contained and Salem also. One Assembly constituency which is in excess in Salem district can be taken over to Tiruchirappalli district.

In this way, Namakkal which is a double-member State Assembly Constituency will remain in Salem and Attur, a single-member State Assembly Constituency which has got contiguity, communication facilities and cultural contact may be taken over to Tiruchirappalli district. Further, Attur is lacking in road connexion with Harur, etc., northern taluks of Salem district with which it is to be clubbed since a chain of hills is lying in between. My point is, when we form constituencies, compactness as well as road facilities and cultural affinity should be maintained. Attur satisfies these points if it is added on to Tiruchirappalli district. If it is to be retained in Salem district, the constituency of the House of the People with which it is to be clubbed becomes too long without proper road connexions and if the representative has to go from one end of the district to another end, I am afraid his position will be very irksome, as he cannot contact his electorates conveniently. That is why, if one Legislative Assembly Constituency is to be taken away from Salem district, I suggest that Attur may be taken to Tiruchirappalli district, which will receive one State Assembly Constituency, viz., Vellakoil direct from Coimbatore district and spare Pudukkottai in its area to Tanjore district which can form self-contained constituencies for the House of the People with this addition. This will facilitate South Arcot forming self-contained constituencies of the House of the People, since it has got exactly 20 State Assembly seats in its area. In this way, the inclusion of one district into another can be avoided at least as far as Salem and South Arcot districts are concerned. Such a course is very necessary in the interests of the public, because a representative can have facilities to function in the area effectively. If the constituencies are to be spread over two districts or two taluks, the representative will have to be going about and interviewing two Collectors, two Deputy Collectors and two Tahsildars to discharge his duties. In this way, his public work will be greatly hampered and he cannot do uniform public service in all the areas. If two taluks are given for a constituency, one tahsildar may have one view and the other may have an altogether different view. Similarly, if two taluks are

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brought under a single constituency, the respective Collectors and Deputy Collectors may have different views in one and the same matter. So when the same representative interviews one official of a district, he will have favourable results as the official may see eye to eye with him. On the other hand, when he interviews another official of an adjoining district or taluk which is included in this constituency, he may have different results which may not be altogether favourable. The result will be, the representative will be cutting a sorry figure and will be exposed to public criticism that he is favouring one area and not favouring the other. As a matter of fact, his representation to the officials concerned of the different districts will be one and the same; but the officials may hold different views and may act differently with the result that it would reflect on the representative's character in doing public work. Such things can be avoided by keeping intact each district in the matter of House of People and by keeping intact each taluk in the matter of the State Legislative Assembly.

"I am not making this request for the sake of forming any constituency for my own benefit. I am interested in the public welfare and I am anxious that the representatives of the public in these constituencies should be able to discharge their functions with ease and in the proper way. In order to achieve this object, it is very essential to modify the proposals made by the Government wherever necessary. I am not requesting the Government to make a taluk or a district an absolute unit by itself. They can be split up wherever such splitting becomes unavoidable as has been done in the case of certain firkas and taluks. All that I want is wherever it is possible to confine a constituency within a taluk in the case of State Assembly and within a revenue division or district in the case of the House of People should be preserved as such as a matter of rule."

SRI K. VARADACHARI :—"Madam, Deputy Speaker, there have been criticisms and sometimes attacks by hon. Members while speaking on the Government's delimitation proposals. In some cases, the criticism has been rather very carping also. Individual complaints with regard to the allocation of constituencies in the several districts would not be very useful on the floor of this House because we find that neither the Hon. the Leader of the House is willing to note down the points and carry them into his memory for revising his proposals or removing the defects nor is the Chief Election Officer here to take note of our suggestions and give his expert advice to the Government on this matter. Madam, I have been thinking rather on the lines of certain general principles within the limits of the resolution that we have already passed with regard to the nature of the constituencies that we have to create in this State, and within those limits suggestions will be offered which will be certainly more constructive and more informing to the Government than have been offered to them so far, so that they may concentrate their attention upon the various issues involved."

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“Several hon. Members have made the suggestion that the entities of taluks and firkas need not be disturbed in the creation of these constituencies and as far as possible it should be avoided. That is a constructive suggestion and the Government may do well to try to accommodate the wishes of the House in this respect.

“The second important point made out by hon. Members was one relating to the constitution of dual-member constituencies. It has been said that for the mere favour of giving a seat or reserving a seat for a Harijan candidate, he is being asked to canvass support in a much wider area than in the case of a single-member constituency, and that, therefore, it is rather a great injustice done to him. If we understand the Constitution properly and if we have to work within the limits imposed by the Constitution, we cannot create a single-member constituency reserved for a Harijan. It will be tantamount to reservation of seat and the creation of a separate electorate for a particular community which is the very thing which is not permitted by the Constitution. Further, there are very many practical difficulties in such a creation. If we reserve a large area for a Harijan seat, the only thing that would happen is that the whole community, that is non-Harijan, which is disappointed that there is no representative of their own but only a Harijan to represent them may not be inclined to go even to the polls to vote. So much so the work of the Harijan candidate will become lighter and he will concentrate his whole attention on the Harijans alone. Thus two disadvantages will accrue: one the Harijan representing not the Harijans and the non-Harijans feeling that they have no representatives of their own. These are matters which should be deeply thought over and the question of law perhaps involved in the whole matter may be discussed with the legal officers of the Government and a decision arrived at. Having said all this, however, I have to draw the attention of the Government to one matter of great importance and that is with regard to the Sri Bagh Pact entered into in the year 1938—or it may be 1937, I am not quite sure—wherein a solemn undertaking was given by the leaders of the Circars that the Rayalaseema would be allowed representation in the proportion of 5 : 7. But the Government could not recognize such agreements and, therefore, the Government have taken population as the basis for the representation of the people in the Legislature. Now what happens? Under that principle, we get one-third and the Circars get two-thirds representation in the Legislature. That is, we are kept so far away from the principle of equitable distribution contemplated in the Sri Bagh Pact. But we cannot complain at this late stage against the Constitution itself and we cannot get our grievances redressed in that way either. One thing can be done, however, Madam, within the limits imposed by the Constitution to mitigate the effect of the proposals before us, without in any way infringing the provisions of the Constitution. Now with regard to the State

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Assemblies, there is a margin fixed within which a little manipulation can be effected. There are two figures given: one, the minimum and the other the maximum population—125,000 and 165,000 respectively—for purposes of representation. Now so far as the Rayalaseema is concerned, I suggest that the constituencies may be divided on the basis of the minimum population suggested and such additional number of seats as may be yielded by this calculation may be added on to the number of seats offered now for the Rayalaseema, the Circars being allowed to get the remaining number of seats on the basis of their population, whether it is the minimum or the maximum. I shall not grudge it either way. In this way, we may get seven or eight seats more for the Rayalaseema and in that way the present discontent may be assuaged to a little extent.

“Then, Madam, with regard to the House of the People, it is stated that for the whole of the Rayalaseema, there will be only one Harijan candidate and how it has been worked out in the present proposals is to make the representation come out of the one district of mine, viz., Chittoor and a few firkas and taluks of the neighbouring district of Cuddapah. That is to say, the heart of the Rayalaseema has been completely neglected and the tail-end of it has been taken into account. I feel this is a great injustice done to the Harijan community. (Sri S. Nagappa: ‘Hear, hear.’) What I would submit is that we should find a way by which one more Harijan seat can be created and as many districts in the Rayalaseema as possible can be made to participate in the voting for the Harijan representative. Here I have a suggestion to make. We find from the proposals that Anantapur has been given one seat on the principle of ‘one seat for seven and a half lakhs’. But Chittoor, with a population of 17 lakhs has been given only two seats and the excess population of two lakhs goes without representation. That is to say, we get only two seats in effect for the whole of Chittoor plus some firkas and taluks from the Cuddapah district. Instead of this, two seats may continue to be allotted for Chittoor on the basis of the maximum population fixed, viz., 7½ lakhs and the remaining two lakhs left unrepresented together with the surrounding firkas and taluks belonging to the adjoining districts may be constituted into a separate constituency. It will not be an infringement of the provisions of the Constitution nor will it violate the principle adopted by the Government. I submit this for the serious consideration of the Hon. the Leader of the House and would request him to make a note of this. One more suggestion I would like to make here. He can also give another seat for the Harijans in the Rayalaseema by clubbing the population of Nellore with that of the adjoining districts of Rayalaseema. (Sri V. Raghavaya: ‘What for?’) Because . . .”

THE HON. SRI B. GOPALA REDDI:—“Whenever we add to the number of Harijan seats we have to reduce the number of general seats.”

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SRI K. VARADACHARI :—“ What if? It does not matter if we reduce the number of general seats by one and give it to the Harijans. We can adjust it by reducing one here and adding another there. (The Hon. Sri B. Gopala Reddi : ‘ In that case, you may take away the Nellore seat. I have no objection.’) The Rayalaseema will be contented if it gets two seats reserved for the Harijans with the co-operation of its neighbours.

“ I hope, Madam, the Hon. the Leader of the House as well as the Committee will look into this matter and do what is just for the people of the Rayalaseema.”

DEPUTY SPEAKER :—“ Does the hon. Member, Sri Nagappa, still wish to speak after hearing the speech of the hon. Member who has finished just now? ”

4-30 p.m. SRI S. NAGAPPA :—“ Yes, Madam. I am very thankful to you, Madam, Deputy Speaker, for having given me this opportunity to congratulate the Hon. Minister for having made an elaborate speech with facts and figures. But unfortunately, however much it was elaborate, he could not convince the House as regards the framing of the constituencies. Just now my hon. Friend Mr. Varadachari explained the case of the Rayalaseema. I need not therefore repeat it. I emphasize and endorse every word of what he said. Now coming to the Harijan seat, as my hon. Friend put it, the population of Andhra is 29 lakhs out of which 10 lakhs fall in Rayalaseema, including Chittoor, Kurnool, Cuddapah, Bellary, Anantapur plus Nellore. (Interruption.) Nellore is not in Circars, neither is it in Rayalaseema, it is a bat and cat on the wall and so it is getting on well. I would request the Hon. Minister to consider the backwardness of the Rayalaseema. So far as the Circars and the Rayalaseema are concerned, we had a pact, namely, the Sri Bagh Pact according to which the seats were to be divided in the proportion of 7 : 5. But unfortunately, we could not attain it in the Constituent Assembly and when I had a discussion with Dr. Pattabi Seetharamiah he was kind enough to say that we can take members from Rayalaseema and set them up in Circars and return them to the legislature. It is what he said.”

THE HON. SRI B. GOPALA REDDI :—“ It is allowed.”

SRI S. NAGAPPA :—“ So long as my Hon. Friend continues as a Minister it is all right. But I am talking on the Constitution. We cannot go on delimiting the constituencies once again. It has not constitutional recognition. What is privately agreed should be publicly recognized. So, Madam, I would request the Hon. Minister not to join with the Circars.”

DEPUTY SPEAKER :—“ What is the propaganda here? ”

SRI S. NAGAPPA :—“ It is not propaganda, Madam. So far as the Harijans are concerned I would impress on the Hon. Minister to see that every district has a representative. This is as regards the House of the People. If this is done, all the districts will be contented.

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“ Under the Constitution, there is a provision of maximum and minimum population for every seat, namely, 125,000 and 165,000. Now if you strike the average it comes to one seat for every 145,000 of the population. I would plead the case of Rayalaseema. For Andhra Desa 145 seats have been set apart. Out of this 145, the Circars will get 100. You are good enough to give us seats in the ratio of 5 : 7 in order to club us, the Rayalaseema, with the Andhra Desa. We are prepared to join with you if you are prepared to come forward to give us more seats and equal representation. By the arrangement I have proposed, my people will get instead of 45, six more seats, that is the Circars will get out of the 145 seats, 94 seats and the Rayalaseema will get 51.

“ Now, Madam, Deputy Speaker, it was announced by the President of the Indian Union that in the list the Valmukis do not find a place. Unfortunately, that has not been done. If that is taken into consideration, we get 12 lakhs of additional population.”

THE HON. SRI B. GOPALA REDDI :—“ They are not untouchables and therefore not a minority.”

SRI S. NAGAPPA :—“ Where they are predominant, they are not untouchables and where they are not predominant they are untouchables.

“ I have no quarrel as regards the seats in the State Legislature. So far as seats in the Parliament are concerned, my district is supposed to have been given three seats. But what they have given with one hand they have taken away with the other. Markapur, Cumbum, Koilkuntla, Nandyal and Nandikotkur these form one seat. It is all right and well and good. As regards the remaining four taluks, two have been clubbed with Anantapur and the remaining two with Bellary. My district has a population of 1,223,000. If either the Adoni taluk from the Bellary district with a population of 221,000 or Gooty with a population of 189,000 is tacked on so that it makes 14 lakhs of population, we can very easily get 2 seats. Instead of that, we are told that we should be in the minority.”

THE HON. SRI B. GOPALA REDDI :—“ Let them be so.”

SRI S. NAGAPPA :—“ We are the minority in both the districts.”

THE HON. SRI B. GOPALA REDDI :—“ They should be either in Bellary or Anantapur. But you want to be in minority in both the places.”

SRI S. NAGAPPA :—“ The right of our people to represent in the Parliament has been taken away by the back door method. I would request the Hon. Minister to see carefully and examine the proposal once again. It would have been better if before coming to a conclusion about the constituencies, the Hon. Minister had thought fit to send for the members concerned to consult them and see what could be done. Instead of that the

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constituencies have been carved in an haphazard way. No single Member is satisfied with the way in which the constituencies have been carved out."

THE HON. SRI B. GOPALA REDDI :—" If no one Member is satisfied, it means that we have done it impartially."

SRI S. NAGAPPA :—" I scent more of politics in the proposals than of policies."

THE HON. SRI B. GOPALA REDDI :—" Some Members are satisfied."

SRI S. NAGAPPA :—" I do not think so. So far as the Hon. Minister himself is concerned, I do not know whether he is satisfied."

" These are the points which I request the Hon. Minister in charge of the Elections to ponder over this again and do justice to the Rayalaseema people, especially the Harijans. He was claiming that he is the champion of Rayalaseema. Now when it comes to giving material sympathy, he backs out and goes on not only not doing good, but doing harm, indirectly. I would request him to see that he includes the 'Valmiki' population also and gives us the necessary quota of seats. With these words I close."

THE HON. SRI B. GOPALA REDDI :—" The 'Valmiki' population of Kurnool have represented to the Government that they are not untouchables and therefore they need not be included in the Scheduled Castes."

SRI THIAGOO VOIKKARAR :—" தலைவர் அவர்களே! தஞ்சாவூர் ஜில்லா மன்றக்குழு, திருத்தறைப்பூண்டி தொகுதிகளில் ஹரிஜனங்கள் அதிகப்படியாக இருப்பதால் அவர்களுக்கு அங்கே அவசியமாக ஒரு ஸ்தானம் ஒதுக்கவேண்டுமென்று நான் தெரிவித்துக்கொண்டு முடித்துக் கொள்ளுகிறேன்."

SRI A. KALESWARA RAO :—" Madam, Deputy Speaker, though the Hon. the Leader of the House has said that he has received instruction from the Government of India to frame constituencies on the basis of single-member constituencies yet he has admitted that our discussion with regard to the single or plural-member constituencies may be considered by the delimitation advisory committee and the Government of India if they chose to do so. With regard to that, I do not want to enter into any lengthy discussion but I would like to state that I certainly prefer plural-member constituencies. We must realize the realities round us. We have, for the first time in our history, established a Republic. We have to establish democracy on a huge scale and when we do so we must do it successfully. I agree with those who say that Congress is not powerful now. It has lost much of its prestige owing to various reasons which I do not want to state now. Whatever it is, you have to choose carefully the Congress candidates. Merely the name Congress would not make a member a candidate to succeed in any constituency. Therefore in the interest of the Congress Party, I wish to state that we have to be very careful in

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regard to the conditions prevailing all round us. There are religious, castes, sub-castes and there are minorities. All these are realities, though we do not want communalism, though we want to establish nationalism as early as possible. The minorities will be dissatisfied and the dissatisfaction of the minorities would also work to the detriment of the Congress movement itself. Therefore, wherever possible, there should be two member constituencies but the vote should be distributive and not cumulative. I am talking in the interest of the Congress. The advantage will be that we can set up along with a powerful candidate another candidate also. When naturally we go to the State Assembly constituency we have to set up a Member of the leading community there, otherwise the non-congressman will come and defeat us unless our candidate is otherwise a powerful man, that is, the most popular man of the locality. It is difficult to get such a powerful man in every constituency. Therefore we have to set up a candidate of the majority community. If we have a double constituency we can set up a candidate of the minority community of our own, a Muslim, a Harijan or a lady, or a Hindu minority community man. Supposing it is a constituency predominated by Kammas, a Reddi may be taken. In this way we can satisfy all the communities. Therefore, plural double constituency, only two-seat constituency with distributive voting is to the best interest of the Congress at this stage. More, I do not want to say about it. I now come to the constituencies round about my constituency. When we establish democracy we have to take into consideration the natural homogeneity of the people, the accustomed leadership and the common political consciousness. Otherwise, somebody will stand as a rival candidate to the Congress candidate, even a disgruntled Congressman who has not been selected as a candidate may stand as a candidate and create trouble and the official Congress candidate may not succeed. Therefore when you frame your constituencies, you have to see that as far as possible, you do not split the districts, because we have been accustomed to work with districts as units. We have ourselves created political consciousness among the people. Some of us have worked from 1906 and others from 1921, for the last 30 or 40 years with districts as units. People feel their homogeneity. They know their leaders. Therefore if you combine large tracts of one district with large tracts of another district there will be trouble. The leaders are different. There will be rivalry, intrigue and competition. Some other person may stand for election and defeat the official Congress candidate. I am only saying this with regard to the House of the People. In East Godavari, West Godavari, Krishna and Guntur districts, what has been done is this. The Amalapuram Constituency consisting of Amalapuram (2), Razole (2) and Pamarru State Assembly constituencies and having a population of about 780,000 is tacked on to a big block in West Godavari district across the river consisting of Bhimavaram, Tanuku, Narsapur (2) and Penukonda. These blocks were working under different leaders. The West Godavari block has a population of 711,000.

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That means that both the blocks are equally strong. Generally competition always arises with regard to the general seat. With regard to the Harijans, they are not so powerful as to come into competition. They have to be helped only by the general candidate. Some Harijan gentleman has to be taken and helped by the general candidate and he has to succeed. Therefore it is dangerous to create such a constituency and give two seats there. The West Godavari people would naturally like to have their own constituency separate. Even East Godavari friends like hon. Mr. Linga Raju rather object to the inter-mingling of the two areas. Amalapuram of course has a seat in the House of the People. According to my alternative scheme, the position will be this. East Godavari has 16 State Assembly Constituencies. The Tuni constituency will go to Visakhapatnam and the other 15 constituencies will have three seats for the House of the People, that is, Rajahmundry, Kakinada and Amalapuram. They are big centres. They are centres from which patriotism, public life and political ideas have emanated. These centres should not be neglected. Have these three seats. As hon. Mr. Linga Raju said, make Kakinada and Amalapuram into a double-member constituency and reserve one Harijan seat there.

Beyond the river we come to West Godavari. It has 12 State Assembly constituencies. For the 12 constituencies, you can have two Houses of People constituencies at the rate of five State Assembly constituencies for each. Eluru is the principal town. It is the headquarters of the District Congress and it is also the district headquarters. Eluru should not be neglected. Kovur has no meaning when Eluru is there. Eluru should be formed into a constituency, with Chintalapudi, Tadepalligudem and Kovur. Two constituencies for the House of the People can be formed without any discontent to the people of West Godavari. There will then remain two small State Assembly constituencies of Alamapuram and Undi. Tack them on to the Krishna district.

In Krishna district we have eight plus two or ten constituencies. Make Bandar the headquarters of a constituency. It is a very important place. It is the birth-place and the place of work of Dr. Pattabhi Sitaramayya. If you add one or two small constituencies, Bandar can have two seats, one of which may be reserved for a Harijan. The highest Harijan population is in East Godavari district. It is but right that these constituencies for the House of the People should have one Harijan seat there. West Godavari and Krishna have the next highest Harijan population. Therefore we are prepared, if you give us only two small constituencies, to have a Harijan seat.

Then there remains Vijayawada. It is a most important town. You cannot neglect it. You cannot make it a minority by putting it along with Mangalagiri, Tenali, Amartalur, Repalle, Bapatla and Chirala. It is absurd. According to your plan you have destroyed Eluru. Eluru has two lakhs of population and Chintalapudi has 4½ lakhs of population. This town should not be

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destroyed like that. Therefore create Eluru as a constituency properly in West Godavari district. Create Vijayavada as a constituency in Krishna district. There is Vijayavada A and Vijayavada B. There are four constituencies there. Add Mangalagiri to it. Tenali will have a constituency of its own. Guntur will have a constituency of its own. Let there be constituencies of Guntur, Narasaraopet and Tenali for the House of the People. You can do as I suggest, unless you want to satisfy the High Command of the Congress and make Amalapuram important. It is a most unnatural way of doing it. Hon. Mr. Brahmananda Reddi does not want Tenali to be clubbed with Vijayavada. We from Krishna do not want Tenali. The West Godavari people do not want to club Eluru with Nuzvid, etc., in Krishna. Therefore what I suggest is the only natural thing to be done. It will be doing justice to all the districts—West Krishna, East Krishna, West Godavari and East Godavari. We will give two Harijan seats, one in the East Krishna constituency, in the Bandar constituency with ten small State Assembly constituencies and one in East Godavari where there is the highest Harijan population. Do not widen Guntur. You have already taken Ongole. Tack it on to Nellore and give a Harijan seat there. Let there be a double-member constituency for the House of the People. I want the Hon. Mr. Gopala Reddi to kindly consider this suggestion very carefully, and arrange the thing in a natural way. East Krishna people like this; West Krishna people like this; Mr. Lingaraju and people like him like this; Guntur people like this. There can be no objection at all to this unless it be that the High Command of the Congress in Andhra will give trouble."

MR. SPEAKER:—"Is the House prepared to sit till 6 p.m. to-day?"

THE HON. SRI B. GOPALA REDDI:—"If necessary we may sit till 2 p.m. to-morrow if there is no afternoon session. We may now have one or two more speakers and go on till 5-10, Sir."

JANAB ABDUL HAMEED KHAN:—"We have been experimenting to-day, Sir. Let us experiment to-morrow also and see how many speakers come forward. We may decide then whether we will have to sit for the whole of to-morrow. Otherwise, we may close the speeches of other hon. Members at 1-30 p.m. and call upon the Hon. the Leader of the House to reply at 1-30 p.m. We shall wait and see to-morrow, Sir."

MR. SPEAKER:—"I shall now call upon hon. Mr. A. Subramaniam to speak. We will go on till 5-15. In the meanwhile, let the Hon. the Leader of the House, the Leader of the Opposition and Janab Abdul Hameed Khan come to some conclusion about it."

* SRI A. SUBRAMANIAN:—"கனம் தலைவர் அவர்களே, நீண்ட நாட்களாக அடிமைப்பட்டிருந்த நம் தேசம் சுயேச்சையில் விடுதலை அடைந்து பலவிதமான கஷ்டநஷ்டங்களுக்கிடையில் நம்முடைய ராஜ்யத்தை நாடும நடத்தக்கூடிய சந்தர்ப்பம் இப்பொழுது ஏற்பட்டிருக்கிறது. இவ்வித சந்

[Sri A. Subramanian] [4th October 1950]

தர்ப்பம் ஒருவாறு உருவாகி வந்தபிறகு மக்களுக்கு வாக்குரிமை அளிக் கப்பட்டு அதன்படி நல்ல பயனடைந்து ஜனநாயகத்துறையில் அசாட்சி செய்யவேண்டுமென்ற தோர்ணியில் சட்டசபைகளிலும், மேல்சபைகளிலும் இந்திய சட்டசபையிலும் அங்கம் வகிக்க பல தொகுதிகளை வகுக்கப்பட்டு அதன்படி நமது மாகாணத்திற்கு ஸ்தானங்களும் ஒதுக்கப்பட்டிருக்கிறது. இதை வரவேற்கவேண்டியதே.

“இந்த மாகாணத்தின் பன்னெக சற்றேறக்குறையது, 55 கோடி யாகும். இந்த 55 கோடியில் பிற்பட்ட இனத்தவர்களின் ஜனத்தொகை 25 கோடியாகும். இம்மாதிரியான ஒரு பெரிய எண்ணிக்கை கொண்ட பிற்பட்ட இனத்தவர்களுக்கென்று ஒதுக்கப்பட்ட ஸ்தானங்களைப் பார்க்கும் பொழுது சற்று வருத்தப்படவேண்டியதாகத்தானிருக்கிறது. அதிலும் மலை ஜாதியினருக்கு தப்பித்தவரி ஐந்து ஸ்தானங்களில் ஒன்றுமே கிடைக்கிறது. அதை நான் வரவேற்கின்றேன். இம் மாகாணத்தில் இன்னும் எவ்வளவோ இனத்தவர்கள் மிகவும் பிற்போகமான நிலைமையில் அந் னாற்பகுதி துறையிலும், அரசாங்க உத்தியோக துறையிலும், பொரு விதமான துறைகளிலும் அவர்கள் மிகவும் பிற்போக்கான நிலைமையி லிருக்கின்றார்கள். இவ்வித நிலைமையிலிருக்கும் இனத்தவர்களில் குறிப் பாக வண்ணன், அம்பட்டன், பண்டாச்சி, கள்ளர், மறவர், அகமுடையர், தேவாங்கர், ஆசாரியர், குறவன் என்று சொல்லக்கூடியவர்களும் குருகுப் பைக்காரர், குருவிக்காரர், இன்னும் பலவித இனத்தவர்களும் இருக்கின் றார்கள். இதைப்போன்று இன்னும் minorityகளாக குறிப்பிடக்கூடியவர் களுக்கு ஸ்தானங்கள் ஒதுக்கப்படவே இல்லை. எவ்வாறிலும் ஒருவர் சட்ட சபைகளுக்கு வரவேண்டுமென்று நினைத்தாலும் கூட அவர்களால் வர முடியாமலிருக்கிறது. இம்மாதிரியான மெஜாரிட்டியாகவுள்ள பிற்பட்ட இனத்தவர்கள் பெருவாரியாக அதாவது 25 கோடி ஜனங்கள் இம் மாகாணத்திலிருக்கிறார்கள். இவர்களுக்கு ஏதாவதும் ஒரு ஸ்தானம் ஒதுக்கப்பட்டிருக்கிறதென்று பார்க்கும்பொழுது அது குதிரைக் கொம்பாகத்தானிருக்கிறது. அவர்களால் தேர்தலில் வெற்றியடைய முடியாமலென்று பார்க்கும்பொழுது ஏதாவது தப்பித்தவரி ஒரு சில இடங்களில் ஒன்றிப்பண்டு பேர்கள் வெற்றியடைய முடியுமே யொழிய அதிகம் பேர்கள் அதாவது ஜனத்தொகைக்கு ஏற்றவாறு வெற்றி யடையவே முடியாது. இந்த நிலைமையில் இப்பொழுது வெற்றி வகுக்கப்பட்டிருக்கிறது என்பதை இந்த சந்தர்ப்பத்தில் நான் தெரிவித்துக் கொள்ள ஆசைப்படுகிறேன். இப்பொழுது அரசாங்கம் தொகுதிகளை பிரித்து அமைந்திருப்பதைப்பார்த்தால் ஒன்றிரண்டு ஜில்லாவில் ஏதாவதும் ஒன்றிரண்டு பிற்பட்ட இனத்தவர்கள் பெற்றிபெற்று வருவதற்கு சந்தர்ப் பம் இருக்கிறது. இவ்விதமிருக்கும் பொழுது இந்நேரம் மாற்றியமைக்க வேண்டுமென்று கருதினால் பிற்பட்ட இனத்தவர்களில் ஒருவராகவும் தேர்தலில் வெற்றிபெற்று வருவதற்கு மார்க்கமில்லாமல் போய்விடும் என்பதை இந்த சமயத்தில் நான் அடித்தம் திருத்தமாக தெரிவித்துக் கொள்ள ஆசைப்படுகிறேன்.

“குறிப்பாக பார்க்கும்பொழுது பல ஜில்லாக்களில் நூறுக்கு 60 அல்லது 75 இன்னும் சில இடங்களில் 95 சதவிகிதம் ஜனத்தொகைகொண்ட பிற்பட்ட இனத்தவர்கள் இருக்கின்றார்கள். அவர்களுக்கு எந்த விதமான நன்மையும் ஏற்படாமல் அவர்கள் கல்வி வசதியிலும், பொருளாதாரத் துறையிலும், சுகாதாரத்துறையிலும், அரசாங்க உத்தியோகங்கள் வழங் கும் விஷயத்திலும் யாதொரு வசதியுமடையாமலுமிருந்து வருகிறார்கள். அப்பிரப்பட்டவர்கள் இப்பொழுது நடக்கப்போகும் தேர்தலில் நின்று வெற்றியடைய வேண்டுமென்றால் அது எவ்வளவோ கஷ்டமான காரியம் என்பதை கனம் தலைவர் அவர்களும் இன்னும் மற்ற அங்கத்தினர்களும் சற்று யோசித்து பார்க்கவேண்டுமென்று கேட்டுக்கொள்கிறேன். இந் நிலைமையில் இப்பொழுது பிரித்திருக்கும் தொகுதிகளைப் பார்க்கும்பொழுது சில குறிப்பிட்ட பிற்போக்கினத்தவர்கள் தேர்தலில் வெற்றியடைந்து வரு வதற்கு சற்று மார்க்கம் இருக்கிறது, இவ்விதமிருப்பதை ஒரு சில அங்

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கத்தினர்கள் இங்கு பேசும்பொழுது பிரித்து மாற்றியமைக்கவேண்டு மென்று சொல்லுகிறார்கள். அதற்காகவே சில காரணங்களும் கூறப்படு கின்றன. அதாவது ஒரு தொகுதி நீண்ட பிரதேசமாக இருக்கிறது என்றும் ஒரு அபேட்சகர் பல மைல்கள் செல்லவேண்டியதாக இருக்கிறது என்றும் காரணங்கள் சொல்லப்படுகிறது. அது ஒரு பெரிய காரணம் என்று சொல்லவே முடியாது, இந்தக் காரணத்தை ஏற்றுக்கொண்டு இப்பொழுது பிரித்திருப்பதை அரசாங்கம் மாற்றியமைப்பது என்று வந்தால் பிற்பட்ட பிரித்திருப்பதை எந்த ஜில்லாவிலும் தேர்தலில் வெற்றியடைய மார்க்க இனத்தவர்கள் எந்த ஜில்லாவிலும் பதிரங்கமாக இந்த சபையில் மில்லாமல் போய்விடும் என்பதை பதிரங்கமாக இந்த சபையில் தெரிவித்துக்கொள்ளுகிறேன். இப்பொழுது பிரித்திருக்கும் அந்தந்த தொகுதிகள் அப்படியேதான் இருக்கவேண்டும். இது சம்பந்தமாக என்னு டைய அனுபவம் ஒன்றை நான் தெரிவித்துக்கொள்ளுகிறேன். அதா வது அகன்று பல மைல்கள் நீளமான தொகுதிகளிருந்ததைப்பற்றி சொல்லுகிறேன். 1936-37-ல் இங்கு நடைபெற்ற சென்னை சட்ட சபை தேர்தலில் சற்றேறக்குறைய 80 மைல்கள் விஸ்தீரணமுள்ள தென்னாற்காடு ஜில்லா திருக்கோவிலூர் டிவிஷன் தொகுதியில் விழுப்புரத்திலிருந்து சேலம் தலைவாசல் வரையிலுள்ள தொகுதியில் நான் நின்று வெற்றி பெற் றேன். எனக்கு எவ்வித கஷ்டமும் ஏற்படவில்லை.

“இன்னொரு காரணம் 2, 3 ஜில்லாக்களை சேர்க்கப்படுகிறது என்று சொல்லுகிறார்கள். அவ்விதம் செல்லவது சரியல்ல. இப்பொழுது நடக்கப் போவது ஜில்லா போர்டு தேர்தல் அல்ல. மாகாண சட்ட சபைத் தேர்தல். ஆகையால் தொகுதிகளைப் பிரிக்கும்பொழுது பல ஜில்லாக்களைச் சேர்ப் பதால் ஒரு தவறும் இல்லை. சேலம், தன் ஆற்காடு, திருச்சி முதலிய ஜில்லாக்களில் சில பிரிக்காக்களைச் சேர்த்திருக்கிறார்கள். அவ்விதம் சேர்ப் பதால் ஏதோ ஒரு பெரிய தவறாகச் செய்திருப்பதாக அங்கத்தினர்கள் சிலர் நினைக்கிறார்கள். ஒன்று சேர்த்து பல தொகுதிகளை பிரிப்பதால் நினைக்கிறார்கள். ஒன்று சேர்த்து தெரிவித்துக்கொள்ளுகிறேன். யாதொரு தவறும் இல்லை என்பதை வரையில் இருபது தொகுதிகளைப் பிரிக்கப் இப்பொழுது சேலம் பொருத்த வரையில் இருபது தொகுதிகளைப் பிரிக்கப் பட்டிருக்கிறது. அதாவது பொன்னாகரம், தர்மாபுரி, தாரமங்கலம், மேச்சேரி, எடப்பாடி, திருச்செங்கோடு, சேலம், ஸீரபாண்டி, ராசிப்பூர், நாமகிரிப்பேட்டை, ஆத்தூர், நாமக்கல் என்று பல தொகுதிகளைப் பிரிக்கப்பட்டிருக்கிறது. இவ் விதம் இந்தத் தொகுதிகளை பிரித்திருப்பதனால் பிற்பட்ட இனத்தவர்கள் சற்று வெற்றியடைவதற்கு மார்க்கம் இருக்கவே பொருளாதாரத் துறையிலும், கல்வி, சுகாதாரம் முதலிய துறைகளிலும், அரசாங்க உத்தியோகங்களிலும் பிற்போக்கான நிலைமையில் இருக்கின்றவர்கள் வெற்றியடைந்து சட்ட சபைக்கு வந்தாலும் தங்களுடைய குறைகளை சொல்லும் போலிருக்கிறது. என்று நினைத்தால் அது கூட இல்லாமல் போய்விடும் போலிருக்கிறது. இவ்வித நிலைமை ஏற்பட்டால், அதாவது சில அங்கத்தினர்கள் சொல்வதை ஒப்புக்கொண்டால், பிற்பட்ட இனத்தவர்களை பழிவாங்கும் தோர்ணியில் ஒருதலை பட்சமாக காரியம் செய்ததாக இருக்கும் என்பதை இந்த சந்தர்ப் பத்தில் தெரிவிக்க ஆசைப்படுகிறேன். அதற்கு இடமில்லாமல் இப் பொழுது இம்மாதிரி தொகுதிகளைப் பிரித்திருப்பதை ஒன்றுமே செய்யாமல் அப்படியே ஒப்புக்கொள்ளவேண்டும். பிற்பட்ட இனத்தவர்கள் சிறிசில இடங்களில் பிரிக்க வேண்டுமென்று விரும்பினால் மட்டும் பிரிக்கப்படவேண்டு மென்று கேட்டுக்கொள்ளுகிறேன்.

“மேலும் திருச்செங்கோடு தொகுதியைப் பார்க்கும்பொழுது ஹரி ஜனங்களுக்கென்று ஒரு ஸ்தானம் வழங்கப்பட்டிருக்கிறது. அந்தத் தொகுதியில் சில பிரிக்காக்களாகிய காளிப்பட்டி, சங்கரி, திருச்செங்கோடு என்று மூன்று பிரிக்காக்களைச் சேர்க்கப்பட்டிருக்கின்றன. இவ்வித மிருப் பதைக் கூட மாற்ற வேண்டுமென்று சில அங்கத்தினர்கள் சொல்லுகிறா கள். அவ்விதம் மாற்றுவதற்கு ஏதேதோ காரணம் கூட சொல்வதாக தோன்றுகிறது. அதை நியாயமாகப் பார்க்கும்பொழுது ஹரி ஜனங்களின் எண்ணிக்கை எங்கு அதிகமாக இருக்கின்றதோ அங்குதான் ஹரிஜனங்களுக்கு ஸ்தானம் ஒதுக்கப்பட்டிருக்கிறது. இது தான் நியாயமு

[Sri A. Subramanian] [4th October 1950]

மேலும், அதை மாற்றுவது என்று ஒப்புக்கொண்டால் சிறிதளவு இடங்களில் பிற்பட்ட இனத்தவர்களை வெற்றிபெற்று வாழமுடியாத நிலைமையை உண்டாக்கிவிடும் என்பதை இந்த சந்தர்ப்பத்தில் எடுத்துக்காட்டி விரும்புகிறேன்.

“அடுத்தபடியாக சேலம் தொகுதியில் ஏர்காடு, சேலம், ஒமலூர் என்று மூன்று பிரிவுகளைக் சேர்த்து ஹரிஜனங்களுக்கென்று ஒரு ஸ்தலாந்தரத்தை ஒதுக்கி இருக்கிறார்கள். இது ஒரு பெரிய தொகுதியாக இருக்கிறது என்று கனம் அமைச்சரின் ஒருவர் கூறினார். இவை சுமார் 60, 70 ஸ்தலங்கள் தூரம் விஸ்தீர்ணம் இருக்கிறது என்றும் சொட்டர்கள் வருவதற்கு கஷ்டமாக இருக்குமென்றும் இது ஒரு பெரிய தொகுதியாக இருக்கிறது என்றும், இது நீளமாக இருக்கிறது என்றும், அதிக மைல் கணக்கில் தூரமிருக்கிறது என்றும் சொன்னார்கள். இந்தக் காரணம் ஒரு நியாயமான காரணமாக இருக்க முடியாது. பிற்பட்ட இனத்தவர்களுக்கு வசதி செய்து கொடுக்க வேண்டுமென்றும் அவர்கள் வெற்றியடைந்து வாழவேண்டுமென்ற ஒரு நல்ல எண்ணத்துடன் தான் இந்தத் தொகுதியை பிரித்து அமைத்திருக்கிறார்கள். ஆகவே இந்தத் தொகுதியை மாற்றியமைக்காமல் அப்படியே விட்டுவிடவேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்.

“அடுத்த படியாக கோயம்புத்தூர் ஜில்லா இருக்கிறது. அங்கே பிற்பட்ட வகுப்பினர்கள் ஒரு தாலுகாவில் நிறைய இருக்கிறார்கள். இதை அரசாங்கம் உயர்ந்து இந்த பிற்பட்ட இனத்தவர்களுக்கு நன்மை செய்யவேண்டுமென்ற கருத்தினால் பவானிக்கு என்று ஒரு ஸ்தலம் கொடுக்கப்பட்டிருக்கிறது.

SRI P. KANDASWAMI PILLAI :—“பிற்பட்ட இனத்தவர்கள் என்றால் அது யார்?”

* SRI A. SUBRAMANIAN :—“பிற்பட்ட இனத்தவர்கள் யார் என்று கேட்கிறார் எனது நண்பர். அது ஒரு நியாயமான கேள்விதான். கல்வித் துறையிலும், பொருளாதாரத் துறையிலும், இன்னும் பல துறைகளிலும், அரசாங்க உத்தியோகங்கள் வழங்கப்படும் வழிகளிலும் மிகவும் பிற்போக்காக இருக்கின்றவர்கள் தான் பிற்போக்கினத்தவர்கள். ஆனால் உதாரணமாகச் சேர்ந்தவர் என்று அவர் பிற்பட்ட இனத்தை சேர்ந்தவர். அவர் வெள்ளையாக உடை உடுத்திக்கொண்டு சட்ட சபையில் அங்கம் வகித்திருப்பதால் மட்டும் அந்த இனத்தவர்கள் எல்லோரும் முற்போக்கு அடைந்திருப்பதாக கருதி விடலாமா? அவ் விளத்ததைச் சேர்ந்த ஏராளமான பேர்கள் ரொம்பவும் தாழ்த்தப்பட்ட நிலையிலிருக்கிறார்கள். கல்வித் துறையிலும், பொருளாதாரத்திலும், சுகாதாரத்திலும், அரசாங்க உத்தியோகங்கள் வழங்குவதிலும் யாதொரு சலுகையும் காட்டப்படாமலிருக்கின்றவர்கள் தான் பிற்போக்கினத்தவர்களைச் சேர்ந்தவர்கள் என்பதை அழுத்தமாக கனம் அங்கத்தினருக்கு தெரிவித்துக்கொள்ள விரும்புகிறேன். குறிப்பிட்ட சிலருக்கு பணம் கொஞ்சம் இருக்கலாம். நூறுக்கு இரண்டு மூன்று பேர்களுக்கு பணமிருக்கலாம். அதனால் எல்லோரும் அவ்விதமே முற்போக்காக இருக்கின்றார்கள் என்று சொல்லிவிட முடியாது. ஜனத்தொகையில் நூற்றுக்கு ஐம்பது, அறுபது, எழுபது சத விதிகமுள்ள பிற்பட்ட இனத்தவர்களில் ஒன்றிரண்டு பேர்களிருந்தால் அவர்களைப்பற்றி பிரமாணம் பேசுவது என்பது கூடாது. அவர்களுடைய நிலைமைக்குகந்த சலுகைகள் காட்டவேண்டுமென்றுதான் சட்ட திட்டங்களை அனுசரித்து ஜனத்தொகை விதிதாச்சாரத்தையும், அனுசரித்து நியாயமான முறையில் ஜனநாயகத்திற்கு ஏற்றவாறு தொகுதிகளைப் பிரிக்கப்பட்டிருக்கிறது என்பதை இந்த எதிர்த்த கனம் அங்கத்தினர்கள் தெரிந்துகொள்ளவேண்டுமென்று கனம் தலைவர் அவர்கள் சார்பாக கேட்டுக்கொள்ளுகிறேன்.

“அடுத்தபடியாக மத்திய ஜன சபையை கவனிப்போம். சேலம், பவானி, தென் ஆற்காடு, வட ஆற்காடு முதலிய ஜில்லாக்களில் பெருவாரியான பிற்போக்கினத்தவர்கள் வசித்து வருகிறார்கள். அவர்களுக்கு சௌகரியம்

[Sri A. Subramanian] [4th October 1950]

செய்து, வசதி செய்து கொடுக்கவேண்டுமென்று எண்ணத்துடன் தான் இவ்விதம் பிரித்திருக்கிறார்கள். இது ரொம்பவும் நன்றாக அமைத்திருக்கிறது. இதை மாற்றியமைக்கவே கூடாது.

“இதைப் போன்று தஞ்சை ஜில்லாவில் கூட...”

SRI P. KANDASWAMI PILLAI :—“On a point of order 5 p.m. I wish to know from the hon. Member whether this Government framed these proposals on the basis of backward community or caste or any such thing, or is it only on the basis that this is a secular State. Now I see the hon. Member is talking about backward community and forward community. I do not know which community exists under the Constitution.”

MR. SPEAKER :—“It is not a point of order.”

SRI A. SUBRAMANIAN :—“இந்த யூனியன் சட்ட திட்டத்தில் 338-வது ஆர்ட்டிகிள் பிரகாரமும் 340-வது ஆர்ட்டிகிளின் பிரகாரமும் பிற்பட்ட இனத்தவர்களுக்கு சலுகை காட்டவேண்டுமென்ற சந்தர்ப்பம் இருக்கிறது. அவ்விதம் சலுகை காண்பிப்பதற்கு முன்னதாக ஒரு கமிஷனை நியமித்து விசாரித்து அவர்களை அனுப்பப்படும் அறிக்கையை வைத்துக் கொண்டு அதன்படி பிற்பட்ட இனத்தவர்களுக்கு சலுகைகள் காட்டப்படும் என்று சொல்லப்பட்டிருக்கிறது. அதற்கு வேண்டியபடி முன்னதாகவே சட்டசபை தொகுதிகளைப் பிரிக்கவேண்டியதாக இருக்கிறது. அதற்கு முன்பாக இவைபோன்றவை தெரியப்படுத்துவதற்கு எவ்வுரு கட்டமையும் பொறுப்பும் இருக்கிறது. அதற்காகத்தான் சட்டத்தில் கூறப்பட்டிருக்கிற விஷயங்களையும் எடுத்துக்காட்டுகிறேன் என்பதை இந்த சந்தர்ப்பத்தில் தெரிவித்துக்கொள்ள ஆசைப்படுகிறேன்.

“அடுத்தபடியாக திருச்சி ஜில்லா இருக்கிறது. அங்கம் பெரியது இரண்டாகப் பிரித்தும் அவைகளையும், உடைசலையையும், அரியலூர் முதலிய பிரிவுகளைப்படி ஒரு தொகுதியில் சேர்த்திருக்கிறார்கள். என்னென்றால் அங்கு பிற்பட்ட இனத்தவர்கள் அதிகம் பேர்களுக்குள்ளார்கள். அதை எடுத்துவிட்டு வேறு ஒரு தொகுதியில் மாற்றிவிடுவது என்றிருந்தால் அது பிற்பட்ட இனத்தவர்களுக்கு நன்மையைச் செய்யவது என்று ஆகாது. பிற்பட்ட இனத்தவர்களுக்கு நியாயம் செய்யவேண்டுமென்றிருந்தால் இப்பொழுதிருப்பதை அப்படியே இருக்கும்படியாக அமைக்கவேண்டுமென்பது தான் என்னுடைய ஆசை.

“மேலும், இப்பொழுது மேல் சபைக்கு தற்புது தொகுதியிலிருந்தும் சேலம் தொகுதியிலிருந்தும், விருதுநகரம் தொகுதியிலிருந்தும் பிற்பட்ட இனத்தவர்கள் வருவதாயிருந்தால் இப்பொழுது அங்கத்தினர்க்கும்படி இருந்தால்தான் அவ்விதம் வரமுடியும். இப்பொழுது இருக்கும்படி இருந்தால்தான் அந்தத் தொகுதியிலிருந்து பிற்பட்ட இனத்தவர்களில் ஒன்பதில் ஒரு பங்கு வருவது உடனடியாக இருக்கிறார்கள். ஏதோ ஜனங்கள் மனதவைத்து தேர்தலில் தேர்ந்தெடுத்ததன்பின் அவர்கள் வரமுடியும். இதில்லாமல் ஒரு ஜில்லாவிலிருந்து மற்றொரு ஜில்லாவிற்கு இப்பொழுது இருப்பதை மாற்றுவதாயிருந்தால் அவர்களுக்கு வரமுடியாது என்பதை கனம் தலைவர் அவர்களுக்கு நான் தெரிவித்துக்கொள்ளுகிறேன்.

“இன்னும் மேல் சபைக்கு பன்சரிண்டு வதானங்களுக்கு பெயர்வைத்து நியமிப்பதற்கு கவர்னருக்கு உரிமையும் அதிகாரமும் இருப்பதாக சட்டத்தில் கூறப்படுகிறது. இவ்விதம் அவர் யாரை எடுக்கப்போகிறார்கள் என்று பார்க்கும்பொழுது பிற்பட்ட இனத்தவர்களாகிய பைனூரிட்டி வகுப்பினர்கள் சட்ட சபைக்கு வரமுடியாது. பிற்பட்ட இனத்தவர்கள் என்று சொல்லப்பட்ட பண்டயாச்சி, ஆசாரி, செங்குநதர், தேவாங்கர், வண்ணான், அம்பட்டன் முதலிய 189 இன பிரிவுகொண்ட பிற்பட்ட இனத்தவர்கள் மிகவும் தாழ்மையான, நிலையிலிருக்கப்பட்டவர்களில் பன்னிரண்டு

180 DELIMITATION PROPOSALS OF THE STATE GOVERNMENT—
DISCUSSION

[Sri A. Subramanian] [4th October 1950]

பேரவை அந்தப் பணியைத் தொடங்குவதற்குத் தேர்ந்தெடுத்து நியமிக்கப் பட்டது அது ரொம்பவும் வசுவெந்திருக்கிறது. அம்மாதிரி எட்டத்தைத் திருத்தியமைக்கவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

“இப்போது போலவே மேலசவாக்கு மேஜர் பஞ்சாயத்திலிருந்தும் முனிசிபாலிட்டியிலிருந்தும் மெம்பர்களைத் தேர்ந்தெடுப்பது என்றிருக்கிறது. இப்பொழுது நம் மாகாணத்திலே பார்க்கும்பொழுது மேஜர் பஞ்சாயத்திலும் முனிசிபாலிட்டிகளிலும் எவ்வளவு இருக்கின்றனவென்று பார்த்தால் விலலிட்டு எண்ணக்கூடிய அளவில்தான் இருக்கின்றன. ஆனால், சாதாரணமான மைனர் பஞ்சாயத்துகள் எவ்வளவு இருக்கின்றனவென்று ஆயிற் பாலிட்டிகளிலிருந்தும் பிற்பட்ட இனத்தவர்கள் தேர்ந்தெடுத்தும் முனிசிபாலிட்டியிலிருந்தும் பங்கேடுவதில்லை. ஆகவே, மைனர் பஞ்சாயத்துகளையும் இந்தச் சேர்த்துக்கொண்டு அவைகளிலிருந்து பிரதிநிதிகளைத் தேர்ந்தெடுக்கவேண்டுமென்று நான் கேட்டுக்கொள்ளுகிறேன். அதன்படி இப்பொழுது இருப்பதை மாற்றியமைக்கவேண்டுமென்றும் கேட்டுக்கொள்ளுகிறேன். சொல்வதை எடுத்துக்கொள்ளவேண்டியது. இப்பொழுதுக்குள் நிலைமையை அரசாங்கம் கவனித்து பிற்பட்ட இனத்தவர்களுக்குத் தகுந்ததாகத் தொகுதியை வெகு அழகாக அமைத்திருக்கிறார்கள். இதை நான் வரவேற்கிறேன். இவ்விதம் இருக்கப்படுவதை எதோ ஒரு கிடை கூறுவதை வைத்துக்கொண்டு துணையாகத் தகுந்த விவாதமாக தொகுதியை மாற்றியமைக்கவேண்டுமென்று அது பிற்பட்ட இனத்தவர்களுக்கு நன்மையைச் செய்வதாகது என்று தெரிவித்துக்கொண்டு இதையுடன் என்னுடைய உரையை முடித்துக் கொள்ளுகிறேன்.”

MR. SPEAKER :—“Before I adjourn the House I wish to know from the Hon. the Leader of the House about the further programme.”

THE HON. SRI B. GOPALA REDDI :—“I think, Sir, we shall sit till 1-30 p.m. to-morrow when I may be called to reply.”

MR. SPEAKER :—“I now adjourn the House till 11 o'clock to-morrow.”

IV.—PAPER LAID ON THE TABLE OF THE HOUSE.

Statement containing information promised by the Hon. Minister for Industries with reference to the debate on the Industries Demand in March 1950.

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APPENDIX I.

[Vide answer to starred question No. 223 asked by Sri V. M. Ramaswami Mudaliyar at the meeting of the Legislative Assembly held on 4th October 1950, page 4 supra.]

Clause (a) the steps that are being taken to keep the Cooum river in a clean, hygienic and navigable state.—(a) The primary causes contributing to the present insanitary condition of the Cooum river in the Madras City are—

(i) the discharge into the river of untreated sewage from the Napier Park, Langs Garden and Graems Road Pumping Stations whenever the inflow of sewage exceeds the capacity of the pumps; and

(ii) other sources of pollution which discharge their sullage into Cooum and Buckingham Canal.

Item (i) above.—The Corporation of Madras submitted detailed plans and estimates for the construction of storm water tanks. As the design of the tanks was found to be defective, the Chief Engineer (Public Works Department) suggested that detailed plans and estimates should be prepared in the first instance for the tanks proposed for the Graems Road Pumping Station based on his suggestions, the tanks in the other pumping station being taken up after studying the working of the proposed tanks in the Graems Road Pumping Station. The Commissioner, Corporation of Madras, has, therefore, been asked to submit a revised design for the tanks for the Graems Road Pumping Station. On a suggestion made by the Chief Engineer (Public Works Department) in October 1948, the Commissioner, Corporation of Madras, has promised to take up the question of increasing the capacity of pumps and pumping stations so as to prevent the overflow of sewage into the Cooum.

Item (ii) above.—The various sources of pollution of waterways in the Madras City were listed out and, in 1944, the Corporation of Madras was asked to eliminate those sources. The Corporation has accordingly been eliminating them gradually and still a number of sources of pollution remain to be attended to. The Commissioner, Corporation of Madras, has recently been asked to draw up a definite programme for the removal of the sources of pollution with which it is concerned within a period of two years and complete the work in accordance with that programme. It is hoped that, when these sources of pollution are completely eliminated, the condition of the Cooum will improve considerably.

The following steps have already been taken to keep the Cooum in a clean condition :—

(i) The Corporation of Madras has constructed 21 public conveniences on the banks of the Cooum to avoid the pollution of the water in it.

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(ii) In 1927, the Government accepted a scheme put forward by the Chief Engineer and directed the installation of pumps at the Harbour to pump sea water into Cooum. Whenever the water in Cooum goes below a certain level at which the margins and islands get exposed and begin to stink, water is being pumped into it with a view to keep the water level high and prevent the bad smell.

Navigability of Cooum.—Portion 0/0 to 1/1 of South Buckingham Canal merges with the Cooum between the Penitentiary and the Cooum Lock behind the Madras University Buildings. Only this portion of the Cooum is generally used for navigation though the portion of the Cooum up to the Harris Bridge (near Chintadripet) is also included in the list of lines of navigation. The reach which is in general use is always sufficiently deep and no special steps are therefore considered necessary to render it easy for navigation.

Clause (b) whether there are any proposals to flush the same.—Whenever the bar at the mouth of the river Cooum is open flushing of the river takes place automatically; however, such a period is limited only to the monsoon months when the bar is open and when there is a large upland flood in Cooum. In other seasons, the bar at the mouth of the Cooum (near the sea) gets closed on account of the continual sand drift on the Madras foreshore. The problem of keeping the bar open at all times has been under examination for quite a long time. The Additional Chief Engineer (Public Works Department) has reported that, with a view to find a solution of this difficult problem certain experiments are now being conducted at the Irrigation Research Station, Poondi. It is hoped that those experiments may throw some light on this question and provide a permanent solution of this complex problem.

Clause (c) the authority responsible for leasing the banks of the Cooum for erecting tin sheds, etc.—Plots within the Conservancy area of the Cooum river are being leased out by the Public Works Department while other plots which form the major portion are being leased out by the Revenue Department. Plots are leased out for such general purposes as stacking materials for business, etc. The exact type of business that will be carried on within the plots will be covered by a licence from the Corporation of Madras or the Revenue Department, as the case may be.

Clause (d) whether any steps are being taken to check the breeding of mosquitoes on the banks and if so, by whom and the steps that are being taken.—In the interest of the public health of the city, the following steps are being taken by the Corporation of Madras to check the breeding of mosquitoes:—

(i) Removing weeds, moss and other floatage.

(ii) Introducing larvicidal fish.

(iii) Spraying the pools and puddles along the edges with insecticides such as D.D.T., Gummaxina and oil mixture.

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APPENDIX II.

[Vide answer to starred question No. 225 asked by Sri V. Raghavayya at the meeting of the Legislative Assembly held on 4th October 1950, page 5 supra.]

Name of the Government official. (1)	Official designation. (2)	Remarks. (3)
INDIANS.		
1 Sri T. M. S. Mani	Secretary to Government, Health Department.	....
2 Sri S. K. Chettur	Secretary to Government, Revenue Department.	....
3 Sri A. V. Patro	Commissioner of Police .. ..	....
4 Lt.-Col. G. S. Gill	Inspector-General of Prisons ..	....
5 Late Sri C. K. Vijaya-raghavan.	Commissioner for Civil Supplies.	....
6 Sri V. K. Krishna Menon ..	Deputy Director of Public Instruction.	....
7 Sri A. B. Mudaliar	Civilian Gazetted Officer, I.A.O.C., Avadi.	....
8 Sri R. K. Chettur	District Medical Officer, Anantapur.	....
9 Sri S. C. Kanna	Commissioner of Income-tax ..	....
ANGLO-INDIAN.		
10 Mr. W. P. Bird	Special Grade Guard, South Indian Railway, Tiruchirappalli.	Not known whether gazetted or not.
EUROPEANS.		
11 Mr. F. W. A. Morris	Collector of Mathurai .. ..	....
12 Mr. W. Restrick	Deputy General Manager, South Indian Railway, Tiruchirappalli.	....
13 Mr. C. H. Biddulph	Deputy Chief Engineer, South Indian Railway, Tiruchirappalli.	....
14 Mr. G. W. O. Moore	Deputy Chief Accounts Officer, South Indian Railway, Tiruchirappalli.	....
15 Mr. R. D. Walter	Deputy Chief Mechanical Engineer, South Indian Railway, Tiruchirappalli.	....
16 Mr. C. R. Hole	Mechanical Engineer, South Indian Railway, Tiruchirappalli.	Not known whether gazetted or not.
17 Mr. C. A. White	Deputy Traffic Manager, Signals and Communications, Tiruchirappalli.	Do.
18 Mr. J. R. Wright	Deputy Chief Mechanical Engineer, South Indian Railway.	Do.
19 Mr. B. A. Ellis	District Traffic Manager, South Indian Railway, Tiruchirappalli.	Do.
20 Mr. A. W. Strang	Deputy Chief Engineer, South Indian Railway, Tiruchirappalli.	Do.
21 Mr. Hugh Mackay Gordon ..		Do.
22 Hon'ble Justice Horwill ..		
23 Hon'ble Justice E. E. Mack ..		

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Name of the Government official. (1)	Official designation. (2)	Remarks. (3)
EUROPEANS cont.		
24 Mr. H. Turner	Chief Engineer (Highways) ..	....
25 Mr. R. J. Pringle	Collector of Central Excise ..	....
26 Mr. L. H. Cornish	Port Officer, Cuddalore ..	....
27 Mr. Mc. G. Morren	Power Station, Basin Bridge ..	Not known whether gazetted or not.
28 Mr. R. Wright	Power Station, Basin Bridge ..	Do.
29 Mr. A. K. Halder	District Engineer, South Indian Railway, Podanur.	....
30 Capt. D. G. White	Station Superintendent, Madras Central Station.	Not known whether gazetted or not.
31 Mr. J. R. Brooker	Armament Supply Officer, R.I.N. Depot, Waltair.	Do.
32 Mr. K. Crawford	Chief Commercial Manager, Madras and Southern Mahratta Railway, Madras.	....
33 Mr. M. T. Osborne	District Mechanical Engineer, South Indian Railway, Cannanore.	....
34 Mr. F. Day	Madras and Southern Mahratta Railway Officer.	Not known whether gazetted or not.
35 Mr. E. J. Heiden	Assistant Collector of Central Excise.	....
36 Mr. P. G. C. Peyton	Deputy Chief Mechanical Engineer, South Indian Railway, Tiruchirappalli.	Not known whether gazetted or not.
37 Mr. A. J. Baker	Chief Mechanical Engineer, South Indian Railway, Tiruchirappalli.	Do.
38 Lt. Commander Dow Saniter.	Port Officer .. ..	....
39 Mr. David Atkinson Lieke ..	Marine Superintendent, South Indian Railway, Mandapam.	Not known whether gazetted or not.
40 Mr. O. L. Burrell	Deputy Inspector-General of Police.	....
41 Mr. William T. Mordey	No. 1 Depot, Royal Indian Navy A.D., Waltair.	Not known whether gazetted or not.
42 Mr. A. G. Head	District Mechanical Engineer, South Indian Railway, Podanur.	....
43 Mr. E. La. V. Parisot	Controller of Stores, South Indian Railway, Nagapattinam.	....
44 Mr. J. Pare	Collector of Krishna .. ..	....
45 Mr. William Alexander Rouner.	District Mechanical Engineer, South Indian Railway, Mathurai.	....
46 Mr. W. Bywater	District Operating Superintendent, South Indian Railway, Kozhikode.	....
47 Mr. J. L. Rouson	District Superintendent of Police, Tiruchirappalli.	....
48 Mr. B. A. Harvey	District Superintendent of Police, Chingleput.	....
49 Mr. J. D. Bruce	Loco Foreman, Madras and Southern Mahratta Railway.	Not known whether gazetted or not.

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APPENDIX III.

[Vide answer to starred question No. 226 asked by Sri K. Shanmugam at the meeting of the Legislative Assembly held on 4th October 1950, page 6 supra.]

Statement of wells dug by the Harijan Welfare Department and the cost of each well in Nellore district from 1947 to 1950.

Name of taluk. (1)	Name of village. (2)	New works. (3)	Amount spent. (4)
1946-47.			
			RS.
Venkatagiri	Nagavolu	1	2,890
Atmakur	Manchalapalli	1	2,560
Rapur	Chellatur	1	2,150
	Vemulachedu	1	1,620
	Tammarigunta	1	3,750
	Total	5	12,970
1947-48.			
Nellore	Anikepalli	1	1,950
Atmakur	Rajavolu	1	3,380
Rapur	Akkamambapuram	1	2,500
	Zorepalli	1	2,120
Udayagiri	Settisamudram	1	2,710
	Total	5	12,660
1948-49.			
Kavali	Thimmasamudram	1	2,611
	Vennur	1	1,767
Atmakur	Chandrapadia	1	1,678
	Madapalli	1	2,869
Rapur	Pothegunta	1	2,810
	Siddhavaram	1	4,240
Gudur	Gollapalem	1	1,490
Udayagiri	Vootlapalli	1	2,200
	Matumadugu	1	1,580
	Total	9	21,245
1949-50.			
Venkatagiri	Panjam	1	3,219
	Vembulur	1	1,987
Udayagiri	Pallavolu	1	2,169
	Utukur	1	2,714
Rapur	Komatigunta-Rajupalem	1	2,835
	Tegacherla	1	2,704
Kavali	Kolladinne	1	1,690
	Total	7	17,318

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APPENDIX IV.

[Vide answer to starred question No. 228 asked by Sri K. S. Nataraja Gounder at the meeting of the Legislative Assembly held on 4th October 1950, page 8 supra.]

The Government of India were addressed urging the withdrawal of concession of free sale of yarn by the mills and the stopping of unrestricted exports of yarn to areas outside the Union before the requirements of the internal market were fully met. The concession of free sale has since been withdrawn from all the mills in the Indian Union.

As regards exports, the Government of India have recently prohibited mills from exporting yarn of counts 32s and below and 80s and 100s both to soft and hard currency areas and have restricted the quantities to be sold for export in other counts to one-fourth of their production. They have also directed that mills should not in future enter into forward contracts for quantities in excess of the prescribed limits. This Government have again addressed the Government of India that the export ban should be applied to yarn of counts up to and inclusive of 40s. The Government of India's specific reply to this Government's request to stop unrestricted exports in all counts unless the domestic requirements are fully satisfied, is still awaited.

The Government of India have also been addressed to instruct the mills to produce the required counts of yarn as far as possible by suitably adjusting the spinning programme and also allot the requirements of this State from the production of the South Indian Mills, any deficit being arranged from mills in the neighbouring States. Their reply in the matter is awaited.

The Government of India have also been requested to allot increased supplies of low counts of yarn from mills in Madras and neighbouring States to avoid difficulty and delay in transport. The Government of India have expressed difficulty in allotting supplies in these counts from the South Indian Mills owing to fall in production and that they would be prepared to consider allotting low counts from Upper India Mills. The matter is receiving attention.

The seriousness of the yarn supply position and the immediate need for increased supplies was urged upon the Government of India and the matter has been taken up at the highest level, personally as well as by correspondence, and the Government of India have promised to consider this Government's request sympathetically and allot increased supplies to this State. The matter was also discussed with Mr. S. A. Venkataraman, Secretary to the Government of India, Ministry of Industry and Supply. He stated that the Government of India are alive to the critical condition of the weavers in this State and that they would try their level best to help the weavers in the best manner possible by allotting increased supplies of yarn.

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 5th October 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.

Communist activities.

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

(a) the number of persons that have been killed by the Communists in the coastal districts of Visakhapatnam, East and West Godavari, Krishna, Guntur and Nellore in the Andhra area since the commencement of detentions till the end of June 1950;

(b) the number of Communists that have been detained in these districts as a whole during the same period; and

(c) the number of them that have been released during the same period and on whose recommendation?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—“(a) What the hon. Member means by commencement of detentions is not clear. If it is intended to mean from the date of the Madras Maintenance of Public Order Act, the number is 68.

“(b) Five hundred and ninety-eight.

“(c) Two hundred and thirty-three. Persons were released either on the orders of the High Court or by the Government after due consideration of the merits of each case and in accordance with the provisions of the Act concerned.”

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

SRI V. RAGHAVAYYA :—“Madam, realizing that Communism is a fast growing idea, cannot the Government think of checking it by removing the cause of the discontent in the common man rather than merely relying on brute force which appears to have failed in checking the activities of the Communists in Andhra desha?”

THE HON. SRI K. MADHAVA MENON :—“While thanking the hon. Member for realizing the position of the Government, I think, it is only an opinion that he has expressed.”

SRI V. RAGHAVAYYA :—“May I know, Madam, when the two-way traffic of sending a large number of people who are supposed to be Communists and releasing them forthwith, cease?”

THE HON. SRI K. MADHAVA MENON :—“It cannot cease, because some people are detained for purposes of public

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security and when the Government are satisfied that they can be released with sufficient safety for public security, they have to be released also."

SRI B. S. MURTHI:—"Madam, are the Government satisfied that the measures they are now adopting will finally put down Communist activities in the State?"

THE HON. SRI K. MADHAVA MENON:—"The idea is to put down any violent activity. I am certain these are some of the measures by which we can put down any sort of violence."

JANAB MUHAMMAD RAZA KHAN:—"Madam, is it not a fact that some of the prisoners who have been released under the orders of the High Court have been immediately arrested at the jail gates by this Government?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Madam, where that was necessary we have done that also."

SRI M. S. PATEABHIRAMAYYA:—"May I know, Madam, whether any Communists who have been released by the Government have gone underground after giving an undertaking to the Government?"

THE HON. SRI K. MADHAVA MENON:—"I do not exactly remember whether any Communists released after giving an undertaking of security, have gone underground, but Madam, there is a case of one who was released on parole and he went underground."

SRI A. KALESWARA RAO:—"May I know, Madam, whether the Government realize that the Communist activities are encouraged by the world situation in Eastern Asia and therefore no appeasement with them can take place while the situation is like that?"

THE HON. SRI K. MADHAVA MENON:—"Madam, I do not know very much about the world situation, but there will be no appeasement with any set of people, whether Communists or otherwise, who would advocate violence."

SRI M. P. GOVINDA MENON:—"May I know, Madam, whether the Government have got sufficient assurance from those persons whom the Government have released and if so, are the Government taking steps to see that such assurances are guaranteed after release?"

THE HON. SRI K. MADHAVA MENON:—"It is obvious that we will not release them unless we have sufficient assurance from them and that they are keeping up the undertakings they have given."

SRI V. RAGHAVAYYA:—"Some time back, Madam, the ex-Chief Minister of the Government of Madras said that in certain districts where the Communist menace was strong, Congressmen were interfering too much, some people condemning some Communists, while others giving certificates of good conduct for the same Communists. May I know if such a tendency has ceased

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to exist now and if not, whether the Government realize that it is going to land not only the Communists but also the Congressmen in trouble?"

THE HON. SRI K. MADHAVA MENON:—"I think my hon. Friend must know it best."

SRI B. S. MURTHI:—"May I know, Madam, whether the Government are in receipt of any representation that some of the persons who are supposed to have been Communists have been arrested and shot dead while under custody?"

THE HON. SRI K. MADHAVA MENON:—"Such wild statements were made in the Assembly, but they are not true."

JANAB MOHAMMED ABDUL SALAM:—"May I know, Madam, whether it is a fact that the Madras High Court directed the State Government to release Mohan Kumaramangalam forthwith and whether he has been released and whether it is also a fact that a fresh order of detention has been passed against him?"

THE HON. SRI K. MADHAVA MENON:—"Madam, that does not arise from this question."

SRI A. VEDARATNAM PILLAI:—"May I know, Madam, whether there are any Government servants amongst the casualties?"

THE HON. SRI K. MADHAVA MENON:—"There is nothing about deaths in this question, Madam."

DEPUTY SPEAKER:—"The hon. Member means to say about some Communists who were shot dead."

THE HON. SRI K. MADHAVA MENON:—"I am not sure, Madam. I want notice."

Victoria Jubilee Hospital, Nellore.

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

(a) whether the Government propose to take over the management of the Victoria Jubilee Hospital for Women at Nellore and if so, when this will take effect; and

(b) whether it is a fact that the equipment and the standard of medical relief afforded by this hospital are not satisfactory?

THE HON. DR. T. S. S. RAJAN:—" (a) The Government considered this question in 1947 but decided to defer it as the Nellore Municipal Council declined to contribute anything towards the maintenance of the hospital. It is open to the Council to move the Government again in the matter.

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

SRI V. RAGHAVAYYA:—"Madam, in view of the fact that this matter has been pending for a very long time and the condition of the hospital has been deteriorating from day to day, may I know why the Government allow this hospital for gosha women to decline like that without coming forward with some sort of help?"

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THE HON. DR. T. S. S. RAJAN :—“ I may inform the hon. Member that this question was taken up by himself, when he was the Parliamentary Secretary last time, with the Government and it is pending. The question is, the municipality will not contribute their share of the expenses of the maintenance of the hospital. That being so, how does anybody expect the Government to take the whole responsibility on their shoulders, especially when the municipality has been maintaining it till now.”

SRI B. S. MURTHI :—“ Madam, in view of the increasingly deteriorating state of this hospital which is so useful for the gosha ladies, may I know whether the Government will ask the Municipal Council of Nellore either to come forward to improve the hospital themselves, or to hand it over to the Government for better treatment of patients? ”

THE HON. DR. T. S. S. RAJAN :—“ This is purely a matter for the municipality which is in charge of the public health of the town, but when the Government offered to take it up, the municipality will not share even a share of the responsibility to the extent to which they have been doing till now and therefore the Government have not been able to give any help in this matter.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I ask, Madam, whether there is any set policy of the Government with regard to hospitals run by local bodies and whether the Government expect local bodies to run only dispensaries and not hospitals and that they would take over the hospitals directly under their administrative charge? ”

THE HON. DR. T. S. S. RAJAN :—“ The policy of the Government is very clear and that is, where the local bodies which are responsible for the proper health of the locality which they administer, it is they that have to run the administration themselves and if the Government are asked to help them either on technical or financial grounds, the Government shall always be prepared to do so.”

SRI A. KALESWARA RAO :—“ May I know, Madam, whether the Government are aware that this hospital was originally started and belonged to the Victoria Memorial Committee and it was only of late that the municipality stepped in with some grants and therefore, in those circumstances, why should not the Government take over the institution and help particularly the gosha women of the district? ”

THE HON. DR. T. S. S. RAJAN :—“ It is not a question of helping any particular set of men or women that we are worried about, but here is an institution which the Government was willing to take up provided the contribution by the municipality was kept up. If the municipality is at all responsible for the health of the area, it stands to reason that the Government ought to expect some sort of contribution out of the funds of the municipality which they

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have been giving so far to this institution and which they ought to continue to enable the Government to manage a badly managed institution. It is only that which this Government are trying to do and if the municipality refuses to co-operate in this matter, Government are very sorry they cannot do very much in this matter.”

JANAB H. S. HUSSAIN :—“ If, according to the Hon. Minister 11-15 a.m. it is the primary responsibility of the local body to maintain the hospital for the public good and in the interests of public health and if the Government finds that the local body is unable to discharge that responsibility and on that account the public health suffers, will not the Government revise their policy in such a case and take over the hospital themselves as an exceptional case? ”

THE HON. DR. T. S. S. RAJAN :—“ It will be setting new standards of interference in local administrative matters and the Government will always be eager in doing it until they are finally forced to do it.”

BEGUM SULTAN MIR AMIRUDDIN :—“ May I know, the reason for the attitude adopted by the municipality? If this is due to the meagreness of funds at the disposal of the municipality, will the Government provincialize this institution as they have provincialized the Women's College at Guntur which was run by the municipality there? ”

THE HON. DR. T. S. S. RAJAN :—“ Evidently this question has to be addressed by the hon. Member to the municipal council itself and not to the Government.”

SRI V. RAGHAVAYYA :—“ Contribution or no contribution, Madam, may I know whether it is not their policy to conduct the hospital efficiently and if not, close it up? ”

THE HON. DR. T. S. S. RAJAN :—“ This is quite a different issue raised altogether which does not concern the one that we are now discussing in answer to the question.”

SRI D. V. RAMASWAMI :—“ May I ask, Madam, whether the Government will not be pleased to extend the same generosity to Nellore as they have done in the case of the Visakhapatnam Gosha Hospital which they have provincialized recently? ”

THE HON. DR. T. S. S. RAJAN :—“ It is not a universal proposition for the Government as to what to do in a particular instance. The hospital that was taken over was the Dufferin Fund Hospital and we offered to take it over but in this case the municipality which has been maintaining it will not give their contribution and we are helpless to run the institution.”

Krishnagiri Reservoir Scheme.

* 233 Q.—SRI S. NAGARAJA MANIGAR: Will the Hon. the Minister for Public Works be pleased to state the stage at which the Krishnagiri Reservoir Scheme otherwise known as Thomas Project, stands? .

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THE HON. SRI M. BHAKTAVATSALAM :—“ The Project has been investigated in detail and the plans and estimates therefor are under scrutiny in the office of the Chief Engineer (Irrigation).”

SRI S. NAGARAJA MANIGAR :—“ May I know, Madam, if it is not a fact that Salem is a very big district with the maximum of agricultural population but yet with the least number of irrigation facilities in spite of big rivers like the Cauvery and South Pennar flowing through it and is also a deficit district in point of food and may I request the Hon. Minister to kindly expedite the scheme as far as possible? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is why, Madam, we are examining all these projects and we are doing everything to expedite them.”

Transfer of Subdivisional Magistrate's Court, Saidapet.

DEPUTY SPEAKER :—“ The hon. Member is not in his place and so the question and answer will be printed in the proceedings.”

* 231 Q.—SRI N. GOVINDASAMI NAIDU : Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have received any representations from the public of Tiruvallur taluk and the Bar of Tiruvallur regarding the transfer of the Subdivisional Magistrate's Court from Saidapet to Tiruvallur; and

(b) if so, what action the Government have taken on them?

THE HON. SRI K. MADHAVA MENON :—“ (a) Yes, from the Bar Association, Tiruvallur.

“ (b) The matter was examined and found impracticable.”

Grant of mattuvaragam.

DEPUTY SPEAKER :—“ The hon. Member is not in his place and so the question and answer will be printed in the proceedings.”

* 235 Q.—SRI N. GOVINDASAMI NAIDU : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of persons who have applied for mattuvaragam for cultivation and thakkavi loan in Tiruvallur taluk;

(b) how long it will take to sanction these amounts; and

(c) the number of persons who are in the waiting list?

THE HON. SRI H. SITARAMA REDDI :—“ (a) The total number of applications received in the Tiruvallur taluk since 1st January, 1950 for the grant of mattuvaragam for cultivation and for thakkavi loans is 216.

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(b) & (c) The number of cases in which the loan has been sanctioned, the number of cases rejected and the number in the waiting list are as shown below :—

(i) Number of cases in which loan has been sanctioned and the amount already disbursed	67
(ii) Number of cases in which the loan has been sanctioned but awaiting payment	10
(iii) Number of cases which are pending the usual enquiry	96
(iv) Number of cases rejected	13
Total	216

The Board has issued instructions to the Collector of Chingleput to disburse immediately the loan amounts in the ten cases awaiting payment. It has also instructed the Collector to push through the enquiry in respect of the 96 cases pending enquiry and to complete their disposal within two months from the date of their receipt.”

Food situation in Visakhapatnam.

* 236 Q.—SRI T. VISWANATHAM : Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government have received any resolutions passed at a public meeting at Visakhapatnam regarding the food situation, on the 20th August 1950;

(b) if so, what action the Government are going to take on the same; and

(c) whether the Government will lay on the table of the House the resolutions referred to in clause (a)?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ (a) Yes, Madam.

“ (b) The resolutions are being examined by the Government.

“ (c) A copy^a of the resolutions is placed on the table of the House.”

SRI T. VISWANATHAM :—“ May I know, Madam, whether the Government will take steps to see that the promised ration of six ounces rice and six ounces wheat is given in Visakhapatnam town? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Since the question had been raised before, all steps have been taken to see that the request of the hon. Member is carried out.”

SRI T. VISWANATHAM :—“ Are the Government aware, Madam, that even now the ration shops are giving only four

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ounces wheat and not six ounces and even the six ounces of rice is really $1\frac{1}{2}$ ounces when cleaned; are the Government aware of the position?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Yes, Madam; a copy of the Press Note issued by the hon. Member has been received and it is being considered now.”

JANAB ABDUL HAMEED KHAN :—“ May I ask, Madam, when the Government propose to restore the 8-ounce rice content of the rations?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ When we are trying to get over the present ration difficulties, it is difficult to say when we will be reaching eight ounces.”

SRI B. S. MURTHI :—“ Is it not a fact, Madam, that many of the depots in the dry taluks of Visakhapatnam district are not having stocks so much so that for three or four days, people are coming and going back because the ration shops are not able to supply rations?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ As I have said, Madam, the matter is receiving attention.”

SRI T. VISWANATHAM :—“ May I ask, Madam, whether a more frequent change of district supply officers and local ration officers will improve the situation?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ If it is found that it is going to improve efficiency, it will be done.”

JANAB H. S. HUSSAIN :—“ Is the Hon. Minister aware that harvest operations have commenced in several parts of the State and if so, will he be kind enough to reconsider the cut in the rice content of the present rations and consider the possibility of increasing it to at least eight ounces?”

DEPUTY SPEAKER :—“ The question is about Visakhapatnam.”

JANAB H. S. HUSSAIN :—“ I am confining myself to that district.”

DEPUTY SPEAKER :—“ The hon. Member is asking for information with particular reference to that district.”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ In a very few districts harvest operations are going on but only of the short-term crop and they will only help to solve local requirements. Until the main harvest commences, the question of raising the present rations cannot be considered.”

SRI T. VISWANATHAM :—“ Is it possible for the Government to import into Visakhapatnam the yellow variety of zonna and not the present red variety of milo which is not accepted by the people?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ I have no information but if the matter is brought to the notice of the Government, it will be examined.”

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SRI G. SANYASI RAO :—“ Is it not a fact, Madam, that the District Food Committees of both Visakhapatnam and East Godavari passed a unanimous resolution to make it a zone in the presence of the Hon. Minister for Food?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Yes, Madam, it was raised at that time; but since then, things have changed and also this is one of the matters which forms part of the matter placed on the table of the House as required by my hon. Friend Sri Viswanatham.”

SRI D. V. RAMASWAMI :—“ May I know, Madam, what steps have been taken to mitigate the food position by way of removal of restriction on the movement of foodgrains wherever available from taluk to taluk in the same district?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ There is no particular step taken except that wherever it is required, it is being transferred from place to place and we have not allowed any free movement because that might affect other parts of the district also.”

SRI S. NAGARAJA MANIGAR :—“ May I know, Madam, if it is a fact that Government are going to make cotton cultivation free when we are starving for want of food?”

DEPUTY SPEAKER :—“ But this question pertains to Visakhapatnam district.”

SRI T. VISWANATHAM :—“ Will the Government issue orders not to harass beggars and purohits who collect rice from various houses?”

JANAB MUHAMMAD RAZA KHAN :—“ May I enquire, Madam, how far the visit of Hon. Mr. Tirumal Rao, the Deputy Minister for Food, and the hundreds of speeches in this State have helped the food problem in this State and particularly in Visakhapatnam district?” (Laughter.)

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The Hon. Mr. Tirumal Rao's visit has not yet been completed; he is still here with us to-day.”

SRI G. KUMARASWAMI :—“ May I know from the Hon. Minister whether the stock position of foodgrains in Visakhapatnam district is satisfactory to-day?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ I have not got full particulars but if a fresh question is put, I shall be able to give latest figures.”

SRI K. VEERANNA PADAL :—“ హాస్టల్లలో పదునకునే విజెస్సీ కుట్టవాళ్లకు millets ఇస్తారా? వారికి ప్రత్యేకంగా Rice ration supply చేస్తారా?”

DEPUTY SPEAKER :—“ Hon. Mr. Viswanatham might translate the question into English.”

SRI T. VISWANATHAM :—“ It would appear that in the hostels maintained for the backward tribes in the Agency areas, millets are given and the question raised is whether separate rice rations will be allowed for these hostels?”

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THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Agency tracts are receiving special attention and if there is real need for the same, the question of more supply of rice besides millets will be taken into consideration.”

Alleged death of Erada Sambayya.

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

(a) the circumstances under which a Communist, Erada Sambayya, was shot dead by the Police in June 1950 in West or East Godavari district;

(b) the person that shot the particular gentleman and also when and where exactly;

(c) the date on which he was arrested and where; and

(d) whether any non-officials were present at the time of the shooting?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister) :—“ (a), (b) & (c) Erada Sambayya, an accused in a case of dacoity, was arrested by the Sub-Inspector of Police, Takkavaram, on the 20th June 1950 at Devulapalli, West Godavari district. The accused promised to show the Sub-Inspector the place where he had secreted the loot and so took him to a cattle-shed in Krishnapuram village limits, about three miles from Gollagudem. After going to the cattle-shed, Erada Sambayya suddenly drew out a sword and attacked the Sub-Inspector. The Sub-Inspector, in self-defence, shot him dead. This happened at about 5-30 p.m. that day.

“(d) Yes.”

SRI V. RAGHAVAYYA :—“ Having regard to the canons of Police law and the practices obtaining in the department, of which every one is aware, when the particular Communist was arrested his body should have been searched; may I know why this particular sword has been allowed to be with him until he gave an opportunity for the Police to shoot him on the pretext that he showed the sword? ”

THE HON. SRI K. MADHAVA MENON :—“ I am afraid the hon. Member is assuming so many things; the sword was not with him when he was arrested but he took it out from the cattle-shed and aimed at the Sub-Inspector.”

SRI V. RAGHAVAYYA :—“ While thanking the Hon. Minister for the further information given by him, may I know how many Reserve Police constables there were by the side of the Communist when he was leisurely allowed to pull out a sword and may I know whether it was not a case where the Police invited him to pull out the sword? ”

THE HON. SRI K. MADHAVA MENON :—“ There were two other constables with him. He was taken there as he promised to show the place where the loot was kept; he took them to the

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cattle-shed and while he was bending, he drew out a sword from the roof and attacked the Sub-Inspector and he had no other course but to shoot him.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ In view of the allegations made by the hon. Member, may I ask the Hon. Minister whether the Government will be pleased to issue a communiqué on the subject refuting the allegation mentioning the names of the non-officials who were present on the occasion with their evidence, if any? ” 11-30 a.m.

THE HON. SRI K. MADHAVA MENON :—“ I did not understand my hon. Friend as making any specific allegation. In this case there is no necessity for a press communiqué. This answer is clear and it will certainly be published in the papers.”

SRI M. S. PATTABHIRAMAYYA :—“ Was the Police Sub-Inspector whom the Communist assaulted and who shot him dead, wounded by the assailant? ”

THE HON. SRI K. MADHAVA MENON :—“ The Sub-Inspector was not foolish enough to wait to be allowed to be wounded.”

SRI B. S. MURTHI :—“ Is it not the practice to handcuff a person under custody while taken out publicly and may I know whether this person, Erada Sambayya, when he was taken to the place where he had secreted the loot from the Police station, three miles off, was taken out handcuffed? ”

THE HON. SRI K. MADHAVA MENON :—“ He was taken out, because as I said before, he said he would point out the place where he had secreted the loot, and it is too much for me to say whether he was handcuffed when he attempted to stab the Sub-Inspector.”

SRI V. KURMAYYA :—“ May I inquire whether this is all a story or a fact? ”

THE HON. SRI K. MADHAVA MENON :—“ It is not a story, Madam; it is a fact.”

JANAB MUHAMMAD RAZA KHAN :—“ Will the Hon. Minister enlighten us, whether the prisoner used a sword made of steel or made of wood? ” (Laughter.)

THE HON. SRI K. MADHAVA MENON :—“ I have yet to learn that a sword for attacking person is made of wood! Perhaps such a sword is in the imagination of the hon. Member.”

SRI B. S. MURTHI :—“ May I know whether the sword used by Erada Sambayya is now in the custody of the Police, and, if so, will it be brought to this House and shown to the Members of this House? ”

THE HON. SRI K. MADHAVA MENON :—“ Previously, the Speaker had ruled that I should not demonstrate such things in this House.”

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SRI L. N. GOPALASWAMI :—“ May I ask whether any non-officials, besides the Police officers, were present at the time of shooting? ”

THE HON. SRI K. MADHAVA MENON :—“ I am sorry my hon. Friend did not hear my answer to clause (d) of the question, when I said, ‘ Yes ’.”

SRI V. RAGHAVAYYA :—“ May I know whether the Hon. Minister for Law has seen the news of the Press Trust of India in the newspapers, dated the 22nd of June last, about this incident? It never makes any mention of a sword but only of a knife. May I know at what stage this knife grew to the dimensions of a sword. (Laughter.) Will the Government issue a press communiqué contradicting the Press Trust of India news, which makes no mention of the prisoner pulling out a sword in a cow-shed? ”

THE HON. SRI K. MADHAVA MENON :—“ I have not seen The Press Trust of India's news. Anyhow I am grateful that they have made mention at least of the knife.”

JANAB MUHAMMAD RAZA KHAN :—“ May I ask how all these things coincided: the prisoner being taken to the place, the sword being there and the non-officials being present just at the moment when the prisoner attacked the Sub-Inspector? ”

THE HON. SRI K. MADHAVA MENON :—“ That is a question which he should ask of an astrologer! ”

JANAB M. S. ABDUL MAJID :—“ The Hon. Minister said that as the prisoner promised to show the place where he had secreted the loot, he was taken to that place and that he did not know whether the prisoner was handcuffed or not. I want to know if he had been handcuffed, would he be in a position to draw out the sword from the place of hiding? ”

THE HON. SRI K. MADHAVA MENON :—“ I cannot say exactly what was done. Obviously he had not been handcuffed; otherwise it would not have been possible for him to pull out the sword.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I know whether the Government have taken any statement from the non-officials present at that time? ”

THE HON. SRI K. MADHAVA MENON :—“ Yes; a magistrate made an inquiry and statements have been recorded from the persons present.”

SRI K. BRAHMANANDAM REDDI :—“ I want to know, Madam, whether this Government have any information to give the number of cases of looting and murders in which this particular man is involved? ”

THE HON. SRI K. MADHAVA MENON :—“ He was involved in a number of cases of looting and dacoity.”

SRI B. S. MURTHI :—“ May I know how many shots were fired and whether the man was alive after the shots for some time and whether any medical aid was given to him? ”

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THE HON. SRI K. MADHAVA MENON :—“ I have not got the details.”

SRI T. VISWANATHAM :—“ Madam, the Hon. Minister said that besides the Sub-Inspector, there were two other police officers and some non-officials. I want to know whether the Government are satisfied that there was no alternative but to shoot this man when he pounced upon the Sub-Inspector with knife or sword? ”

THE HON. SRI K. MADHAVA MENON :—“ Absolutely.”

SRI P. KANDASWAMI PILLAI :—“ In view of the fact that the person who was shot at by the Police is a notorious rogue (laughter) who is responsible for a number of dacoities in the locality, when such a man was shot dead, at the peril of his life by the Sub-Inspector, and when this House evinces so much interest in him, will it not be an inducement to the Communists to commit such atrocities in the future? ”

THE HON. SRI K. MADHAVA MENON :—“ Whether a particular person is a dacoit or not, nobody has a right to shoot him, unless it is a case of self-defence or escape from custody.”

SRI P. KANDASWAMI PILLAI :—“ In this particular case, is it a fact that the Sub-Inspector shot at him in self-defence? ”

THE HON. SRI K. MADHAVA MENON :—“ Yes, I have already said, it is in self-defence.”

JANAB MOHAMED ABDUL SALAM :—“ Since the public find it difficult to believe this cock-and-bull story, in spite of the Hon. Minister asserting that they are facts, will it not be possible for the Government to give instructions to appoint a non-official inquiry whenever the Police commit such acts? ”

THE HON. SRI K. MADHAVA MENON :—“ May I request you, Madam, to ask the hon. Member to withdraw his statement that it is a cock-and-bull story? ”

JANAB MOHAMED ABDUL SALAM :—“ I said the public are finding it difficult to believe this cock-and-bull story; and so, is it not possible to appoint a non-official inquiry in the matter? ”

DEPUTY SPEAKER :—“ Has the hon. Member any information to say that it is a cock-and-bull story? Unless he has that, he should not make such an allegation. I would like him to withdraw the words.” (Cries of ‘ Withdraw, withdraw.’)

SRI V. RAGHAVAYYA :—“ On a point of order, may I just know whether the term ‘ cock-and-bull story ’ is an unparliamentary expression; and whether for a Member, before he puts a question, he should be personally convinced beyond proof that it is true or false to his knowledge, and then only he should put the question? ”

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THE HON. SRI K. MADHAVA MENON :—" If the version of Government is characterised as a cock-and-bull story, false and a lie, that is unparliamentary."

DEPUTY SPEAKER :—" Apart from this, it is not right to say that it is all cock-and-bull story, when you have no information contrary to the information given by the Government."

JANAB M. S. ABDUL MAJID :—" While the Hon. Minister admitted that the dangerous person was not handcuffed, I want to know from him whether it is correct to do so whenever such dangerous criminals are apprehended?"

THE HON. SRI K. MADHAVA MENON :—" I did not say he was not handcuffed at all. I only said at the time he was shot, he was not handcuffed."

JANAB M. S. ABDUL MAJID :—" Why not?"

SRI L. N. GOPALASWAMI :—" In view of the answer of the Hon. Minister to a previous question, that this particular person was involved in many cases of looting and dacoity, is it not all the more reason that he should have been dealt with more carefully by the Police and taken to the place with proper handcuffs?"

THE HON. SRI K. MADHAVA MENON :—" That is exactly the idea. I do not think the hon. Member wants the Sub-Inspector to be allowed to be killed."

Proposal to connect the Coleroon with the Palar.

* 238 Q.—SRI D. V. RAMASWAMI: Will the Hon. the Minister for Public Works be pleased to state whether the Madras Government have considered the desirability of having a project connecting the Coleroon river in the South Arcot district with the Palar in the Chingleput district by means of a canal?

THE HON. SRI M. BHAKTAVATSALAM :—" No."

SRI D. V. RAMASWAMI :—" May I ask the Government whether this question could not be taken up at least after the Krishna-Pennar Project is completed?"

THE HON. SRI M. BHAKTAVATSALAM :—" This question implies that the waters of the Coleroon may be diverted to the Palar. But the waters that are available in the Coleroon are not sufficient for the existing irrigation areas, and further there is the question of level. Therefore there is no use in pursuing this question."

JANAB M. A. MUHAMMAD IBRAHIM :—" May I know whether the Government have considered any irrigation or navigation possibilities by opening this canal?"

THE HON. SRI M. BHAKTAVATSALAM :—" There is no proposal of having any canal from the Coleroon to the Palar."

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Recruitment of District Magistrates.

* 239 Q.—SRI T. VISWANATHA: Will the Hon. the Minister for Education be pleased to state—

(a) the number of places of District Magistrates and Sub-divisional Magistrates that have been filled up by direct recruitment since the coming into force of the scheme for the separation of the Judiciary from the Executive;

(b) what the recommendations of Sri Raja Ayyar Committee were regarding the question of direct recruitment from the Bar to those places;

(c) whether the Government have given effect to the same, and if not, why not; and

(d) whether the views of the High Court were ascertained by the Government in regard to this matter; and if so, what the views of the High Court are?

THE HON. SRI K. MADHAVA MENON :—" (a) (i) District Magistrates.—Nil.

(ii) Subdivisional Magistrates.—As the posts of Subdivisional Magistrates have been merged with those of District Munsifs and direct recruitment is made to the combined cadre, it is not possible to give separate figures for Sub-divisional Magistrates.

" (b) (i) District Magistrates.—The posts should be filled up partly by promotion from Sub-Judges and a certain proportion of the posts should be filled up by direct recruitment from the Bar also.

(ii) Subdivisional Magistrates.—The posts of Subdivisional Magistrates should be integrated with those of District Munsifs and direct recruitment should be made to a certain proportion of posts in the combined cadre.

" (c) (i) District Magistrates.—No. Government consider that the posts of District Magistrates require not merely legal acumen but, to a greater extent, judicial and administrative experience and have accordingly decided to fill up these posts entirely by promoting senior Subordinate Judges.

(ii) Subdivisional Magistrates.—Yes.

" (d) The High Court was consulted. It was of the view that a small proportion of the posts of District Magistrates might be filled up by direct recruitment from the members of the Bar."

SRI V. M. RAMASWAMI MUDALIYAR :—" May I ask, Madam, why in spite of the recommendation of the High Court and the recommendation of the Rajah Ayyar Committee, no District Magistrate has been recruited from the Bar and may I know whether the Government propose to make any such recruitment in the near future?"

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THE HON. SRI K. MADHAVA MENON :—" I am sorry my hon. Friend did not hear my answer to clause (c) of the question. I said :

' Government consider that the posts of District Magistrates require not merely legal acumen but, to a greater extent, judicial and administrative experience and have accordingly decided to fill up these posts entirely by promoting senior Subordinate Judges.'

We feel there is no necessity to make any change in it."

SRI T. VISWANATHAM :—" May I ask, Madam, if that is the principle, whether they have stopped altogether direct recruitment to the cadre of District Judges also? "

THE HON. SRI K. MADHAVA MENON :—" District Judges are not District Magistrates."

SRI T. VISWANATHAM :—" I know, District Judges are not District Magistrates; it does not require a Minister to say it." (Laughter.) In view of the reason given in the answer, namely, that administrative experience is necessary and so on, may I ask the Hon. Minister, is he going to apply that rule, or has he applied that rule, also to the case of District Judges? "

THE HON. SRI K. MADHAVA MENON :—" We will consider that question at the time of recruitment of District Judges."

11-45 a.m. BEGUM SULTAN MIR AMIRUDDIN :—" May I know whether the Public Service Commission selects these officers and, if not, will the Government be pleased to entrust their selection to that Commission? "

THE HON. SRI K. MADHAVA MENON :—" For the posts of District Magistrates, only senior Subordinate Judges are promoted and the selection is made by the High Court. For the combined cadre of Subdivisional Magistrates and District Munsifs, the selection is made by the Public Service Commission."

SRI V. M. RAMASWAMI MUDALIYAR :—" District Judges were directly recruited from the Bar and they were exercising judicial and administrative functions. Have the Government any reason to say that that system has been unsatisfactory in any manner? "

THE HON. SRI K. MADHAVA MENON :—" The question of selection of District Judges does not arise from this question."

SRI T. VISWANATHAM :—" The Hon. Minister said that Sri Raja Ayyar Committee recommended that a certain proportion of the posts of District Magistrates should be filled up by direct recruitment from the Bar. I want to know whether the High Court has not recommended that 50 per cent of the posts should be filled up by direct recruitment and whether the Government are going to accept the recommendation. What is the view of the Hon. Minister for Law or the Hon. Chief Minister on this question? "

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THE HON. SRI K. MADHAVA MENON :—" For filling up the posts in the combined cadre of Subdivisional Magistrates and District Munsifs, the High Court has not recommended 50 per cent. As regards filling up the posts of District Magistrates, the view of the Government is that no direct recruitment is necessary."

JANAB MOHAMED ABDUL SALAM :—" What is the point in appointing a committee of experts and consulting the High Court and not accepting their advice in regard to filling up the posts of District Magistrates? "

THE HON. SRI K. MADHAVA MENON :—" It does not mean that the Government should abdicate their function in regard to the appointment of District Magistrates."

JANAB MUHAMMAD RAZA KHAN :—" What is the point in the Government seeking the advice of the High Court and, when the advice was given that a certain proportion of the posts should be filled up by direct recruitment, saying that they do not accept it? "

THE HON. SRI K. MADHAVA MENON :—" If every advice that is tendered is to be accepted, then it is better to leave the matter of appointment, etc., to the person whose advice is sought."

SRI K. LINGA RAJU :—" Since Subordinate Judges who are promoted as District Magistrates are senior people who are likely to retire within a year or two, will not the Government lose the benefit of their experience? "

THE HON. SRI K. MADHAVA MENON :—" It is not correct to say that they will retire within a short space of time. Comparatively senior Subordinate Judges are posted."

SRI T. VISWANATHAM :—" In answer to a supplementary question, the Hon. Minister said that the Government could not abdicate their function. Is he aware that under Article 233 (2) of the Constitution, the Government are directed to appoint only persons who are recommended by the High Court and that the acceptance of the recommendation involves no abdication of functions but only fulfilment of the Constitution? "

THE HON. SRI K. MADHAVA MENON :—" My hon. Friend is assuming that we have appointed somebody who has not been recommended by the High Court. All the Subdivisional Magistrates we have appointed have been appointed on the recommendation of the High Court."

SRI T. VISWANATHAM :—" Since the acceptance of the High Court's advice is not an abdication of Government's functions but only fulfilment of an Article of the Constitution, may I know whether the Hon. Minister will follow the principle of direct recruitment to the posts of District Magistrates hereafter? I am not making any assumption."

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THE HON. SRI K. MADHAVA MENON :—“ There is no question of the Government following or not following. If it is a mandatory Article, it has to be followed.”

Discretionary grants by the Collectors.

* 240 Q.—SRI S. NAGARAJA MANIGAR: Will the Hon. the Minister for Land Revenue be pleased to state—

- (a) the amount of money available with the Collectors of districts every year as discretionary grant; and
- (b) whether this amount can be increased?

THE HON. SRI H. SITARAMA REDDI :—“(a) & (b) The present limit up to which Collectors of districts have been permitted to incur expenditure on discretionary grants each year is Rs. 2,000. It is not feasible now to increase this limit. The question of modifying the limit will be considered at the end of 1952.

“The hon. Member is informed that Government place additional *ad hoc* grants at the disposal of Collectors in times of grave emergency such as flood or fire havoc, for granting relief to the persons affected.”

SRI S. NAGARAJA MANIGAR :—“ Collectors are the heads of a district. Now that we have got our own raj and our own men as Collectors, is it not desirable to place larger sums at their disposal for immediate use for beneficial purposes wherever necessary? ”

THE HON. SRI H. SITARAMA REDDI :—“ I have said that we are giving a discretionary grant of Rs. 2,000 each year and additional *ad hoc* grants in times of emergency such as flood or fire havoc for granting relief to the sufferers. There is no question of the Collectors being our people or not being our people.”

JANAB H. S. HUSSAIN :—“ Have Collectors of any districts made any representation to the Government asking for an increase in the amount of the grant? ”

THE HON. SRI H. SITARAMA REDDI :—“ The question of discretionary grants started so long ago as 1908. The amount of the grant varied from time to time. Some time ago, the Board of Revenue suggested an increase in this grant to Rs. 3,000. After examining the suggestion the Government felt that Rs. 2,000 was adequate for the present.”

JANAB ABDUL HAMEED KHAN :—“ May I know the various purposes for which the discretionary grants have been used? ”

THE HON. SRI H. SITARAMA REDDI :—“ The principal object is the promotion of the well being and contentment of the people.” (Laughter.)

SRI S. NAGARAJA MANIGAR :—“ The limit of Rs. 2,000 was stipulated many years ago, when the prices were normal. Now

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that the prices have increased to three or four times the normal level, is it not desirable to place larger grants at the disposal of Collectors? ”

THE HON. SRI H. SITARAMA REDDI :—“ As I said the grant is given for meeting emergent expenditure and for that Rs. 2,000 is enough. If more money is necessary, the Collector is not precluded from applying to the Government. Recently in cases of flood or fire havoc, we have sanctioned adequate sums of money; sometimes the sums were running to lakhs of rupees. No difficulty has been felt so far with the present limit.”

SRI A. KALESWARA RAO :—“ How much of the discretionary grants has been spent by the Collectors for the contentment of the people? ”

THE HON. SRI H. SITARAMA REDDI :—“ I am not in a position to give the actual amount. Whatever amount is necessary to relieve distress has been spent.”

JANAB N. MUHAMMAD ANWAR :—“ Will the Hon. Minister for Revenue give us an assurance that the discretionary grant of Rs. 2,000 to every Collector will guarantee the well-being and contentment of the people? ”

THE HON. SRI H. SITARAMA REDDI :—“ To the extent of Rs. 2,000, it will.”

SRI A. KALESWARA RAO :—“ May I know whether contentment has increased on account of the increased starvation of the people? ”

SRI K. BRAHMANANDAM REDDI :—“ Apart from this meagre grant, is there any proposal before the Government to give, say, a lakh of rupees to each Collector and ask him to administer that amount on the advice of a small economic council? ”

THE HON. SRI H. SITARAMA REDDI :—“ No, Madam.”

SRI A. VEDARATNAM PILLAI :—“ May I know whether there is any representation from the Collectors that the amount of the discretionary grant is not sufficient? ”

THE HON. SRI H. SITARAMA REDDI :—“ I have already answered the point.”

SRI K. BRAHMANANDAM REDDI :—“ While I cannot question the ‘no’ of the Hon. Minister in reply to my question, may I ask him to examine the suggestion in consultation with his colleagues, as it is a very important matter concerning the districts? ”

THE HON. SRI H. SITARAMA REDDI :—“ I cannot give an answer off-hand. No Collector has raised the question up till now so far as I know.”

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Hostels run by the Forest department.

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

- (a) the number of schools and hostels that are being run for the benefit of forest and hill tribes by the Forest department;
- (b) where they are run and what tribes are benefited; and
- (c) the strength in each hostel and school and the cost of maintaining the same?

THE HON. SRI N. SANJEEVA REDDI:—“(a) The number of schools—28; the number of hostels—3.
“(b) & (c) A statement ^a is placed on the table of the House.”

SRI V. RAGHAVAYYA:—“Is the Hon. Minister aware that the Bairuti Chenchu Home, which I visited recently, is very bad in accommodation and the pupils are put to great inconvenience and what additional provision has been made for improving the accommodation?”

THE HON. SRI N. SANJEEVA REDDI:—“I have not visited the place myself. Any way I take the information from my hon. Friend. I will try to visit the area as early as possible and do something.”

(Mr. Speaker resumed the Chair.)

SRI V. I. MUNISWAMI PILLAY:—“May I know whether the Hon. Minister has got any proposal to open schools and hostels for the hill tribes such as Irulas and Paniyals in the Nilgiris and Wynaad?”

THE HON. SRI N. SANJEEVA REDDI:—“Wherever there is a great demand and a sufficient number of students, we will open more schools.”

SRI N. VENKATASUBBAYYA:—“May I know why the Chenchu Home in Atmakur is not functioning now and when it will be revived?”

THE HON. SRI N. SANJEEVA REDDI:—“The Chenchu Home is a hostel for hill tribes. When there are no students, the hostel is not working. When there are students, the hostel will be revived.”

Blackmarketing of imported medicines.

* 242 Q.—JANAB S. MUHAMMAD ISMAIL: Will the Hon. the Minister for Food be pleased to state whether the Government have taken any steps to check the blackmarketing in foreign imported medicines, such as penicillin, and whether any cases of blackmarketing have been booked so far?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“This Government promulgated in December 1949 the Madras Drugs Control Act, 1949, to control the prices of essential drugs. Many essential drugs including penicillin and

^a Printed as Appendix II on pages 136-137 infra.

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streptomycin have been declared to be drugs to which this Act applies. The Commercial Tax Officers in the Madras City and the District Supply Officers in the districts who administer the Act, make test purchases of drugs from suspected dealers to check whether they conform to the ceiling prices fixed by the Government. The Officers of the Commercial Tax Department check the duplicate cash bills with the dealers to verify whether the prices charged are in accordance with the controlled rates. Local enquiries from reliable doctors, etc., are also made to find out whether there is any difficulty in obtaining drugs at controlled rates. Five cases of blackmarketing in drugs have so far been detected. In four cases the dealers were let off with a warning and the dealer in the other case has been prosecuted.”

SRI V. M. RAMASWAMI MUDALIYAR:—“Is there any proposal before the Government to keep buffer stocks of important drugs like penicillin and streptomycin because sometimes they suddenly disappear from the market causing annoyance to people and detriment to health?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The Government only issue licences for import and recommend the quantity that may be imported and they do not keep any stocks.”

SRI G. SANYASI RAO:—“May I know whether there is any proposal to detain the blackmarketers in our State?”

DR. S. SUBRAHMANYAM:—“Are the Government aware that for most of the drugs the prices fixed by the Civil Supplies Department are higher than the prices ruling in the market at the time of notification of the prices?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“I am not aware of the information given by the hon. Member.”

SRI T. VISWANATHAM:—“In the interests of the health of the public, will the Government be pleased to take over the import and sale of important drugs like penicillin and streptomycin?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“There is no proposal and such a proposal has to be taken up in consultation with the Government of India.”

UNSTARRED QUESTIONS.*Grants to schools in Kancheepuram.*

18 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Education be pleased to state—

(a) the grant sanctioned and paid to Sri Somasundara Kanya Vidyalaya, Kancheepuram, for 1949-50;

(b) the grant proposed to be given for 1950-51;

(c) the number of school children given free concessions in the Vidyalaya with details as to the number of scheduled castes and Non-Brahman (other than scheduled caste) pupils;

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(d) the grant given to the Kanagasabapathi Nagar Industrial School, Kancheepuram, during the years 1947-48, 1948-49 and 1949-50; and

(e) the various activities of the institution and grounds on which grants are given?

A.—(a) The maintenance grant due to the Vidyalaya has not yet been sanctioned. The probable amount of the grant payable to the school for 1949-50 is Rs. 9,669 and it will be disbursed during the course of this year.

(b) The grant for 1950-51 is payable only in 1951-52 and it will be based on two-thirds of the approved net cost of maintenance, i.e., two-thirds of the excess of the approved recurring expenditure in 1950-51 over the income from tuition fees reckoned at standard rates of eight instalments.

(c) Seven students were given fee concessions for 1949-50 of whom three were Harijans and four non-Harijans (Backward).

(d) It is presumed that the Member refers to the Harijan Industrial School, Kancheepuram. The school was paid maintenance grant as follows:—

1947-48	...	RS.
1948-49	...	554
1949-50	...	700
	...	885

(e) The Industrial school provides for instruction in agriculture, bee-keeping, poultry farming, spinning, weaving and elementary carpentry. Grants are sanctioned to the school under the provisions of the Code of Regulations for Industrial schools.

Harijan Deputy Collectors and Tahsildars.

19 Q.—SRI G. VENKANNA: Will the Hon. the Minister for Land Revenue be pleased to state the number of Harijans working as Deputy Collectors and Tahsildars in Andhra districts (district and talukwar) and their native districts and taluks?

A.—A statement giving the particulars is furnished below:—

Statement.					
Name.	District in which working.	Taluk in which working.	Native district.	Native taluk.	
(1)	(2)	(3)	(4)	(5)	
Andhra Harijan Deputy Collector—					
Sri M. Bootharaja Rao.	Srikakulam		Anantapur	Madakasira.	
Andhra Harijan Tahsildars—					
Sri S. Pemulu	West Godavari.	Narasapur.	West Godavari.	Narasapur.	
Sri A. Venkata Reddi.	Guntur	Narasaraopet.	East Godavari.	Amalapuram	
Sri S. Venkanna	Nellore	Atnakur	Do.	Rajahmundry.	

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Political sufferers.

20 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Land Revenue be pleased to state whether it is a fact that the Collector of the Nilgiris refuses to give pattas to those political sufferers who have spent money to improve their lands?

A.—No.

Scales of pay of certain officers.

21 Q.—SRI GONA SITARAMASWAMI: Will the Hon. the Minister for Finance be pleased to state—

(a) the pre-1933 scales, the revised scales and the new revised scales (1947) for the following officers:—

Agricultural Demonstrators,
Taluk Supply Officers,
Veterinary Doctors,
Public Works Department Supervisors, and
Forest Rangers;

(b) why the maximum scale of Agricultural Demonstrators has not been raised at least to the level of pre-1933 scales at the time of revision of scales in 1946; and

(c) the reasons for the difference in the scales of pay of Taluk Supply Officers and Agricultural Demonstrators since both the cadres come under the Food and Agriculture Department?

A.—(a) The scales are as under—

Pre-1933 scale.	Revised scale.	New revised scale, 1947.
(1)	(2)	(3)
RS.	RS.	RS.
1. Agricultural Demonstrator (Upper Subordinates)—		
I Grade 250	I Grade 155—15/2—200	109—5—140—E.B. 10—220. Recruits with qualification higher than B.Sc. (Agri.) or B.A. (Agri.) to start on Rs. 120.
II Grade 225	II Grade 105—15/2—150	
III Grade 200	III Grade 75—7 1/2—105	
IV Grade 120—10—170	Revised from July 1944	
V Grade 85—5—120	as follows:—	
	Persons on pre-1933 scales—Rs. 85—5—120	
	—E.B. 130—10—170—	
	E.B. 180—10—250.	
	Persons on 1933 scales—	
	Rs. 75—7 1/2—105—	
	E.B. 120—15/2—150—	
	E.B. 170—15/2—200.	
2. Taluk Supply Officers—		
Tahsildar's 200—10—300	175—15/2—250	200—10—300.
Grade.		
Deputy Tahsildar's 150—5—200	125—10/2—175	150—5—200.
Grade.		
3. Veterinary Doctors (Assistant Surgeons)—		
Selection 125—5—175		120—5—200—10—250. B.V. Scs. will start on Rs. 140 per month.
Grade.		
Ordinary 80—4—120	90—10/2—200	
Grade.		

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Pre-1933 scale.	Revised scale.	New revised scale, 1947.
(1)	(2)	(3)
RS.	RS.	RS.
4. Public Works Department Supervisors—		
80—7½—125 E.B. 130— 10—250. (Recruits with Engineering qualifications to start on Rs. 125.)	70—10½—110—15½—200. (Recruits with Engineering qualifications to start on Rs. 100.)	100—5—150—10—250. Degree holders to start on Rs. 150. Passed Engineers to start on Rs. 140.
5. Forest Rangers—		
I Grade 225 II Grade 200 III Grade 175 IV Grade 150 V Grade 125 VI Grade 100 VII Grade 80	I Grade 200 II Grade 175 III Grade 150 IV Grade 130 V Grade 75—5½—90— 10½—110	100—10—150 E.B.—20—250.

(b) No arithmetical formula such as a percentage increase over existing scales was followed in revising the scales of pay of the different classes of posts. Each case was considered on its merits taking into account the qualifications prescribed for the posts, the duties and responsibilities attached to them, the age and method of recruitment to the posts and the prospects of promotion. The revised scale of pay for Agricultural Demonstrators was fixed in 1947 in accordance with these principles.

(c) The mere fact that both Taluk Supply Officers and Agricultural Demonstrators come under the same department cannot justify the grant of the same scale pay to them. As already stated, the scales were fixed, taking into account, among other things, the nature of duties and responsibilities attached to the various posts. Only Tahsildars and Deputy Tahsildars are appointed as Taluk Supply Officers in connexion with the procurement work, and they are allowed to draw their grade pay. The duties and responsibilities of Agricultural Demonstrators are not comparable with those of Taluk Supply Officers.

Import of Lunamedella logs.

22 Q.—SRI S. PARAMANANDA RAYAR: Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that the Government of India have banned the import of Lunamedella logs (catamaran) from Ceylon; (b) the total tonnage of Lunamedella logs imported from Ceylon in the ports of Nagapattinam, Tirumalaivasal, Porto Novo and Cuddalore (port-war and month-war) for the calendar years 1948, 1949 and 1950; and

(c) whether he has received any memorandum from the fishermen during his last visit to Porto Novo on the question of banning of import of Lunamedella logs from Ceylon and if so, what action the Government have taken thereon so far?

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A.—(a) No, Sir. Lunamedella logs are allowed to be imported from Ceylon under an import licence issued by the Chief Controller of Imports, New Delhi.

(b) The information is not available. It is reported that separate statistics for the import of Lunamedella logs are not maintained by the Collector of Customs.

(c) Yes, Sir. The representatives of fishermen community of Porto Novo submitted a memorandum to Hon. the Minister for Food during his visit to Porto Novo on the question of import of Lunamedella logs from Ceylon. The Government of India have been addressed in the matter and they have been requested to take early steps to include the catamaran logs in a special Open General Licence and to move the Government of Ceylon to allow the export of this essential material required for the development of fishing industry in South India.

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

II.—REFLECTION UPON THE SPEAKER'S RULING BY "THE MAIL".

MR. SPEAKER :—“ I wish to bring to the notice of the House an important matter and I consider it my duty to do so, because it touches the privileges of the House. Hon. Members should have seen the editorial of the last night's issue of *The Mail* under the heading 'Still Urgent'. It reads as follows :—

'In every part of the State of Madras there will be found thousands of people to disagree with the Speaker of the Legislative Assembly in his view that the "food crisis" is "not an urgent matter or subject". Rather will they agree with those members of that body who retorted that it was a "chronic disease".'

“ Then it goes on saying something about the adjournment motion and then again it makes the following comments :—

'The Speaker ruled it out of order, "because they had had discussions on food situation, and the method of procurement" therefore brushing it aside as of little moment.'

This is what the paper has written. I consider it as a breach of the privileges of this House. In the first place, the Editor has distorted the real facts. I wish to bring to the notice of the House the ruling that was given by me yesterday. This is the exact wording of my ruling :—

'I must tell the House that this is not an urgent matter. The food crisis has been continuing in our State for a very long time. Further, I must bring to the notice of the hon. Member in particular and the House in general that under the Madras Assembly Rules, an adjournment motion must not revive discussion on a matter which has been discussed on an adjournment or otherwise in the same session. In the last sitting, we discussed the food situation and the method of procurement. I allowed not only a two-day debate but also an half-hour debate on the matter.'

12 noon.

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"Then I allowed the hon. Member who gave notice of the motion to explain the matter and after he had done so, I made the following observation before ruling it out of order:—

'I wish to tell the House that the crisis is not a recent occurrence; it has been there for a long time.'

"The Mail has distorted the matter and has given a colouring to it. What it has said is that I had brushed it aside as of little moment. In this connexion, let me remind the House of the exact words that I used. I said, *'I must tell the House that this is not an urgent matter, but that it has been continuing in our State for a very long time.'* This, the paper has distorted, and it has further said, *'Rather will they agree with those members of that body who retorted that it was a "chronic disease".'* Nobody in this House said like that, but it is I who said that this has been continuing for a long time.

"Secondly with regard to the urgency of the matter, I have been usually following the procedure of the House of Commons and in this connexion let me tell the House that Mr. Speaker Peel of the House of Commons had laid down certain dictums with regard to what is meant by an urgent matter. I shall quote the exact words he has used. He said: *'What I think was contemplated was the occurrence of some sudden emergency either in Home or Foreign affairs.'* Now I shall read the comment. *'The crucial test always is as to whether the question proposed should be raised as arising suddenly and created an emergent situation of such a character that there is a prima facie case of urgency and the House must therefore leave aside all other business and take up the consideration of the urgent matter at the appointed hour. The urgency must be of such a character that the matter really brooks no delay and should be disposed on the same day that notice has been given.'*

"This is the comment on the dictum laid down by Speaker Peel. I may also inform the House that in the English Parliament from 1921-1939 the Speaker had allowed only 1.5 per cent of the adjournment motions. That is to say, he had disallowed 98.5 per cent of the adjournment motions brought in."

JANAB MOHAMED ABDUL SALAM:—"What is the percentage of adjournment motions that you have allowed, Sir, in this House?"

MR. SPEAKER:—"The proceedings of this House are already in the hands of the hon. Member and he had better calculate it himself instead of asking me the question."

"Now, to-day regarding this matter, I shall read certain extracts from May's 'Parliamentary Practice', because I think they will be of some use to the Members of the House. Under the heading 'speeches or writings reflecting on either House', May in his book says:

'In 1701 the House of Commons resolved that to print or publish any books or libels reflecting on the proceedings of the House is a high violation of the rights and privileges of the House and indignities offered to the House by words spoken or writings

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published reflecting on its character or proceedings have been constantly punished by both the Lords and Commons upon the principle that such acts tend to obstruct the House in the performance of their functions by diminishing the respect due to them.'

"Then under the heading 'Publication of false or perverted reports of debates, etc.', he says:

'Analogous to the publication of libels upon either House is the publication of false or perverted or of partial and injurious reports of debates or proceedings of either House or Committees of either House or misrepresentations of the speeches of particular members.'

"Then he gives a number of actions taken for the publication of perverted news, for publication of false account of the proceedings of the House of Lords, for publication of scandalous misrepresentation of what had passed in either House or of what has been said in the debate and for the publication of gross or wilful misrepresentation of particular member's speech and so on.

"But I may tell the House that I am not taking a serious view of this reflection by this paper on the ruling of the Chair, which amounts to a reflection upon the House as a whole. The dignity of House should be preserved by all means and that is a very important matter. But I think this is the first time that such a thing has happened. The hon. Member Mr. Salam, who asked me the percentage of adjournment motions I have allowed, himself, on a previous occasion brought to my notice something that had appeared in the papers, which was derogatory to the dignity of the House and the very next day an apology was tendered by the Editor of that paper. Now, so far as this incident is concerned, as I have already said, I do not take a serious view of it, because this is the first time that 'The Mail' has made such comments and most of these Editors may not have known the privileges of the Members of the House. But all the same, I have thought it better to bring this matter to the notice of the House so that such things may not happen in the future and I should also like to know what the Hon. Leader of the House, the hon. Leader of the Opposition and the hon. Leader of the United People's Party wish to say on this matter."

THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, it is no doubt our primary duty to keep up the prestige and dignity of the House and we shall not allow any infringement of the rights and privileges of the House, nor shall we allow its prestige and dignity impaired by anybody, either it be by newspapers or by other people. It is really regrettable, Sir, that what has transpired in this House with regard to an adjournment motion has not been properly reported by the paper concerned. Further, it seems that the Editor has drawn his inference from some sort of distorted version of what has happened here. All the same, I am sure all Members of the House and all parties in this House will agree with me that there should not be any reflection made by any paper on the conduct of the Chair or even on the conduct of the Members of the House, or on whatever has transpired in this House, and

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unless we keep up the dignity and prestige of the Chair, the entire proceedings of the House will become very ridiculous. We shall certainly not put up with anything that will be derogatory to the dignity of the House and the respect due to the Chair. But, Sir, as you have also said, this is the first time that such a thing has happened I think we might take a lenient view of this matter and let the paper go off this time, without curtailing its privileges, but I am sure that not only that paper but also other papers will take the clue from this incident and not allow such unfortunate things to happen again. We may just leave it at that, Sir, and I trust that all papers will co-operate with us to see that the dignity of the House and the respect due to the Chair are maintained in the fullest measure possible."

* JANAB M. MUHAMMAD ISMAIL :—" Mr. Speaker, Sir, I for my part have no doubt and I am sure that all Members of the House will bear witness to the fact that you have been scrupulously keeping up the dignity, the honour and the respect of the House and the impartiality of your position as the Speaker, and it is our duty to support you in whatever you do to keep up that dignity and abide by the rulings you give. Unless such a position is kept up, the privilege and the honour of the House and its Members will be affected and that will be a bad thing for the whole State. At the same time. Sir, I also beg to submit, that this paper, *The Mail* is a responsible, respectable and a decent paper and I am only very sorry that this incident should have happened and this mistake made by it, with reference to your ruling on the adjournment motion. But I would beseech you, Mr. Speaker, to take a lenient view of this matter and give some indulgence this time and drop the matter. As my Hon. Friend, the Leader of the House, has already said, I am sure all will agree that the privilege of the House should be preserved and the dignity and respect due to the Chair should be maintained, and I hope that all who are concerned, including the newspapers will be at pains in the future to see that such dignity and respect to this House is upheld and maintained in every respect."

JANAB ABDUL HAMEED KHAN :—" Mr. Speaker, Sir, I entirely agree with what the Hon. Leader of the House and the hon. Leader of the Opposition have said about this unfortunate incident and I wholeheartedly endorse their view. There is hardly any Member in this House who will not co-operate with you in maintaining the dignity of the House to the fullest extent. You, Sir, have been certainly doing your best to be impartial in giving your rulings and particularly in deciding whether an adjournment motion that is brought before the House is in order or not, and we know, that you have been taking infinite pains to examine them and that you give your best thought and study to questions that arise in this House and that you give out your rulings only after careful consideration of the various points involved. Particularly, with regard to this incident, unfortunately there has been a misrepresentation and a distortion of facts by the paper concerned. But we know, Sir, that *The Mail* has been very zealously trying

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to serve the people of this State so far as the food question is concerned. We cannot deny that fact, but at the same time, in its over-zeal, it should not have distorted facts and given a colour to the ruling you have given. I hope, Sir, that in view of the fact that this is the first time that this unfortunate thing has happened, we may take a lenient view of the paper this time and leave it at that. But this should serve as a warning for other papers and other people concerned that they should conduct in a manner which would not be derogatory to the dignity of the House."

SRI K. R. KARANTH :—" Mr. Speaker, Sir, I should like to say just a few words on this matter."

MR. SPEAKER :—" All the three Leaders of parties have spoken on behalf of all the Parties in the House and I think it is unnecessary for the hon. Member to speak and I think that is enough."

SRI K. R. KARANTH :—" If you think, Sir, that it is not necessary, I shall not speak and I shall sit down. But I must say that I dissent from what was said by previous speakers."

MR. SPEAKER :—" I think it is not necessary. The hon. Member may kindly resume his seat."

" Now I must thank the Hon. Leader of the House, the hon. Leader of the Opposition and the hon. Deputy Leader of the United People's Party for the assurance they have given that they would always co-operate with the Chair in seeing that the dignity of the House and of the Chair is maintained. I agree with them that this is the first time that such a thing has happened and so, I am not going to take any action on the paper and treat this matter as dropped."

SRI V. M. RAMASWAMI MUDALIYAR :—" I think, Sir, a duty is cast upon the Members of the House to call the attention of the newspaper and to ask what it has got to say. Perhaps we might invite the attention of the paper to these discussions and the manner in which the House has viewed this incident, so that the Editor of the paper himself can take it up and do the needful."

MR. SPEAKER :—" The representatives of the paper are here and I think they would report what has taken place in this House. Now let us proceed to the next item in the Agenda."

VIII.—MOTION UNDER RULE 24 OF THE MADRAS ASSEMBLY RULES.

12-15
a.m.

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

'That rule 24 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 5th October 1950.'

" Last time we had a non-official day and we passed the Bill brought forward by hon. Mr. Rajaram Naidu and all sides of the House congratulated the non-official Member on bringing forward the Prevention of Animal and Bird Sacrifices Bill. But this time unfortunately we have no non-official business to transact to-day.

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Even if we want to have it as a non-official day, there is no non-official Resolution or Bill pending with the Legislature Secretariat. Therefore, we are obliged to take it over for official purposes. I move, Sir, that Rule 24 be suspended."

SRI T. VISWANATHAM:—"If there is no non-official business, we must have a holiday, Sir."

MR. SPEAKER:—"After 2 p.m. we shall have a holiday."

SRI K. BHASHIAM:—"Sir, this system of taking over the non-official day for transaction of official business has been going on for a long time. So much so we feel that even if we give notice of (non-official) Bills or Resolutions, they may not be taken up. That is why we find that there is no non-official business to transact."

MR. SPEAKER:—"The question is--

"That Rule 24 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 5th October 1950."

The motion was carried.

IV. GOVERNMENT RESOLUTION.

DELIMITATION PROPOSALS OF THE STATE GOVERNMENT--cont.

MR. SPEAKER:—"We shall continue the debate on the delimitation proposals of the State Government. I fix 10 minutes for each Member. The Leaders of Parties will be given longer time."

JANAB MUHAMMAD RAZA KHAN:—"How long are we sitting to-day, Sir?"

MR. SPEAKER:—"The Leader of the Opposition and the Leader of the United People's Party want that we should sit till 2 p.m."

JANAB M. MUHAMMAD ISMAIL:—"We did not say so, Sir."

MR. SPEAKER:—"Yesterday the Leaders said so."

THE HON. SRI B. GOPALA REDDI:—"We may go on till 1-30 p.m. to-day, Sir, and I may be permitted to reply to-morrow after question-hour."

JANAB ABDUL HAMEED KHAN:—"Sir, our request has been that we should go on with the discussion the whole day. But the Leader of the House has understood it that we have agreed to go on with this discussion till 1-30 p.m. to-day and that he could reply to-morrow."

JANAB MUHAMMAD RAZA KHAN:—"Many Members are anxious to speak, Sir."

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JANAB M. MUHAMMAD ISMAIL:—"What we said when the House was adjourning yesterday was that we should meet again to-day and continue our business. We did not agree to the debate being terminated at 1-30 p.m. to-day. We want discussion to continue the whole day, until 5 p.m. and some arrangement may be made for the Ministers to meet the Members of the Advisory Committee without terminating the debate."

MR. SPEAKER:—"The Government Members are unable to attend the meeting of the Assembly this afternoon. So, we will adjourn to-day at 1-30 p.m. We shall take up this matter again to-morrow morning and continue discussion till 1 p.m. when the Hon. Minister will reply."

SRI V. RAGHAVAYYA:—"Mr. Speaker, Sir, the delimitation proposals of the Government of Madras have left a defect, perhaps unnoticed till now, which I wish the Government will take due notice of so that a large population of aboriginals who have not been included in the list may be given special representation. It is known to you that our President of the Indian Republic has been pleased to list a number of tribes as scheduled tribes so that they may get all the advantages that have been vouchsafed to them by the Government of this country for a period of ten years in matters of education and in matters of general uplift and other amenities. Failure to get included in this list at this time will relegate these tribes for ten more years to a position of being ignored which could not have been the idea of the Government. The Government should have known that Erukulas and Sugalis of Andhra number nearly four lakhs of people. For the sin of residing in the plains the Government of Madras in about 1935 or so did not include them in the list of aboriginals. Subsequently this question has been considered by a Committee appointed by the Government in 1947 to consider the socio-economic conditions of the aboriginals. That Committee reported that the Yenadis numbered nearly a lakh and thirty thousand according to the census of 1921. By this time there should be at least two lakhs of these people. Likewise, Erukulas number nearly half a lakh and more and similar is the case with Sugalis. The Constitution requires that all these tribes, if they should have representation on tribal basis, must be duly enlisted. Somehow or other the Government of India have not bothered to enlist exhaustively all the tribes but have confined themselves only to those that have been enlisted according to the 1935 Government of India Act. These tribes are very important ancient tribes and they exist almost in every district of Andhra. A lakh of them live in Nellore and these people are found in about 10 districts in Andhra. They are primitive tribes whose civilization is very hoary and according to Dr. Guha, a great Anthropologist, they are supposed to be the earliest inhabitants of the country. Whether they should go without representation on tribal basis and whether they should be deprived of the various amenities vouchsafed by the Republican Constitution of the country for a period of ten years is a matter which the Government should consider at this stage. I,

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therefore, suggest that the Government may make a recommendation to the Government of India that these tribes be included in the list of Scheduled Tribes. (At this stage, Deputy Speaker occupied the chair.)

"Another thing I would like to bring to the notice of the Government is this. If one looks at the various delimitation proposals, it seems as though the elephant is tacked on to the tail rather than the tail to the elephant. Whole taluks are dismembered to suit the conveniences of certain firkas. I do not attribute any motive with regard to any particular firka. It may be that some Members have brought it to the notice of the Government that a particular firka is suffering from over-representation or less-representation. But when the Government have been keeping in view the taluk as a unit, it is always better to preserve its entity so that the taluk structure may not be disturbed. Take my own district, Nellore. It is a very important place. If only one more firka from Gudur is added to it, Tikkavaram or any other firka, there will be sufficient population for allotment of two seats. I am not quarrelling as to where the Harijan seat should be allotted, as several others are doing. But when the taluk with its present population with only one firka added to it from Gudur could accommodate a dual constituency, I do not see any reason why this suggestion should not be accepted. The problems of Nellore taluk are entirely different from the problems of Gudur taluk. Further, one thing has to be kept in view in these matters. In every district you will have certain taluks which are backward because of rather dry nature, want of irrigation sources or not being deltaic taluks and so naturally dependent upon rain-fed tanks. Such taluks have been neglected for the past several years and have been suffering seriously on account of want of representation, because whenever these elections come, a man of the delta who is able to come up prominently gets the chance of representing the dry taluks by the noses as it were. I, therefore, suggest that in these proposals the upland taluks as they are called or the dry taluks or the taluks which are backward in the matter of educational facilities and in other matters should not be disturbed in respect of their entity and that as far as possible they should be given a Member each. Venkatagiri area has been nobly fighting against the British Government for a long time past and against the zamindari system. So, its history and traditions require that the feelings of those people must be respected. Venkatagiri has been bifurcated into Venkatagiri (East) and Venkatagiri (West). This need not have been done. Sulerpet and two firkas of Gudur, say Kota and other firkas, could be clubbed together to form one constituency and a seat could be allotted."

THE HON. SRI B. GOPALA REDDI:—"Venkatagiri has a population of only 91,000."

SRI V. RAGHAVAYYA:—"I shall try to meet that point. Rapur taluk is famous for its mica interests. I should like that those interests should get representation. When I say 'mica interests', I mean 'miners' interests' not the interests of the

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people who profit thereby. The mines are in Rapur taluk. I would, therefore, add that a portion of a taluk lying south of the river can be tacked on to Rapur and can be given a separate seat. To the north of the river 'Pennar', a portion of Rapur can be tacked on to Kovur, Buchi and Gudur firkas. All the backward taluks will each have one seat for itself so that its representative may take a legitimate part in the debates of the Legislature. If my suggestion is accepted, I am sure, barring Gudur taluk and Kanigiri, every other taluk can be enabled to have one seat for itself. Two-thirds of the area have been under the zamindari system for nearly two or three centuries. We know how the income that has been coming from the ryots has been abused or misused. Such being the case, it is our bounden duty, in view of the various pledges that the Congress has made to the people and in view of the dire necessity calling for such a provision, to see that the formally zamindari areas are given separate seats for themselves. If my suggestion is accepted, Sulerpet, Venkatagiri, Rapur and Atmakur will have a separate seat each. Udayagiri, with one firka added to it from Kanigiri, will have a separate seat. I hope the Hon. Minister for Finance, in addition to what he has done so far in enriching it by spending lavishly—I do not grudge it—will make it one of the foremost taluks of the district. So, Udayagiri will have one seat. Kanigiri may not have one because a portion has been added to it. Kandukur will have its representation. Kavali also may have a separate seat for itself. I cannot see any objection for the Government to adopt the course suggested by me. Why should Nellore town with a population of 60,000 people and a taluk with a population of nearly a lakh and fifty thousand people be made to suffer? Now, Gudur and Nellore taluks are clubbed together for a general constituency. I must point out that this is not fair as it covers a very long distance extending over 300 to 400 villages. I finally request the Government to consider my suggestion with regard to the ahoriginals, viz., Erukulas and Sugalis and they may be included in the list."

* JANAB K. M. SEETHI:—"Madam, Deputy Speaker, in the proposals made for the delimitation of constituencies, certain very important principles have been ignored by the authors of the proposals and these mainly relate to the representation of minority communities and backward communities. As far as the district of Malabar is concerned, in the delimitation that has been adopted, centres where the minority communities congregate in large numbers have been divided into separate constituencies and added to constituencies where the majority community is in a majority with the result that advantage of the numerical strength of the minorities in certain areas has been counteracted by the division of the area into two groups. That has happened in the case of Ponnani, Ernad and Walluvanad taluks. This has, to a very great extent, deprived the minority of the advantage of the concentration of their population in certain areas. I request the Government to do away with this sort of partition or division which as I said has resulted in depriving the minorities to their concentration and strength in certain areas. The constituencies must be adjusted in such a way that the advantage of the numerical

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strength will enable the minorities to return a member who really represents the view-points of the minority community. In the matter of clubbing and delimiting constituencies for the House of the People also, as far as Malabar is concerned, the clubbing together of Wandur (2) and Mannarghat will certainly deprive the minority community of all chances of having an effective voice in sending a representative, as this sort of clubbing would reduce the minority community into a very impotent factor in the constituency, and a minority always. I request the Government that this kind of clubbing of constituencies and cutting them into pieces so far as areas where the majority community is in a very large numerical position should be done away with and delimitation should be made in such a way that the minority community wherever it is in sufficient strength should be enabled to exercise its franchise effectively and send the right type of representative. This criticism applies to the Mannarghat constituency delimited for the House of the People as I said already. As a matter of fact, myself and members on this side of the House are really in a very disadvantageous position in not being able to make specific suggestions in the absence of useful materials made available to us regarding the population of the areas involved in the scheme of delimitation. In fact, the Government must have provided the members with full particulars regarding the population of the areas that are clubbed together and the comparative numerical strength of the communities in these areas to that we would have been in a position to give concrete suggestions regarding the delimitation of the constituencies. At present, we are only speaking from general information and impression that we have, about these areas and so we are not in a position to give precise information or more concrete and useful suggestions with reference to the delimitation proposals. In fact, necessary and relevant particulars about the areas that comprise the various constituencies are a sealed-book to us. But for the useful information and maps published in the Madras Mail in some of its issues regarding the various constituencies we would have been absolutely in the dark in the matter of giving any suggestions to the Government on the changes to be made in the proposals that are now before us. My request to the Government as far as my district is concerned is this: Please don't counteract the advantages which the minority community has in having its population concentrated in certain areas, by cutting up that area into two pieces and clubbing together places where the majority community is in a majority position, and also by clubbing them together with areas where the minority community will not have an effective voice in returning the representatives in the elections. I request that the delimitation of constituencies may be made with this principle kept in view. The desire and demand of the minority community is that it should not be deprived of the advantage of sending its real representatives. The minority also desires to return persons who are actually its representatives and not those who pose themselves as representatives of the minority community. The latter class should be effectively prevented from being sent. This point should be kept in mind. I request the Government as well as the Delimitation

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Committee that they must further examine their proposals in the light of the suggestion that we are making. Members who spoke on the floor of the House yesterday also on these proposals suggested to the Committee certain modifications. These suggestions should be taken into account by the authorities. In fact, whatever help and assistance we may be in a position to render to the Delimitation Committee as well as the spokesman of the Government in this matter, will be rendered to them. You must appreciate that this can be done only if we are able to get at some statistics about the population of these areas which we are trying to delimit. I am again repeating my grievance against the Government that they have not enabled the members to make more useful suggestions on this question with reference to the details of population of the areas concerned. With these remarks, I once again request the Government that in a district like Malabar, where the population of the minority community is one-third of the entire population of the district, delimitation should not be made in such a way as to deprive the minority of its right of sending a sufficient number of its real representatives who will voice forth the rights and interests of the minority community."

SRI B. ANANTHACHAR :—"Madam, Deputy Speaker, the proposals that are placed before the House with regard to delimitation of constituencies are intricate, ticklish and complicated. Delimitation of constituencies is a very serious question and I may even say is a burning question. This is a question which burns with flames within the hearts of many of us. So this question should be very carefully considered. Delimitation always means and connotes amputation. Amputation is a very serious operation. It is possible to suffer one amputation, but delimitation proposals continue as a series of amputations. If in any one place there is more than one amputation, then it is really very bad. It takes away the blood. In fact, amputation is the last resort of a surgeon. I feel that the expert on the delimitation of constituencies seems to be more a surgeon than a physician. He is often fond of his knife and not fond of something else. If it is possible not to amputate and keep the area intact and to see that the representative is sent without the least cause for amputation, then that would have been the best proposal. I can illustrate this particular point by inviting the Hon. Leader's attention to the first amputation that begins in Rayalaseema, that is, the amputation in the Cuddapah district. It does not stop with that amputation, but it is being carried on to the adjoining districts. Kurnool seems to be the worst affected, because it has had two amputations. Probably the head is cut off and that may be the chief complaint from the Kurnool friends. It is not a mere limb or an unimportant organ that is cut off, but it is a vital organ that is being cut off and taken from Kurnool. Anyhow, it is a matter for the Kurnool friends to stress and get relief. In my humble opinion, it is possible to see that this is reduced to a very limited and negligible extent. It is even possible that the whole district might be re-mapped. I do not believe in the sanctity of a district (hear, hear). If it is possible that administratively and economically there should be a good district, politically also there

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ought to be a well-knit district. It is time now to think of how to plan the re-mapping of districts. In this respect if we remember that there is something like linguistic bias or linguistic principle involved in the administration of the districts, it is time for the Government to think that the whole district or whole area may be re-mapped on the linguistic principle, so that there might be little chance for any kind of friction between one linguistic area and another. I wish that some of these principles should be borne in mind. Of course, I am not making any definite proposals, because that would be a matter of detail affecting various districts and necessitating adjustments and readjustments of various kinds. That would really be too big a proposition for the Assembly to discuss. However, we can certainly go by definite principles. Another principle that has been missed is this. The lower limit of 75,000 was fixed because of backward areas. If I remember aright, there is some kind of assurance given in the Central Assembly. I may invite the Hon. Leader's attention to the speeches made by Sri T. T. Krishnamachari and others. I only want to plead that in areas which are thinly populated, 125,000 might be taken as the criterion for selecting a representative. At least the case of Ceded districts might be specially considered; because Ceded districts are very backward areas and they are very poor even in the matter of population. We cannot produce food adequately and we are not able to produce voters too. If the man-power is poor, it ought to be recognized. (Sri T. Viswanatham: 'Mr. Koti Reddi protests against this remark.') If Koti Reddi protests, let him do so. I will retire.

12-45 p.m. "Madam, in the matter of delimitation different criteria should be applied. In the case of Bellary district, I would plead with the Hon. the Leader of the House that the same rod, the same measuring rod that is used for the Madras City with a teeming population and for Malabar with an overflowing population, ought not to be applied. It should not be applied to Anantapur to Kurnool either. There ought to be a different standard, there ought to be a different principle and there ought to be a different unit for sending representatives. If we are to be judged by the standards of Malabar and Madras, certainly it would be futile, it would be really bad so far as backward areas are concerned. Therefore, I strongly feel that here is a just case for revision. I know that the reply of the Leader of the House would be that the number, 375, is fixed. But the State Government have the power to divide this number equitably throughout the State. It cannot be that the districts of Bellary, Anantapur and Kurnool should have only smaller representation because the population is less. If the area is large, if the area is unrepresented, if the area is backward—even in respect of population—it should receive due consideration and due weightage. It is entitled to special consideration and more representation.

"With regard to the representation in the House of the People, it is wrong to bifurcate or vivisection or divide the district and tack it on to the adjoining district as has been done in the case of certain southern districts about which mention was made by my hon. friend, Mr. L. N. Gopalaswami. This kind of tacking on one district to

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another is very bad. It is an infectious disease; it extends and spreads from one place to another; it does not stop. Yet it has to be stopped somewhere and even now it is possible to have the district as a compact unit for selecting two representatives to the House of the People and it will be politically a strong unit and will also make a good administrative unit.

"The next point I want to make is with regard to the tacking on of some of the taluks in Bellary to the Kurnool district. Let me remind the Hon. the Leader of the House through you, Madam, that Anantapur and Bellary have had close association for a long time which subsists even now. In fact, both of them were originally one district and there was only one Collector. Even now in the scheme of Separation of Judiciary from the Executive both the districts are treated as one for purposes of administration of Criminal Law and there is only one District Magistrate for both. Therefore, if there should be any kind of tacking at all—and there should be no tacking on except for very special reasons—Bellary should be tacked on to the Anantapur district. Then, in a way, it would be more homogeneous than it would be if tacked on to Kurnool. That kind of tacking should not involve Bellary being cut more than once and that would be for its own good. There ought not to be two amputations. In the circumstances, I feel Madam, that nine seats may safely be allotted to Bellary because at the rate of 125,000 per seat it may equate with the total population of the district. As it is it works out to 1,175,000 whereas the figures supplied to us indicate the population as 1,140,000. All the same, there is reason to believe that the figures are not accurate but are only approximate. So, we can have nine seats, each taluk enjoying one seat. It would then be fair and each taluk will be self-sufficient. This principle will satisfy the provisions of the Constitution also in view of the fact that our district is backward and thinly populated. If this is done, in the case of representation in the House of the People also, we may be able to send two representatives fully representative of us, the people of Bellary and Anantapur. With these words, Madam, I request the Hon. the Leader of the House to revise his proposals so as to meet the general wishes of the House."

* JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM :—
"Madam, Deputy Speaker, the discussion on the subject before us has been a monotonous one and I do not want to repeat those facts, said by the previous speakers, and thus add to the monotony. Madam, I would like to make a few observations regarding the system of election to be decided upon, by the Government so that they may conduct a fair election to safeguard the interest of the minorities including the Muslims. Whatever may be the manner of delimitation of the constituencies, unless we adopt a good system of election, it would not be beneficial to the people, particularly to the minority communities."

"Now, the question is whether single-member constituencies or plural-member constituencies are better in the larger interest of the State and the minority communities. It was said by the Hon. Leader of the House that single-member constituencies alone were the best and were 'God sent.' Unfortunately, yesterday,

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even Begum Sahiba also was saying that single-member constituencies were in existence in Western Countries and found to be successful. Both of them were wrong in saying so. Whether it is in Western Countries or Eastern Countries or in the North or in the South, single-member constituency with single vote is nothing but a political fraud and political circumvention. This is the only means to have, again, one Party Government. Congress is dying and can be compared to a sinking ship and even with this system of election you cannot save the Congress. I am not putting forth these points for the sake of argument. I would prove with facts and figures that single-member constituencies, a capitalistic policy, have played havoc not only in the Western Countries but also wherever they were adopted. Even in our State, during last district board elections, Congress polled only 55 per cent of the votes and the other parties 45 per cent. This Congress party alone is now ruling in our State without any representation for the remaining 45 per cent of the non-Congress voters. Before getting down to the subject-matter, I would like to say one thing, Madam, and that is, whenever, we, the Muslim Members, stand up on this side of the House, to safeguard the interest of the minority Muslims, whom we represent, the Hon. Mr. Gopala Reddi, the Leader of the House, and his Colleagues, not being in a position to meet our points and arguments, in one word, dub us communalists. This is very strange and easy way of replying to our points. I ask them now, 'Are they not communalists?' In this land of 435 communities every one is communal. There is no use of hiding this fact. Even in the Central Government you find representatives of Christians, Muslims and Hindus. In our Cabinet too we have such representation. When Mr. Gurubatham, a Christian, resigned his place in the Cabinet, did not the Chief Minister go in for Mr. Roche Victoria, another Christian? . . .

DEPUTY SPEAKER :—" Being communal it is not the same as allowing representatives of communities to come into the Cabinet."

* JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM :—" I would request you, Madam, to follow me more closely (laughter). My question is why when Mr. Gurubatham, a Christian, resigned, Mr. Roche Victoria, another Christian, was chosen in his place and why not a non-Christian? Whether the Government admit it or not, it is an act of communalism and our blood is saturated with communalism, irrespective of caste, creed or colour. Strictly speaking, communalism must be there for the simultaneous healthy development of all the minorities, including the Muslims. We, Muslims, interpret this as heroism and not as communalism. The Government may have powers to do anything as they like; but let them rest assured that justice without power is unavailing and power without justice is tyrannical. We must, therefore, combine power and justice making what is just strong and what is strong just. Now my argument is based on the fact that only multi-member constituencies will be fair and

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just and that single-member constituencies are a farce. Elections under single-member constituencies, in a more compact area, will breed more communalism, as canvassing will take place easily, on communal grounds. Suppose in a constituency there are 1,000 voters and four candidates stand for election. The first candidate may get 350 votes, the second may get 300 votes, the third 150 votes and the fourth 100. This is certainly possible. The man getting 350 votes naturally will get elected though he does not carry with him the majority opinion in his constituency. This happens in a single-member constituency. Can this be an election under Democracy, Madam? Certainly not. Madam, it was said by the Hon. Gentleman, Sri Subramaniam, that single-member constituencies were good. He was very jubilant and happy when he said this. When did he say that he was satisfied with the proposed arrangement? Because he knows full well—experience has taught him—that under this system he can, being a Vanniya-kula Kshatriya, defeat—in a small area—even Congress candidate using communal slogans as it was done during the last district board elections as there is a greater chance to canvass votes in the name of religion in a small single-member constituency. The Hon. the Leader of the House also said that opportunity would be given to members of minority communities also—with the support of the Congress—to get representation. Yes. Certainly he will give opportunity to the Muslims also. But at present Congress is a sinking boat. How can they do this? Even if they do so whom will they give such opportunities? Only to the 'Muslim Yes Men' of the Congress and not to those who really represent majority opinion of the Muslims, Muslim Leaguers and others. I shall presently give certain facts and figures to prove how single-member constituencies are a farce and a political fraud. In the Election of Manchester, in 1924, the Unionists polled 1.4 lakhs of votes and secured 6 seats, at the rate of 23,000 votes per seat. The same party in same election of 1923, polled 1 lakh of votes and secured only 1 seat at the rate of 100,000 votes per seat. In the General Election of England, in 1924, the Unionist Party polled 6.9 lakhs of votes and secured 36 seats at the rate of 19,000 votes for a seat. The Labour polled 7 lakhs of votes and secured only 26 seats at the rate of 27,000 votes for a seat. The result is preposterous. Though the Labour Party polled 10,000 votes more, they secured 10 seats less. This is what is going on in single-member constituencies. If this be Democracy let God save the minorities of this Province from this and also save us from the Hon. Mr. Gopala Reddi, my friend, as it was properly said by a great Saint 'O God save me from my friends and I will save myself from my enemies'. Madam, In Pennsylvania, in United States of America, in 1924 election the Republicans polling 13.2 lakhs votes, secured 36 seats at the rate of 37,000 votes for a seat.

" In the same election though the Democratic Party polled 8 lakhs votes they did not get even a single seat. In the general election of 1945, in United Kingdom the Liberals polled 22.5 lakhs

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votes and secured 11 seats at the rate of 205,000 votes for a seat. In the same election the Labour polled 120 lakhs voters and secured 392 seats at the rate of 31,000 voters for a seat. Again Madam, it will be a surprise to you to learn that in 1923, in the Manchester Election, the Liberals polled 71,000 votes and secured 5 seats while the same Liberals, in the year 1921, polled 50,000 votes and secured not even a single seat. In the general election of 1924, in England, the Unionist Party polled 15.4 lakhs of votes and secured 84 seats at the rate of 17,000 votes per seat. The Liberals polled 4.5 lakhs of votes secured 1 seat at the rate of 4.5 lakhs of voters for a seat. Again in the same election the Labour though polled 4.8 lakhs of voters did not secure even a single seat. Do these results stand either to reason or common sense? Please change your policy in favour of multi-member constituencies. Do not try to suppress the minorities. Beware this warning from me; if you do this you will be dashing your head against a granite rock. The best way will be to have multi-member constituencies and adopt either cumulative voting system or the General ticket or the list system. Muslims form 8 per cent and the Christians 2 per cent in this State when in every constituency there are 90 per cent Hindus. There is no reason for you to fear. Even if you adopt seven members multi-member constituencies, the Muslims cannot succeed in these constituencies without the help and support of the Hindus. But by such an arrangement the Muslims will have a better chance. If you agree to this proposal all the Muslims in all the Constituencies will support the Congress Parties, and you will be doing real justice to all the minority parties. With these words I resume my seat, Madam.

1 p.m. SRI M. P. GOVINDA MENON :—“ Madam, Deputy Speaker, I am entirely in favour of single-member constituencies. We are having general elections with a huge electorate under adult franchise, with the majority of the voters being absolutely illiterate and untrained in the matter of elections and in the art of Government. We have to train our new masters who will be in charge of Indian democracy for generations to come. Under such conditions, it is absolutely necessary that there should be more close contact between the candidate and the electorate. If the electorate is too wide, it will be absolutely impossible for the rival parties to approach the electorate and have sufficient contact with it and make it understand the issues involved in an election. Therefore the constituency must be of as small area as possible, and I am entirely in favour of single-member constituencies.

“ Hon. Members opposite said that the majority party here wants to impose its will on the country. The Congress Party will have greater chances in multi-member constituencies. An organized political party can win more easily in a bigger area than in a smaller area. Knowing that the Congress Party has a greater chance in multi-member constituencies, the Government have proposed single-member constituencies and the House has accepted the same.

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because it is necessary to train the electorate in the art of Government. I would even go a step further, Madam, Deputy Speaker. Some seats are reserved for Scheduled Castes and Scheduled Tribes in double-member constituencies. Why cannot we have single-member constituencies even where seats are reserved for Scheduled Castes and Scheduled Tribes? We can reserve some constituencies for Scheduled Castes and Scheduled Tribes. There is nothing wrong in it. Of course some Members of the Delimitation Committee felt that they were not entitled to proceed on that line according to the law. But the law does not say that we should only reserve a seat in a double-member constituency. We can say that a particular constituency should be represented by a Scheduled Caste or Scheduled Tribe member. If caste Hindus can represent Scheduled Caste people, why not we have Scheduled Caste people to represent caste Hindus in a particular area? I would therefore urge the Government to reconsider the whole thing and have only single-member constituencies throughout the State, even in places where seats have been reserved for Scheduled Castes or Scheduled Tribes.

“ Madam, yesterday hon. Mr. Bokkai Gowder complained that Nilgiris had been sacrificed for Malabar. I would say that it is the reverse. Malabar does not claim any sort of consideration or mercy at the hands of the Government. On the other hand we get more kicks and hits than any help from the Government. We are entitled to 28 seats according to the population. In the Government proposal they have given 24 general seats, 3 Scheduled Caste seats and for the 28th seat they have added a part of Nilgiris district. This is doing harm to Malabar and not doing any obligation to us. We want all the 28 seats for us. We do not want to have a part of Nilgiris for the 28th seat. Wynad alone is entitled to a separate seat as it has a population of 1.37 lakhs. We have placed this proposal before the Delimitation Committee. We have impressed upon them and we are satisfied with their reaction. I hope the Hon. the Leader of the House will not stand in the way of the 28th seat being given wholly to Malabar.

“ Coming now to the delimitation of the constituencies, I am afraid there is absolutely no use of speaking about it here. What is the use of mentioning the names of some taluks and firkas in my district in this vast Assembly? The Hon. the Leader of the House once promised that he would convene a conference of the Members of the Assembly from the district in considering the delimitation of the particular district. If he had done that, and if he had called the Members of the Assembly from Malabar in a conference, we would have been in a position to help him. Now firkas and taluks have been unnecessarily murdered and divided. I have my own suspicion that the thing has been arranged like that because some candidates have been selected already and the constituencies have been arranged to suit them. If the Government really want the help of the legislators who are the representatives of the people, even now it is not too late. We can call a conference of the representatives of the districts and consider the whole question.

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"I will only give one example. For my taluk of Walluvanad, we are given three seats. But part of my taluk is given away to another taluk to create another constituency. Then from Pattambi firka a portion is taken away and added to another portion of another firka. Another portion is added to Kuttipuram. Heaven only knows why it is done? How can the integrity, and the communal and political joint life of the taluk be preserved if a portion of the taluk is tacked on to a portion of another taluk and if a portion of a firka is tacked on to a portion of another firka in order to create a constituency called Tiruthala. For Tiru, the corresponding word in Sanskrit is Sri. I hope, Madam, you will excuse me if I say that it is better to call this a Srimathi constituency. (An hon. Member: 'Are there more women there?') The constituency is created for a lady and so I call it a Srimathi constituency. It is really bad to choose the candidates first and then to arrange the constituency. (An hon. Member: 'Who is the candidate?') I am not prepared to divulge it. I will only say that they have started with the candidates first and then arranged the constituencies.

"It is not yet too late to consider the whole question, and see that the firkas and taluks are not split up. So much about the division of constituencies.

"Then in the matter of elections to Parliament, the House of the People, the whole State is divided into Circars, Rayalaseema, Madras, Chingleput, etc., and the Southern districts and so on. Why is this necessary? We can have a population basis. Madras City can be a separate constituency for the House of the People. I am afraid, that some evil genius is moving behind the whole thing. The hon. Member Mr. Salam attacked the Congress Party and said that the majority party wanted to impose its will and that many of us are responsible for this. The Congress may win or the Congress may lose. In a democracy, the country is greater than the party. In arranging constituencies, we must be guided by democratic principles.

"Then Madam, what about the Upper Chamber? We have no proposals before us about the constituencies for the Upper Chamber. We saw something about them in the newspapers. I do not know why the Hon. the Leader of the House keeps it away from us. Even if we are only Members of the Assembly we are entitled to discuss the proposals regarding the delimitation of constituencies for the Upper Chamber, because we represent the people. I hope the Government will circulate the draft proposals which they have furnished to the newspapers."

THE HON. SRI B. GOPALA REDDI:—"In order to enable hon. Members to discuss that matter also, I gave the draft proposals to the Press in toto, because they were finalised only day before yesterday. To-morrow, I will have it circulated to the Members. We gave the proposals to the Press in toto so that hon. Members may discuss any point in them."

SRI M. P. GOVINDA MENON:—"I thank the Hon. Minister for the information he has given and for the opportunity he has given for a post-mortem examination of the question."

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"With these words, Madam, I submit that the Government may reconsider the whole proposal. Let them take the people's representatives into confidence and have a separate discussion for each district. We would be able to help the Hon. the Leader of the House to divide Malabar district into constituencies which are scientific, geographical and natural and not this kind of artificial divisions."

* JANAB N. MUHAMMAD ANWAR:—"Madam, Deputy Speaker, I have given the most careful consideration to the proposals of the Government for the delimitation of our constituencies. Believe me, Madam, for days and weeks, I had argued within myself and pierced my way through the dark clouds of prejudice and distrust to have a peep into the sunshine of sanity which will warm the atmosphere of our sovereign secular state, if not to-day, at least to-morrow. In that context, Madam, I feel that we must not bother about these proposals because they have some defects and deficiencies as they have been conceived in the context of ill-will and distrust. But in considering these proposals, we must go to the root of the problem and get to know the fundamentals. Madam, for the first time in the long, long history of our land, almost from the Vedic times 4,000 years ago, we are now embarking upon the biggest and boldest experiment in the grand laboratory of modern democracy. We have gone through many vicissitudes under so many dynasties and political regimes, but never have the people, the dumb, driven cattle, been the rulers of this land. Now for the first time, adult franchise confers upon every one of us adults, who has got a head above his shoulders, the right to vote. I welcome all that has gone to annihilate vested interests and wipe out ever so many obstacles that have stood in the way of preparing our country for this mass leadership. It is true, Madam, that while trying to outlive certain things in which we are born and to which we have been accustomed for generations, we must perforce have some mental reservations. But I am least guided by such considerations when I look into the prospects that these proposals usher in for this country. I know that in the future set-up, for the successful working of democracy we must have plenty of good will and harmony and a spirit of live and let live and give and take. These are the foundations on which our democracy can be based and on which it can flourish. It is because we find for the first time we have got such proposals, we are here expected to trust each other. Much of the burden and responsibility will fall upon the majority. I do not mean the party that is in power. I do not want to approach the problem from the matters of the moment. It is quite possible that the Congress is in power to-day by co-incidence or by accident. But with the Republic which has conceded adult franchise we do not know what transformation this country is going to witness and what parties may come into power. But this much is certain that the minority will hereafter have got to get the best measure of good will from the majority if our country is to flourish. I know, Madam, Deputy Speaker, it is not so much the minority has to get the suffrage, at the sufferance, behest and mercy of the majority community. If that should be the attitude and if that is the motive with which

1-15
p.m.

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these proposals have been framed, I tell you *betimes* and give you the warning 'Woe unto the country'. The very prestige, the very stand-point of our country in international affairs presupposes that we have to give a good account of ourselves at home before we preach high ideals to the outside world. We have no right to the leadership of Asia, we have no right to give advice on the problems that are in controversy between the East and the West, when we have not set our house in order. I tell you even as you extend your hand of friendship with distant Muslim countries of Asia and elsewhere, you cannot treat the Muslim community of forty-five millions at home differently. That is an international problem. That is not a problem to which you can shut your eyes. I do not urge this because you are in power to-day. I tell you this thing because that is an international obligation imposed upon you. You must please your neighbours. I am particularly glad that under the most brilliant statesmanship of that great man our country has produced, the Hon. Prime Minister of India, only the other day we have had the freedom of Indonesia and very soon many countries are going to have freedom. If all these countries have to look to India for leadership we have to give clear evidence of our professions of good conduct. We have to establish the good conduct, first and foremost in our home land.

"I say, the welfare and the well being of the community and much larger, the welfare and the well being of the country demands that you have to give proof of your credentials and win the confidence of the minorities. I believe it was the shrewd intellect of the Brahman that has understood that in these proposals you have certain misgivings and certain difficulties. It may harbour distress between different communities. I wish the powers-that-be clearly understand this issue beforehand. I must only say this that while we have got this experiment in the years to come, this dry bones that constitute the proposals should not be considered as a guarantee for the success of democracy. They will have to be infused with the flesh and blood of mutual trust and co-operation. That will have to be tested only in the years to come. I am certain that such of our friends as will have to shape the destinies of the country will soon realise that they must forget and forgive the past and should no more indulge in such attitude as had taken place these three years which must be a forgotten chapter. If they are not going to do so I know it is not going to give any more dividends.

"Our country for the first time is going to be welded into a homogeneous society from what it has been—a heterogeneous conglomeration of different communities and classes. I believe that it is in the successful working of democracy our country can proudly boast of giving the lead both in Asia and the world. Else it will be a meaningless hypocritical freedom, when we have not established our credentials on good-will and friendship and without these sanctions we have no right to plead for the preservation of peace overseas."

* SRI K. R. KARANTH :—"After the words of lightning and thunder of the hon. Gentleman it may be rather tame for me to

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speak. I do not know why my hon. Friend is still going on in the same old style. I quite understand the communal distinctions exist but I should like to tell them there are more communal distinctions inside the Hindu fold, so that, always harping on it does not help matters. There they are. I do not deny their existence. But my hope lies in the large adult franchise because with the poor, with the large majority who have nothing to eat I find they forget the caste whereas we 'top-dogs' of society, are always thinking of caste and nothing else ('Hear, hear'). Six months ago I referred to a strike, a bus strike in my district in which hundreds were prosecuted and even this day some of the prosecutions have not been withdrawn. I find their leader was a Christian and there were Muhammadans among the workers, Brahmans, Non-Brahmans but there was not the feeling of any community. There was no communal and caste differences. It was for them a question of existence, every day existence but we who are of the upper classes, always think in these communal ways where we can get power, and pull strings in the political field.

"My regret, Madam, Deputy Speaker, is that the coming election is going to be held and adult franchise is given without a tenancy law. In our province it is really denying the vast majority of the masses of this province the right and freedom to vote as they like if there is no tendency reform beforehand. I know the conditions of the tenants everywhere. If they dared to vote against the landlord they would be evicted. In spite of the promise made five years ago, in spite of the high-sounding speeches made at Nasik and elsewhere this immediate reform of giving guarantee to them, they are holding up. I feel this election is not going to help them. It is multiplying by hundreds and thousands of votes of the richer classes, the landlords in the rural parts. Even now it is not too late. I do not ask for much. At least if they pay rent regularly let them not be evicted. If you do not give that much of legislation after five years of promise, I can only say there is no use of talking about the masses. It is little short of hypocrisy and nothing else.

"Coming to my own district I will speak on one or two matters. As my hon. Friend from Malabar said just now, I wonder how these constituencies are formed. I do know that the people in the district who are concerned were consulted about these. Two or three months ago some of them knew about these whereas we did not know."

THE HON. SRI B. GOPALA REDDI :—"People made representations and they were consulted."

SRI K. R. KARANTH :—"I do not know. A month ago my hon. Friend the Leader of the House, said here that they were all confidential and without the permission of the Central Government or of the President they could not publish them. But the whole proposals actually were with those who were in touch with

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the Members of the Government here. It cannot be denied. Anyway I leave it at that. I am only going to say this with regard to two small matters. The Puttur constituency which I represent to-day, I may not represent that or any other constituency in the coming elections. In fact the future candidates have even been fixed up and some of us may have to find constituencies either in the Arabian Sea or the Bay of Bengal. The previous speakers from Malabar said that constituencies have been carved out for individuals and not individuals for the constituencies and there seems to be a great deal of truth. My hon. Friend, the Leader of the House may not be aware of this. But I do not impute motives to him. Things have gone on in that way. Otherwise there can be no justification in a district of 1,026 square miles, to the taluk of Puttur which is 1,246 square miles being added to, another firka of another taluk making 1,500 square miles for which the Government have carved out one constituency for two seats reserving one for a Harijan. I wish to know who that Harijan is going to be who can represent the constituency of 1,500 square miles. I say this is very unfair to the Harijan Community. The area is large. There are no proper communications, no bridges over rivers. There is no justification in keeping such a large area and tacking on a Harijan for it. Surely it cannot be within an individual's means to contest such an election. I think it is not necessary to have the double constituency for a Harijan. This is unjust to both."

THE HON. SRI B. GOPALA REDDI:—"The seat is given where there are the largest number of Scheduled Castes."

SRI K. R. KARANTH:—"My hon. Friend knows how enlightened they are in Mangalore. They are able to stand on their own legs whereas in the Puttur they are nothing, they have no separate existence more or less. Therefore, if you want to help the Harijan, surely it would be much better giving it in an enlightened constituency. After all, a man from that place if he goes to Puttur will have no existence. Here at least he has some schools and other amenities. In fact, it is my hon. Friend Mr. Iswara from Mangalore that is representing the district, not Puttur taluk. The number, 16 lakhs or 24 lakhs is not the sole argument. Therefore kindly give it at a place where he can have voice."

"Then with regard to another constituency also, Panemangalore it is unwieldy. It seems to be the residuary of all others left over. There are no proper communications. I do not want to go into details. These are matters which may kindly be looked into."

DEPUTY SPEAKER:—"I adjourn the House till 11 a.m. on Friday, the 6th October 1950."

The House then adjourned to meet at 11 a.m. on Friday, the 6th October 1950.

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V.—PAPERS LAID ON THE TABLE.

Government Orders issuing amendments to the Madras Public Service Commission Regulations under Article 320 (3) of the Constitution of India—

- (1) G.O. No. 2730, Public (Services), dated 6th June 1950.
- (2) G.O. No. 2738, Public (Services), dated 19th June 1950.
- (3) G.O. No. 2739, Public (Services), dated 19th June 1950.
- (4) G.O. No. 2767, Public (Services), dated 20th June 1950.
- (5) G.O. No. 3235, Public (Services), dated 26th July 1950.

[5th October 1950]

APPENDIX I.

[Vide answer to starred question No. 236 asked by Sri T. Viswanatham at the meeting of the Legislative Assembly held on 5th October 1950, page 93 supra.]

This public meeting of the citizens of Visakhapatnam assembled in the premises of the Municipal office, is of opinion--

(1) that there is no justification for the Government to impose rationing in some districts while in the rest of the districts the people are free to eat what they want, to purchase what they want and to store what they want;

(2) that, admittedly, there are no correct statistics to correlate the quantity of ration to the real production;

(3) that the rationale of rationing is gone when different prices (excluding production and transport charges out of account) in different districts and States are fixed and when people in certain districts can eat all that their stomachs need while people including students, policemen, municipal and other workers in other districts are asked to be content with six ounces;

(4) that the progressive deterioration in the rationed quantity of rice from 16 oz. to 14 oz. to 12 oz. to 10 oz. to 8 oz. to 7 oz. and finally to 6 oz. during the last five or six years demonstrates the unworkability of food controls, when they are spread over nearly 180 lakhs of acres and cover nearly a crore of small producers and have to be worked through a human agency whose self-control is put to the severest strain;

(5) that the seasonal factors or increase in population and fall in imports (which last factor was present in 1943-45 when the rice ration could yet be maintained at 14 oz. to 16 oz.) do not explain the gap between 16 oz. first given and 6 oz. now offered and this shows controls and rationing have not produced the results claimed by its protagonists and the few advantages claimed are wiped out by the attendant annoyance, harassment in procurement, favouritism and corruption;

(6) that, admittedly, the Government are unable to move stocks from one place to another for want of transport facilities: that therefore the controls should be removed immediately and while so removing, the Government should make arrangements for purchase of rice, wheat and millet in the market at prevailing prices for sale in cheap price shops, to the poorer sections until prices stabilize themselves at a reasonable level, which they are bound to do when restrictions are removed and competition plays part in a normal way;

(7) that, even if controls are to continue in spite of their failure, it is necessary in the interests of equity and fairplay that the 12 Telugu districts should be treated as one unit with no restrictions on internal movement and only the 'real' surplus be

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exported to the Southern districts and that this system would help the Government to concentrate their attention on the deficit area and to better organize import and transport;

(8) that, if this is not done at once, Srikakulam, Visakhapatnam and East Godavari districts should be constituted into one Rice district with no restrictions on internal movements giving to them the estimated deficit from either West Godavari or Madhya Pradesh and Orissa;

(9) that the rice ration should be raised to 10 oz. polished rice as, in the view of experienced business circles, such a course would reduce blackmarketing, eliminate to the minimum ghost cards, false entries in ration cards and false temporary cards and that such an increase is only bare justice to this district with its situation between Orissa and East Godavari where the people get and eat to the extent that they require;

(10) that any continued ration at the low rate of 6 oz. will further sap the vitality of the people particularly of students and young men who form the future of the nation and undermine the efficiency of all, particularly of working classes;

(11) that the depletion of rice stocks to the tune of 16,000 tons from this already deficit district within the last two months is absolutely unjustified and responsible for the present rice muddle in this place and the explanations offered by the Food Minister and Chief Minister, that the stocks that had been removed from the various godowns in Visakhapatnam district were not from the stocks intended for consumption here, are simply amazing and totally removed from truth, as (a) Visakhapatnam never received imported rice which was not intended for Visakhapatnam district, (b) the imports intended for other districts are neither booked to nor unloaded at or stocked in the godowns in Visakhapatnam district and (c) this is the first time this new theory of 'stocking in transit' is propounded after four or five years of operation of State trading and controls and trust that the Government will not exasperate people by making such statements to cover the wrong done to this district;

(12) that the Government should be pleased to immediately redeem their obligation to repatriate the quantity thus taken and also send the necessary and promised allotments of rice and wheat before the situation deteriorates further; and

(13) that, until controls are removed, Srikakulam and Visakhapatnam should be continued to be treated as one district for civil supplies notwithstanding the recent bifurcation of the district.

(14) This meeting therefore appeals to the Government to take all necessary steps to give effect to the above proposals and also to the local officials to be as sympathetic as possible to the people and to arrange distribution in as just a manner as possible, enforcing law with no ulterior considerations but tampered with mercy.

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(15) This meeting also appeals to the Government to immediately open a beggar's home to confine the infirm and disabled beggars so that they may be fed at Government cost and thus prevent scenes of ailing and groaning beggars lying on the roadsides and also appeals to the municipality to make a contribution for the purpose.

(16) This meeting appeals to the people that, until the situation improves, those, who have no need of wheat, may leave it so that those who need it can have it.

Moved by Sri T. Viswanatham

Supported by Sri T. R. Sarma.

Passed unanimously.

Vasakhatnam,

20th August 1950.

T. VISWANATHAM,
President of the Meeting

APPENDIX II.

[Vide answer to starred question No. 241 asked by Sri V. Raghavayya at the meeting of the Legislative Assembly held on 5th October 1950, page 106 supra.]

Statement showing the places where Forest department is running schools and hostels for the benefit of the forest and hill tribes, the tribes benefited, the strength in each school and hostel and the cost of maintenance.

A. SCHOOLS.				
Name of village where the school is located.	Forest division.	Strength in each school.	Cost of maintaining.	Tribes benefited.
(1)	(2)	(3)	(4)	(5)
1 Gariponta ..	Guntur ..	51	2,850	Chenchus.
2 Chonnampalem ..	Do. ..	21	1,712	Do.
3 Chilaka Cherla ..	Kurnool East ..	21		
4 Peddachama ..	Do. ..	30		
5 Chinna Mantrala ..	Do. ..	25		
6 Marriapalem ..	Do. ..	49		
7 Pedda Mantrala ..	Do. ..	45	22,748	
8 Chintala ..	Do. ..	16	for items 3 to 12.	Do.
9 Telugurayunicheruvu ..	Do. ..	28		
10 Patutla ..	Do. ..	28		
11 Maddipenta ..	Do. ..	28		
12 Chinthalamudipi ..	Do. ..	22		
13 Bairluti ..	Do. ..	91		
14 Pecheruvu (Boys) ..	Kurnool West ..	49	3,100	Do.
15 Do. (Girls) ..	Do. ..	38	1,972	Do.
16 Srisailam ..	Do. ..	29	2,014	Do.
17 Kothapalli ..	Do. ..	7	1,338	Do.
18 Indireswarani ..	Do. ..	34	965	Do.
19 Abbarajukunta ..	Do. ..	18	1,150	Do.
20 Narapareddikunta ..	Do. ..	17	1,214	Do.
21 Mallalamma ..	Do. ..	16	1,294	Do.
22 Ahobilam ..	Do. ..	12	1,064	Do.
23 Pudur ..	Vellore West ..	27	1,064	Do.
24 Nellivasa ..	Do. ..	29	869	Do.
25 Perumpalli ..	Do. ..	20	466	Malayalees
26 Puliur ..	Do. ..	36	1,418	Javadi hills.
27 Kattathur ..	Do. ..	43	1,524	Do.
28 Perumattam ..	Do. ..	34	490	Do.
			1,355	Do.

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B. HOSTELS.

Name of hostel.	Forest division.	Strength.	Cost of maintenance.	Tribes benefited.
(1)	(2)	(3)	(4)	(5)
1 Hostel attached to Residential Boarding Higher Elementary School, Bairluti.	Kurnool West ..	91	13,700	Chenchus
2 Chenchu Home in Atmakur (not functioning now).	Do. ..	Nil.	Nil.	Do.
3 Boarding House, Dornal.	Kurnool East ..	12	351 (includes cost of furniture).	Do.

NOTE.—Items 2 and 3 are separate establishments.

THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, the 6th October 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.

MR. SPEAKER :—“ I have to inform the House that the Hon. Minister for Law has got some other engagement and wants to go away soon. So, I will take up his questions first.”

Ethiraj College for Women.

* 246 Q.—JANAB MUHAMMAD RAZA KHAN (on behalf of Begum Sultan Mir Amiruddin) : Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Ethiraj College for Women will shortly be vacating the portion of the Government Hobart High School for Muslim Girls which is now under its occupation; and

(b) if the answer to (a) above is in the affirmative, whether the portion of the building now occupied by the Ethiraj College for Women is to be restored to the Government Hobart High School for Muslim Girls?

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

“ (b) The matter is under consideration.”

JANAB MOHAMED ABDUL SALAM :—“ May I know, Sir, to whom this college originally belonged; whether it belonged to the Muslim Association or to the Government? ”

THE HON. SRI K. MADHAVA MENON :—“ It is immaterial to go into the ancestry of the building. It is a building which belongs to the Government now.”

JANAB MOHAMED ABDUL SALAM :—“ Now, Sir, the buildings are placed at the disposal of the Ethiraj College. May I know, whether they charge any rent for the building? ”

THE HON. SRI K. MADHAVA MENON :—“ I do not think we are charging any rent.”

Opening of Secretarial course.

* 251 Q.—JANAB MOHAMED ABDUL SALAM (on behalf of Janab Mohamed Rafeeudin Ahmad Apsari) : Will the Hon. the Minister for Education be pleased to state—

(a) the number of secondary schools selected by the Government for the opening of the Secretarial course under the reorganized scheme;

Note.—Questions 242-A, 243 to 245 are to follow.

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(b) the percentage of such schools to the total number of schools in the State;

(c) whether the Government have any scheme for increasing the number of such schools;

(d) the qualifications prescribed by the Government for Secretarial Assistants and Commercial Instructors; and

(e) the salary fixed for the above?

THE HON. SRI K. MADHAVA MENON :—“(a) The Secretarial Course has so far been introduced in forty-five high schools.

“(b) Nearly five per cent.

“(c) The number of schools in which the Secretarial course should be introduced in a particular year is determined in the previous year while framing the Budget Estimate. There will be a progressive increase in the number of such schools.

“(d) & (e) A statement^a furnishing the information is laid on the table of the House.”

SRI V. RAGHAVAYYA :—“May I know, Sir, whether the Hon. Minister will be pleased to give what the high-lights of this Secretarial course are?”

THE HON. SRI K. MADHAVA MENON :—“I would refer the hon. Member to G.O. No. 1395, dated 29th May 1948, published in the Gazette which gives the details of this course.”

SRI T. VISWANATHAM :—“I do not want the details of the course, Sir, but I want just the substance of it?”

THE HON. SRI K. MADHAVA MENON :—“No, Sir, I cannot give the substance of a lengthy Government Order.”

Cholera in Mathurai district.

* 242-A Q.—SRI N. M. R. SUBBARAMAN : Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that cholera has broken out recently in several parts in Mathurai district;

(b) if so, in which places;

(c) the number of cases of attacks and the number that died out of them;

(d) the cause for this outbreak; and

(e) the action that has been taken to prevent it?

THE HON. DR. T. S. S. RAJAN :—“The information^b required is placed on the table of the House.”

^a Printed as Appendix I on page 208 infra.

^b Printed as Appendix II on pages 208-207 infra.

Note.—Questions 247 to 250 are to follow.

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SRI N. M. R. SUBBARAMAN :—“May I know, Sir, whether the Hon Minister is aware that most of the attacks of cholera are not exactly cholera, but something like cholera and that they are due to indigestion and diarrhoea, caused by semi-starvation and because of people eating all sorts of roots, etc.?”

THE HON. DR. T. S. S. RAJAN :—“I may inform the hon. Member that very often cases of diarrhoea and starvation that starts with diarrhoea resemble cholera and if on examination we find it is cholera we have to take it as cholera and the report in the hands of the Government is that it is cholera.”

DR. S. SUBRAHMANYAM :—“Sir, will the Hon. Minister tell us, whether cases of acute enteritis due to eating all sorts of foodgrains cannot simulate cholera?”

THE HON. DR. T. S. S. RAJAN :—“Any irritation of gastro-intestinal tract may simulate cholera.”

SRI N. M. R. SUBBARAMAN :—“Sir, the Hon. Minister in his statement says that the epidemic situation in the district has improved and that the epidemic is getting under control. Then, how is it that last week, that is, on 23rd September 1950, the casualties were more than 40 per cent—attacks 265 and deaths 116?”

THE HON. DR. T. S. S. RAJAN :—“Yes, Sir. It was bad on the previous week and it has improved to that extent.”

SRI K. RAJARAM NAIDU :—“May I know, Sir, whether cholera is still prevalent in Tirumangalam and Usilampatti and deaths occurred last week also?”

THE HON. DR. T. S. S. RAJAN :—“Yes, Sir. The epidemic is gradually subsiding and it has not entirely disappeared from the areas in which it was prevailing the week before.”

JANAB ABDUL HAMEED KHAN :—“Sir, do not the Government realize that much of the trouble and the so-called cholera is prevalent in the districts on account of want of proper nourishment and proper food?”

THE HON. DR. T. S. S. RAJAN :—“No, Sir. Cholera is a water-borne disease.”

SRI D. V. RAMASWAMI :—“May I ask, Sir, whether it is not a fact that in view of the prevalence of cholera in a large scale both in the Mathurai and Ramanathapuram districts even the Ceylon Government have banned all movement of grains and ships from Ramanathapuram to Ceylon?”

THE HON. DR. T. S. S. RAJAN :—“Because the Ceylon Government have said so, it does not mean there is cholera here.”

SRI K. RAJARAM NAIDU :—“May I know, Sir, whether these attacks and deaths are due to the quality of foodgrains now being supplied?”

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THE HON. DR. T. S. S. RAJAN :—“ I want to assure hon. Members that according to the knowledge that we possess cholera is a water-borne disease. Bad food may cause anything resembling cholera, but we do not admit it is cholera.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I ask the Hon. Minister, Sir, whether the Government have taken the trouble to find out how many among the attacks, according to the figures given here, have had treatment and whether the high incidence of deaths still persists in spite of the medical treatment? ”

THE HON. DR. T. S. S. RAJAN :—“ The disease which prevails in a sporadic form suddenly assumes gravity and affects a large number of people and the responsibility for it is mostly in the contamination of drinking water. Cholera being a water-borne disease, as I have repeatedly stated, it spreads through contamination of water and if the water in the area is contaminated, the epidemic spreads.”

SRI M. S. PATTABHIRAMAYYA :—“ Sir, is it not a fact that the bad quality of the food supplied by the ration shops in villages is responsible for aggravating and creating a situation for the spread of cholera? ”

THE HON. DR. T. S. S. RAJAN :—“ I have tried consistently to show that the cause of cholera is infected water and I often see hon. Members diverting to bad food. I quite admit that bad food may cause diarrhoea and not cholera.”

SRI S. NAGARAJA MANIGAR :—“ May I know, Sir, if the Government are not convinced that the attacks of cholera in the Mathurai district are also due to bad food or want of food and if so, may I ask whether the Government have not come to the conclusion that there are starvation deaths in our country? ”

THE HON. DR. T. S. S. RAJAN :—“ Then the whole causation of cholera will have to be re-arranged and the Government will have to tell all the causes of cholera. But, so far as our information goes, cholera is a disease produced by organisms carried through water-supply.”

JANAB MUHAMMAD RAZA KHAN :—“ May I ask, Sir, whether these 800 deaths in the Mathurai district in the course of one and a half months, bring credit to the public health administration in this State? ”

THE HON. DR. T. S. S. RAJAN :—“ Whatever credit or discredit it gives, the fact remains that there was the epidemic and that the public health authorities did their best to control the disease and disinfect such areas within their reach as they could possibly deal with.”

SRI A. KALESWARA RAO :—“ May I know, Sir, whether the Government have made any enquiries and got information as to how many deaths are due to the disease technically called cholera and how many due to diseases like cholera, on account of bad food, starvation, etc.? ”

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THE HON. DR. T. S. S. RAJAN :—“ We have got to organize a new department for such investigation to give answers to questions of this nature.”

SRI V. I. MUNISWAMI PILLAY :—“ Sir, in view of the fact that the incidence of deaths due to cholera is greatly reduced by the application of the homeopathic system of treatment, may I know whether the Hon. Minister has tried that system in Mathurai? ”

THE HON. DR. T. S. S. RAJAN :—“ The hon. Member may try anything he likes and the Government are quite ready to give credit to the success of whatever treatment it might be, but I am here to apprise the facts of the case.”

JANAB ABDUL HAMEED KHAN :—“ Sir, inasmuch as the Health Department has not succeeded in eradicating this epidemic from that place so long, may I know whether they have been trying to characterise the deaths that have taken place as a result of starvation, to be due to cholera? ”

THE HON. DR. T. S. S. RAJAN :—“ It is open to the hon. Member to have his own opinion in the matter, but the Government cannot be asked to believe something very different with regard to the causation of the disease which is really due to unprotected water-supply.”

SRI L. N. GOPALASWAMI :—“ Sir, going through the figures given in answer to clause (c) of the question, relating to attacks and deaths, you will find that the proportion of deaths to attacks has been consistent throughout. Does it mean that in spite of the application of the latest improved methods the authorities are not able to bring down the proportion of deaths to attacks? ”

THE HON. DR. T. S. S. RAJAN :—“ The proportion of infection is the factor that decides the death of the people and so where the infection is severe, people die rapidly and where it gets gradually less, people die also accordingly in a lesser proportion.”

Chief Ministers' Conference at Delhi.

* 243 Q.—BEGUM SULTAN MIR AMIRUDDIN : Will the Hon. the Chief Minister be pleased to state the steps taken by this Government to implement the decisions of the recent Chief Ministers' Conference at Delhi?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—“ The steps to be taken by this Government to implement the decisions of the recent Chief Ministers' Conference are under the active consideration of the Government in consultation with the Board of Revenue (Civil Supplies) and other Heads of the Departments concerned.”

BEGUM SULTAN MIR AMIRUDDIN :—“ May I know, Sir, what were the main decisions arrived at, at that conference? ”

THE HON. SRI B. GOPALA REDDI :—“ It mostly related to control, procurement, distribution, civil supplies, etc.”

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Supply of electricity to Hosur taluk.

* 244 Q.—SRI S. NAGARAJA MANIGAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) when Hosur taluk in Salem district is likely to get electricity; and

(b) since when the question is pending before the Government?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) This depends on the speedy conclusion of the Mekadatu agreement with Mysore. The revised draft agreement sent by Mysore is under examination, and as soon as it is executed, action will be taken for the construction of the necessary lines, etc., for distribution of Mysore power in Hosur Taluk.

“(b) Since 1946.”

SRI S. NAGARAJA MANIGAR:—“Is it not a fact, Sir, that some other districts in our own State have got electric power from Mysore State even a year before and may I know what special difficulties there are for getting the power for this taluk?”

THE HON. SRI M. BHAKTAVATSALAM:—“If certain other areas in the State have got powers from Mysore State earlier, that was because it was nearer to the point wherefrom we could take power from Jog; regarding Hosur, that depended upon the agreement which the Government have been negotiating regarding the development of power from Mekadatu and that has taken all this time.”

Health Ministers' Conference at Delhi:

* 245 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Health be pleased to state the important resolutions passed at the recent Health Ministers' Conference at Delhi?

THE HON. DR. T. S. S. RAJAN:—“A statement^a is placed on the table of the House.”

SRI A. VEDARATNAM PILLAI:—“May I know whether steps have been taken by the Government to implement any of the proposals of this conference; if so, may I know what they are and when?”

THE HON. DR. T. S. S. RAJAN:—“I may inform the hon. Member that the decisions of this conference are All-India decisions and therefore, all States should naturally take action on these recommendations and it is being taken here also.”

JANAB MOHAMED ABDUL SALAM:—“May I know whether they have had any discussion about homœopathy in view of

^a Printed as Appendix III on pages 207-208 infra.

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the fact that the Chief Minister of this State while presiding over the Homœopathic Conference has given a thesis on the importance of this system of treatment?”

THE HON. DR. T. S. S. RAJAN:—“That has nothing to do with the All-India Ministers' Conference.”

SRI B. S. MURTHI:—“May I know, Sir, whether there is any possibility of getting grants from W.H.O. to improve our health because of this conference?”

THE HON. DR. T. S. S. RAJAN:—“The Conference was a Health Conference and not a Finance Conference.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I ask, Sir, if the Government are aware that the Siddha system of medicine is very popular and is a very useful system of medicine practised in the Tamil districts and whether its interests are sufficiently protected by its finding a place in the Medical Board which is contemplated for all systems of medicine.”

THE HON. DR. T. S. S. RAJAN:—“The subject was the indigenous system of medicines and along with the indigenous system of medicines that were considered, the Siddha system has been one.”

SRI A. VEDARATNAM PILLAI:—“May I know whether any reference was made to naturopathy and whether the Government have got any proposal to introduce naturopathy in the State?”

THE HON. DR. T. S. S. RAJAN:—“I may tell the hon. Member that that is not a system of treatment at all. Therefore, it was not considered there as a system of treatment.”

Grants to industrial schools.

* 247 Q.—SRI D. V. RAMASWAMI (on behalf of Sri G. Latchanna): Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government are managing any industrial schools;

(b) if so, what they are;

(c) the number of industrial schools the Government are subsidizing and what they are and the grant sanctioned by the Government to each one of them;

(d) whether it is a fact that financial grant has been stopped to the St. Aloysious Industrial School in Visakhapatnam; and

(e) if so, for what reasons?

THE HON. SRI C. PERUMALSAMI REDDI:—“(a) Yes.

“(b) The Government are managing the Industrial School sections attached to the following Polytechnics:—

(1) Central Polytechnic, Madras.

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- (2) Andhra Polytechnic, Kakinada.
- (3) Tamilnad Polytechnic, Mathurai.
- (4) Karnataka Polytechnic, Mangalore.
- (5) Kerala Polytechnic, Kozhikode.
- (6) Rayalaseema Polytechnic, Bellary.

(c) During the year 1949-50, 55 Industrial Schools were subsidized by Government. A statement^a showing the names of these schools and the amount of grant sanctioned by Government to each of them is placed on the table of the House.

(d) Yes. For the years 1947-48 and 1948-49.

(e) During the year 1946-47, a maintenance grant of Rs. 2,000 was paid to the school; but no maintenance grant was paid to it during the years 1947-48 and 1948-49 for the following reasons:—

(1) During the year 1947-48, the school worked at a profit and according to the rules in the Code of Regulations for Industrial Schools, no grant is payable to any institution the income of which from all sources is sufficient, in the opinion of the Department to maintain it in efficiency.

(2) The accounts of the School for the year 1948-49 as furnished by the Correspondent were very unsatisfactory and on investigation, it was found that most of the figures shown in the financial statement were not correct. Hence no maintenance grant could be paid to the School under the rules in the Code of Regulations for Industrial Schools."

SRI D. V. RAMASWAMI :—" In view of the fact that the St. Aloysious Mission has been running this institution mainly on a charitable basis for the last half a century, particularly for the Christian boys, Catholics and Protestants, and in view of the good work turned out by the institution all these years including the period of the war, may I know, Sir, whether the mistakes which might have been committed in accountancy cannot be condoned and the grant restored to the institution? "

THE HON. SRI C. PERUMALSAMI REDDI :—" The grant is governed by the Code of Regulations for Industrial Schools."

SRI D. V. RAMASWAMI :—" May I know, Sir, even if a school makes a small profit by cutting down some of the allowances to the boys, that will be a disqualification for the school to get a grant on the ground that the institution is making a profit? "

THE HON. SRI C. PERUMALSAMI REDDI :—" The Code of Regulations says strictly that no grant should be given to an industrial school when it makes a profit."

^a Printed as Appendix IV on pages 208-209 infra.

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SRI T. VISWANATHAM :—" May I ask, Sir, whether the attention of the Hon. Minister has been drawn to the inadequacy of the equipment and staff at the Andhra Polytechnic at Kakinada and what steps he is going to take to improve the position? "

THE HON. SRI C. PERUMALSAMI REDDI :—" That question does not arise; this question is about Kakinada whereas the main question is about Visakhapatnam."

SRI T. VISWANATHAM :—" The Hon. Minister has replied that the Government are managing the Polytechnic at Kakinada; otherwise, I would not have asked the question."

THE HON. SRI C. PERUMALSAMI REDDI :—" The question was what were the schools managed by the Government and the main question is about the grant to the Visakhapatnam Industrial School."

SRI T. VISWANATHAM :—" With reference to the answer to clause (a) of the question, may I ask whether his attention has been drawn to the inadequacy of the staff and equipment at the Andhra Polytechnic at Kakinada and what steps he is going to take to rectify it and to improve the position? "

THE HON. SRI C. PERUMALSAMI REDDI :—" If the attention of the Government is drawn to it, the Government will take proper steps to improve the efficiency of the staff and the equipment."

SRI B. S. MURTHI :—" May I know what are the conditions which regulate the giving or not giving grant from the Government to industrial schools run by private management? "

THE HON. SRI C. PERUMALSAMI REDDI :—" I would invite the hon. Member's attention to the Code of Regulations for Industrial Schools."

SRI A. KALESWARA RAO :—" May I know, Sir, whether the Department of Government has anything to do with the Vuyyur Polytechnic."

THE HON. SRI C. PERUMALSAMI REDDI :—" Yes, Sir."

SRI A. KALESWARA RAO :—" Is he aware, Sir, that the management of the institution has been so bad that there has been a very small percentage of passes in that institution."

MR. SPEAKER :—" I think the hon. Member must put a separate question, as it does not arise from this question."

SRI V. RAGHAVAYYA :—" Arising from the answer regarding State-aid to industrial schools that only 9 out of 55 hail from the Andhra, may I know when this disparity is likely to be removed especially when it is so very great as 9 out of 55? "

THE HON. SRI C. PERUMALSAMI REDDI :—" They are all private schools; if more private schools are opened by private management, the Government will certainly consider giving grants to them."

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THE HON. DR. T. S. S. RAJAN :—“ I want to assure hon. Members that according to the knowledge that we possess cholera is a water-borne disease. Bad food may cause anything resembling cholera, but we do not admit it is cholera.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I ask the Hon. Minister, Sir, whether the Government have taken the trouble to find out how many among the attacks, according to the figures given here, have had treatment and whether the high incidence of deaths still persists in spite of the medical treatment? ”

THE HON. DR. T. S. S. RAJAN :—“ The disease which prevails in a sporadic form suddenly assumes gravity and affects a large number of people and the responsibility for it is mostly in the contamination of drinking water. Cholera being a water-borne disease, as I have repeatedly stated, it spreads through contamination of water and if the water in the area is contaminated, the epidemic spreads.”

SRI M. S. PATTABHIRAMAYYA :—“ Sir, is it not a fact that the bad quality of the food supplied by the ration shops in villages is responsible for aggravating and creating a situation for the spread of cholera? ”

THE HON. DR. T. S. S. RAJAN :—“ I have tried consistently to show that the cause of cholera is infected water and I often see hon. Members diverting to bad food. I quite admit that bad food may cause diarrhoea and not cholera.”

SRI S. NAGARAJA MANIGAR :—“ May I know, Sir, if the Government are not convinced that the attacks of cholera in the Mathurai district are also due to bad food or want of food and if so, may I ask whether the Government have not come to the conclusion that there are starvation deaths in our country? ”

THE HON. DR. T. S. S. RAJAN :—“ Then the whole causation of cholera will have to be re-arranged and the Government will have to tell all the causes of cholera. But, so far as our information goes, cholera is a disease produced by organisms carried through water-supply.”

JANAB MUHAMMAD RAZA KHAN :—“ May I ask, Sir, whether these 800 deaths in the Mathurai district in the course of one and a half months, bring credit to the public health administration in this State? ”

THE HON. DR. T. S. S. RAJAN :—“ Whatever credit or dis-credit it gives, the fact remains that there was the epidemic and that the public health authorities did their best to control the disease and disinfect such areas within their reach as they could possibly deal with.”

SRI A. KALESWARA RAO :—“ May I know, Sir, whether the Government have made any enquiries and got information as to how many deaths are due to the disease technically called cholera and how many due to diseases like cholera, on account of bad food, starvation, etc.? ”

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that the matter is again under consideration and therefore, may I know whether it was really considered again subsequently and at what stage it is now? ”

THE HON. SRI H. SITARAMA REDDI :—“ It was really considered and dropped.”

SRI A. KALESWARA RAO :—“ When subsidies are given either for new wells or old wells—for new wells we are giving under the Grow More Food Scheme—are you taking bonds from the owners of the wells that they would cultivate foodgrains and not commercial crops at least for some time; otherwise what is the use of spending so much money under the Grow More Food Schemes? ”

THE HON. SRI H. SITARAMA REDDI :—“ I am indeed happy that the hon. Member realizes the need for cultivation of food crops; the Government equally realize it.”

SRI ALLURI SATYANARAYANA RAJU :—“ May I know, Sir, whether there are not certain cases where subsidies are received but wells are not dug? ”

THE HON. SRI H. SITARAMA REDDI :—“ In such cases, the Government recover the money that has been advanced.”

Kulur Bridge.

* 250 Q.—

MR. SPEAKER :—“ The hon. Member is not in his place; the answer will be printed in the proceedings.”

SRI K. ISHWARA : Will the Hon the Minister for Public Works be pleased to state—

(a) whether the Kulur Bridge work in South Kanara will be taken up this year;

(b) whether tenders have been called for, for this work;

(c) the number of tenders received and the tender amounts;

(d) when the tenders were received and when they were disposed of; and

(e) the persons entrusted with the work and the lowest tenderer among them?

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

“ (c) Three tenders were received, one from the Gannon Dunkerly & Co., Ltd., for Rs. 8,10,227, another from the Karnataka Construction & Co., Ltd., and the Canara Manufacturing Corporation, Limited, for Rs. 8,48,145 and the third from the Modern Housing Construction and Properties, Limited, for Rs. 9,09,818.

“ (d) The tenders were received on or before 6th March 1950, the last date for the receipt of tenders for the work, and orders were issued on 5th June 1950.

“ (e) Messrs. Gannon Dunkerly & Co., Ltd., the lowest tenderer were entrusted with the work.”

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Foodgrains procured in Andhra districts.

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

(a) the number of tons of food that were procured in the coastal districts of Andhra, viz., Visakhapatnam, East Godavari, West Godavari, Guntur and Nellore after the August Food Debate till the end of August 1950; and

(b) how much was procured from Tanjore district during this period?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“(a) The quantities of foodgrains procured in the districts referred to during the period from 13th August 1950 to 2nd September 1950 are furnished below:—

	Quantities procured.	
	Rice.	Millets.
	TONS.	TONS.
1 Visakhapatnam ..	558	286
2 East Godavari ..	1,949	3
3 West Godavari ..	4,106	1
4 Guntur ..	2,045	285
5 Nellore ..	1,960	318
Total ..	10,618	873

(b) In Tanjore district, the quantities of foodgrains procured from 13th August 1950 till 2nd September 1950 are as follows:—

Rice ..	TONS.
Millets ..	1,954
	43

11-30 a.m. SRI V. RAGHAVAYYA:—“Sir, taking the Government of India's policy, as adumbrated by the Deputy Minister for Food yesterday in Madras, that commercial crops would hereafter be curtailed to make up for the food deficit at present, may I know whether Government of Madras has agreed to that proposal, or whether it was consulted at all by the Government of India in the matter?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“That has not been yet put forward in a definite form, and when it is taken up for consideration this Government will give it its best consideration.”

SRI A. KALESWARA RAO:—“Sir, when the Government procures and exports rice and other foodgrains from one district to deficit districts and other places, may I know whether they have a close knowledge of the rice and other foodgrains stock remaining in that district every day, from week to week and from time to time?”

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THE HON. SRI J. L. P. ROCHE VICTORIA:—“Yes, Sir. The exported quantity is ascertained; and the Government always take care and the Collectors of districts also take care to see that sufficient quantity is left behind in the district for the use of the district concerned.”

SRI K. KOTI REDDI:—“May I know if groundnut is considered a foodcrop and not merely a commercial crop?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“Groundnut is not in the category of foodcrop at present.”

JANAB MOHAMED ABDUL SALAM:—“May I know whether the Government have come to a decision with regard to the levy system of paddy in this State?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The levy system is being tried now only in the Coimbatore district, and the results of it are being watched. It is proposed to extend it only after we know about its usefulness and utility?”

BEGUM SULTAN MIR AMIRUDDIN:—“May I know the price at which the Government procure rice from the producers and the price at which the Government sell the same in the ration shops?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“A fresh question may be put.”

SRI V. RAGHAVAYYA:—“Is it a fact that the Collector of Nellore has asked for stoppage from Nellore of further export of rice, and the Government have agreed to it?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“Yes, Sir.”

SRI P. VENKATASUBBIAH:—“May I know, Sir, whether any quantity of millets have been procured from the dry districts of Kurnool and Cuddapah, and if so, how many tons of millets have been exported to other districts, Sir?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“I have not got the figures at present. But we have completely stopped exports from Rayalaseema from 1st September 1950.”

JANAB H. S. HUSSAIN:—“Is it a fact, Sir, that instructions have been issued for the requisitioning the entire produce from the agriculturists under the emergency powers in some of these districts in this State?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“Not the entire produce: because the Government always leave sufficient quantities with the producers for their own needs and for agricultural purposes.”

SRI M. R. APPA RAO:—“Has the Collector of Krishna asked for the stoppage of procurement?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“It is not a question of stoppage of procurement; because whatever is procured is for their own use now.”

[6th October 1950]

Muttadari system.

* 253 Q.—SRI D. V. RAMASWAMI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether muttadari system is still in vogue in Visakhapatnam Agency;

(b) whether any representations have been made to the Government recently about the urgent need for the abolition of this system; and

(c) if so, what steps the Government propose to take on the above representations?

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

“(b) Yes.

“(c) The Government have decided that the muttadari system prevalent in East Godavari and Visakhapatnam districts should be abolished and that the muttas should be converted into ryotwari. To implement this decision, the Government propose to undertake a suitable legislation. The general principles of the legislation setting out the details relating to the fixation of compensation and other matters will have to be settled after obtaining the necessary data from the Agents to the Government in East Godavari and Visakhapatnam districts through the Board of Revenue. The Board of Revenue has been asked to submit the necessary data. Necessary legislation will be undertaken by the Government in this behalf as soon as data, etc., are received from the Board of Revenue.”

SRI D. V. RAMASWAMI :—“In view of the fact that even from the time of the first Congress Ministry in 1937, this very important question has been engaging the attention of the Government and since several representations have been made for the abolition of the muttadari system from time to time, may I know, how much more time the Government will take to completely abolish this system, which has been condemned twice and thrice?”

THE HON. SRI H. SITARAMA REDDI :—“Sir, we propose to bring in legislation very soon.”

SRI V. RAGHAVAYYA :—“Pending legislation by the Government in the matter, may I know, whether the Government are prepared to pass orders prohibiting immediately the exercise of ‘Gothi’, that is, the fee of forced labour prevalent in this part of the State against previous legislation in this behalf?”

THE HON. SRI H. SITARAMA REDDI :—“Pending legislation in this matter, such of those ‘muttas’ wherein the administration is not satisfactory, or where the muttadar has not fulfilled some of the conditions we resume them and convert them into ryotwari areas. That action is going on independent of the contemplated legislation.”

[6th October 1950]

Transfer of an Engineer of Madras Electricity System.

* 254 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received recently any representations from the workers of the Madras Electricity System for the transfer of Sri S. Ganapathi Mudaliyar, an Engineer of Madras Electricity System (Power Station), from the power station;

(b) what action has been taken on the above representation; and

(c) if no action has been taken so far, when the Government propose to take action?

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

“(b) & (c) Reports were obtained from Generation Superintendent, Basin Bridge Power Station, Superintending Engineer, Madras Electricity System, and the Chief Operation Engineer (North). On examination of these reports, it was decided that no action need be taken in the matter.”

SRI M. KANNIAPPAN :—“தலைவர் அவர்களே, தயவு செய்து தலை தமிழில் சொல்லவேண்டும்.”

THE HON. SRI M. BHAKTAVATSALAM :—“(a) ஆம்.

“(b) & (c) Basin Bridge Power Station Generation Superintendent, Madras Electricity System, Superintending Engineer, Chief Operation Engineer (North) முதலிய மூன்று ஆபீசர்களிடமிருந்தும் ரிப்போர்ட்டுகள் வரவழைக்கப்பட்டன. அந்த ரிப்போர்ட்டுகளை எல்லாம் பரிசீலனை செய்து பார்த்ததில் மேற்கொண்டு நடவடிக்கைகள் ஒன்றும் எடுத்துக்கொள்ள வேண்டியதில்லை என்று முடிவு செய்யப்பட்டது.”

SRI M. KANNIAPPAN :—“தலைவர் அவர்களே, அங்கே இருக்கக் கூடிய கணபதி முதலியார் என்பவர் அரசாங்கத்தின் சேர்த்துக்களை தவறுதலான பாதையில் உபயோகித்து வருகிறார் என்று அங்கே இருக்கக்கூடிய workers கையெழுத்திட்ட ரிப்போர்ட்டு ஒன்றை அரசாங்கத்திற்கு அனுப்பியிருக்கிறார்கள். அந்த முறையில்தான்”

MR. SPEAKER :—“நீங்கள் speech கொடுக்கக் கூடாது, கேள்விதான் கேட்கவேண்டும்.”

SRI M. KANNIAPPAN :—“கேள்விதான் கேட்கிறேன். கையெழுத்திட்ட ஒரு ரிப்போர்ட்டை அனுப்பியிருக்கிறார்கள். அதன்மேல் உடனடியாக enquiry நடத்தவேண்டுமென்று கேட்டுக்கொள்கிறேன். அவ்விதம் செய்கிற போது அந்த அதிகாரியை அந்த இடத்திலேயே வைத்து enquiry நடத்தினால்”

MR. SPEAKER :—“அது கவர்ன்மெண்டிற்கே தெரியும்.”

SRI M. KANNIAPPAN :—“அதை உடனடியாகச் செய்யவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.”

THE HON. SRI M. BHAKTAVATSALAM :—“இப்பொழுதுள்ள கேள்வி ஒரு குறிப்பிட்ட உத்தியோகஸ்தரை மாற்றவேண்டுமென்பதைப்பற்றியது. Workers கூறுவதை வைத்துக்கொண்டு மாற்றவேண்டுமென்றால் அதை எற்றுக்கொண்டு நடவடிக்கைகள் எடுத்துக்கொள்ள முடியாது. அவர்கள் சொன்ன புகார்கள்

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வைத்துக்கொண்டு விசாரணை நடத்தப்பட்டது. அந்த விசாரணையில் சொன்ன சில புகார்கள்க்கு ஆதாரம் ஒன்றாயில்லை என்று ஏற்பட்டது. இன்னும் சில புகார்கள் விசாரணைக்குக்கின்றன."

SRI M. KANNIAPPAN:—"புகார்கள் இல்லை என்று சொல்லப்படுவது மிகவும் வருந்தத்தக்க விஷயம். விசாரணை செய்ததாகச் சொல்லும் போது புகார்களே இல்லையென்று சொல்லுகிறார்கள். அதிகமான புகார்கள் இருக்கின்றன. இந்த சட்ட சபையிலுள்ளவர்களுக்கும் சரி, பொதுவாக உள்ளவர்களாக இருந்தாலும் சரி ஒரு கமிட்டியை நியமித்து விசாரணை செய்வதால் நன்றாக இருக்கும் என்று கேட்டுக்கொள்ளுகிறேன்."

THE HON. SRI M. BHAKTAVATSALAM:—"நான் தமிழில் சொன்ன பதிலை கனம் அங்கத்தினர் புரிந்து கொள்ளாததைப்பற்றி நான் வருந்துகிறேன். சில புகார்களைப்பற்றி விசாரணை நடத்தியதில் அவை களுக்கு ஆதாரமில்லை என்று ஏற்பட்டது. ஆனால் இன்னும் வேறு சில புகார்கள் விசாரணையிலிருக்கின்றனவென்று சொன்னேன்."

Selling of paddy without permit.

* 255 Q.—**SRI V. RAGHAVAYYA:** Will the Hon. the Minister for Food be pleased to state whether the Government intend permitting producers of paddy to sell without permit from out of their surpluses at the rate of two pounds per head at retail price levels?

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Government have already issued orders that in the deficit districts of Anantapur, Bellary, Cuddapah, Kurnool, Chittoor, North Arcot, South Arcot, Chingleput, Tiruchirappalli, Salem, Madhurai, Coimbatore, The Nilgiris, South Kanara, Malabar, Tirunelveli, Ramanathapuram and Visakhapatnam, private sales within the village for personal consumption might be allowed up to 2 lb. of foodgrains, to partial producers and non-producers up to 31st October 1950 and that such sales should be made only at the retail prices fixed for the foodgrains in the village and that the stocks so sold should be only from the balance left with the producers after meeting the Government demand under the procurement scheme."

SRI V. RAGHAVAYYA:—"Sir, as such a concession is most likely to lead to smuggling of paddy, may I know whether the Government's policy is to keep confidential the names of those who are prepared to divulge the names of hoarders and black-marketers in paddy, or is it their policy to give out their names to the villagers and thus put those poor fellows in an embarrassing position?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Sir, this concession was allowed just as a temporary measure to meet the present prevailing scarcity and it is to be in force only till 31st October 1950. In some districts this concession has been withdrawn, where harvest has commenced; because it will clash with the produce harvested at present. With regard to the other question, whatever help or information is given, the Government will keep it strictly confidential and necessary action will be taken in the matter."

SRI T. VISWANATHAM:—"May I know, Sir, whether the Government will be pleased to extend this concession of private

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sale up to 2 lb., not only to purchasers within the village but to purchasers from outside the village and allow those purchasers to take their purchase home?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I am afraid that will go out of control."

SRI T. VISWANATHAM:—"May I ask whether this non-extension of this privilege is virtually a negation of this privilege?" (Laughter.)

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I do not think so."

JANAB M. MUHAMMAD ISMAIL:—"Sir, I am sorry, I did not catch some of the sentences of the Hon. Minister. Therefore, may I ask him whether any rules have been framed with reference to the sale of 2 lb. per head; and if so, may I know whether a producer is authorized to sell at the rate of 2 lb. every time wishes to sell, or only 2 lb. a day or a month. What is the position about it? That is, can he sell at the rate of 2 lb. at a time a hundred times a day?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Since this concession is to meet an emergency, the idea is to enable some people to get 2 lb. of foodgrains at a time. There is also the further restriction that this can be sold only at the retail price prevailing in the village. Besides, it is only out of the balance left with the producer after meeting the Government demand and his own personal and agricultural demands, that he can sell these 2 lb. So, there cannot be any inexhaustible stock left with him. As many times as he can afford to give, he can give."

SRI V. C. PALANISWAMI GOUNDER:—"In view of the fact that the Government are not able to supply the full quota of 12 oz. in informal rationing areas and in deficit areas like Coimbatore, will it not work a great hardship among the poor people, if this concession is withdrawn?" 11-45 a.m.

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Not at the present moment, Sir."

SRI G. KUMARASWAMI:—"May I know from the Hon. Minister for food whether there is a proposal to abolish rationing in all the surplus districts of the State?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"No rationing is now in force in surplus districts, Sir."

JANAB M. MUHAMMAD ISMAIL:—"In view of the fact that it is now some time since this order has been passed, may I know whether the Government have been able to form an idea as to how it is working and may I also know whether the Government propose to extend this order beyond 31st of this month?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"If it is necessary, the Government will consider that point also, Sir."

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JANAB ABDUL HAMEED KHAN :—“ In view of the fact that this scheme has worked successfully and has helped the people to get some amount of rice, may I know whether it will not be advisable to extend this scheme beyond 31st October? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ If it is necessary and if it is found really beneficial to the people, then the Government will consider the question, Sir.”

JANAB M. MUHAMMAD ISMAIL :—“ May I know, Sir, whether the Government are satisfied that this concession has given some relief to the people? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ We have not got full reports from all the different parts of the State, but generally it was received with satisfaction and some of the reports, that we have received so far go to show that the scheme is working fairly satisfactorily.”

JANAB ABDUL HAMEED KHAN :—“ In view of the statement of the Hon. Minister that this scheme has been working fairly satisfactorily, does it not show that the Government have to change their policy so far as rural areas are concerned and take away rationing in rural areas? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ That is a very big question which can be considered only with reference to the general output, the amount of procurement by the State as well as the requirements of the people. This concession has been given to some areas, because certain people complained that in spite of the availability of rice, they could not obtain their requirements. But the question of abolition of rationing altogether in rural areas is quite different and it raises a bigger issue. Conditions differ from district to district and naturally when we introduce some changes, we take all the factors into consideration.”

SRI A. KALESWARA RAO :—“ Is this concession also given to deficit areas like uplands in the so-called surplus districts? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ We are enforcing this scheme only in deficit districts, Sir.”

SRI A. KALESWARA RAO :—“ Is it not a fact, Sir, that the Krishna district which has hitherto been a surplus district has become a deficit district now and that the Collector has been trying to get foodgrains from other districts? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ It is just because to meet the present difficulties that we are trying to get foodgrains from other districts. But that does not mean that the Krishna district has become overnight a deficit district. But whatever be the conditions that are now prevailing therein, they are only temporary, which could be overcome by some imports from outside the district.”

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JANAB M. A. MUHAMMAD IBRAHIM :—“ May I enquire why the Government should not introduce this scheme throughout the State, irrespective of the fact whether a district is deficit or non-deficit or surplus? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ In surplus areas people will not require this kind of concession, because they will be able to get much more than 2 lb., whenever they want.”

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM :—“ Is it not a fact, Sir, that because of this concession, the producers are selling rice at the rate of Rs. 2 and Rs. 2-8-0 per Madras measure to the non-producers and partial producers? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ I have no such information, Sir.”

JANAB H. S. HUSSAIN :—“ Under this concession, may I know whether the producers will be free to convert paddy into beaten rice and then sell it? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ There is no special provision made for this purpose, Sir.”

DR. S. SUBRAHMANYAM :—“ In view of the fact that the Government have been supplying only 2 or 3 oz. ration for the last three months and yet people have been able to live on, and in view of the fact that intensive procurement is going on even in deficit districts, the Government having taken away all the rice from the surplus districts, does it not stand to reason that if you abolish rationing altogether, people will not suffer at all? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ At this stage I am not prepared to argue the point. As I said just now, that is a very big question and it cannot be decided so easily. But we are here concerned only with the concession recently given by the Government.”

SRI K. KOTI REDDI :—“ Does this concession apply only to rice or to other foodgrains also? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ It applies to rice alone, Sir.”

JANAB ABDUL HAMEED KHAN :—“ In view of the fact that the Government have been very successful in their procurement policy, which still leaves some surplus stock with the producers which they are able to sell to people in want, will the Government consider it desirable to call for a conference of the producers in the State to discuss and decide whether they can lift rural rationing altogether? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The State Food Committee will be shortly meeting and probably this question will be considered by them.”

SRI T. VISWANATHAM :—“ Apart from the question of lifting up of food controls, about which the Hon. Minister is not willing to discuss at present, will the Government, at least until

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the harvest-time, allow the people of Visakhapatnam to purchase rice from Tuni which is the outlying border town of East Godavari?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is again a question of encroaching upon another district which is against the policy of the Government. It is not possible to allow any particular district to go and purchase rice wherever it likes."

SRI G. SANYASI RAO:—"Is it not advisable to increase this rate in rural areas, because the Government are not able to supply the full ration of 12 oz.?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I do not think it is possible, Sir."

SRI M. S. PATTABIRAMIAH:—"Arising out of an answer to one of the questions by the Hon. Minister that this concession which has been ordered by the Government in some of the deficit districts, has been withdrawn in certain districts, may I know whether it has been withdrawn in Mathurai district and may I also know the number and name of the districts in which this concession has been withdrawn?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Only in the Malabar district, it has been withdrawn because the Collector reported that it would clash with procurement which is going on there. I have no information about other districts."

Irrigation facilities in Tanjore district.

* 256 Q.—SRI M. MARIMUTHU:—Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the cultivators have petitioned the Government regarding the shortage in supply of water for irrigation from Mettur Dam to the following areas: Tanjore, Arantangi and Pattukkottai taluks in the Tanjore district; and

(b) if so, what action has been taken on it?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) Yes. (b) Some petitions were forwarded to the Chief Engineer, Public Works Department (Irrigation) in original for necessary action, while in other cases reports were called for from the Chief Engineer. Regarding the request for irrigation facilities to Arantangi taluk, the Chief Engineer reported in November 1949 that it would not be possible to extend the Cauvery Mettur-Project irrigation in Arantangi taluk, on account of the limited supply available at the tail end of Grand Anicut Canal after the execution of the Narasinga Cauvery Scheme for 15,000 acres but that the proposed improvements to the upper reaches of Narasinga Cauvery Scheme would benefit some tanks in the area. The Government have sanctioned a scheme for providing irrigation facilities to an extent of 4,000 acres in Pattukkottai taluk, by extending the Olavayal channel. They also sanctioned the investigation of a five cusec

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pumping scheme (in case there is keen demand) and an anicut scheme across Agniar for providing assured supplies to the Neiveli-Thenpathi tank. The anicut scheme has had to be dropped in view of the prohibitive cost. A proposal for the supply of Cauvery-Mettur Project water to an area of 15,000 acres on the right side of Vellar is also under the consideration of the Government."

SRI M. MARIMUTHU:—"கனம் தலைவர் அவர்களே, இப்பொழுது கனம் மந்திரி அவர்கள் சொன்ன வகையில், பட்டுக்கோட்டை, அரந்தாங்கி, தஞ்சாவூர் சம்பந்தமான கேள்வி ஏற்பட்ட வரையில் ஏற்கெனவே கிராம வாசிகளால் போடப்பட்ட பெரிய குழாய்களை எடுத்துவிட்டு சிறிய குழாய்களை போடப்பட்டதால் ஒவ்வொரு விவசாயியும் இது நிமிடம் வரையிலும் இரவு பகலாய் உழைத்து (ஒரு மூலையில் நெருப்பு வைக்கப்போக நான்கு மூலைகளிலும் அந்தத் தீ பரவுவதுபோல்) வருகிறார்கள். அவைகளை எடுத்துவிட்டு ஒரு அடி முதல் மூன்று அடிகள் வரையிலுள்ள குழாய்களைபோட்டு தண்ணீர் விட்டால் பல விவசாயிகள் நல்ல பயனடைந்து வருவார்கள். அதற்கு கனம் மந்திரி அவர்கள் உடனடியாக நடவடிக்கை எடுத்துக்கொள்ளும்படி யாக கேட்டுக்கொள்கிறேன்."

THE HON. SRI M. BHAKTAVATSALAM:—"வரும் புகார்களில் லாம் பரிசீலனை செய்யப்பட்டு வருகின்றன. அவைகளுக்கு வேண்டிய பரிசாரமும் செய்யப்பட்டு வருகிறது."

SRI V. C. PALANISWAMI GOUNDER:—"In view of the fact that there is a general complaint in Pattukkottai that the present temporary pipes allowed in several parts of the main canal have been removed and the ryots are put to great inconvenience and suffering on account of water scarcity, will the Government make an investigation into this matter?"

THE HON. SRI M. BHAKTAVATSALAM:—"I have already answered in Tamil that these complaints will be looked into."

SRI A. VEDARATNAM PILLAI:—"May I know whether it is a fact that the Grand Anicut Canal has become silted up, and on that account there is not enough gravity for water to flow down forcibly, and that consequently irrigation is suffering, and if so, what action has been taken by the Government in the matter?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Government have received such complaints and they are being examined and necessary action will be taken."

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

II.—REFLECTION UPON SPEAKER'S RULING BY "THE MAIL."

MR. SPEAKER:—"I am glad to inform the House that I have received a letter from the Editor of the "The Mail". It reads as follows:—

"Respected Sir,

Allow me to express my regrets personally to you for any breach of privilege of which I was guilty in the editorial in the Mail on Wednesday. You have my assurance that I meant to cast no reflection on you or question the legality of your ruling. My sole desire in even mentioning your ruling was to draw once again attention to the fact that the food crisis is still a matter for the urgent consideration of the Government and members of the House and in fact of every one.

Your obedient servant,
ALLAN TAYLOR,
Acting Editor."

12 noon.

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JANAB MUHAMMAD RAZA KHAN :—"Is the matter now closed, Sir?"

Mr. SPEAKER :—"The matter is now closed. I may also inform the House that in the last week's issue of 'Kalki', this House was characterized as a 'tamasha' House. I have received a letter of apology from the Editor of 'Kalki'. It is written in Tamil. He says—

கனம் சபாநாயகர் திரு. ஜே. சிவசண்முகம் பின்னை அவர்களுக்கு,
நமஸ்காரம். சென்ற 'கல்கி' இதழில் வெளியான ஒரு கட்டுரையில் 'சட்ட சபையின் ஒரு தமாஷ்' என்று குறிப்பிட்டிருப்பதைத்தாங்கள் ஆட்சேபித்ததாக அறிந்தேன். அவ்விதம் பிரசுரமாகிவிட்டதன்பொருட்டு என்னுடைய மனப்பூர்வமான வருத்தத்தைத் தெரிவித்துக்கொண்டு இந்த முறை தாங்கள் இதைப்பொருட்படுத்தாமல் விட்டு விடுமாறு கேட்டுக் கொள்கிறேன். இனி இத்தகைய விஷயங்கள் 'கல்கி' யில் வராமல் பார்த்துக் கொள்வதாக உறுதி கூறுகிறேன்.

இங்ஙனம்
ர. சி. இராமச்சந்திரன்.

JANAB MUHAMMAD RAZA KHAN :—"It is in Tamil, and we do not follow it, Sir."

Mr. SPEAKER :—"The Editor 'Kalki' regrets that such a thing has happened, and he assures that such mistakes will not occur again. This matter also is now closed."

"Now I proceed to the next item on the agenda—Delimitation proposals of the State Government. I will call the Hon. the Minister to reply at 4 o'clock. Dr. Ramachandra Rao will now speak."

III.—GOVERNMENT RESOLUTION.

DELIMITATION PROPOSALS OF THE STATE GOVERNMENT—cont.

* Dr. D. S. RAMACHANDRA RAO :—"Mr. Speaker, Sir, I rejoice that the day has come when every citizen of the Republic would feel that he is representing not a particular community but all the communities in the country, in so far as it lies in his power. I have been one of those who fought against sectional representation. It might have suited this country at one stage. But I believe we cannot have it perpetually. As we grow up and as we begin to feel that we are politically becoming a nation, our nation ought to consist of individuals who can take up responsibility. Sir, in respect of that, I must confess that there has not been uniformity of opinion. There are some (though from the point of view of numbers they are quite a minority) who had the courage from the very beginning not to ask for special electorates. There are some who tried that for some time before India started on the path of Republic. They have now thought it wise to do away with the special representation, and they asked to be helped out of that. But there are others, respectable minorities, who feel that they have been compelled to adopt this policy much against their will. Perhaps there is reason for their discontent. We ask them to leave it entirely by the sheer force of voting. This is not convincing them to change the position that obtained

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all these years. I think at this stage of delimitation proposals some method must be devised by which they will not be driven to despair. Somehow they fell that they are groping in the dark. Ultimately they can find their way out, and be able to stand on their own feet. Somehow at this juncture we are experimenting with great risks. Now we are called upon to run perhaps the largest democracy in the whole world with very little experience in the past. What is the present idea of adult franchise with its huge population, the great majority of whom are illiterate? Where it is going to land us in nobody knows. Everybody piously hopes that everything will turn out to be good in the end. But I am afraid it is going to be a disappointment to almost every one of us. In such a situation, can we have hard and fast rules? The British system of single-member constituencies, without any checks and any brakes, might land us in great trouble, and might take us away altogether from what we expected. Sir, for instance, particularly in Britain, the urban population is predominant. Every big industry practically builds up a city or a big town in the course of a decade. But here, for centuries, we have been developing our village polity. We know that whatever may be the redeeming features of the village polity, there is a tendency for conservatism in the village polity. Most of the go-ahead population are to be found in the towns and in the neighbourhood of towns. Therefore, I think it is unwise to sacrifice the interests of the towns people, and altogether submerge them by the millions that live in the villages. (At this stage Deputy Speaker occupied the Chair.) No doubt principles are very important. But principles alone would not save the country. We need people who can think, consider and lead the country. Therefore, a certain amount of education, foresight, character, ability, and capacity are essential. We must somehow try to bring them into our electorate and see that they come into our Council and Assembly. At present with the little experience that we have had in the past, and with the teeming millions who are the voters, the single-member constituency may not satisfy the various elements in our country. No doubt in a country like England, in spite of its failings, single-member constituencies have been a fair success. But it has not been so in other parts of Europe. In a small country like New Zealand, a most up-to-date and most vigorous country, they have found this almost hopeless, and they have now gone to the practice of a single transferable vote. But with the huge population in our country, and with the single transferable vote constituency, whether we would get candidates who would be able to run a team Government, is very doubtful. Therefore I think that every method has its handicap and its defects. As was suggested a little while ago, it would be wise not to pin our faith to one particular method. In this country where there is a huge population, different methods might be tried. In that way we might be able to convince the minorities. I do not mean minorities in religion. I mean minorities in aspiration, in hopes, in economic policies and in ideas. How are we to get at this end without driving the people to despair and a sense of frustration? Therefore, I suggest that we should introduce

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multiple methods of election suitable to towns and cities and the neighbouring areas of towns, and also purely for rural areas so that the rural areas will be represented and the urban areas will be represented, and there will be a sort of harmonious blending between the towns and the rural areas—the progressive and the unprogressive. Religious conservatism will be only between religious minorities in each religion. We are face to face with the most difficult task in the world. We are called upon to run the largest republic in the world. I am inclined to think that it is a wrong policy to follow the single-member constituency method in toto. I suggest that we should take time, it is never too late to mend matters, and see whether we could not do what ought to be done. Even with regard to the religious minorities, some are fearing that some religious minorities could be left out altogether. Some had come out boldly and others are restrained. They have a feeling that an injustice is done to them. I think their feelings ought not to be brushed aside. It all depends on the confidence with which the majority inspire them. We have a classical example in Turkey. When Zugul Pasha came to power, the Christians there became nervous. There have been great fears of pin-pricking. But later Zugul Pasha permitted them to ask for what they wanted, and that he would give them more than what they wanted. Their fears were forthwith removed and their co-operation assured. We have another classical example in China. In China, just before the Chinese War with Japan, the Christians were only 2 millions out of a population of 400 millions. Fifty per cent of the men in the Cabinet were chosen from the Christians. Since a Christian laid the foundation for the Chinese Republic, this was possible. Therefore, it will not do if we merely ask the people to give up their fears. The leaders must lead the minorities and give them hope and confidence. It is only on the basis of giving them satisfaction, shall we be able to build our Republic upon the sure foundation of faith and righteous policy.

“With these words Madam, I resume my seat.”

12-15 p.m. * JANAB M. S. ABDUL MAJID:—“Madam, Deputy Speaker, I have been listening carefully to the speeches of the hon. Members of this House, for the last two days, on this question of delimitation of constituencies and particularly to the speeches of the Members belonging to the Party in Power. I have observed particularly in the speeches that were made yesterday several staggering revelations. Firstly, I want to make a reference to the revelation made by the hon. Gentleman Sri Karanth. He said that the delimitation proposals of the Government were in the hands of the Members of the Party in Power or, if I may go a step further, were in the hands of the ruling group, long before the day when the Hon. the Leader of the House made a statement on the floor of this House that these proposals were confidential. When a responsible Member of the Government says that these proposals were confidential, they must have remained confidential with everyone of the Members, whether

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he belongs to the Party in Power or to any other Party. But here the Party in Power are using the Governmental machinery just to advance the interests of their own Party.

“The other revelation was in the speech of the hon. Gentleman Sri Govinda Menon. He said that constituencies were created just to suit the conveniences of powerful or potent individuals of the Party. He even went to the extent of calling one of the constituencies in his own district as a ‘Srimathi constituency’. He did not reveal the name of that honourable Srimathi. Let him not reveal that name. Let it remain a mystery till the day of the nomination. (The Hon. Sri B. Gopala Reddi: ‘Doomsday’.) It cannot be Doomsday, it will be a mystery only till the day of the nomination.

“From these, Madam, I am trying to prove to you as an impartial judge how this Government are trying to use the Governmental machinery for their own purposes. Although they may belong to a particular Party, when they are Members of the Government, they must rise above all these Party jealousies and prejudices; their activities must transcend all these Party limitations or boundaries and they must see that they do justice to one and all in this State. They have not done so. I have not the heart to go into the details of the several delimitation proposals or to the district or taluk maps just to study and understand about a particular constituency. It is a hopeless task because I know these delimitations of constituencies have been done with an ulterior motive. Others may call that as Machiavellian machinations or as a dark design. But I am not saying so; I say that this sort of activity by the Government must cease if they want to do justice to one and all.

“Madam, the time at my disposal is not much. Therefore, I cannot go into the various details of these proposals. I would only say a few words on the general principles underlying the delimitation of constituencies. The Hon. the Leader of the House has said that ‘we have decided to have single-member constituencies’. The Hon. House has already passed a Resolution to that effect. Therefore, we stand by that. I know the Hon. the Leader of the House is a student of Art and Beauty. But I really do not know whether he is also a student of Political Science and Constitutional History. If he were so, he could have read that book by James Stuart Mill ‘The Representative Government’. Then he could understand the meaning of single-member constituency and how far it is going to help all the people or organized public opinion within the jurisdiction of a particular State. He has been waxing eloquent on single-member constituencies. If I were in his seat, I would have also waxed eloquent with a greater vehemence and said that single-member constituency is the be-all and end-all of all Governmental aspirations. Fortunately or unfortunately in this country and in this State there are several groups of people having their own interests. Will it not be in the interests of these groups that there should be also some plural-member constituencies, so that those people also may

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evidently come to a conclusion with regard to various things. (The Hon. Sri B. Gopala Reddi: 'Not yet'.) I am glad to hear that things have not been finalized as yet. It would have been very much better if the Government of India and the State Governments had taken up this question of delimitation of constituencies at least a year earlier. The way in which we are rushing things is certainly not the proper thing to do. We became independent and this Legislature is one that came into being as a result of the Government of India Act, 1935 and we see that with a restricted franchise and with the number of seats fixed at 205, we are certainly not very badly off; we have got a very representative Legislature. Under the new Constitution, we are going to have as many as 375 seats for the State Legislature and 75 seats for the Upper House and the elections are to be held with a very extended franchise, namely, adult suffrage. Practically, every adult will exercise his right of vote. I feel, Sir, that at the initial stages of our democracy, it is very much better that we do not think of the stars in the sky. It may be all right so far as the western countries are concerned where democracy has been built up step by step and it was not brought into existence all of a sudden one day. We feel that we are so very well prepared and so very fit to share in democracy in its various forms, that we are not tolerant enough to countenance even the smallest variation from what is understood to be democracy or democratic institutions in the West. Single-member constituencies, joint electorate, no reservation of seats; all people are alike and everyone has got a right of voting and no distinction of caste or creed (The Hon. Sri B. Gopala Reddi: 'or of sex'); no kind of distinction of any kind at all, that is how we are visualising ourselves to be, as if we were born to be democrats and every child born here is born as a democrat and that it does not belong to any religion or caste and that we are all one. That might be our ideal which we should try to reach as soon as possible. But we have to take into account hard facts as they exist to-day and take a realistic view of things and if we do that, we should be prepared to model our constituencies on that basis. Whereas those who made the Constitution thought that separate electorate was poison and that reservation of seats was also poison, have they kept it away from every single citizen of the country? The fact is the very poison is sought to be administered to a section of our people. When they do that with the idea of helping a section of the people to come up, they ought to realize that along with those people, the Harijans, there are other castes and communities, who are also, if not equally backward, at any rate comparatively backward, educationally, financially and economically and those people also should be helped and be raised to the highest possible level that any section of our people are occupying in this country. We have got some plural-member constituencies and we are going to give a trial to that system and there is no reservation for minorities like Muslims, Christians and Anglo-Indians. We will have to take our chance and I am not going to ask for anything for the minorities; it is the job of the majority to fulfil their promises and their responsibility towards minorities; if they do not do that, it is their funeral; but

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if they do it, it is good for the country and they would have properly discharged their duties. I am not going to ask them to create any constituency in order that a member of a minority community like the Muslims, Christians or Anglo-Indians may get in without any difficulty. Unfortunately, the impression has gained ground when we are considering the question of the creation of constituencies, that the Government, from the Centre downwards to the State, has been planning to see that they continue to be in charge of the Government either at the Centre or in the States for all time. Possibly, that impression may be wrong and there again, it is the duty of the people in charge of the Government to dispel such an impression from the minds of the people by their conduct. Their conduct is to be judged with reference to how far they are responsive in the matter of formation of multi-member constituencies with cumulative voting, in regard to which representations have been made by some sections of the people that they were apprehensive of their future under the system of single-member constituencies and it is possible for them to get elected in larger numbers to the Legislature if they have plural member constituencies and the cumulative system of voting. That is the sheet anchor of their argument and if that is not conceded at this stage, it would appear that the people who are in authority and who create these constituencies and this system of voting are people, who, in the name of pure democracy, want to establish themselves firmly in power and enjoy the fruits of office. Other parties who are now in a minority want to have a fair share of places in the Legislature and they believe that under a system of single-member constituencies, they would have little chance and so, they are asking for plural-member constituencies. I know, as a matter of fact, Congress friends who want to have some consideration for minority communities and want to take with them members of the minority communities, think they can do so, far better if there are at least plural-member constituencies. Why should not the Government of India change the whole thing in order to make it possible for one to take his Muslim or Christian or Anglo-Indian friend along with him in the elections and to see that both of them succeed simultaneously; such a possibility will take place only if there are plural-member constituencies. Inasmuch as the State Government have made its proposals and made its recommendations to the Government—I understand the recommendations have already gone, the haste with which everything is going on in this House points to the possibility of elections being held in the middle of next year. I do not know why there should be such haste so far as the holding of the elections concerned; nothing is lost if things are done in a proper way in order to satisfy all sections of the people and in order to make it possible for all sections of the people to have their fair share in the coming elections. They can certainly put off the date of elections and satisfy the people and if elections are held then, the people who are to be elected will certainly be in a happier position of saying that they are representing all sections of the people. I do not know, Sir, how the system of adult franchise is going to work but we shall have no fear about it. At the same time, let us hope that adult franchise will work satisfactorily and that the representatives

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the whole lot will fall one after the other. Similarly, if you want to make an adjustment somewhere, it may result in maladjustment in many places. So far as Melur taluk is concerned, it is only proper and reasonable that Tiruvadur firka which is an integral part of Melur taluk is left within the Melur constituency. Similarly, South Natham had better be taken in along with the adjoining portion of Melur taluk.

"There is one other matter on which I would like to make a few observations, and that is with regard to the way in which the constituencies are delimited. Several changes have been made and I do not blame the executive which is in charge of this function. Even with regard to the Government, I have got a feeling that the delimitation proposals are long range ones and are intended to be operative for some time to come. Therefore, the proposals should be such that they command a general reasonableness and justice. This point should be kept up in mind in all the intricate details connected with the delimitation of constituencies. I have a notion that as a matter of fact some sort of pressure has been brought to bear upon the authorities by some persons, who want that the proposals should be based on a particular way calculated to suit the individuals concerned. That is probably the reason why we find that there is no representation for the House of the People from the districts of Mathurai, Ramanathapuram and Tirunelveli. Obviously, certain persons might be interested in their political future and like to have constituencies shaped in a particular fashion which would suit them. But the Government, which is responsible to the people, should resist all such overtures and deal with the matter in such a manner which would be just to the people and voters as a whole, in the long run. They should not allow themselves to be pressed by interested persons to do a particular thing. The other day, Mr. Gopalaswami was showing the map of the Tiruchirappalli district which is delimited. I find therein that taluks have been separated and a few firkas have been tacked on with others covering a long distance. God only knows why such a kind of delimitation has taken place. It should be understood how difficult it is for people to go from one end to the other. Unless some broad reasons prevailed, there should not be any change. If only the general consequences of this clubbing of the various firkas in a constituency have been kept in mind, this kind of delimitation proposals would not have been made. I therefore wish that the Government should remove the defects caused owing to certain maladjustments and see that representatives are elected in a just manner.

"There is another point which I would like to mention with regard to my respected Muslim friends on the Opposition. I feel that it is really hard for me to give an advice, to them. Advice should generally come from themselves, particularly in a matter where they feel their interests are involved. It was suggested and pointed out by one of the Opposition friends, 'Well, you are also in the nature of a minority.' Time and again, I have been repeatedly telling on the floor of the House that these matters should not be looked at from the point of view of communalism. I may say that I was all along against these things being kept alive on the communal line. But unfortunately, my advice was not heeded and

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it remains for the courts of the State to enforce that. I also made a reference to this particular point on the floor of this House when we were discussing the Address of His Excellency. However, that was not recognized, and as hon. Majid put for yard, there is still communalism. This question cannot be viewed with regard to Muslims and non-Muslims alone, but it has to be considered with reference to other things as well. To my Muslim friends, I would like to tell that if they find that it is wrong to be communal, they have to carefully consider what should be the real and proper remedy. We have to take note of the existing realities of the situation, however unpleasant they may be, when we want to find out a solution. With regard to the plural-member constituencies, it is likely that some one might get in as a result of double voting. But, we have to keep in mind the repercussions that might follow. When we have voting in the case of a multi-member constituency, there is a tendency to have voting on communal lines. Immediately, there would be a rush from the Muslim friends to give their double-votes to the Muslim candidate only, much to the detriment of the non-Muslim candidate. As a matter of fact, this would enlarge the cleavage from time to time and would perpetuate communalism and would land us in the very same trouble from which we are suffering to-day. That is not a healthy kind of remedy. I would show to you what would be the effect on a constituency that is adopted by reservation for the Scheduled Castes who also have a chance of being elected under the general seats. As a matter of fact they are combined together so that they could cling together along with other communities in the general constituency.

"Elections under the present Constitution are heavy financial burdens which no ordinary man can possibly undertake. It is all well in theory to talk about democracy and that the poor people and the man in the street can stand for the elections under the present Constitution and all that. I feel that generally the amount of expenditure that has to be incurred in elections is such that ordinarily poor people cannot afford to stand for elections. If they did so, they would be squeezed. It is only rich people who can afford such expenditure in elections. In the case where you have got the general constituency seat also, there is every chance for you to get justice. I would like to tell my Muslim friends that it is high time that we feel that we are all citizens of the Indian Union. I may assure them that I am not saying this in any carping spirit. It is far from my mind, and I have very great respect towards them, their capacity, ability and education. As a matter of fact they should take note of the fact that the steps that we take in the future should be such which will result in fusion and which will not create prejudice. I would earnestly request them to kindly think of this. Time and again, I have been requesting that there should not be any division on the ground of communal ideologies and if at all there should be division, it may be on political ideologies. I can only wish that this will be the final time when they will be compelled to secure votes on a mere communal basis. While sympathising with their desires and aspirations, I earnestly and respectfully request them as a sincere friend of theirs

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that it is high time to stop thinking of the plural-member constituencies in the national interests. When I say national interest, it is the interest of the minorities as well. My hon. Friend Sri Bhashyam was saying that the proposals should be in the best interests of Brahmans, because they represented only 3 per cent of the population and so were in a minority. I certainly cry halt to that kind of advice. Let us be eliminated altogether; but if we do come in, let us come in as citizens of the Indian Union. That will be a good advice in spite of the fact that the Government do not take note of it. Those who support the other view will really feel that they are supporting a bad cause, if only they care to examine their hearts. What I would like to stress is, we must here and now stop thinking in terms of communalism when we deal with such matters. To my Muslim friends, I would like to say that they must stand on their own capacity, ability and patriotism. I only desire that our country should stand as one united unit in such matters."

* SRI M. R. APPA RAO :—“ Madam Deputy Speaker, some friends here have spoken about the single-member and plural-member constituencies. We have previously decided that we will have single-member constituencies. So, much purpose will not be served by my now talking on that question. I will, therefore, confine my attention to some of the details in the proposals that are placed before us. I find generally that the executive in charge of these proposals have done very well indeed. They have taken strictly the population and contiguity considerations, and formulated the proposals. I find, as far as Krishna district is concerned, Assembly constituencies are fairly satisfactory. In regard to the House of the People, I think certain changes are necessary. The existing proposals for the Eluru constituency of House of the People, five Assembly constituencies are included, viz., Chintalapudi, Eluru, Nuzvid, Gannavaram and Kankipadu. I think the substitution of Tiruvur in the place of Kankipadu will be advisable from many points of view. The Assembly constituencies of Chintalapudi, Eluru, Nuzvid and Tiruvur form a contiguous part. Kankipadu constituency is nearer Gudivada and the present arrangement does not help very much from the point of view of contiguity. Apart from that, constituencies should be confined to dry areas. Otherwise wet area people are very influential and so generally keep all the representation that is given. This has happened in the past. The present population figures given for the constituency for the House of the People is about 710,000. If my proposal to substitute Tiruvur (from Vijayavada constituency) in the place of Kankipadu of Eluru constituency is accepted, the population of the latter constituency will increase to about 23,000 and I do not think that this will be considered as a great change and I hope it will be accepted.

“ Regarding the special urban representation about which reference has been made, I do not think that it is necessary or advisable; because, we have been seeing in the past that the urban people have been taking undue weightage in the shaping of the Assemblies

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with the result that the rural population have been sadly neglected. So, when my friend Mr. Viswanatham was supporting special representation for urban constituencies, I thought that it may not be very advisable and desirable for the town people to rule over the rural populations always.

the rural populations always.

" If the people from the town can command the confidence of the rural population, then let them by all means come in. In that case they are sure to be elected.

“ With regard to the teachers and graduates constituency for the Upper Chamber, I feel it is advisable to have elections on linguistic basis as has been suggested in the Government proposals. Otherwise, there is the danger of some Andhras going unrepresented altogether. The Government proposal will be examined from

"I hope, Madam, the whole question will be examined from the point of view of national interests and any changes that may be made will be made purely on their merits in the national interests and not for the sake of individual interest or convenience. I agree with the proposals of the Government and am sure that the Government will give due consideration to the opinions expressed in the House and do justice."

the House and do justice.

SRI N. M. R. SUBBARAMAN :—உதவி சபாநாயகி அவர்களே, இந்த விஷயம் எடுத்துக்கொள்வதற்கு முதலாவது நான் ஒரு திருத்தம் அனுப்பியிருந்தேன். ஆனால், கனம் சபாநாயகர் அவர்கள் அதற்கு காலதாமதம் ஆகிவிட்டிருந்தால் அதை எடுத்துக்கொள்ளவில்லை. நான் அனுப்பியிருந்த திருத்தம் மதுரை ஜில்லாவிலுள்ள அபிப்பிராயத்தை அனுசரித்தது. மதுரை ஜில்லா போர்டும், நகர சபையும், மற்ற பொதுஜன கூழியர்கள் எல்லோரும் மதுரை சம்பந்தமான பிரிவினையில் இரவு மாறுதல்களைச் செய்வதென்கிறார்கள். விரும்புகிறார்கள். அதிலே ஷெப்கன்சென் மதுரை ஸ்ரீ வைத்தியநாத அய்யர் அவர்கள் கூறினார்கள். நான் முதலாவது மதுரை நகரைப்பற்றி எடுத்துக்கொள்ளுகிறேன்.

“மதுரை நகருக்காக மட்டும் தனியாக இரண்டு ஸ்தானங்கள் கொடுக்க முடியும். சர்க்காருடைய ஜனத்தொகைக் கணக்குப் பிரகாரம் மதுரையில் ஜனத்தொகை 287,966 பேர்கள், அதாவது ஏறத்தாழ 290,000 பேர்கள் இருக்கிறார்கள். அதற்கே இரண்டு ஸ்தானங்கள் கொடுக்க முடியும் ஆனால், அவ்விதம் செய்யப்படாமல் இரண்டு பாகமாக மதுரையை பிரித்து 90 பாகம் 155 ஆகவும் ஜனத்தொகையாகவும், இன்னொரு பாகத்துடன் மதுரை தாலுக்காவிலுள்ள ஒரு மிகக்காலையுள் சேர்த்து மற்றொரு தொகுதியாகவும் பிரித்திருக்கிறார்கள். இப்போது பிரிப்பதற்கு அவசியமே இல்லை. இதை மதுரை நகர சபையாரும் கிரும்பவில்லை. ஆகவே போர்டும் கிரும்பவில்லை. மதுரை பிரதிநிதிகளும் கிரும்பவில்லை. உண்மையில் அதற்கு அவசியமில்லை யென்றே நான் நினைக்கிறேன். மதுரை நகரப் பொறுத்தவரைக்கும் இரண்டு தொகுதியாகப் பிரிக்க உடனே ஏற்பாடு செய்யவேண்டும்.

“ அதே மாதிரி மதுரை தாலுகாவிற்கும் தனியாக ஒரு ஸ்தான்பை கொடுக்கவேண்டும். ஒரு லக்ஷத்து நாறுபத்தி ஐந்துக்கு அதிகமாகக் அந்த தாலுகாவில் ஜனத்தொகை இருக்கிறது. ஆகவே மதுரை தாலுக்காவிற்கு மாத்திரம் ஒரு தனி ஸ்தான்பம் கொடுத்து விட்டு அதிக முன்னத்தொகையை மேலூர் தொகுதியோடு சேர்க்கலாம். மேலூர் வாசிகளுக்கும் மேலூரை இப்போது தென் நத்தம், வட நத்தமென்று பிரித்திருக்கும் முறையை ஏற்றுக்கொள்ளவில்லை. மேலூர் இப்படி பிரிக்கப்பட்டிருப்பதானது சரியானதில்லை யென்று நானும் சொல்வேன். இப்போது மேலூரைப் பிரித்து தென் நத்தத்தை மட்டும் திண்டுக்கல் தாலுகாவில் சேர்த்திருக்கிறார்கள். அப்படியில்லாது நான் சொன்ன பிரகாரம், மதுரை டவுன் மட்டும்

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evidently come to a conclusion with regard to various things. (The Hon. Sri B. Gopala Reddi: 'Not yet'.) I am glad to hear that things have not been finalized as yet. It would have been very much better if the Government of India and the State Governments had taken up this question of delimitation of constituencies at least a year earlier. The way in which we are rushing things is certainly not the proper thing to do. We became independent and this Legislature is one that came into being as a result of the Government of India Act, 1935 and we see that with a restricted franchise and with the number of seats fixed at 205, we are certainly not very badly off; we have got a very representative Legislature. Under the new Constitution, we are going to have as many as 375 seats for the State Legislature and 75 seats for the Upper House and the elections are to be held with a very extended franchise, namely, adult suffrage. Practically, every adult will exercise his right of vote. I feel, Sir, that at the initial stages of our democracy, it is very much better that we do not think of the stars in the sky. It may be all right so far as the western countries are concerned where democracy has been built up step by step and it was not brought into existence all of a sudden one day. We feel that we are so very well prepared and so very fit to share in democracy in its various forms, that we are not tolerant enough to be democracy or smallest variation from what is understood to be democracy or democratic institutions in the West. Single-member constituencies, joint electorate, no reservation of seats; all people are alike and everyone has got a right of voting and no distinction of caste or creed (The Hon. Sri B. Gopala Reddi: 'or of sex'); no kind of distinction of any kind at all, that is how we are visualising ourselves to be, as if we were born to be democrats and every child born here is born as a democrat and that it does not belong to any religion or caste and that we are all one. That might be our ideal which we should try to reach as soon as possible. But we have to take into account hard facts as they exist to-day and take a realistic view of things and if we do that, we should be prepared to model our constituencies on that basis. Whereas those who made the Constitution thought that separate electorate was poison and that reservation of seats was also poison, have they kept it away from every single citizen of the country? The fact is the very poison is sought to be administered to a section of our people. When they do that with the idea of helping a section of the people to come up, they ought to realize that along with those people, the Harijans, there are other castes and communities, who are also, if not equally backward, at any rate comparatively backward, educationally, financially and economically and those people also should be helped and be raised to the highest possible level that any section of our people are occupying in this country. We have got some plural-member constituencies and we are going to give a trial to that system and there is no reservation for minorities like Muslims, Christians and Anglo-Indians. We will have to take our chance and I am not going to ask for anything for the minorities; it is the job of the majority to fulfil their promises and their responsibility towards minorities; if they do not do that, it is their funeral; but

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மக்களுடைய நன்மையே நம்முடைய நன்மை," என்று பொது வாழ்வில் ஒவ்வொரு கஷ்டியினரும், முஸ்லிம் நண்பர்களும் சேர்ந்து உழைத்தால் இவர்களுக்கு ஏன் இடம் கிடைக்காதென்று கேட்கிறேன். இரண்டு வருஷங்களுக்கு முன்னால் மதுரை நகரில் முனிசிபல் தேர்தல் நடந்தது. அங்கு முஸ்லிம்கள் சில பொதுத் தொகுதிக்குப் போட்டி யிட்டார்கள். அதைப் பற்றி நான் ஒரு வார்த்தை சொல்ல விரும்புகிறேன். அந்தத் தொகுதியிலே பெரும்பாலோர் ஹிந்துக்கள். முஸ்லிம்கள் சிறு பான்மையோர். அதாவது மூன்றில் ஒரு பங்குதான் இருப்பார்கள். அன்று ஹிந்து-முஸ்லிம் உறவு நிலைமை மிகவும் மோசமானதாக இருந்தது. எனினும் அந்தக் காலத்திலேயே அங்கு போட்டியிட்ட இரண்டு முஸ்லிம்கள் தேர்ந்தெடுக்கப்பட்டார்கள். ஒரு ஹிந்து கூட அங்கு வர முடியவில்லை. அந்தக்காலத்திலேயே அப்படி முஸ்லிம்கள் பொதுத்தொகுதியிலே நின்று வெற்றி பெற்றிருக்கும்போது அதுவும் இந்தக்காலத்திலே தேர்தலில் வெற்றி பெற முடியாது என்று அவர்கள் அஞ்சுவதற்கு இடமில்லை. முஸ்லிம் நண்பர்களும், மற்ற மைனாரிட்டிகளும் இந்த நாடு நம்மைச் சேர்ந்தது. இதன் முன்னேற்றத்திற்கு நாம் பாடுபடவேண்டும். எல்லோருடைய நன்மைக்கும் நம்முடைய நன்மைக்கும் வித்தியாசம் இல்லாமல் பொது வாழ்வில் நாம் உழைக்க வேண்டுமென்று அவர்கள் தீவிர எண்ணம் கொள்வார்களேயானால் தேர்தலில் நாம் வெற்றி பெற மாட்டோம் என்று அஞ்சுவதற்கு இடமில்லையென சொல்லிக்கொண்டு நான் முடித்துக் கொள்ளுகிறேன்.

*SRI V. C. PALANISWAMI GOUNDER:—"Madam, Deputy Speaker, the question of delimitation has been engaging the attention of this House for the last two days and a Parliamentary Delimitation Committee also is sitting elsewhere for this purpose. Several opinions have been expressed by hon. Members and I would like also to add my quota to those opinions. Madam, we have been used to a certain way of thinking and a certain way of life. Our political views vary and our social customs differ. Now under the present proposals, the district limits are transgressed. Not only that; even the taluk limits are transgressed. These make for interference with our private life and also, smooth administration. I feel, Madam, that the integrity of the districts and taluks should be maintained at any cost. If necessary, the firkas may be divided and I have no objection to that. I make this representation in the general interests of the people as a whole. Adult franchise has been introduced and people need to be educated. That in itself is a very big task since almost all of our people are illiterate. Added to it, delimitation has come and it will be very difficult for the Government and the leaders of parties to convince the people of the propriety of transgressing district and taluk limits. Madam, so far as the House of the People is concerned, the number of seats and the basis of determining a constituency have been statutorily fixed. But in the case of election to the State Legislature, though the total number of seats has already been decided upon, they have allowed certain margins within which the basis of calculation can be varied. In view of this fact, therefore, I would request the Government not to touch Revenue Divisions but to allow them to form compact units. If this is not done, then it would be difficult for the part of the would be representatives to go from one Revenue Division to another and from one taluk to another. They must be given all facilities to be in constant touch with their constituents. Then, as regards representation for Harijans and Scheduled Castes, it is good that plural-member constituencies have been decided upon, though it was not so on previous occasions. That is by far the best arrangement . . ."

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DEPUTY SPEAKER :—“ The hon. Member may continue his speech after lunch. The House will rise now and meet again at 3 p.m.”

The House then adjourned.

(After lunch—3 p.m.)

* SRI V. C. PALANISWAMI GOUNDER :—“ Now, Mr. Speaker, in spite of the adult franchise and widening of the constituencies we see that important cities are not given separate representation. For example, Coimbatore is a big growing city. It has not been given a separate representation which it now enjoys, at the present moment, under the existing order. I do not know what the policy is in this regard. I need not say that by combining urban and rural areas whose interests vary, proper representation cannot be secured for rural areas. Generally the urban interest is more or less enlightened. The wants of the people who live there are few. But the condition of the rural parts is rather deplorable. They have got a series of difficulties to represent to Government and if they are separated from the urban area they can send a representative of their own and represent their grievances to the proper quarters and get them redressed. If an urban area is clubbed with an adjoining rural area the voice of the rural area will be ineffective and the predominant consideration will be only for the representative from the urban area. People who live in urban area and in cities will not see eye to eye with the people from the rural area. Their needs and interests, namely, communications, education, food and agriculture, all these are likely to be ignored. I say both in the interest of the rural area and the urban area, there must be separate representation, at least in regard to important cities like Coimbatore and other big cities, of the State.

“ One other thing I want to bring to the notice of this House. Coimbatore as it is, is a developing textile centre. It has got its vast army of labourers and labour associations. In the present Assembly there is a labour representative. Now, in the next Assembly, if things are not properly arranged, I am afraid there will not be much chance for any labour to be represented in this House. As I said before, if the urban area is separated and the predominant labour area of the rural parts is given a separate seat their representative will be here and they will be able to safeguard their interest. These are the few remarks I have to offer on the proposals. I believe Government would take note of all these points and see that all interests are properly represented in the forthcoming election.”

* SRI V. KURMAYYA :—“ Mr. Speaker, Sir, during the last three days, this House has been discussing the very important proposals, namely, the delimitation of constituencies which will affect the whole population of the State. I must frankly say that

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the delimitation of constituencies as regards the Andhra Harijans are quite welcome and they are located in places where there are higher percentage of Harijans, except in one or two places. For instance in my Krishna district, the higher population is in Divi taluk and a seat has been reserved for it. The second seat is allotted for the Vijayavada constituency. This constituency under the proposal comprises Vijayavada town, Vijayavada firka, Kondapalli and two other firkas from Nandigama taluk clubbed together. Then Vijayavada taluk is split into another constituency where three firkas, two from Vijayavada are clubbed with Kapileswaram firka from Gannavaram taluk. My suggestion is that Vijayavada town and firka may be given one seat, that is a single-member constituency. Another seat may be given for Vijayavada taluk excluding the town and firka the rest clubbed with Peruganachiprole and Kanchikacherla from Nandigama taluk with an additional seat for the Scheduled castes, which will be a double constituency with one reserved for the Scheduled castes. The entire taluk of Tiruvuru may be clubbed with Nuzvid town and firka to form one constituency. Gopavaram and Idulagudem from Nuzvid taluk may be clubbed with Veeravalli and Gannavaram firkas from Gannavaram taluk and that constituency called the Gannavaram constituency. Vuyyuru firka and Kapileswaram firka from Gannavaram taluk and Pamarru from Gudivada taluk may be clubbed together and formed into the Vuyyuru constituency. The reasons for the suggestions, I submit are that a seat for scheduled castes should be located or reserved in a taluk where there is the higher Harijan population. The reservation of a seat in Vijayavada taluk clubbing two firkas from Nandigama will not only satisfy the people in the taluk but also satisfy the principle that the seat should be allotted where the majority of the Harijan population reside. The change suggested for the Vuyyuru Constituency satisfies the condition of population and communications and it will form a compact area. For the seat in the House of the people Chintalapudi, Eluru Tiruvuru, Gannavaram and Vuyyuru may be formed into one constituency and a seat allotted. Another constituency may be formed with Tiruvuru, Vijayavada Town and taluk, Mangalagiri, Tenali, Amartalur, Repalle, Bapatla excluding Chirala, and a seat reserved for the Scheduled castes. The suggestion made by my hon. Friend Mr. Kaleswara Rao to reserve a seat for the Scheduled castes for the House of the People in Bandar and Divi is not feasible and I as a man interested in the Harijans wholly oppose the suggestion. With these changes I will be quite satisfied with the reservation of seats for the Harijans in the Andhra area.

“ Here so many Members have talked about plural constituencies and single-member constituencies. The Hon. Minister in charge of the proposals explained on two previous occasions that single-member constituencies will not only satisfy the people but will enable the voters to know who will be their representative in the House and make the representative feel his responsibility. Single-member constituencies under the conditions proposed by the Central Government are quite good and quite welcome. Some

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minorities may feel that they may get elected if there were plural-member constituencies and this may be accepted by the Delimitation Committee and the Government. It is true that there is a chance for some members of the minority of getting elected under the plural-member constituencies. But it is high time the minorities forget the idea of thinking in terms of his community and his religion. If the minorities thought that they would not be elected under single-member constituencies it is for them to organize themselves on the class basis, the 'haves' and the 'have-nots'. When all these people come under the 'have-nots' I am sure that cent per cent of the seats will be captured by them if they are organized properly. There is also a doubt that the rich people in the single-member constituencies will be able to purchase the votes. Sir, under the single-member constituencies with adult franchise, the 'have-nots' will be 75 per cent. It will not be possible for the rich men or for any man to purchase the votes. The voters know whom they have to elect to represent them in the State Assembly. The time has changed. We know, Sir, in the last elections, the Members of the present Government were elected on a limited number of voters. It is for the voters to decide as to who should represent them in the House, even to form the Government itself. The minorities need not be afraid. I as a Harijan am not afraid of anything about the single-member constituency. The Muslim or the Christian minorities may say that there is reservation of seats for the Scheduled castes and they need not be afraid. It is true seats have been reserved under the Constitution for Scheduled castes. But I can boldly say that Harijans can even be elected for the general seats. There is already a move in the rural parts wherever the Harijans and Christians are in a majority that they must set up a candidate for the general constituency and defeat the candidate for the general seat. I am sure for every seat there will be at least three or four candidates and there is a chance for the backward communities or Harijans or any other minority community to get elected from that constituency. Therefore you must not be afraid of the single-member constituencies. But you must forget to think in terms of community and religion. We are living under a secular Government. It is purely secular and its Constitution is also secular as our Prime Minister Pundit Jawaharlal Nehru said. Today my Hon. Friend Mr. Gopala Reddy may represent the Reddy Community. Reddies and Kammas are not majority communities. Properly speaking, if they are separated and enumeration taken they will be a very small minority. The other day the Hon. Mr. Gopala Reddy said that the Kamma population in Guntur is only 4 lakhs out of 24 lakhs. How then can Kammas rule in Guntur district when all other communities stand together and when they feel that some members are elected and they are doing injustice to the other communities. People now feel that everybody should be free. We cannot influence people with money. It is only through service that we can influence people and service to the people alone is going to count and help in their election and the formation of Government. I must

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frankly say that no community is going to rule under the single-member constituencies but only the 'have-nots' who have organized themselves. They are going to capture every seat."

* SRI K. KOTI REDDI :—“ Mr. Speaker, Sir, within the limited time that you were pleased to allow me, I may not be able to deal with the general aspect of the question, but I would like to make mention of one or two points. With regard to reservation of seats for the Scheduled Castes, I would like to suggest that these seats may be reserved in single-member constituencies, because it will be also in the interests of the Scheduled Castes themselves and I believe also there is absolutely no impediment to it so far as the Constitution Act itself is concerned, now that the principle of single-member constituencies has been agreed. Even today my hon. Colleague who spoke before me does not feel quite independent as he would otherwise feel. After all, in another ten years even this reservation is going to be abolished and so it would be better to start with it even now. Probably the general impression is that the Scheduled Caste candidate may not be in a position to finance an election campaign, but the candidates of the future have to contest the election not in their individual capacity, but as a member of a party and so I do not think there would be much difficulty in that respect. I may even go so far as to suggest that if only the Scheduled Caste seat be allotted in a single-member constituency and not in a plural-member constituency all such candidates will be at an equal disadvantage. I put forward this suggestion to the Government for their consideration.

“ Now, coming to my own district, I feel that some injustice has been done to my district with regard to the allotment of seat for the House of the People. I do not think that Government have done it deliberately, but yet I feel that injustice has been done. If Cuddapah and Chittoor were clubbed together we get four seats for the House of the People. I think it is accidental and not done deliberately. On page 2 of the delimitation proposals, Cuddapah and Chittoor have been allotted one Scheduled Caste seat for the House of the People. What has happened is, for the general seat Tiruttani (2), Puttur, Kalahasti and Chandragiri have been clubbed together and for the other general seat plus one Scheduled Caste seat ten Assembly constituencies have been grouped together, and the result has been that Cuddapah gets one Assembly seat whereas Chittoor may get three Assembly seats. We are at a disadvantage: otherwise I would not have complained. I have worked out the figures with regard to population in respect of Chittoor and Cuddapah. According to that, Chittoor gets only 2.37 seats, whereas Cuddapah gets 1.62 seats. So, from that point of view, I can legitimately claim more than $1\frac{1}{2}$ seats for Cuddapah, whereas Chittoor should get only 2 seats, that is, less than $2\frac{1}{2}$ seats. As I will suggest a different grouping of ten Assembly seats, we have a better chance and naturally we have a claim for more than $1\frac{1}{2}$ seats for Cuddapah. So, instead of grouping the Assembly constituencies as proposed, namely, Tiruttani, Puttur, Kalahasti, Chandragiri for one general seat, I would suggest that Tiruttani, Puttur, Kalahasti,

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Chandragiri, Chittoor, Palmaner, Punganur and Madanapalle be clubbed together and one general seat as well as a Scheduled Caste seat be assigned to that group.

"The principle that has guided the Government that wherever the Scheduled Castes are in a majority they should be assigned constituency is naturally a very good one. According to the grouping I have suggested, Chittoor will solely get a Scheduled Caste seat which is legitimately due to that district. Though it has not been deliberately done, I wanted to point this out to the Government for consideration.

"Secondly, with regard to the Assembly seats for the whole of Rayalaseema, I am glad to find Rayalaseema has been taken as one unit. I have worked out the figures on the basis of population. The population of Rayalaseema is 6,532,000 and the whole population of the State is about 543 lakhs and so on that basis we should get 45.71 seats, therefore one more seat is legitimately due for the whole of Rayalaseema put together, whether it is given to Kurupol, Cuddapah or Bellary, it does not matter, but one more seat for Rayalaseema is justly due according to population basis. Moreover, as pointed out by some of my hon. Friends that Ceded Districts are backward, and so deserve better consideration in this respect. I hope, whatever the difficulties may be, it should be possible to do that by making suitable adjustments.

Then, Sir, with regard to the Scheduled Caste seat, only one seat has been allotted to Rayalaseema for the House of People. Working it on the basis of Assembly seats, we are entitled to 1.8 seats for Scheduled Castes in Rayalaseema. I therefore hope that Government will so arrange the constituencies as to give one more Scheduled Caste seat for Rayalaseema. I do not of course wish to infringe on the quota for Tamil population but suitable adjustments may be made so far as the Telugu area is concerned in this regard.

"Now, Sir, with regard to the areas for the seats for the Assembly, I do not think that Government have deliberately done any injustice in my district. I have worked out alternative proposals, bearing in mind the principles which the Hon. Leader of the House has mentioned, namely, that firkas ought not to be split up as far as possible and that the Scheduled Caste seats should be assigned to places where they are in a majority. I think that in principle seems to be a fairly justifiable one. My proposals are also similar, but if necessary it may be adopted with slight modifications. I have not got much complaint to make about other proposals, for the Assembly but so far as the Scheduled Caste seat for the House of People is concerned, Cuddapah and Chittoor should not be clubbed together, but the seat should go legitimately to Chittoor. I request the Government to consider this matter."

SRI. K. VEERANNA PADAL :—Mr. Speaker, Sir, మన రాజధానిలో ముఖ్యముగా అనేక కొండ ప్రాంతాలలో నివసించే అటువంటి కొండజాతులవారు, Ipains లో ఉన్నటువంటి హరిజనులకంటేను, విద్యవిషయములోను ఇతర పరిస్థితులలోను చాలా వెనుకబడినటువంటి వారని ప్రభుత్వమువారు గుర్తించవలసిన విషయమే

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యన్నది. ఈ సందర్భమున, ఎట్లు కొండ ప్రాంతాలు, ఇతర ప్రాంతాలకంటేను వెనుకబడియున్నవో, అదేమాదిరి ఈ శాసనసభలోనున్న 215 మంది శాసన సభ్యులలో ఒకరు కూడా తెలుగులో మాట్లాడక నేనొక్కడనే తెలుగులో మాట్లాడుచుండుటకూడా చాలా విచారకరమైనటువంటి విషయమని ప్రభుత్వము వారికి విన్నవిస్తున్నాను.

"మన రాజధానిలోని, విశాఖపట్నం జిల్లా, గూడెము, గొలుగొండ తాలూకాలు మొదలగు Agency ప్రాంతాల విషయమే నేను మనవిచేయ వలచుకొన్నాను. ఈ మధ్య ప్రాంతాలు సముద్రమట్టానికి 3,000 అడుగుల ఎత్తులోనుండి 18,000 వదరపు మైళ్లు విస్తీర్ణముగల భూభాగము ఉన్నవి. 1941 వ సం॥పు జనాభా లెక్కల ప్రకారము, గూడెం తాలూకాలో 1,02,000 మంది ప్రజలున్నారు. మరియు గొలుగొండ, నర్సపట్నం, ఈ రెంటియుక్క జనాభా 1941 వ సం॥పు ప్రకారము 1,60,000 కలదు. వీటన్నిటికి కలిసి శాసన సభకు ఒక seat reserve చేయడం అనునటువంటిది చాలా విచారకరమైనటువంటి విషయమని ప్రభుత్వంవారికి మనవి చేస్తున్నాను. ఇది ఇట్లుండగా పార్వతీపురం, పాలకొండ ప్రాంతాలకు, రెంటికి కలిసి, శాసన సభకు రెండు seats లను reserve చేయడం అనునటువంటిదికూడా భావ్యమైన విషయము కాదని మనవిచేస్తున్నాను. పార్వతీపురం, సాలూరు ప్రాంతాలలో చాలా తక్కువ కాదని మనవిచేస్తున్నాను. కాని గూడెము, గొలుగొండ తాలూకాలలో మంది కొండ ప్రాంతాలవారు ఉన్నారు. ఈ విషయాలనే మా కాంగ్రెస్ 2 లక్షలకుపైగా కొండజాతులవారు ఉన్నారు. ఈ విషయాలనే మా కాంగ్రెస్ President గారు, Vice President గారు కూడా Delimitation Committee వారికి ఉత్తర పూర్వకంగా తెలియజేశారు. పార్వతీపురం సాలూరు తాలూకాలకు రెండు seats లను reserve చేయడంవలన, అనేకమంది కొండ జాతులవారు గూడెం, గొలుగొండ ప్రాంతాలనుండి, రాకపోకలు విమరి ఇతర స్థానాలు లేనటువంటి మార్గాల ద్వారా, 60, 70 మైళ్లు దూరం కాలినడకను వెళ్లి vote చేయవలసివస్తుంది. కాబట్టి గూడెం ప్రాంతానికి మన శాసన సభకు మరి ఒక seat ను reserve చేయించి నట్లయితే ఈ ఇబ్బందులు లేకుండాపోతాయి.

అంతేకాకుండా, మాగూడెం, సాలూరు ప్రాంతాలనుండి డిల్లీ శాసనసభకు కూడా ఒక seat ను reserve చేయించవలసినవి కోరుతున్నాను.

ఈ ప్రాంతాలలోని జిల్లాకులంత అభ్యాన్నంగ ఉన్నవో ఘనతపొందినటువంటి మన ప్రధాన మంత్రిగారికి తెలుసును. వారు స్వయంగా గూడెం తాలూకాలో పర్యటించి పరిశీలించినారు. కాని ఘనత పొందినటువంటి అధిక మంత్రిగారు గూడెముకు ఎప్పుడు విచ్చేయలేదు. కనుక వారికి అక్కడి కష్ట సుఖములు ఇంకా బాగా తెలిసియుండవు. కనుక ఈ గూడెం ప్రాంతంనుంచి తప్పకుండా మన మద్రాసు శాసన సభకు 2 సీట్లును, డిల్లీ శాసన సభకు 1 సీటును కూడా reserve చేయించ వలసిన మనవి చేస్తున్నాను. ఎక్కువగా మాట్లాడుటకు ఇంకేమియు విషయములు లేవు గనుక ఇంతటితో విరమిస్తున్నాను.

JANAB ABDUL HAMEED KHAN :—“Mr. Speaker, Sir, it seems to me from what I hear from the authorities that the discussions that have been taking place in this House for the last three days are not going to yield any result and that we have been unnecessarily wasting our breath. If that were so, this discussion need not have taken place at all. The Committee is sitting there and we are discussing here and the Hon. the Leader of the House along with his colleagues have met the Committee and they have

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evidently come to a conclusion with regard to various things. (The Hon. Sri B. Gopala Reddi : 'Not yet'.) I am glad to hear that things have not been finalized as yet. It would have been very much better if the Government of India and the State Governments had taken up this question of delimitation of constituencies at least a year earlier. The way in which we are rushing things is certainly not the proper thing to do. We became independent and this Legislature is one that came into being as a result of the Government of India Act, 1935 and we see that with a restricted franchise and with the number of seats fixed at 205, we are certainly not very badly off; we have got a very representative Legislature. Under the new Constitution, we are going to have as many as 375 seats for the State Legislature and 75 seats for the Upper House and the elections are to be held with a very extended franchise, namely, adult suffrage. Practically, every adult will exercise his right of vote. I feel, Sir, that at the initial stages of our democracy, it is very much better that we do not think of the stars in the sky. It may be all right so far as the western countries are concerned where democracy has been built up step by step and it was not brought into existence all of a sudden one day. We feel that we are so very well prepared and so very fit to share in democracy in its various forms, that we are not tolerant enough to countenance even the smallest variation from what is understood to be democracy or democratic institutions in the West. Single-member constituencies, joint electorate, no reservation of seats; all people are alike and everyone has got a right of voting and no distinction of caste or creed (The Hon. Sri B. Gopala Reddi : 'or of sex'); no kind of distinction of any kind at all, that is how we are visualising ourselves to be, as if we were born to be democrats and every child born here is born as a democrat and that it does not belong to any religion or caste and that we are all one. That might be our ideal which we should try to reach as soon as possible. But we have to take into account hard facts as they exist to-day and take a realistic view of things and if we do that, we should be prepared to model our constituencies on that basis. Whereas those who made the Constitution thought that separate electorate was poison and that reservation of seats was also poison, have they kept it away from every single citizen of the country? The fact is the very poison is sought to be administered to a section of our people. When they do that with the idea of helping a section of the people to come up, they ought to realize that along with those people, the Harijans, there are other castes and communities, who are also, if not equally backward, at any rate comparatively backward, educationally, financially and economically and those people also should be helped and be raised to the highest possible level that any section of our people are occupying in this country. We have got some plural-member constituencies and we are going to give a trial to that system and there is no reservation for minorities like Muslims, Christians and Anglo-Indians. We will have to take our chance and I am not going to ask for anything for the minorities; it is the job of the majority to fulfil their promises and their responsibility towards minorities; if they do not do that, it is their funeral; but

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if they do it, it is good for the country and they would have properly discharged their duties. I am not going to ask them to create any constituency in order that a member of a minority community like the Muslims, Christians or Anglo-Indians may get in without any difficulty. Unfortunately, the impression has gained ground when we are considering the question of the creation of constituencies, that the Government, from the Centre downwards to the State, has been planning to see that they continue to be in charge of the Government either at the Centre or in the States for all time. Possibly, that impression may be wrong and there again, it is the duty of the people in charge of the Government to dispel such an impression from the minds of the people by their conduct. Their conduct is to be judged with reference to how far they are responsive in the matter of formation of multi-member constituencies with cumulative voting, in regard to which representations have been made by some sections of the people that they were apprehensive of their future under the system of single-member constituencies and it is possible for them to get elected in larger numbers to the Legislature if they have plural member constituencies and the cumulative system of voting. That is the sheet anchor of their argument and if that is not conceded at this stage, it would appear that the people who are in authority and who create these constituencies and this system of voting are people, who, in the name of pure democracy, want to establish themselves firmly in power and enjoy the fruits of office. Other parties who are now in a minority want to have a fair share of places in the Legislature and they believe that under a system of single-member constituencies, they would have little chance and so, they are asking for plural-member constituencies. I know, as a matter of fact, Congress friends who want to have some consideration for minority communities and want to take with them members of the minority communities, think they can do so, far better if there are at least plural-member constituencies. Why should not the Government of India change the whole thing in order to make it possible for one to take his Muslim or Christian or Anglo-Indian friend along with him in the elections and to see that both of them succeed simultaneously; such a possibility will take place only if there are plural-member constituencies. Inasmuch as the State Government have made its proposals and made its recommendations to the Government—I understand the recommendations have already gone, the haste with which everything is going on in this House points to the possibility of elections being held in the middle of next year. I do not know why there should be such haste so far as the holding of the elections concerned; nothing is lost if things are done in a proper way in order to satisfy all sections of the people and in order to make it possible for all sections of the people to have their fair share in the coming elections. They can certainly put off the date of elections and satisfy the people and if elections are held then, the people who are to be elected will certainly be in a happier position of saying that they are representing all sections of the people. I do not know, Sir, how the system of adult franchise is going to work but we shall have no fear about it. At the same time, let us hope that adult franchise will work satisfactorily and that the representatives

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that will be returned will be responsible men who will represent the interests of all sections of the people and see that the Government is carried on to the best interests of the people.

"Some of the hon. Members of this House had pleaded for increasing the number of seats for the urban areas and they gave very valid reasons why it should be done. It is not as if it has been done out of considerations of any superiority of the people of the City over the people of the rural areas. They know that there is a good deal of difference between the level of development of people living in the cities and others living in the rural parts. On that ground, larger number of seats should be given to the towns and cities.

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"Sir, coming to the delimitation of constituencies, I find that the City of Madras, as I said earlier, should have been given a much larger number of seats than what has been given now. When I say that, I must state also that the population of the City has not been taken fully into consideration. The number of seats now allotted to the city is based on the population of ten and half lakhs. That also again shows that the Government if they had started this work earlier, could have first of all held the census for the whole country, and then they would have known what exactly is the population of each city, each town and each district. It would have then become easier for the Government to fix the constituencies and also allot correctly the number of seats for each constituency. To-day on account of lack of that information they have done the thing by some sort of multiplication and subtraction and thus done injustice to a big city like Madras by allotting to the city only seven seats instead of fourteen or fifteen seats in the Assembly."

THE HON. SRI B. GOPALA REDDI:—"Why only seven seats?"

JANAB ABDUL HAMEED KHAN:—"Seven general seats and one seat reserved for Harijans. If really the census had been taken and if the actual population had been taken into account, the number of seats for the City of Madras should have been very much larger. But that has not been done. That is due to the fact that we are doing things hurriedly and in that hurry we really do injustice to important cities and towns.

"Of course, the Hon. Gentleman, the Leader of the House will say, 'what we are doing to-day is not going to be permanent; we will change various things in the elections that will come later on; then, constituencies may be changed, the system of elections may be changed and all these things can be changed. Let us make an experiment now, and if that works satisfactorily, we shall have it for the next elections also, if it does not work well, we shall change it according to our requirements at that time.' Sir, I would conclude by once again telling the Hon. Gentleman, the Leader of the House to take note of what hon. Members have said here and represent them to the Committee which is sitting in the other room. It would have been better if various interests also met

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that Committee and make it understand what they represent. But that, I suppose, is not possible, because the Committee will have to finish its work in this State very soon, and so, I hope the Hon. Minister in Charge of Elections, the Leader of the House, will take note of all things said in this House, meet the Committee and tell them what various members of the House have said on the several proposals."

* JANAB M. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, when I made the remark the other day, that is, day before yesterday, that what we are doing now by way of delimiting constituencies, is a thing which will affect not only the present generation but also the future generation, it was replied by the Leader of the House that it would not be so, because the delimitation of constituencies will be taken up from time to time in accordance with the run and movement of the population. It may be done, Sir; but it is not an easy matter to undo what is done once. Take for example districts, taluks and firkas. The district as constituted to-day is not based on any high principle. Does it form a nation, Sir? There is nothing sacrosanct about it. The district has been created for administrative purposes as a unit. In most cases it is so. But, however, what happens to-day? When the borders of the districts are not respected, people are upset over it. They have got a sentiment attached to districts as units. And people are very much upset over any disturbance of an arrangement that has already been existing for some time past. Sir, you have heard members speaking here. You have heard how they speak about bifurcation of districts. They speak of their district being stabbed. The hon. Member for Nilgiris said that his district was stabbed in its very heart. That is the kind of sentiment which people come to have as a result of these arrangements. Therefore, I say, when Government do it now for the first time after the attainment of independence, when we are inaugurating the New Constitution, let them do it in the proper way, so that, if in case any change is found necessary in future it may be done easily; you may not have to upset everything that you are doing to-day. That is what I meant by saying 'the authorities-that-be should have an eye on the future' in this respect and so do the thing properly even now. Sir, I want to know what is exactly the sacredness about a district, about a taluk and about a firka? Why do people again and again say that you should not disturb district limits, taluk limits or firka limits. People know that many firkas came into being only recently; people know that certain districts were formed only recently by bifurcating certain other districts, and yet they do not want those limits to be touched. The Government should bear in mind that when they create a constituency, they are creating sentiments, they are creating local attachment and they are creating history and vested interests along with it. So, if you want to upset it later on, it will not be simple and easy, as the Hon. Leader of the House seems to think. Therefore it is, I urge upon them to do it properly when they are doing it now for the first time.

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"Sir, we have been given in the Note supplied to us information regarding the principles that have been adopted in forming these constituencies. They say, they have adopted the principle laid down in the Government of India Act governing this matter. Sir, the average figure that we arrive at for a seat in the State Legislature, is, about 145 thousand people for a seat, and 725,000 people is the figure for a seat in the House of the People, that is, the India Parliament. Now, Sir, for a constituency they have set an upper and a lower limit. They have fixed a lower limit of 125 thousand and an upper limit of 165 thousand for the State Assembly. For the House of the People, they have fixed 625,000 and 750,000 as the lower and upper limits respectively. I say this will cause real injustice to a large section of people, because you will realize, Sir, in certain constituencies, certain people will be given one representative for the lower figure of 125,000 population; whereas in another constituency they will be given one seat only for 165,000 population. The quantum of representation is being varied too much, and I say there can be no justification for such a large variation as this. Whenever Government arrange a constituency they must see that this variation is minimized to the utmost extent possible. I say, it should not vary more than a thousand here and a thousand there with reference to the 145,000 for the State Legislature and the 725,000 for the House of the People. For, what is the logic which you would urge for asking the people to be satisfied with one seat for 165,000 people in one constituency, while in another constituency you give one seat for 125,000 people? Perhaps it might be said that communication and administrative convenience are the justification for this variation. Your administrative convenience must suit the right of the people; you must not curb the right of the people for your convenience and administrative arrangements must be based upon the right of the people. As regards communication, if communication is wanting, that is already a grievance for people. You should not add another grievance to the existing one. To say that communication is wanting and therefore a certain area cannot have a representative for every 145,000 people, but that it should have a representative only for every 165,000 people is not fair. The Government ought to fix the figure as close as possible to the figure of 145,000 in the case of the State Legislature and 725,000 in the case of the House of the People.

"Sir, in these figures I find a lot of variation. I worked out in the first place the average for each district for the State Legislature. I find that only two districts conform to the average of 145,000 people being given one seat for the State Legislature; and those two districts are Guntur and Malabar. With regard to the other districts there is a very large variation. It varies from 38,000 people being given one seat—which is in the case of South Kanara which is the lowest figure—to 153,000 people being given one seat—which is in the case of Nellore district. I do not think that anyone can justify this kind of variation properly.

"Now, taking the House of the People, taking the group as given in the explanatory note, I find there is large variation in the

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average there also. I know all these are single-member constituencies. They are not multi-member constituencies, as some members seem to think. For convenience, Government have arranged these districts into groups. I find, in the case of Rayalaseema, certain members have been complaining of not getting sufficient number of seats. I find Rayalaseema gives the highest average; it is 737,000 people for a seat in the House of the People; and the lowest average is in the case of Madras, Chingleput and North Arcot which is 70,000. Here again, the average differs from place to place. What I want to say is that these might have been minimised; for they refer to the fundamental rights of the people. In a democracy, the right of representation is one of the first rights and so the Government should not arrange the seats in this manner. They ought to have been more careful, they ought to have been more considerate to the various constituencies. Sir, it was said that we need not at this stage deal at length with the question of single-member constituencies *versus* multi-member constituencies. I am not going to deal with this subject at length. But, however, I have to say that this question has got a vital bearing upon this matter. I know that that question cannot be raised at this stage. 4 p.m. When the idea of giving notice of an amendment once again urging the adoption of multi-member constituencies with cumulative voting occurred to me, I thought that the rules might not permit and therefore I gave up the idea. But I find that a similar amendment has been moved by Sri N. S. Varadachari. Technically it is within the rules, as he wants only certain areas to be divided into multi-member constituencies and not the whole State. I strongly and earnestly support that amendment. On the previous occasion I gave ten reasons in support of multi-member constituencies and all of them remain unanswered. I request you to read my speech and the reply of the Hon. Leader of the House and see whether those points have been answered. He asks us to be content and says that England, America and other countries have adopted single-member constituencies and that therefore everything will be all right with single-member constituencies. I reiterate those reasons which I gave and say that they still hold good. One of those and only one of them is that the adoption of multi-member constituencies will benefit minorities and the Muslims, who are one of the minorities, will also be benefited. There are certain Members who at the very mention of the fact that the Muslim minority gets some benefit think that there must be something wrong and so throw overboard all the ten reasons. It is with that prejudice that things are being viewed at in certain quarters; but not in all quarters—I do not mean the Hon. Leader of the House. I know he is a reasonable gentleman. He will try to convince us about the unreasonableness of our attitude though, I am sure, he cannot succeed because we are reasonable. He himself said that at the time of delimitation of constituencies in 1936, the Congress Party of which he was a member, advocated multi-member constituency realizing that it would be of great benefit to the country and quoted from a speech made on that occasion. I do not know why the members of that party have changed their view. They are in

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power to-day as the Justice Party was in power in those days. They fought against single-member constituencies then but want to adopt them now. The future will indeed judge the correctness of their line of thought. However I take them to be reasonable men. I appeal to them to be reasonable in this respect also and not be frightened at the very mention of the word 'Muslim'. Multi-member constituency with cumulative voting is good for the country in so many ways. What we plead for is for the good of the country. We are citizens of the country and as citizens we want to partake of the benefits that are bestowed upon the country by democracy. There is nothing wrong in it. We are only one of the many parties that are benefited. Therefore let them not concentrate their thought only upon this one point and say that multi-member constituency is not good for that reason.

"Adult franchise was referred to again and again. It has come to stay and the future elections are going to be conducted on that basis. But what is being done to-day? The Government circumvent and manipulate things in a certain way. They say that adult franchise must work in such and such a way. I ask them to give it a full and fair trial and let it work unhampered in the way in which it is proper. Instead of doing that, they want to arrange constituencies in the particular way that pleases them. No vote has been taken on the issue of adult franchise. I do not expect them to do it. However, they have taken the views of the adult population of the country for granted and have been doing several things. I say that many things they do are not in accordance with the view of the whole adult population. Let them please try to find out things in a more satisfactory manner and act accordingly. That is my request.

"From the literature supplied to us, we find that the Hon. Minister in charge of Elections and the departmental officials concerned have done a lot of work. They have worked out a lot of figures, carved out this big State of ours into different constituencies and done so many other things. But we are in the dark as to the *raison d'être* behind the proposals that have been placed before us with regard to many constituencies. With regard to general principles, I urge that the large variations in population between one constituency and another cannot be justified. The population figure for each constituency of the Madras Legislative Assembly has been fixed at 145 thousands. The number of constituencies conforming to that figure allowing a margin of one thousand either way can be counted on one's fingers' ends. I counted 32 or 33 constituencies taking double-member constituencies as two constituencies. Only 32 or 33 constituencies have got the figure of 144, 145 or 146 thousands. The figure in other constituencies varies from 125 thousands to 165 thousands. In one case it even goes beyond 165 thousands and we are asked to condone the excess.

"With regard to cities, it was urged before the House that they ought to be treated differently. That appeal is a very just and logical one. Like some of our Friends, I do not say that the

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cities as such are superior to other places. But the city is made up of enterprising and educated people who come from the mofassal. Enterprising businessmen come to the metropolis of the State from throughout the State. If there are knowing and enterprising workmen, they come here. Here we have got Ministers, highest officials of the State, enterprising businessmen and enlightened labour. All these go to make up a very good section of the population. These people have got a broad vision. They can be trusted to take care of the whole State. We need not be afraid that they will be narrow in their outlook. It is for this reason that some special consideration is given to the cities all over the world. Therefore it is not at all unreasonable to give to Madras more representation than what has been given. Instead of 8 seats, 10 General and 2 Harijan seats will not be too much for the City of Madras, because it represents in a way the whole State. So also towns and other cities represent whole districts. Therefore, if we fix a lower minimum for Madras and other cities and towns, it is not only not wrong but it is also necessary in the interests of the whole State.

"Coming to individual cases, I say that we are not supplied with all the materials that the Government had before them in arranging the constituencies. Therefore we cannot understand the *raison d'être* or the cause behind some of the proposals. The elements of the population that make up the constituencies are not given. If we were given, for example, a map showing how the whole State has been divided, we would have been able to understand better and assist the authorities with our more accurate views and more pointed criticism. Now we have to depend upon our own personal knowledge and personal knowledge in such matters cannot in the very nature of things be extensive. As an illustration of the discrepancies and shortcomings I have got in view, I may mention two or three cases. With regard to the constituencies for Madras City, I find that Royapetta, where I am living, is included in the Thousand Lights Constituency. It can with advantage be included in the Triplicane Constituency which comprises, Napier Park, Tiruvatteswaranpet, Chempauk, Jam Bazaar and Mirsapat. Royapetta is just next to Mirsapat. Any one who walks along Mirsapat would expect Royapetta to go with Mirsapat. I do not know why that has been included in Thousand Lights. The Thousand Lights Constituency has got a population of 275 thousands and it is a double-member constituency. There are many constituencies with a population of 125 and 135 thousands for a seat and on that basis Thousand Lights can be a double-member constituency even without Royapetta. The population of Royapetta is 15 thousands. If we take it away from Thousand Lights and add it on to Triplicane, the figure of the Thousand Lights Constituency will be reduced to 260 thousands and the figure of the Triplicane Constituency will be increased to 147 thousands.

"As an illustration of how things could have been done in a better manner, I want to draw your attention to the case of

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Malabar. In Palghat Constituency, ten thousand people belonging to the north-east part of the Parali firka are included. Without the inclusion of this area, the population of that constituency will be 150 thousands. I do not know why this additional figure has been included thereby raising the already high figure of 150 thousands to 160 thousands.

4.15 p.m. "Then again, Sir, taking the Wandur Constituency, I find that one firka called Kondotti has been bifurcated. Sixty-four thousand of the population of that firka have been put in the Wandur Constituency and 41,000 of the same have been tacked on to the Kottakkal Constituency. Now even if you include all the population under Wandur, the total figure for that constituency which is a double-member constituency would be 293,000. There are some double-member constituencies which have got as many as 330,000 people in them."

THE HON. SRI B. GOPALA REDDI:—"Which is that constituency? I do not think there is any constituency like that."

* JANAB M. MUHAMMAD ISMAIL:—"No, Sir, there are some constituencies like that. I think a certain Tanjore Constituency has got 330,000 people. I request the Hon. Leader of the House to verify my statement. There are also some notes given under these proposals that such things may be condoned for the reasons stated therein. Sir, my point is only to illustrate that the Kondotti firka need not have been bifurcated in the way in which it has been done."

"Then again, Sir, let us take the three small islands near the coast of Malabar, namely, the Laccadive, Minicoy and Amindivi islands. They have been tacked on to the Calicut Rural Constituency, namely, Chevayur. They might have been with better advantage tacked on to Kozhikode. Physically perhaps, there may be some curves or shores of these islands which may be nearer from Chevayur but the people of the islands in general come to the Calicut town very often for anything that they want to do. It is their natural outlet on the mainland. Therefore with advantage these islands might have been tacked on to the Kozhikode Constituency instead of to Chevayur which is a rural constituency."

"Then Sir, another illustration like this is also found in the Tirunelveli district. Even there, I do not have all the information this is necessary. Perhaps the Hon. Leader of the House may tell me, 'You are a native of the place and therefore you know much better about it.' But without actual statistics and other information it would not be possible to make any remarks or suggestions, but however let me refer to a glaring instance of faulty delimitation of constituencies. Take for instance the Tenkasi Constituency. It is made up of Tenkasi, Pambuli and Kilapavoor, while another constituency, namely, Sankaranayinar-koyil is made up of Kadayannallur, Vasudevanallur, Sankaranayinar-koyil and Pazhankottai. Here Kadayannallur belongs to the Tenkasi taluk and that is being tacked on to Sankaranayinar-koyil taluk. Although the Government of Madras have not supplied us with

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maps, the Mail has been publishing the maps of the districts in its daily issues showing how the constituencies in each district have been demarcated; a paper that is being penalised for taking up the people's cause."

THE HON. SRI B. GOPALA REDDI:—"Where has it been penalised? Can the hon. Leader of the Opposition show an instance of how it has been penalised?"

* JANAB M. MUHAMMAD ISMAIL:—"I understand, Sir, that the Government are not giving any patronage to that paper by giving their advertisements, etc., but still it is working for the cause of the people and it has published several useful maps and in the map for Tirunelveli published by it, I found that a portion of the Travancore State comes in between Kadayannallur and Tenkasi. But there is very easy communication between Tenkasi and Kadayannallur and people in both these places feel that they are almost one. There is therefore no need to tack on Kadayannallur to the Sankarankoil constituency. Sir, I do not want and cannot go into these proposals in such minute details, but what I have pointed out are only examples to show the unsatisfactory manner in which constituencies have been carved out. I do not go so far as to say, as some of my friends have said, that constituencies are carved out for individuals, because I have no information with me to support such a statement. But I submit that some of these constituencies could have been arranged in a better manner than what has been done in these proposals."

"Sir, in speaking about these districts, namely Malabar, Tirunelveli and Madras it may be noted that there are pockets and firkas in these districts as in others where there is substantial Muslim population. I urge that it is not fair to split even those few localities and scatter the minority population. Sir, certain hon. gentlemen on the other side have taken this opportunity to give us some piece of advice in the matter of elections. One hon. Member even went so far as to bring Pakistan into this matter also. I do not know, Sir, on what grounds or on what basis he has brought in that comparison. We do not know what is happening in Pakistan. We are not able to know things even so far as our own election proposals are concerned. Yet people want to compare things with what are happening in Pakistan, in Burma and in Ceylon. But, Sir, our leaders have assured us and rightly so, that they will consider things on their merits and are not going to follow what is happening in other countries. So far as these proposals are concerned, we have made our criticisms solely on their merits and not all of them from the point of view of any minority or special interests. Most of what we have suggested is for the good of the people as a whole and not of the Muslims only. Muslims also are the citizens of the country and to urge something on their behalf too is nothing wrong."

"Sir, my hon. Friend Sri A. Vaidyanatha Ayyar asked us to forget that we are Muslims, and spoke in a friendly manner. I may assure him, that we have been in the past only working on those lines. We have been doing our best to come together by

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means of unity conferences, all-party meetings and things like that. But did all these things bring a satisfactory solution? Now is it wrong to say that all sections of people may be given their due? If we say so, there is suspicion and there is trouble. But still we are trying our best to work for harmony with other friends.

"Sir, it was Mr. Vaidyanatha Ayyar or some other friend who cited the example of a recent municipal election in Mathurai in which a Muslim candidate was supported by the Hindu brethren. Sir, I acknowledge the generosity of all friends who have elected a Muslim member as their representative although the Hindus were in a majority in that constituency. In this connexion I may be permitted to mention that in certain constituencies, where Muslims were in a majority—and such constituencies are very few indeed—as against Muslim candidates, Hindu candidate was put up and the latter was elected. I have also been a party to such elections. Of course such things are happening. We do recognize that such a spirit of co-operation is possible and necessary, and we Muslims are always prepared to work in that spirit. We also know that there are very many among the majority community who are inspired with the same spirit. It is not the case that in every village and in every town Hindus and Muslims are fighting with each other or pouncing at each other's throat. It is only in places where some of these politicians and the so-called leaders are trying to create differences between one community and another and exploit the ignorance of the masses for some purpose that such things happen. We know that in many towns and cities, in the same street, both Hindus and Muslims are living side by side in utmost friendly spirit. They do not quarrel with each other daily. It is only when somebody with some motive behind them starts some trouble, certain ugly things happen. If there is mutual trust and mutual goodwill, nothing untoward will happen and I am sure, that we Muslims on our part will not be found wanting in the matter of co-operation and goodwill.

"Sir, now what I have said here regarding delimitation proposals is not from the point of view of Muslims alone. Muslim interests form only a very very small part of what I have said. If you only go through my speech again, you will find that 90 per cent of it has been inspired by the idea of improving the position as regards the whole State and the country, concerning all communities."

* SRIMATHI C. AMMANNA RAJA :—"Mr. Speaker, Sir, I am very thankful to you for giving me this opportunity to take part in the debate at least at the end of it. I do not want to speak much, because other Members who did not get a chance to speak may have a grouse at me. But I just want to take only one minute in order to mention that the Madras City should not be tacked on to other districts, but kept as a separate entity, so far as the elections to the House of the People are concerned, and allotted two seats. According to Article 81 of the Constitution five lakhs

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of population is enough. That is the minimum for one seat and I think it can easily be done. I do not wish to take more time."

JANAB M. MUHAMMAD ISMAIL :—"Sir, that is exactly a point which I was about to mention, but forgot to do so. Madras must be given at least two seats for the House of the People."

SRI V. M. RAMASWAMI MUDALIYAR :—"Sir, may we have an idea of the time-table of the House, because I learn that to-morrow the Council is meeting in the afternoon and that we will sit only till 1-30 p.m. May I request the Hon. Leader of the House to give us an idea of the programme of business?"

THE HON. SRI B. GOPALA REDDI :—"Sir, with regard to the programme of business to-morrow afternoon the Council is meeting to discuss the supplementary estimates, which will be presented in that House. 8th October will be a holiday, being Sunday. On the 9th and 10th, the Legislative Council alone will be meeting for the transaction of business which has already been passed by this House. 11th is a holiday, being Mahalya Amavasai. On the 12th we meet again and go on till the 17th."

SRI T. VISWANATHAM :—"May I suggest Sir, that we might break off after six days instead of breaking off after four days?"

MR. SPEAKER :—"They are budget dates and they have already been fixed by the Governor. We cannot change those dates. The Hon. Leader of the House will now reply."

THE HON. SRI B. GOPALA REDDI :—"Mr. Speaker, Sir, we have had a fairly long discussion about these delimitation proposals. We have discussed these proposals for 2½ days spreading over to three days and as many as 40 members have taken part in this very important debate. I did not expect that it would have been so interesting as this, because I thought that every hon. Member would be speaking about his own constituency, about his own district and his own taluk and so on, much to the dismay and annoyance of other members. But most of the members in their remarks have touched upon the general points and they did not trouble the House with minute details of constituencies in which they are interested. Sir, if hon. Members want to suggest any alterations or changes or modifications to these detailed proposals in respect of any particular district, or taluk or constituency, they would do well to send up a separate communication to that effect to the Provincial Election Commissioner, so that he might examine and see whether those suggestions are better than what has been done by the Government and if they are really better, he will certainly recommend them to the Delimitation Committee and the Chief Election Commissioner for adoption. Therefore, Sir, I think it is better that I do not at this stage dilate upon these detailed proposals or attempt to reply to the various suggestions made by hon. Members, because we have come from various corners of the State and we do not know exactly the nature and

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conditions in each and every constituency or taluk, and the reasons which weighed with the officers who suggested these detailed proposals. So, in the nature of things, it will not be possible for me to do full justice in my present reply to meet the various points of detail raised by hon. Members, and as a matter of fact, I could not even follow many of the improvements suggested by them in the course of their speeches, in regard to these delimitation proposals, because I have not got the map before me and the statistics necessary to enable me to have a correct understanding and appreciation of what they have stated.

"One criticism of the hon. Member Mr. Hussain was that why did you do this; you ought to have consulted this House earlier; you have sent your proposals to the Chief Election Commissioner, and he has released them from Delhi; on the request of several hon. Members you have brought it before this House, and you have allowed us little time to discuss them; that is not fair to this House; you have not treated this House fairly and you have disregarded the people's representatives." As I heard the criticisms, I felt that we were more sinned against than sinning. We tried to conform to the rules and regulations and to the Constitution and to the various instructions given to us by the Election Commissioner. We have been found fault with. Perhaps if we had not been meticulous about so many details, or disregarded mathematics a little, or perhaps we did things a little out of the way, we would have satisfied the hon. Members a little more. But yet I plead that we tried to conform to the rules and regulations and to the various Acts passed by Parliament. Therefore, Sir, we cannot be found fault with for not consulting this House earlier. On a previous occasion, when we had a full discussion, I referred hon. Members to section 13 of the Representation of the People Act, 1950. In this connexion, it is the relevant section. It deals with the State Delimitation Proposals—State Legislative Council and Assembly. This is the actual wording of the section. The procedure laid down is as follows:—

- '13. Procedure as to orders delimiting constituencies.—(1) As soon as may be after the commencement of this Act, there shall be set up by the Speaker—
- (a) in respect of each Part A State and Part B State other than Jammu and Kashmir, an Advisory Committee consisting of not less than three, and not more than seven, Members of Parliament representing that State; and
 - (b) in respect of each Part C State other than Bilaspur, Coorg and the Andaman and Nicobar Islands, an Advisory Committee consisting of the Member or Members of Parliament representing that State.
- (2) The election Commission shall, in consultation with the Advisory Committee so set up in respect of each State, formulate proposals as to the delimitation of constituencies in that State under sections 6, 9 and 11 or such of these sections as may be applicable and submit proposals to the President for making Orders under the said sections.

Nowhere it is stated that either the State Government or the State Legislature are to elicit opinion from the people of the State. Under this section we were asked to submit proposals to the Chief Election Commissioner who, in his turn, will publish them. Then he will get the opinion on the proposals. We have strictly conformed to the Representation of the People Act, 1950, and to the various instructions received from Delhi. Therefore we cannot be found fault with

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for having complied with those instructions. This is my answer for not having consulted this House. Otherwise, there is no hiding of the proposals. When they have to be placed before the House, by whom they should be released, and when they should be discussed, is all decided by the Government of India. Therefore, we have not committed any impropriety in conforming to the rules and regulations of the Government of India, and sending them to the Chief Election Commissioner. The second point that was raised by some Members (especially Mr. Majid) was that all these proposals were made to suit some particular individuals. We have to take this with a pinch of salt. All of us including the Members of the Opposition belong to political parties. We have all been selected by our parties. The party election manifesto will be placed before the people, and if the people endorse our policies, the candidates set up by the parties would be returned to the House. We have done nothing to suit individuals. Who is the individual or Srimathi or Sriman that is referred to in a covert manner (Muslim League Members: 'Not by us.') It does not matter. We do not know whether it is the Provincial Parliamentary Committee or the Central Parliamentary Committee that is going to select. The Congress President himself has not announced the members of the Working Committee or the Parliamentary Committee. We do not know which machinery will select candidates. Therefore when the whole thing is in a fluid state, nobody could say that I am carving out a constituency to suit an individual or a lady member or a man member. It is unfair for hon. Members belonging to either our party or to the Opposition to impute that certain things were done just to suit some people. I think I should leave it at that. I do not want that Members to carry the impression that some person is going to be set up in any particular constituency. Nobody knows what will happen. There may be some people who apply to this State Legislature but who may be selected for the Central Parliament or to the Legislative Council. Or perhaps they may be shifted from constituency to constituency. We do not know what circumstances will prevail at the time of selecting candidates of the various political parties. I do not want that Government should be charged with having done something to suit some particular individuals.

"The other point that was raised by my hon. Friend Mr. Viswanatham was about population. He asked how the calculation of population was made. He said 'Visakhapatnam has a population of 115,000; you are computing as though it is only a lakh of population or even less'. According to the ration figures Malabar has got 64 lakhs. According to some other calculations we get so much of population. Visakhapatnam certainly has got much more population than what is shown in the statement. That is so with regard to Madras City also. The hon. Gentleman Mr. Raza Khan was pleading for more seats for the City. He said that we must take the real population into account and not the notional or imaginary or jugglery method of computing the population. Here again we are only conforming to the rules and regulations framed by the Parliament. Here is the Determination of the Population order issued by the Government of India some time in April 1950. According to this the State of Madras has a population of 54,290,000.

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In the order itself there is a process given by which the Chief Census Commissioner himself gives the President certain data, and some mathematical proportion is indicated about the population figures. On this, the President issues an order that such and such a State has so much population. 54,290,000 is given by the President as the population of Madras State. We know the number of voters we have. We calculated that each seat must have a population of 140,000. We are determining the population, as I stated previously, by multiplying the number of voters by 2.09. Other factors have not come into our calculations. After the supplemental enumeration, it would not be the number of voters multiplied by 2.09. It will be less than 2 instead of 2.09. After the supplemental enumeration it has come to 1.98 instead 2.09. We have now added a lakh of voters, and that has brought down this 2.09 to 1.98. According to these calculations, it may be a notional population. Whatever that is, for this purpose, we have to be guided by this population and nothing else. In the Determination of Population order, Section 6 has categorically stated that it must be only on this basis and not on the basis of 1941 census or on the imaginary census figures of 1951. The number of voters in the Visakhapatnam Municipality multiplied by 1.98 will give the census for this purpose."

* SRI T. VISWANATHAM :—" May I ask, Sir, when this calculation results in an obvious absurdity, whether there is no help for this Government, and whether this Government cannot make a representation to the Election Commissioner or the President who has issued this Population order. Cannot this Government say 'here is the order working wrong results; it is giving the population at less than the 1941 census; it is wrong; please let us enumerate the population wherever there are such absurdities'. I want to know from the Government whether such a representation cannot be made and the situation altered."

THE HON. SRI B. GOPALA REDDI :—" I am afraid the Government cannot do that. When once the President has fixed the population of the State under section 6, I think there is nothing else for the Government to do. The only remedy is under Article 170 (4) of the Constitution. He must wait till the next census. Article 170 (4) says—

"Upon the completion of each census, the representation of the several territorial constituencies in the Legislative Assembly of each State shall be readjusted by such authority, in such manner and with effect from such date as Parliament may, by law, determine."

That is the only remedy open to the hon. Members."

SRI T. VISWANATHAM :—" I know that is the only remedy if the Government do not take any further action. But I want this Government to show to the President the obvious absurdity of reducing the population of Visakhapatnam by 4,000 below the census figures of 1941 when the actual population now is 140,000 or more. We regard this inferential population of 67,000 for the Visakhapatnam Municipality as something astonishing. I want the Hon. the Minister to take up this matter with the Government of India."

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THE HON. SRI B. GOPALA REDDI :—" I am afraid that the hon. Member and his fellow Municipal councillors and the Municipal staff did not take proper steps to enumerate the voters in Visakhapatnam Municipality. If they had cared to enumerate all the adults in the Visakhapatnam Municipality, perhaps the voting strength would have gone up and we would have multiplied it by 1.98. The population then would be approximate to what the hon. Member now imagines or at least what he thinks. After all we will have to adopt some rough and ready methods."

"The hon. Member Sri Muniswami Pillay questioned even the validity of the 1941 census. After all when it comes to a question of people viewing these figures from their own angle they say that the original or the supplementary enumeration is not correct and the population is more. But we cannot be guided by all they say. We have to go by certain data supplied to us by the Chief Census Commissioner and the President. There is no escape from these figures, and we will have to abide by the supremacy of the figures."

"Even with regard to the national population, we have not done anything out of the way. It is all laid down by law. We have received instructions from the Government of India. We have taken the population into account. Two points had been raised. The Leader of the Opposition stated that there were large variations. He said that between 125,000 and 165,000 there was a large variation of 40,000. He also said that there were constituencies with only 125,000 while others had 165,000. He asked 'is it not giving an advantage to the smaller constituency to the detriment of the bigger constituency'. Of course, the general trend of criticism in the House was that unnecessary splitting up of taluks and firkas had been done, and that the integrity of the taluk or the firka ought to be kept up. Hon. Members stated that they had their own affiliations and attachments in the firkas and taluks, and therefore they should not be broken by some rule of the thumb. These two points are diametrically opposed to each other. The Leader of the Opposition definitely wanted that the variation should not be more than a thousand either this or that way. It should be nothing more and nothing less. But other hon. Members wanted that the integrity of the firka and taluk should be kept up. They wanted that for the House of the People the integrity of the taluk, the firka and the district should be maintained and that they should not be parcelled out into various constituencies. One hon. Member called it as amputation and some others as operation, etc. Whatever that is, it will be impossible to work on that basis. Take for instance Malabar. It has come into very great prominence in this debate. There are 9 taluks and 28 seats have to be provided. Sometimes even in spite of our wish, we have to split up revenue firkas. The Constitution requires that the population in respect of Assembly constituencies should not go beyond 165,000 and below 125,000. Ponnani has got a population of about 6 lakhs. Adhering to the limits of population prescribed in the Constitution, we have necessarily to split up revenue firkas in order to provide the requisite seats. Therefore, there is no use saying that the revenue firka has been split up. It is not an easy thing not to split up the firkas and at the same time adhere to the limits specified."

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"Then again, the question of single-member constituencies and plural-member constituencies was disposed of when we had the debate in the month of August. I was not surprised as it was not an unexpected thing; it came back again and raised its head and quite a large number of speakers spoke as to whether single-member constituencies were preferable or multi-member constituencies and whether distributive voting was better or cumulative voting. I think we have disposed of the matter and definitely under the instructions of the Chief Election Commissioner, we have made these proposals on the basis of single-member constituencies and on the basis of plural-member constituencies wherever there is a reserved seat. Hon. Members last time and this time also, and perhaps Janab Muhammad Raza Khan particularly, quoted Hon. Pandit Govind Vallabh Pant and asked, 'Why should not what is good for the U.P. people be good for Madras also? A wise statesman like Pandit Govind Vallabh Pant has advocated the system of plural-member constituencies in his State. Why should not other States also follow his noble example, thus enabling the minorities, religious minorities, political minorities or communal minorities, to come into the Legislatures?' Sir, here again I must reveal a secret perhaps that as far as I am aware and as far as the Chief Election Commissioner's information goes, no other State has advocated any other system. Definite instructions were issued to every one of the States, but Hon. Pandit Govind Vallabh Pant and his Colleagues and also the Members of the U.P. Legislature thought that they could provide multi-member constituencies in certain places and single-member constituencies in certain other places, not with cumulative voting but with distributive voting. But when he was asked by responsible people, 'By your multi-member constituencies, with distributive voting, can you guarantee the safe return of a decent number of Muslims to the U.P. Legislature?', Pandit Govind Vallabh Pant had to plead that he would not stand guarantee to getting a decent number of Muslim also into the Legislature under that scheme. Perhaps I do not know what is going to happen to the scheme submitted by him to the Central Government or to the Chief Election Commissioner. I do not know whether they are going to adopt it or whether they are going to have a uniform policy in all the States; it is yet too soon to say. Even the Chief Election Commissioner is not certain whether the Government of India are going to approve the U.P. Government's proposals or whether they are going to remit them back to the Delimitation Committee to carve out single-member constituencies. As far as we could see, all the 'A' and 'B' States—Travancore, Mysore, Hyderabad, Rajasthan, Saurashtra—have submitted proposals only on the basis of single-member constituencies. I can quite appreciate the difficulties of the Muslims in the present tension and also in the present mutual suspicion. It is not as though I am overlooking their difficulties. I say it is rather difficult for any political party to set up a Muslim candidate in a Hindu Constituency and then get his return to the Assembly. Even for a big organization like the Congress, in spite of its hold on the masses, it may be difficult in certain places and it may not be difficult in certain other places. I do not want to say anything about the future. Whatever it is, it is rather an uphill

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task. Yet, what is the remedy? What will be the result in a multiple constituency with cumulative voting and in a single-member constituency? That is the question which we addressed ourselves to in the last debate in August. In multiple constituencies with cumulative voting, I am quite certain that you will again go to the electorate on the same old basis that 'I am a Muslim, you plump all your votes to me; I am a Hindu, you give all your votes to me; I am a Schedule Caste man, therefore kindly plump all your votes to me.' That will be the basis on which you approach the electorate. But our leaders have declared this a secular State and everybody wants that we must open a new chapter since we have had this system for quite a sufficiently long time, for 30 years from 1920 to 1950, and we have reaped a rich harvest of disasters and deaths. So, shall we not open a new chapter and go to the electorate on a different basis? The candidate may be a Muslim, Hindu, Brahman or Non-Brahman, but the approach to the electorate is not on that basis. The approach is on the basis of the principles and programmes which each political party enunciates in its election manifesto. Or, shall we still cling to the old way of approaching the electorate in that narrow manner? I do not say it is anything very bad. It may be it is still existing in the society; it may be that everyone of us is thinking that there is the communal or sub-sectional angle. I am not justifying it or attacking it on this occasion. But should we not in our own humble way attempt to develop a new psychology in the masses, by ourselves trying to inculcate that new psychology and trying to approach the electorate in that new manner? Or should we continue in the same old manner and then approach the people on sectional and sub-sectional basis? Therefore, I thought, and perhaps the leaders thought, that single-member constituencies would release forces which will submerge all these narrow issues, but would release political and economic issues and people would be able to concentrate on these issues. It may be that a Hindu and a Muslim are contesting in a constituency and standing on different political party tickets. Then people will be educated to think over 'What this party stands for? What are its principles? Is this candidate representing that political party going to do good for the masses or is he going to betray the people?' That is the way in which people will try to look at things rather than in the Hindu-Muslim manner which certainly in a multi-member constituency with cumulative voting is bound to arise. Therefore, I think it has certain advantages and certain disadvantages. But our leaders want to open up a new chapter, as I said, and try this bold experiment. We were trying new bold experiments even during the British Raj. The Congress people did not know whether their Civil Disobedience Movement was going to succeed or not, whether their non-violence was going to succeed or not and whether their charka principle was going to succeed or not. Yet, they took courage into their hands and tried these bold experiments. Even during the 1942 August Movement, Panditji in Bombay All-India Congress Committee meeting said that it was a leap in the dark. Yet they plunged into the struggle and emerged out of that confusion. Therefore, leaders want to try this bold experiment even as adult franchise is a very bold experiment. There were people in the Congress itself including

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the President Dr. Rajendra Prasad, and Sri Harikrishna Mehtab, who did not quite agree with the principle of adult franchise, but yet there were others who thought that adult franchise must be experimented. They thought that it was the only thing required for the masses and for educating them. They saw there was a large amount of illiteracy in the country and wanted to go through adult franchise. Therefore, it is that it has found a place in the Constitution itself. Nobody has a right to go back as long as it is in the Constitution itself. Therefore, single-member constituencies system also in the present and atmosphere is really a very bold experiment. It may be that the minorities still cling to their communal shibboleths and the Muslims, Christians, Parsis, etc., are sandwiched between the various political party candidates. That again, as somebody said, will certainly be an eye-opener not only to the minorities but also to the majority. The majority also will review the situation thus: 'Having said that it is a secular State and having said that everybody has a right to come to the top, what is it that has happened in the elections of 1951? There were many Muslim candidates offering themselves even on the Congress ticket and several others on the Socialist ticket or on some other political party ticket. But the ultimate result is that simply because they were Muslims, they were all beaten and the Hindu communalism has triumphed for the time.' Thus the Hindu majority community will have an occasion to review the position. They will think deeply about it and try to find out a device for getting these minorities also into the Legislatures. They will think that there are Muslims and others in this country and it is but right that the Legislature should reflect the views of all people in the country and not merely those of one section only. So, that will be the time for it if it happens.

"I appealed to all political parties to see that there are also minority community candidates set up and that they are returned to the House. That is an appeal, not a guarantee as somebody mistook it. But if it so happens that such candidates are set up but are defeated, then the majority community will review the whole position. That will be the time for retrospection. Then they will think of methods of getting the minorities also into the Legislatures. That way you must educate the majority community. Just as the majority community is always trying to educate the minority community that they must feel as one community, so also the minority community should by their own conduct endear themselves to the majority community and make them devise a method for this purpose. Therefore, I plead for a little patience in this matter. It may be that certain bad things happen in the first election, but they cannot continue for all time to come. Meanwhile, I expect a new psychology to develop in the minds of the minority people and also the embittered feelings of the majority community will be pacified to some extent and we will have a better atmosphere after 1951 elections. But I am quite certain that even though there may not be many Muslims in this House—in this House means the House that is to be constituted—Muslim interests are not going to be sacrificed. I am very careful about that. Janab Muhammad Raza Khan

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was very angry when I said, 'What does it matter whether there are 59 or 29 or 9 people? After all the same speeches are going to be made and the net result perhaps is zero plus zero.' Sir, it does not matter whether there are Muslims or Christians in this House or not. The only matter that arises is whether Christian or Muslim interests are going to be sacrificed, whether there will be any discrimination against the Muslims or the Christians and whether they are going to be thrown to the winds as it were. As long as Muslim interests are safeguarded by the majority community and as long as Christian interests are safeguarded, I think there is nothing to fear. That is one of the advantages of the joint electorate.

"Then, I do not represent the Muslims in my constituency, though there are some pockets where there are big majorities of Muslims. When I go to my constituency, I do not feel that I am representing them. Hereafter I must go and endear myself to that Muslim pocket also by my own conduct and advocacy and become a fitting representative of that community also. Hereafter I won't be representing the Hindu community alone. I must be representing the Christians and Muslims also in my constituency.

"It is quite possible that in the next elections, there may not be as many Muslims as one might wish them to be here. Yet, I am quite certain that whichever political party is returned to power—and I have no doubt that the Congress will come in at the next general elections—the interests of the religious communities will not be sacrificed. That is the only guarantee that our Constitution and our leadership can give at the present moment.

"I think I should give a few details about the enumeration that we had last year. Originally, all the voters who were eligible on 1st January 1949 were enumerated and included in the electoral rolls. According to the Representation of People Act, the date was advanced to 1st March 1950. So, all the people who were qualified within those 14 months were also enabled to come into the electoral rolls. Thus, those who were only 19 years and 8 months on 1st January 1949 could have completed 21 years on 1st March 1950 and so they will have a right to be included in the rolls. That is why we had a supplementary enumeration in this State, in which about 14 lakhs of people were enumerated. Under the original enumeration, about 25,900,000 people were enumerated. If we add the figures relating to the original as well as supplementary enumerations, the total will be about 27,345,000. This will be the voting strength for the next general elections in this State. Perhaps we may have to deduct some of those people who were no longer with us and might have joined majority. (Laughter.) Roughly speaking, it will be about 27,300,000. These people are the real masters of the country and they have to be educated as they will have to elect the representatives in future. This may, however, warrant a little change in the number of representatives given to each district. In the first instance, we have calculated according to the original enumeration and multiplied it by 2.09 and fixed the population of each district or taluk,

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as the case may be, and then divided it by the number of seats, etc., and got some strength. But, hereafter, we will have to do the calculation against taking into consideration the supplementary enumeration figures also. When we do so, certain districts or communities might lose a seat and some other districts or communities might gain a seat. These proposals are being considered by the Chief Election Commissioner as well as our own Election Commissioner and when they are finalized, a ratio will be fixed. When once it is fixed, I am afraid it cannot be reassigned and the number of seats for each district altered. It is quite possible that in many districts, there may not be any variation at all; however, here and there, there may be a few variations necessitating the regrouping of constituencies in some districts. Therefore, our people in some districts must be prepared to forego one seat and in some other districts, people must be prepared to take in one additional seat also.

"Sir, the splitting up of firkas and taluks was another matter which came to be greatly commented upon on the floor of this House. As I said already, we were purely guided by arithmetical considerations in this matter and we wanted to be between 125,000 and 165,000. This has necessitated the splitting up of firkas. Before I come to this specific question, I would like to deal with the suggestions made by some hon. Members on one important point. I refer to the advocacy of some hon. Members on behalf of the urban interests or what may be called the enlightened places and areas. This question was vehemently argued by some of them. Reference was also made with regard to the alleged inadequacy of the number of seats allotted to the Madras City, Visakhapatnam, Mathurai, Coimbatore, etc. Their contention seems to be that since all the big and influential people who have made a mark in their own profession have left the small towns and have clustered in the cities, they must be treated with greater respect and courtesy than the rural population. That is the view of the urban side. There is the other side of the picture, viz., 'Well, here is a backward district, here is a famine-stricken area and here is a malaria-stricken place. You must not be satisfied with the usual number of seats allotted to these places. They must be given little more weightage than the rest of the places.' Both these arguments were freely used in this House during the discussions. It was also urged that because a particular community was backward, it should be given special weightage. On the same analogy, our Rayalaseema friends say, 'There is a provision according to which we can go down up to 75,000. This should be invoked in favour of the Rayalaseema area, because of the backwardness of our area and the ratio of seats should be fixed taking this into consideration. If you do that, we may get a little more seats than at present. The additional seats may be taken from other districts.' If we do this, it would satisfy our Rayalaseema friends. In this connexion, the Sri Bagh Pact, which is not an official document, has been freely quoted in this House. I must, however, point out that we were guided by the Constitution in this matter. Article 170 (3) of the Constitution definitely lays down that we cannot vary the population figures from constituency to

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constituency. Of course, some elbow room is given. But ordinarily-speaking, in one area, you cannot have it as 75,000, in another as 125,000 and in yet another as 165,000 and so on. If we do that, it will be illegal and improper. We cannot have one population for the backward areas and a different population for the advanced areas. Surely, we cannot base these figures on the fact that a particular area is backward, or it is Tanjore district, or it is some other district, or it is a famine-stricken area or it is a malaria-stricken area. We have to go by our own arithmetic and that is why we have fixed 145,000 population. I think you must have noticed in the proposals made by us, that we have not given any weightage for any area or community. Even if it is the tribal area or the agency area on the borders of the Central Provinces in the Upper Regions of Godavari, we have not given any weightage. Even in the case of the Nilgiris, where Nature's beauty has been rather lavish, we have not given any more seats than the ones to which it is entitled according to population. Similarly, Wynad has not been given any weightage. Like this, no particular area in the State has been given any weightage. In the same manner, the Scheduled Castes and Scheduled tribes have not been given any weightage. They are given seats purely on the basis of their population and nothing more is given to them, because of the backwardness of their communities. In these circumstances, I think that it is not proper that we should be criticised for not giving weightage for any particular area or community, because of their backwardness. The position is made very clear in Article 170 (3) of the Constitution which says, 'The ratio between the number of members to be allotted to each territorial constituency in a State and the population of that constituency as ascertained at the last preceding census of which the relevant figures have been published shall, so far as practicable, be the same throughout the State.' Because of the phrase, 'so far as practicable', we took advantage and varied it from 125,000 to 165,000. The main principle adopted in determining the number of seats to be allotted for each region is by dividing the population by the number of seats, and according to this principle, we have arrived at 145,000. This Article is therefore clear and unambiguous in this matter. I remember there was a discussion in the Constituent Assembly also about this matter. Some members came forward and pleaded for some sort of preferential treatment towards the backward areas. There also, the Sri Bagh Pact was freely mentioned. There was considerable discussion on this point, but finally the Constituent Assembly negatived such suggestions. Therefore, we cannot do that here now. The Hon. Deputy Speaker was mentioning that as there was some provision that 5 lakhs can be taken, it could be invoked and Madras City might be allotted more seats for the House of the People. I must point out that it would be illegal to do that. If Kerala is formed into a separate State to-morrow, it can have its constituencies on the basis of the population which will be equivalent to the seats for every 75,000. It only means that you cannot go down to 75,000 in certain areas and go up to 145,000 or 165,000 in other areas. Similarly for the House of the People, you cannot

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have for one area 5 or 6 lakhs and for another 7 or 8 lakhs. There must be some sort of uniformity in the whole State. If Travancore or Mysore wants to have more seats in their respective legislature, they can go down to the lower limit which would be their voting strength. Anyhow, they cannot cross the limits prescribed under the Constitution. The State cannot vary population figures from district to district and from constituency to constituency. You cannot have the figures at 5 lakhs for the Madras City and 8 lakhs for Godavari. The Article to which I have just now referred is mandatory and the principle laid down there should be observed by all the States. Our Election Commissioner tells me that no State can deviate from that principle, and every State must conform to that principle necessarily.

"There is another interesting point mentioned by some hon. Members and that is with regard to the reservation of certain constituencies. At present, we have reservation of seats for Harijans. Mr. Koti Reddi and Mr. Govinda Menon have said that there should be reservation of constituencies as well in the case of Harijans, as otherwise it would be disadvantageous to them, especially when they have to traverse through the general constituencies having a large number of voters. It was also mentioned that these Harijans should be taught to stand on their own legs instead of clubbing them together with other and thus making them dependent on the Caste Hindus. Therefore they want that some constituencies should be reserved for Scheduled Castes and for Scheduled tribes. I admit that there is nothing against this even in the Representation of People Act. But what happens is this. At present, for a general seat, anybody can stand for election. A Harijan or a tribal candidate can stand for election along with a Caste Hindu or others. When any one of these is elected, he represents the other people also. Mr. Govinda Menon asked, 'If we can represent the Harijan, why should not the Harijans represent others?' Sir, I must point out to him and others who have spoken in the same strain that as it is, in the case of a general Constituency, there is no taboo against anybody coming in. If, however, a particular constituency is reserved for the Scheduled Castes and Scheduled tribes, only persons from those communities can stand for election in those constituencies. As a matter of fact, in such areas, 60 to 80 per cent of the population may be Caste Hindus, Muslims and Christians. These people will not have the right to stand for elections from those constituencies. This would virtually be tantamount to disenfranchisement of those people. So there are these obvious difficulties in the matter. We have gone on a certain principle by which even the agency areas and other tribal areas have not been given reservation of constituencies; because, there are thousands of other people, viz., Caste Hindus, Muslims and Christians and others, who may be barred from offering themselves as candidates from these constituencies so reserved for the Scheduled Castes. I may, however, point out that at present one seat is assured and is reserved for the Scheduled Castes and tribal people. It is also open to anybody, including the Scheduled Castes people to stand for general seats. Under

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6th October 1950] the present arrangement there will be no disenfranchisement of any large electorate. Although arguments have been advanced that if the constituencies were small, they would be advantageous to the Harijans and such an arrangement would also be better from the point of view of manageability, there are various obvious difficulties to which I have made a reference just now. If you seek to reserve constituencies for particular communities, you will be depriving people belonging to other communities in that constituency from standing for elections, that is, you will be depriving about 70 to 80 per cent of the population in that particular constituency from offering themselves as candidates and sending representatives of the people to the legislature. Surely, such a thing cannot be done. So what we have done is the correct thing, viz., that the Scheduled Castes and tribal people are assured of one seat in the plural-member constituency and as regards the other seat, it is sought to be made available to the most popular man in that constituency. This is only the right and proper course that could be adopted under the circumstances.

"Now, coming to the subject of splitting up of firkas and taluks, I want to say that we were simply guided by the arithmetical calculations while deciding on definite limits. Anyhow, I would like to plead with the hon. Members that there should not be too much attachment to the tehsils and firkas. Just as we have been urging our Muslim and Christian friends to be less communal-minded—I am not using this in any bad sense and I may even say just as we have been urging our Hindu friends also to be less sectional-minded, I want to ask the people to be less tehsil-minded and less firka-minded and less district-minded, in the matter of representation in the State Assemblies and the House of the People. What is the sanctity and sacredness about the districts and tehsils, I cannot understand. They are formed by mere administrative accident. If to-morrow my Friend Mr. Sitarama Reddi and the Board of Revenue think of altering the boundaries of districts, taluks and firkas from the point of view of administrative convenience, they are perfectly at liberty to do so. So let there not be too much of local patriotism.

"My taluk has been cut off to enable three single-member constituencies to be formed. Therefore, I feel the less we talk of districts, the less we talk of taluks, the less we talk of firkas, the better it would be for our State and ultimately for the Union. (Hear, hear.) While of course we will see that in the light of the criticisms offered here, splitting up of firkas and taluks is avoided, we have also to conform to the principle of population as required by the Constitution. We shall try to minimize the splitting up of firkas within the limits imposed. I want the people to concentrate their energy for the good of the country as a whole rather than on a tahsildar or revenue inspector's jurisdiction. I do not understand the sanctity attaching to the extent of a tehsil or a firka. All that I want is that the people's interests must be safeguarded by the candidate whom they select. They must look after the interests of the constituency. It may be breadthwise or it may be lengthwise; it may have proper contours or it may not have. But these

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should not matter nor any other consideration than that of population. We must have to open a new chapter in such matters. We have embarked upon a bold experiment and I am not asking too much of the people. I may be accused of only preaching and not practising. But let me tell those who accuse me as such that it is time we set a new ideal before us and let us become less territorial-minded, less religious-minded, less communal-minded and less sectional-minded. Let us concentrate and work for the welfare of the people, welfare of the State and the welfare of the Union.

"Sir, I have already taken forty-five minutes. There were certain suggestions made by hon. Members. We shall certainly accept them if they are found to be useful. If I have not answered any of the points raised by hon. Members, let me assure those Members that they will be sympathetically examined if they will only incorporate them in a written memorandum and send it in. Fortunately, we have got a little more time. I thought that the whole thing was going to be finalized by the Delimitation Committee by the 8th or 10th and their recommendations handed over to the Chief Election Commissioner. But certain changes have taken place and the Delimitation Committee is meeting again on the 24th of this month. They may then meet the Ministers also and will finalize their deliberations by the 30th. So there is a little more time available for us. If anyone wants to send in any representation, he may do so within that time and we have no objection to accepting the proposals if they are found to be better than what we have already suggested and forwarding them to the Election Commissioner. Let not hon. Members think that what we have done has been done with a view to accommodating individual interests or political interests or to facilitate gerrymandering. Let them dismiss such fears from their minds. We certainly keep an open mind in the matter and we certainly want to carry, in whatever we do, the Delimitation Committee as well as the Chief Election Commissioner with us. We will go ahead having always the welfare of the people at heart and will do all that we can to see that their interests are fully and amply safeguarded."

JANAB MOHAMED ABDUL SALAM :—"On a point of information, Sir the information given to the House was that the State Government had already submitted their proposals to the Chief Election Commissioner. I want to know whether, in the light of the criticisms offered in the House, the Government will revise their proposals and communicate such revision to the Chief Election Commissioner. Another question I would like to ask is whether we are going to have elections at all in 1951." (Laughter.)

THE HON. SRI B. GOPALA REDDI :—"We do want to have elections early and Panditji, our Prime Minister, has repeatedly told us that he is anxious to have very early elections. With regard to the various suggestions put forth, I would like hon. Members to send in written representations embodying those suggestions instead of depending upon what is recorded here in shorthand to facilitate early action. We shall certainly examine each suggestion and whatever that is possible will be done to accommodate their views."

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JANAB MUHAMMAD RAZA KHAN :—"Hon. Mr. Salam is only anxious for a postponement of the elections." (Laughter.)

JANAB H. S. HUSSAIN :—"On a point of information, Sir, I want to know what would happen to the reserved seats at the end of ten years. Will they be replaced by general seats?"

THE HON. SRI B. GOPALA REDDI :—"That is what is contemplated."

* SRI T. VISWANATHAM :—"On a point of personal explanation, Sir, during the course of his speech, the Hon. the Leader of the House, not being in a position to concede a seat for the Visakhapatnam Municipality, said that the Municipality did not take proper interest in the work connected with enumeration, etc. May I remind him that the help of the Municipality was never sought for and the work was entrusted to their own officers? This is what they did. They helped to reduce the population of Visakhapatnam even below the 1941 Census and brought their representation to this pitiable level."

THE HON. SRI B. GOPALA REDDI :—"We certainly enlisted the co-operation of the Commissioner of the Municipality in the work connected with enumeration. We gave instructions from time to time to all our officers as well as the Commissioners of Municipalities. They took a lot of care and gave these figures. We cannot certainly get down to the level of Travancore with whom the hon. Member seems to compete."

SRI T. VISWANATHAM :—"The Commissioners are not municipal councils. They are Government servants and are not under the control of the municipal councils."

THE HON. SRI B. GOPALA REDDI :—"All the same, they are the executive officers of the municipal councils."

JANAB M. S. ABDUL MAJID :—"To-day, we saw in the newspapers a news item stating that the State Government have been asked to submit their views on the conduct of elections. May I know, Sir, whether this House will be taken into confidence before the Government's views are submitted to the Union Government?"

THE HON. SRI B. GOPALA REDDI :—"A draft Bill has been sent to us and we are examining it. I do not know whether there will be sufficient time to place it before the House. We have to submit our views very early as the Centre are anxious to have the Bill passed in the November session of the Parliament. I wish I could place the matter before the House for discussion but I am afraid there may not be time for doing so."

MR. SPEAKER :—"I shall now take up the amendments one by one. Does the hon. Member, Mr. Bokkai Gowder press his amendment?"

SRI K. BOKKAI GOWDER :—"Sir, when I was pleading for the integrity of the Nilgiris, the Hon. the Minister said . . ."

[Sri B. Gopala Reddi] [6th October 1950]

have for one area 5 or 6 lakhs and for another 7 or 8 lakhs. There must be some sort of uniformity in the whole State. If Travancore or Mysore wants to have more seats in their respective legislature, they can go down to the lower limit which would be their voting strength. Anyhow, they cannot cross the limits prescribed under the Constitution. The State cannot vary population figures from district to district and from constituency to constituency. You cannot have the figures at 5 lakhs for the Madras City and 8 lakhs for Godavari. The Article to which I have just now referred is mandatory and the principle laid down there should be observed by all the States. Our Election Commissioner tells me that no State can deviate from that principle, and every State must conform to that principle necessarily.

"There is another interesting point mentioned by some hon. Members and that is with regard to the reservation of certain constituencies. At present, we have reservation of seats for Harijans. Mr. Koti Reddi and Mr. Govinda Menon have said that there should be reservation of constituencies as well in the case of Harijans, as otherwise it would be disadvantageous to them, especially when they have to traverse through the general constituencies having a large number of voters. It was also mentioned that these Harijans should be taught to stand on their own legs instead of clubbing them together with other and thus making them dependent on the Caste Hindus. Therefore they want that some constituencies should be reserved for Scheduled Castes and for Scheduled tribes. I admit that there is nothing against this even in the Representation of People Act. But what happens is this. At present, for a general seat, anybody can stand for election. A Harijan or a tribal candidate can stand for election along with a Caste Hindu or others. When any one of these is elected, he represents the other people also. Mr. Govinda Menon asked, 'If we can represent the Harijan, why should not the Harijans represent others?' Sir, I must point out to him and others who have spoken in the same strain that as it is, in the case of a general Constituency, there is no taboo against anybody coming in. If, however, a particular constituency is reserved for the Scheduled Castes and Scheduled tribes, only persons from those communities can stand for election in those constituencies. As a matter of fact, in such areas, 60 to 80 per cent of the population may be Caste Hindus, Muslims and Christians. These people will not have the right to stand for elections from those constituencies. This would virtually be tantamount to disenfranchisement of those people. So there are these obvious difficulties in the matter. We have gone on a certain principle by which even the agency areas and other tribal areas have not been given reservation of constituencies; because, there are thousands of other people, viz., Caste Hindus, Muslims and Christians and others, who may be barred from offering themselves as candidates from these constituencies so reserved for the Scheduled Castes. I may, however, point out that at present one seat is assured and is reserved for the Scheduled Castes and tribal people. It is also open to anybody, including the Scheduled Castes people to stand for general seats. Under

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the present arrangement there will be no disenfranchisement of any large electorate. Although arguments have been advanced that if the constituencies were small, they would be advantageous to the Harijans and such an arrangement would also be better from the point of view of manageability, there are various obvious difficulties to which I have made a reference just now. If you seek to reserve constituencies for particular communities, you will be depriving people belonging to other communities in that constituency from standing for elections, that is, you will be depriving about 70 to 80 per cent of the population in that particular constituency from offering themselves as candidates and sending representatives of the people to the legislature. Surely, such a thing cannot be done. So what we have done is the correct thing, viz., that the Scheduled Castes and tribal people are assured of one seat in the plural-member constituency and as regards the other seat, it is sought to be made available to the most popular man in that constituency. This is only the right and proper course that could be adopted under the circumstances.

"Now, coming to the subject of splitting up of firkas and taluks, I want to say that we were simply guided by the arithmetical calculations while deciding on definite limits. Anyhow, I would like to plead with the hon. Members that there should not be too much attachment to the tehsils and firkas. Just as we have been urging our Muslim and Christian friends to be less communal-minded—I am not using this in any bad sense and I may even say just as we have been urging our Hindu friends also to be less sectional-minded, I want to ask the people to be less tehsil-minded and less firka-minded and less district-minded, in the matter of representation in the State Assemblies and the House of the People. What is the sanctity and sacredness about the districts and tehsils, I cannot understand. They are formed by mere administrative accident. If to-morrow my Friend Mr. Sitarama Reddi and the Board of Revenue think of altering the boundaries of districts, taluks and firkas from the point of view of administrative convenience, they are perfectly at liberty to do so. So let there not be too much of local patriotism.

"My taluk has been cut off to enable three single-member constituencies to be formed. Therefore, I feel the less we talk of districts, the less we talk of taluks, the less we talk of firkas, the better it would be for our State and ultimately for the Union. (Hear, hear.) While of course we will see that in the light of the criticisms offered here, splitting up of firkas and taluks is avoided, we have also to conform to the principle of population as required by the Constitution. We shall try to minimize the splitting up of firkas within the limits imposed. I want the people to concentrate their energy for the good of the country as a whole rather than on a tahsildar or revenue inspector's jurisdiction. I do not understand the sanctity attaching to the extent of a tehsil or a firka. All that I want is that the people's interests must be safeguarded by the candidate whom they select. They must look after the interests of the constituency. It may be breadthwise or it may be lengthwise; it may have proper contours or it may not have. But these

5-15
p.m.

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APPENDIX I.

THE HON. SRI N. SANJEEVA REDDI:—"Proper evidence is necessary if a man is to be convicted. When evidence is not enough, it is right that the Magistrate asks for more evidence."

JANAB MUHAMMAD RAZA KHAN:—"How is it, Sir, that in spite of the fact that the Prohibition Minister hails from Rayalaseema and tours the district every now and then and instructs the officials frequently, the Prohibition is not working satisfactorily there?"

THE HON. SRI N. SANJEEVA REDDI:—"The hon. Gentleman also represents Rayalaseema and he knows equally well that this needs special attention."

SRI V. I. MUNISWAMI PILLAY:—"May I know, Sir, whether the increased punishment will apply to cases of illicit distillation and also of the misuse of tonics and tinctures?"

THE HON. SRI N. SANJEEVA REDDI:—"It is called tinctures and tonics in the cities, while it is called illicit distillation in rural areas."

JANAB M. S. ABDUL MAJID:—"Is it not a fact, Sir, that psychologically speaking, the greater the punishment, the greater the resistance?"

MR. SPEAKER:—"Does the hon. Member want the opinion of the Hon. Minister?" (Interruption: "Psychological opinion.")

THE HON. SRI N. SANJEEVA REDDI:—"I am not a psychoanalyst but still I will accept the hon. Gentleman's opinion."

SRI L. N. GOPALASWAMI:—"May I know, Sir, whether under the amendments proposed, imprisonment is to be given to any offence for breach of these laws?"

THE HON. SRI N. SANJEEVA REDDI:—"I am not able to discuss the amendments now. They are under consideration and we will see when they come up."

SRI N. M. R. SUBBARAMAN:—"May I know, Sir, whether it is not proper evidence when the Prosecuting Inspector himself catches the case and gives evidence?"

THE HON. SRI N. SANJEEVA REDDI:—"It is a matter of opinion. The Court has to decide it. How can I say what evidence is enough or not. The Magistrate has to decide whether the evidence is sufficient or not."

SRI P. VENKATASUBBIAH:—"Are the Government aware, Sir, that some companies are manufacturing and selling tonics which contain 30 to 40 per cent of alcohol and, if so, whether the Government propose to take any effective action under the new amendments that are under consideration?"

THE HON. SRI N. SANJEEVA REDDI:—"No amendment is necessary, Sir, for that. Where a company is misusing its privileges, we can straightway cancel the licence granted to it."

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JANAB MOHAMED ABDUL SALAM:—"Sir, the question was specifically put to the Hon. Minister on the floor of the House whether he was going to amend the Act in view of the Bombay High Court's decision. The Hon. Minister told us that he was awaiting the judgment of the Supreme Court in view of the Bombay Government's decision to appeal to the Supreme Court. Now it transpires that the Bombay Government are not going on appeal to the Supreme Court. In view of that, is the Hon. Minister going to amend the Act or is he going to preserve the *status quo*?"

THE HON. SRI N. SANJEEVA REDDI:—"Some anti-Prohibitionists have themselves filed a suit in the Madras High Court. We shall wait for the decision of the High Court and take action after that."

JANAB N. MUHAMMAD ANWAR:—"Sir, will the Government see that where a Prohibition offender beats his wife, he is hanged by the next tree?"

THE HON. SRI N. SANJEEVA REDDI:—"The hon. Member can bring in an amendment to that effect when the amending Bill is before this House."

'Ghost ration cards.'

* 263 Q.—SRI D. V. RAMASWAMI (on behalf of Sri V. Raghavayya): Will the Hon. the Minister for Food be pleased to state—

(a) the number of 'Ghost ration cards' in vogue in the City of Madras in the months of July and August 1950; and

(b) what steps were taken to liquidate them?

THE HON. SRI J. L. P. ROCHE VICTORIA:—" (a) The number of ghost ration cards that were in existence in July and August, 1950 is anybody's guess. But the number of 'bogus' cards detected as a result of the drive against such cards in the Madras City is 251 in July 1950, and 861 in August 1950.

" (b) Several measures are being adopted for the elimination of bogus cards. But the Government do not consider it desirable to divulge the information in the interest of the successful administration of rationing. It can, however, be stated that by keeping a weather eye out at the time of re-enumeration of the ration cardholders in March last, over 9,000 cards were eliminated in Madras City."

SRI D. V. RAMASWAMI:—"May I ask, Sir, why prior to July and August these bogus ration cards were not discovered and the offenders brought to book?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"This question refers only to July and August. I have no information about the previous detection."

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The Conference finally called upon the leaders of the Nation to give an impetus to an intensive campaign designed to check the practice of the manufacture and sale of spurious and sub-standard drugs and put down blackmarketing in drugs. It further recommended that India should strive to attain self-sufficiency in the manufacture of all essential medicines and medical equipment and suggested that steps should be taken to ensure purity and proper quality of the basic drugs used by the practitioners of the indigenous systems and of homoeopathy.

The resolutions are to be examined further by the Central and State Governments.

APPENDIX IV.

[Vide answer to starred question No. 217 asked by Sri D. V. Ramaswami on behalf of Sri G. Latchanna) at the meeting of the Legislative Assembly held on 6th October 1950, pages 145-146 supra.]

Statement showing the aided Industrial Schools in the Madras State and the amount of grant sanctioned by Government to each of them during 1949-50.

Name of the school.	Amount of grant sanctioned by Government during 1949-50.
	RS.
1 St. Joseph's Industrial School, Gumadala, Vijayavada.	2,200
2 U.L.C.M. Rural Reconstruction Industrial School, Guntur.	750
3 Sri Krishnashram Industrial School, Guntur ..	1,190
4 St. Michael's Industrial School, Guntur ..	1,000
5 St. Joseph's Orphanage and Industrial School, Guntur.	1,500
6 Sree Sarada Niketan Industrial School, Guntur ..	1,050
7 Premalata Girls' Industrial School, Guntur ..	760
8 O.E.L.M. Girls' Industrial School, Nayudupet, Nellore District.	687
9 American Arcot Mission Women Industrial School, Palamaner, Chittoor District.	2,000
10 C.N.T. Institute, Vepery, Madras ..	5,250
11 Anjuman Industrial School, Mount Road ..	2,600
12 Ramakrishna Mission Technical Institute, Mylapore, Madras.	1,690
13 The Gokhulam Cottage Industrial School, Triplicane, Madras.	750
14 Thakkar Bapa Vidyalaya, T. Nagar, Madras ..	1,380
15 Madras-Hussaini Yateemakhana Industrial School, Thousand Lights, Madras.	1,500
16 Seton School of Embroidery and Needle Work, Kilpauk, Madras.	1,300

[6th October 1950]

Name of the school.	Amount of grant sanctioned by Government during 1949-50.
	RS.
17 The Sevasadan Industrial School, Chetput, Madras ..	2,300
18 St. Anne's Industrial School, Royapuram, Madras ..	1,500
19 St. Joseph's Industrial School for Girls, Mylapore, Madras.	750
20 Rani Rajyalakshmi Industrial Institute, Andhra Mahila Sabha Buildings, Mylapore, Madras.	1,380
21 Madras Hindu Sevak Sangh Industrial School for Girls, 67, Mulla Saheb Street, G.T., Madras.	400
22 St. Thomas Convent, Mylapore, Madras ..	1,000
23 American Advent Mission Industrial School, Velacheri, St. Thomas Mount, Madras.	903
24 Harijan Industrial School, Kancheepuram ..	885
25 Methodist Mission Industrial School, Ikadu, Chingleput District.	600
26 St. Anthony's Industrial School, St. Thomas Mount, Madras.	1,500
27 Anjuman Industrial School, Vellore ..	2,250
28 Anjuman Industrial School, Melvisharam, North Arcot District.	2,250
29 Anjuman Industrial School, Tiruppattur, North Arcot District.	1,000
30 Don Bosco Industrial School, Vellore ..	2,380
31 Danish Mission Industrial School, Panruti ..	460
32 St. Francis Xavier's Industrial School, Tanjore ..	2,000
33 St. Mary's Industrial School, Kumbakonam ..	1,200
34 Municipal Arts School, Kumbakonam ..	1,850
35 St. Cicely's Industrial School, Kumbakonam ..	1,000
36 Karur Industrial School, Karur ..	1,500
37 Holy Cross Convent Industrial School, Tiruchirappalli.	1,200
38 St. John D' Britto Industrial School, Tiruchirappalli ..	1,000
39 Pasumalai Trade School, Mathurai ..	1,500
40 The Arts School, Mathurai ..	750
41 C.S.M. Industrial School, Dindigul ..	1,300
42 St. Joseph's Girls' Industrial School, Mathurai ..	700
43 S. P. G. Art Industrial School, Nazareth, Tirunelveli District.	3,500
44 St. Joseph's Industrial School, Adaikalapuram, Tirunelveli District.	1,100
45 Industrial School for the Blind, Palayamkottai ..	1,300
46 St. Ignatius Industrial School, Tuticorin ..	400
47 R. C. Lace Industrial School, Vadakankulam, Tirunelveli District.	560
48 Hindu Girls' Industrial School, Kudankulam, Tirunelveli District.	400
49 St. Theresa's Industrial School, Naravaneri, Salem ..	514
50 London Mission Boys' Weaving School, Erode ..	900
51 St. Joseph's Industrial School, Ootacamund ..	1,000
52 St. Vincent's Girls' Industrial School, Kozhikode ..	1,200
53 Commonwealth Trust Engineering Works, Mangalore.	450
54 St. Maratha's Industrial School, Bethany, Mangalore.	900
55 St. Joseph's Industrial School, Bethany, Mangalore ..	656

[6th October 1950]

APPENDIX V.

[Vide answer to starred question No. 248 asked by Sri K. Shanmugam at the meeting of the Legislative Assembly held on 6th October 1950, page 148 supra.]

Name of the District Board. (1)	Sanctioned scale of pay. (2) Rs.	Name of the Secretary. (3)	Qualification. (4)
1 North Arcot ..	(i) 200—10—300	Sri P. Doraiswami (permanent).	B.A., Account Test, Part I, Banking (Higher), Co-operation (Higher), Auditing (Higher).
	(ii) 200—10—300	Sri S. Ramalingam Pillai (officiating).	S.S.L.C., Account Test, Part I, Revenue Test.
2 Chittoor ..	150—5—200	Sri R. C. Manickam, Rs. 200—10—300 (personal).	S.S.L.C. (Eligible), Account Test, First class and Book-keeping.
3 Coimbatore ..	(i) 200—10—300	Sri G. Parameswaran Pillai (permanent).	B.A. Completed the course for B.L. Degree Examination.
	(ii) 20—10—300	Sri K. S. Sellamuthu Gounder (officiating).	S.S.L.C. (Eligible), Account Test, Part I.
4 Nellore ..	200—10—300	V. Sundaramayya (temporary) Rs. 150—50—200.	S.S.L.C., Account Test, Part I.
5 Salem ..	200—10—300	Sri K. M. Palani-swami.	B.A., Account Test, Part I.
6 Tiruchirappalli.	(i) 200—10—300	Sri M. S. Thayappa Pillai, Rs. 250—25—400 (personal).	B.A., Account Test.
	(ii) 200—10—300	Sri K. Venkata-subramaniam (officiating).	S.S.L.C. (Eligible).
7 The Nilgiris ..	150—5—200	Sri T. B. Bellu ..	Graduate, Account Test, Part I.
8 Malabar ..	200—10—300	..	S.S.L.C., Account Test, Part I.
9 Tanjore ..	200—10—300	Sri T. L. Veeraperumal Pillai (acting).	B.A., Account Test, Part I—Passed the Lower Secondary Examination of Mysore University in Kanarese.
10 Chingleput ..	200—10—300	Sri T. M. Kannapiran.	B.A., B.L., Account Test, Part I.
11 West Godavari.	200—10—300	Sri K. Subbaraju ..	B.A., Account Test, Part I.
12 Cuddapah ..	150—5—200	Sri D. Ramachandra Reddi (Rs. 200—10—300 personal).	B.A., B.L., Account Test, Part I.
13 Guntur ..	200—10—300	Sri A. Venkata-swamy.	S.S.L.C. (Completed), Account Test, Short-hand (Lower grade), Typewriting (Higher).
14 South Arcot ..	200—10—300	Sri N. Sivaprakasam.	Completed Part II in B.A., Account Test, Part I.

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Name of the District Board. (1)	Sanctioned scale of pay. (2) Rs.	Name of the Secretary. (3)	Qualification. (4)
15 Anantapur ..	150—5—200	Sri B. Ramiakrishnaiah.	S.S.L.C., Account Test.
16 Ramanathapuram.	200—10—300	Sri S. Arthur ..	S.S.L.C. (Eligible), Account Test, Part I.
17 Mathurai ..	(i) 200—10—300	Sri C. Vedachalam (on other duty as Commissioner, Salem Municipality).	B.A., B.L., Account Test, Revenue Test, Criminal Procedure Code Test, Translation.
	(ii) 200—10—300	Sri C. Krishaswamy Gounder.	S.S.L.C. (Eligible), Account Test.
18 South Kanara ..	200—10—300	Sri M. Sunder Rao.	B.A., L.T., Account Test, Revenue Test, Government Examination in Freehand Outline Drawing, Elementary Grade.
19 Bellary ..	150—5—200	..	B.A., Account Test, Part I.
20 Visakhapatnam.	200—10—300	Sri T. B. Sundaram.	B.A., Government Technical Examination in Banking, Commercial Geography, Short-hand (Intermediate grade).
21 Tirunelveli ..	200—10—300	Sri S. Kalyanasundaram Chettiar.	B.A., B.L., Account Test, Part I.
22 Karunool ..	(i) 150—5—250	Sri V. Lakshminipathi (permanent) Rs. 200—10—200 (personal).	B.A., B.Ed., Account Test, Part I.
	(ii) 150—5—200	Sri A. Raghunatha Reddi (acting).	Intermediate, Account Test, Part I.
23 Krishna ..	200—10—300	Sri D. Satyanarayana.	B.A., Account Test, Part I.
24 East Godavari ..	200—10—300	Sri P. V. Ramayya.	B.A., L.L.B., Account Test.
25 Srikakulam ..	200—10—300	Sri Y. Govinda Rao.	S.S.L.C. (Eligibility), Account Test.

THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, the 7th October 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.

Arrest of Sri G. Kondiah.

* 257 Q.—SRI D. V. RAMASWAMI (on behalf of Sri V. Raghavayya): Will the Hon. the Chief Minister be pleased to state—

- (a) whether it is a fact that Sri G. Kondiah, an underground Communist of Atmakur taluk, Nellore district, has been arrested;
- (b) if so, when and in what circumstances;
- (c) where he is kept now; and
- (d) whether he was produced before any Court of Law till now?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—“(a) Yes.

“(b) He was arrested at Madras on the 12th August 1950. A detention warrant under the Preventive Detention Act, 1950, was pending against him since 3rd June 1950. Apart from this, in June 1949 this person and 71 others were charge-sheeted by the Atmakur Police under section 107, Criminal Procedure Code. As Sri Kondiah was absconding, the Subdivisional Magistrate, Nellore, issued a non-bailable warrant against him separately for his arrest and production.

“(c) He is now confined in the Central Jail, Cuddalore.

“(d) After his arrest in Madras he was produced before the Subdivisional Magistrate, Nellore, on 27th August 1950 who served on him a preliminary order under section 112, Criminal Procedure Code, and remanded him to custody in the Sub-Jail, Nellore, and posted the case for hearing on 12th September 1950. In the meantime, as the detention order under the Preventive Detention Act, 1950, pending against him since 3rd June 1950 was served on him on 2nd September 1950, he was transferred to the Central Jail, Cuddalore, on the same day. In view of his detention under the Preventive Detention Act, the Subdivisional Magistrate, Nellore, has deferred further proceedings against him under the Criminal Procedure Code.”

SRI D. V. RAMASWAMI:—“May I ask, Sir, whether the Government are aware that he has resigned from the Communist party and has openly condemned the atrocities committed by the party, and will the Government kindly consider whether it is not proper to release him soon?”

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THE HON. SRI K. MADHAVA MENON:—"If he has said anything like that, it will be examined and considered."

Ayurvedic dispensaries.

* 258 Q.—SRI K. SHANMUGAM: Will the Hon. the Minister for Health be pleased to state—

(a) the number of rural, unani and ayurvedic dispensaries existing at present within the area of the Nellore District Board;

(b) whether any additional dispensaries of the abovementioned classes are now proposed to be started within the Nellore District Board area; and

(c) the number of each of the abovementioned classes?

THE HON. DR. T. S. S. RAJAN:—" (a) There are 26 rural dispensaries of the Ayurvedic system of medicine, 1 rural dispensary of the Unani system of medicine and 4 rural dispensaries of modern medicine within the area of the Nellore District Board.

" (b) The answer is in the negative.

" (c) The question does not arise."

SRI K. SHANMUGAM:—"May I know, Sir, whether any grant is being given to Nellore District Board by the Government for running these dispensaries and, if so, how much?"

THE HON. DR. T. S. S. RAJAN:—"I want notice to furnish the answer."

Amaravathi Project.

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

(a) whether any petition has been received recently from the ryots of Udampet and Dharapuram taluks regarding the Amaravathi Project; and

(b) if so, what action has been taken by the Government in the matter?

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

" (b) The petitioners were informed that the details of the Amaravathi Reservoir Project were under examination and that it would not be possible to take up any portion of the project until after it was sanctioned by Government and that the question of according sanction was being examined with all expedition."

SRI P. R. KANDASWAMI GOUNDER:—"Sir, will the Hon. Minister be pleased to state whether the concerned ryots have sent a petition to the Government stating that they would give betterment fee at the rate of Rs. 300 per acre in three instalments?"

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THE HON. SRI M. BHAKTAVATSALAM:—"Yes, Sir. The representatives of the ryots have presented to me a memorandum agreeing to pay the betterment fee at the rate of Rs. 300 per acre in three instalments. I do appreciate very much their gesture and we are examining the matter and soon we can take up the Project."

Girls' High School, Chidambaram.

* 260 Q.—SRI S. PARAMANANDA RAYAR: Will the Hon. the Minister for Education be pleased to state—

(a) when the Government took over the management of the Girls' High School at Chidambaram in South Arcot district;

(b) what the status of the school was when the Government took over the management and up to what standard students were taught at that time;

(c) the reasons that prompted the Government in taking over the management; and

(d) whether the Educational authorities have passed any remarks about the present unsuitable building in which the school is at present located and if so, what steps the Government propose to take to find a better place for accommodating the growing strength of the school?

THE HON. SRI K. MADHAVA MENON:—" (a) & (b) The management of the Municipal Higher Elementary School for Girls, Chidambaram, with standards I to VIII was taken over by Government and the institution was converted into a secondary school with classes I to V and Forms I to IV during the school-year 1945-46. Students were taught up to VIII standard in the Municipal Higher Elementary School.

" (c) As there was need for a secondary school for girls at Chidambaram, it was decided to open one by taking over the Municipal Higher Elementary School and converting it into a secondary school.

" (d) Yes. The accommodation now provided for the school is inadequate and unsuitable, and all efforts to secure better accommodation have so far been unsuccessful. The Rent Controller concerned has been asked to secure a suitable building for the school."

SRI S. PARAMANANDA RAYAR:—"May I know, Sir, whether the Government realize that this is the only girls' school at Chidambaram, a place where there are five boys' schools and one University and the necessity of paying special attention to girls' education?"

THE HON. SRI K. MADHAVA MENON:—"That was the reason why in 1945 the Government decided to open the girls' school there. But there is difficulty about the question of accommodation which we are trying to get over."

[7th October 1950]

JANAB M. V. HYDROSS:—" May I know, Sir, whether the Government has got any consistent policy with regard to the taking over of the schools run by the local bodies? "

THE HON. SRI K. MADHAVA MENON:—" This was taken over along with a batch of about eleven schools in 1945. "

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know, Sir, when there is only one school, why it has not been developed into a high school though it was taken over in 1945? "

THE HON. SRI K. MADHAVA MENON:—" I think it was developed. When it was started there were only 1st to 8th standards. It is my recollection that it has been developed. I speak from memory and subject to correction. "

SRI S. PARAMANANDA RAYAR:—" Regarding the question of finding accommodation for the Girls' High School at Chidambaram, will the Hon. Minister consider the desirability of visiting the place at the time of the convocation at the Annamalai University? "

THE HON. SRI K. MADHAVA MENON:—" Even now I say, Sir, the accommodation is insufficient. We have asked the Rent Controller to allot another building. Therefore, I need not visit the place. I am not satisfied with the present accommodation. "

Sri Raja Rajeswari Bus Service, Vriddhachalam.

* 261 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Land Revenue be pleased to state the action taken by the Government in the labour dispute between the Proprietors of Sri Raja Rajeswari Bus Service, Vriddhachalam, South Arcot district, and the labourers as per the letter of the Labour Officer, Tiruchirappalli, in his letter Rc. No. 577/50, dated 9th June 1950, through the Commissioner of Labour, Madras—vide Development Department Memorandum No. 52706-1, dated 20th June 1950?

THE HON. SRI H. SITARAMA REDDI:—" The Government have referred the industrial dispute between the workers and the management of Sri Raja Rajeswari Bus Service, Vriddhachalam, regarding discharge of six workers to the Industrial Tribunal II, Madras, for adjudication. "

Punishments to offenders of Prohibition Laws.

* 262 Q.—SRI S. NAGARAJA MANIGAR: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether this Government corresponded with the Central Government for the purpose of increasing the punishments to offenders of Prohibition Laws; and

(b) if so, with what result?

THE HON. SRI N. SANJEEVA REDDI:—" (a) & (b) This Government have under consideration, a proposal to enhance the punishments in the case of certain offences under the

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Madras Prohibition Act. Action is being taken to draft a Bill to amend the Act. The Government of India have not yet been consulted in regard to this proposal. It is not necessary to consult the Government of India in the matter. "

SRI S. NAGARAJA MANIGAR:—" Is it not entirely necessary, Sir, in order to completely or effectively change the law to consult the Central Government? "

THE HON. SRI N. SANJEEVA REDDI:—" We do not propose to change the law entirely. Some amendments are needed here and there. Where it is necessary to consult the Central Government, we will consult them. But the Central Government need not be consulted in all the cases. "

SRI S. NAGARAJA MANIGAR:—" Since when, Sir, this is under the consideration and when they are likely to change the law suitably? Is it not a fact that from several of the Prohibition Committees we are receiving requests to enhance the punishment in order to enforce the law effectively? "

THE HON. SRI N. SANJEEVA REDDI:—" I am in full agreement with the hon. Member that the law needs some amendments. They will be taken up as early as possible and in the next session. "

JANAB ABDUL HAMEED KHAN:—" Is it not a fact, Sir, that because of the fear, that if they consulted the Central Government, the Central Government may ask them to change this policy of Prohibition that this Government are not consulting the Central Government? "

THE HON. SRI N. SANJEEVA REDDI:—" Certainly not, Sir. In cases where it is absolutely necessary, where the law says we should consult the Central Government, we consult them. We need not go to them in all cases where it is not necessary. "

JANAB MOHAMED ABDUL SALAM:—" Is it a fact, Sir, that the Government have decided to amend the Act in such a way as to convert the bailable into non-bailable offences? "

MR. SPEAKER:—" When the amendment is before the House, the hon. Member may know all those details. "

JANAB MOHAMED ABDUL SALAM:—" The Hon. Minister has said that he has decided to convert bailable into non-bailable offences. I want to know whether it is proposed to bring in a specific amendment of that nature? "

THE HON. SRI N. SANJEEVA REDDI:—" That is one of the amendments that is under the contemplation of the Government. "

SRI N. M. R. SUBBARAMAN:—" May I know, Sir, whether the Government are aware that even while the Prosecuting Inspector gives evidence in real cases, offenders are not punished by Magistrates for want of other evidence? If so, what action the Government have taken or propose to take? "

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THE HON. SRI N. SANJEEVA REDDI:—"Proper evidence is necessary if a man is to be convicted. When evidence is not enough, it is right that the Magistrate asks for more evidence."

JANAB MUHAMMAD RAZA KHAN:—"How is it, Sir, that in spite of the fact that the Prohibition Minister hails from Rayalaseema and tours the district every now and then and instructs the officials frequently, the Prohibition is not working satisfactorily there?"

THE HON. SRI N. SANJEEVA REDDI:—"The hon. Gentleman also represents Rayalaseema and he knows equally well that this needs special attention."

SRI V. I. MUNISWAMI PILLAY:—"May I know, Sir, whether the increased punishment will apply to cases of illicit distillation and also of the misuse of tonics and tinctures?"

THE HON. SRI N. SANJEEVA REDDI:—"It is called tinctures and tonics in the cities, while it is called illicit distillation in rural areas."

JANAB M. S. ABDUL MAJID:—"Is it not a fact, Sir, that psychologically speaking, the greater the punishment, the greater the resistance?"

MR. SPEAKER:—"Does the hon. Member want the opinion of the Hon. Minister?" (Interruption: 'Psychological opinion.')

THE HON. SRI N. SANJEEVA REDDI:—"I am not a psychoanalyst but still I will accept the hon. Gentleman's opinion."

SRI L. N. GOPALASWAMI:—"May I know, Sir, whether under the amendments proposed, imprisonment is to be given to any offence for breach of these laws?"

THE HON. SRI N. SANJEEVA REDDI:—"I am not able to discuss the amendments now. They are under consideration and we will see when they come up."

SRI N. M. R. SUBBARAMAN:—"May I know, Sir, whether it is not proper evidence when the Prosecuting Inspector himself catches the case and gives evidence?"

THE HON. SRI N. SANJEEVA REDDI:—"It is a matter of opinion. The Court has to decide it. How can I say what evidence is enough or not. The Magistrate has to decide whether the evidence is sufficient or not."

SRI P. VENKATASUBBIAH:—"Are the Government aware, Sir, that some companies are manufacturing and selling tonics which contain 30 to 40 per cent of alcohol and, if so, whether the Government propose to take any effective action under the new amendments that are under consideration?"

THE HON. SRI N. SANJEEVA REDDI:—"No amendment is necessary, Sir, for that. Where a company is misusing its privileges, we can straightway cancel the licence granted to it."

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JANAB MOHAMED ABDUL SALAM:—"Sir, the question was specifically put to the Hon. Minister on the floor of the House whether he was going to amend the Act in view of the Bombay High Court's decision. The Hon. Minister told us that he was awaiting the judgment of the Supreme Court in view of the Bombay Government's decision to appeal to the Supreme Court. Now it transpires that the Bombay Government are not going on appeal to the Supreme Court. In view of that, is the Hon. Minister going to amend the Act or is he going to preserve the *status quo*?"

THE HON. SRI N. SANJEEVA REDDI:—"Some anti-Prohibitionists have themselves filed a suit in the Madras High Court. We shall wait for the decision of the High Court and take action after that."

JANAB N. MUHAMMAD ANWAR:—"Sir, will the Government see that where a Prohibition offender beats his wife, he is hanged by the next tree?"

THE HON. SRI N. SANJEEVA REDDI:—"The hon. Member can bring in an amendment to that effect when the amending Bill is before this House."

'Ghost ration cards.'

* 263 Q.—SRI D. V. RAMASWAMI (on behalf of Sri V. Raghavayya): Will the Hon. the Minister for Food be pleased to state—

(a) the number of 'Ghost ration cards' in vogue in the City of Madras in the months of July and August 1950; and

(b) what steps were taken to liquidate them?

THE HON. SRI J. L. P. ROCHE VICTORIA:—" (a) The number of ghost ration cards that were in existence in July and August, 1950 is anybody's guess. But the number of 'bogus' cards detected as a result of the drive against such cards in the Madras City is 251 in July 1950, and 861 in August 1950.

" (b) Several measures are being adopted for the elimination of bogus cards. But the Government do not consider it desirable to divulge the information in the interest of the successful administration of rationing. It can, however, be stated that by keeping a weather eye out at the time of re-enumeration of the ration cardholders in March last, over 9,000 cards were eliminated in Madras City."

SRI D. V. RAMASWAMI:—"May I ask, Sir, why prior to July and August these bogus ration cards were not discovered and the offenders brought to book?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"This question refers only to July and August. I have no information about the previous detection."

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SRI S. NAGARAJA MANIGAR:—“ May I know, Sir, what actual punishment is inflicted on persons holding such ghost ration cards? ”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“ The cards are only confiscated and cancelled.”

Alleged raid on the house of Sri Potlapalli Gurappa Nayudu.

* 264 Q.—SRI D. V. RAMASWAMI (on behalf of Sri V. Raghavayya): Will the Hon. the Chief Minister be pleased to state—

(a) whether the house of Potlapalli Gurappa Nayudu in Pothavaram of Nellore district was set fire to in August;

(b) if so, by whom;

(c) whether any firearms were used;

(d) whether any previous reports were received by the Police prior to the attack; and

(e) what steps were taken to prevent the incident?

THE HON. SRI K. MADHAVA MENON:—“ (a) to (c) On the night of the 27th August 1950, a gang of about 12 persons suspected to be Communists, raided the house of Sri Potlapalli Gurappa Nayudu in Pothavaram village. The raiders looted the house and finally set fire to the premises. They carried firearms which they used to create a scare.

“ (d) No.

“ (e) Does not arise.”

SRI D. V. RAMASWAMI:—“ May I ask, Sir, whether it is not a fact that the victim, Gurappa Nayudu, informed the Police and also the Hon. Leader of the House, Mr. Gopala Reddi, at a public meeting a week before this incident, that his life was being threatened and that he had been living in great peril? ”

THE HON. SRI K. MADHAVA MENON:—“ No, Sir.”

Alankulam Scheme.

* 265 Q.—SRI K. T. KOSALRAM (on behalf of Sri D. Dorairaja Pandian): Will the Hon. the Minister for Public Works be pleased to state the stage at which the Alankulam Scheme in Tenkasi taluk, Tirunelveli district, stands at present? ●

THE HON. SRI M. BHAKTAVATSALAM:—“ The scheme has been investigated and plans and estimates prepared. The Superintending Engineer's report is under examination by the Chief Engineer, Public Works Department (Irrigation).”

SRI K. T. KOSALRAM:—“ May I ask, Sir, whether the Government will consider the desirability of sanctioning the necessary staff to expedite the acquisition of land for the scheme? ”

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THE HON. SRI M. BHAKTAVATSALAM:—“ The question of acquisition of land will be taken up after the scheme is sanctioned.”

Medical Colleges.

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

(a) the number of students that appeared for the last examination in the Medical Colleges in this State;

(b) the number among them that came out successful;

(c) how much money the Government are spending for each student; and

(d) whether any condition is imposed on the students that they should serve the Government for a particular period and if so, what that period is and if not, whether there is any special reason for this concession?

THE HON. DR. T. S. S. RAJAN:—“ (a) Two hundred and seventy-five students of the Madras, Stanley and Andhra Medical Colleges appeared for the last examination in April 1950.

“ (b) Of these, 146 students passed out successfully.

“ (c) On an average the expenditure to Government on the education of each medical student works out to about Rs. 900 per annum.

“ (d) No such condition is imposed on the students. The Government considered the feasibility of obtaining an undertaking from the students admitted to the Medical Colleges that they should serve for a certain period in the rural areas after their graduation and they decided not to enforce at present any conscription of the kind due to certain practical difficulties envisaged in implementing the scheme. There is no concession, as it is the duty of the State to provide adequate educational facilities for its subjects.”

SRI A. VEDARATNAM PILLAI:—“ May I ask, Sir, what is the difficulty that stands in the way of imposing such conditions on students who come out successful from the Medical Colleges? ”

THE HON. DR. T. S. S. RAJAN:—“ The question will have to be looked into again. But, to-day I have not got the reasons. It has all been examined already and the Government found that it was not possible to do so. That is all I can say at present.”

SRI V. M. RAMASWAMI MUDALIYAR:—“ Sir, some time ago there was a proposal to revise the courses of medical studies so as to reduce the course from five to four years by the elimination of certain superfluous subjects. May I know whether the Government considered that question vis-a-vis the question of economy in the expenditure incurred? ”

THE HON. DR. T. S. S. RAJAN:—[7th October 1950] May I just point out that this question does not arise out of the question I have answered."

SRI V. M. RAMASWAMI MUDALIYAR:—Sir, I beg to submit . . ."

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

SRI D. V. RAMASWAMI:—Sir, arising out of the answer to clause (c), may I ask whether the amount of Rs. 900 per student which is said to be the average takes into account the fees that are received from the students and does it represent the gross or nett amount?"

THE HON. DR. T. S. S. RAJAN:—That is the amount of cost to the Government."

SRI S. NAGARAJA MANIGAR:—May I ask, Sir, if the practice of asking the students to give an undertaking to serve the State immediately after taking the degree, does not exist in any other State in our country?"

THE HON. DR. T. S. S. RAJAN:—Not, as far as I know, Sir."

JANAB MOHAMED ABDUL SALAM:—Sir, in view of the fact that many lady students who have become doctors are getting married as soon as their course is over, is it not possible at least to impose a condition of service, say, three or four years, after their training, especially when the Government are spending large sums of money on the students?"

THE HON. DR. T. S. S. RAJAN:—I would like to know from the hon. Member how the marriage of these women doctors can be prevented by us."

SRI V. I. MUNISWAMI PILLAY:—Arising out of the answer to clause (d), are the Government aware that any such condition which may be imposed on students of the Harijan community will work great hardship?"

THE HON. DR. T. S. S. RAJAN:—No such restriction is placed on them."

BEGUM SULTAN MIR AMIRUDDIN:—Sir, while the Government may impose certain conditions for utilizing the services of these women medical graduates, may I enquire whether it is desirable on the part of the Government to impose restrictions on their marriage, as suggested by the hon. Member, Mr. Salam, and would it not act as a deterrent to women taking to the medical profession?"

THE HON. DR. T. S. S. RAJAN:—The Government have examined the question and they feel that no such restriction shall be imposed on the students."

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Fodder famine.

* 267 Q.—SRI M. A. EASWARAN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the steps taken by the Government to solve the fodder famine in Erode, Dharapuram, Palladam and Udumalpet taluks in Coimbatore district;

(b) whether the Government have given fodder loan in the above-mentioned taluks; and

(c) if so, the total amount given?

THE HON. SRI H. SITARAMA REDDI:—(a) The Government have selected certain special agencies in each of the four taluks for importing fodder from Salem, Tiruchirappalli, Mathurai and Tanjore districts. These agencies have been allowed concessional rates of railway transport charges for the transport of fodder and the railway authorities are also giving them priority in providing wagons for importing fodder. The concessional rates were in force until 4th October 1950. The agencies are accordingly importing fodder and supplying them to the needy ryots. At present there is no acute scarcity of fodder:

(b) Yes.

(c) Since the commencement of the adverse seasonal conditions, the following amounts have been disbursed as fodder loans in the four taluks:—

	RS.
Dharapuram	7,94,990
Palladam	10,40,105
Udumalpet	3,00,895
Erode	4,600."

SRI M. A. EASWARAN:—May I know, Sir, whether there is any other fodder loans pending to be disposed of?"

THE HON. SRI H. SITARAMA REDDI:—I do not think, Sir."

Co-operative farming.

* 268 Q.—SRI D. V. RAMASWAMI (on behalf of Sri G. Latchanna): Will the Hon. the Minister for Local Administration be pleased to state—

(a) the reason which prompted the Government to exclude the Visakhapatnam district from the scheme of co-operative farming; and

(b) whether the Government have received any representation from the North Visakhapatnam District Congress Committee for extending the scheme to the Visakhapatnam district, and if so, what action has been taken on that representation?

THE HON. SRI K. CHANDRAMOULI:—(a) By Co-operative Farming Scheme, the member has presumably referred to

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the scheme for the formation of village co-operatives, sanctioned in G.O. Ms. No. 803, Food and Agriculture, dated 28th April 1950. The scheme has been ordered to be first introduced in the seven selected districts of East Godavari, Nellore, Guntur, Tiruchirappalli, Mathurai, Coimbatore and South Kanara. There is no reason, nor any intention on the part of the Government to exclude Visakhapatnam district from the operation of the scheme. Visakhapatnam, like other districts, will be brought under the scheme, in due course, if the Government are satisfied with the results of the experimental scheme.

“(b) No such representations appear to have been received.”

SRI D. V. RAMASWAMI:—“May I ask, Sir, whether in view of the fact that there is a very vast extent of waste land available in the Visakhapatnam district and considering the large number of refugee population both on account of Burma evacuation as well as East Pakistan evacuation, will the Government be pleased to see that the extension of the scheme to North Visakhapatnam will go a long way to help the labourers who are now without employment or food?”

THE HON. SRI K. CHANDRAMOULI:—“As I have already said these seven districts have been taken on an experimental basis and if we are convinced of the usefulness of the experiment, it will be extended to other districts also.”

SRI V. I. MUNISWAMI PILLAY:—“May I know, Sir, when the results of the experiment are likely to be known?”

THE HON. SRI K. CHANDRAMOULI:—“I cannot say off-hand, Sir.”

JANAB MOHAMED ABDUL SALAM:—“Sir, it is true that these districts have been selected on an experimental basis, but we want to know on what basis these seven districts out of 25 have been selected?”

THE HON. SRI K. CHANDRAMOULI:—“In some of these districts production drive was going on previously and we have taken that as the basis and also the heavy nature of work in some of those districts. All these factors have been taken into consideration for the experiment in these districts.”

SRI S. NAGARAJA MANIGAR:—“May I ask, Sir, if a copy of the scheme can be supplied to Members of this House?”

THE HON. SRI K. CHANDRAMOULI:—“The Government Order has already been issued and the hon. Member may have a copy of it.”

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

II.—SITTINGS OF THE HOUSE.

MR. SPEAKER:—“Some of the hon. Members seem to be under the impression that we have no afternoon session of the Assembly to-day because the Council is sitting in the afternoon. But I must inform the hon. Members that they should not presume that simply because the Council is sitting this afternoon we have no afternoon session. In fact, we are going to have the afternoon session to-day.”

JANAB ABDUL HAMEED KHAN:—“May I know, Sir, how the Members came to believe that there will be no afternoon session to-day?”

MR. SPEAKER:—“Because whenever the Council sits, generally we do not have the afternoon session. That is why they have asked me.”

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

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

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

“I also invite the attention of the hon. Members to the abstract of the detailed estimates which is given on page 3 of the statement. Hon. Members will notice that the Supplementary Estimates cover 61 new schemes spread over 19 Demands. The estimated ultimate cost of all the schemes is about Rs. 16 lakhs recurring and Rs. 10.75 lakhs non-recurring. Over 90 per cent of the expenditure will be on Capital Account. Most of this capital expenditure pertains to Electricity schemes—Tungabhadra Electricity Scheme estimated to cost nearly Rs. 8 crores, scheme for the purchase of electric power from Mysore for use in South Kanara district (Rs. 62 lakhs), other electricity extension schemes including rural extensions (Rs. 60 lakhs). There are also 15 Irrigation schemes connected with the Grow More Food Campaign involving an ultimate cost of about Rs. 40 lakhs which will count against the lump sum provision already made for the purpose in the budget for the current year. There is also a scheme for the sinking of 101 artesian wells in the South Arcot district with a view to augmenting the existing irrigation facilities estimated to cost over Rs. 8 lakhs which is shown under the demand for the Capital Outlay on Industrial Development.

“In the Revenue Account, the important items are Grants for Municipal water-supply schemes for Srivilliputtur, Guntur and

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Srirangam (Rs. 62 lakhs), acquisition of house sites for agricultural labourers in the Tanjore district (Rs. 5 lakhs), Improvements to the Madras Medical College and Stanley Medical College (including additional staff and equipment) (about Rs. 4 lakhs non-recurring and Rs. 1 lakh recurring). Grants to the Madras Corporation in connexion with the construction of a second conduit from Red Hills to Kilpauk (Rs. 2.44 lakhs) and for the maintenance of the Asokh Vihar Health and Recreation Centre (Rs. 10,000 per annum), Scheme for the improvement of fishing crafts and tackles (Rs. 1 lakh), and grants to non-official agencies in connexion with the Rural Welfare Scheme (Rs. 1,25,000).

"Other new schemes which deserve special mention are the expenditure on the Land Revenue Reforms Enquiry Committee (Rs. 32,500), Reorganization of the Legislature Secretariat including employment of additional Reporters and revision of scales of pay of the officers and staff (Rs. 15,000), bifurcation of the Visakhapatnam district (Rs. 33,000 per annum), and special survey of the Agency areas for formulating schemes for their development (Rs. 31,000). There are also schemes relating to the Police Department and buildings for the Secretariat, Connemara Public Library and the Government Hospital for Women and Children, Madras.

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

"As indicated in the abstract of the detailed estimates the expenditure expected to be incurred during this year on all the new schemes is relatively small (Rs. 46 lakhs on Revenue Account and Rs. 69 lakhs on Capital Account). Most of this expenditure will be met from the savings anticipated under the respective grants as a consequence of the special economy drive recently decided upon by the Government or from the lump sum provision already made in the Budget for specified purposes, e.g., Grow More Food, Irrigation Schemes. Hence only token sums are included in the Supplementary Statement under most of the grants. As a result, the total of all the supplementary demands to be actually voted by the Legislative Assembly is only Rs. 15.54 lakhs."

MR. SPEAKER:—"The general discussion on the Supplementary Estimates will take place on the 12th instant."

IV.—GOVERNMENT BILLS a.

(1) THE MADRAS STAMP (SECOND AMENDMENT) BILL, 1950.

11-30 a.m. * THE HON. SRI H. SITARAMA REDDI:—"Mr. Speaker, Sir, I beg to introduce the Madras Stamp (Second Amendment) Bill, 1950, and move—

'That the Bill be taken into consideration at once.'

^a Published in the Port St. George Gazette, dated 8th August 1950.

[Sri H. Sitarama Reddi]

"Sir, the object of the Bill has been explained in the Statement of Objects and Reasons as follows.

"The Explanation in article 33 of Schedule 1-A to the Indian Stamp Act, 1899, provides that a mortgagor who gives to the mortgagee a power-of-attorney to collect rents or a lease, of the property mortgaged or part thereof, is deemed to give possession within the meaning of that article. The Government consider that for the purpose of the above article, the mortgage and the power-of-attorney or the lease need not be simultaneous and that a person who, after giving a power-of-attorney or a lease in respect of certain property, creates a simple mortgage over the same property, should also be deemed to give possession within the meaning of article 33. The Bill gives effect to this object.

"If this amendment is not carried out, it is likely that people will have a chance of escaping higher payment by creating the lease and the mortgage separately giving some time lag. It is intended to see that such unfair advantage should not be taken and the State should not lose its revenue."

MR. SPEAKER:—"Motion moved—

'That the Madras Stamp (Second Amendment) Bill, 1950, be taken into consideration at once.'

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, I would submit that the Bill seems to be unnecessary and it will probably introduce complications also and will go against the very object for which the legislation is introduced. The Explanation in the existing article is—

'A mortgagor who gives to the mortgagee a power-of-attorney to collect rents or a lease, of the property mortgaged or part thereof, is deemed to give possession within the meaning of the article.'

The body of the article itself wanted to make a distinction between mortgages which are not accompanied by possession and mortgages where possession was also given and to charge a higher stamp on mortgages which carried possession along with it. In order to bring these within the scope of the Explanation even as it originally stood, it provided that where possession was sought to be brought in by means of this device of giving a power-of-attorney and executing a separate mortgage deed, it amounted to a transfer of possession. But it would be perfectly clear that unless possession was given in pursuance of the mortgage and as part of the mortgage, it was not likely to come within its scope and it also implies that the power-of-attorney or the lease should be a part of the transaction of the mortgage itself. Even as the Act originally stood, it sufficiently protected the interests of revenue because the transaction commencing with the power-of-attorney up to the simple mortgage should be one which went along together, in which case it would be netted but if they happened to be different, they were not netted at all. The word 'gives' occurring in the Explanation was intended to comprise classes of cases where the power-of-attorney or the lease might have been previously given, it may be given simultaneously along

[Sri A. Vaidyanatha Ayyar] [7th October 1950]

with the mortgage and it may be given even after executing the mortgage a few days later. The word 'gives' is used in the sense of covering the past and includes also the future and that is the language employed in the Penal Code also. Therefore, the Explanation as it originally stood was sufficiently wide and comprises all transactions where the power-of-attorney or lease formed part of mortgage itself whether the power-of-attorney was executed previously, simultaneously along with the mortgage or even subsequent to the mortgage. But now, here, it is proposed to amend like this: 'gives or has given' and it is possible that a case where a person gives it a few days later may escape altogether because of the words used here: 'gives or has given' to the mortgagee a power-of-attorney' only providing for cases of simultaneous execution of the power-of-attorney or the lease and also cases where it had been executed in the past and it will leave a gap in regard to transactions of the future when we are trying to cover all cases. It may happen that in cases where subsequent to the mortgage, a power-of-attorney or lease is executed, it is likely it might escape the provisions of the Act. Therefore the words as it stood were wide enough to cover cases where power-of-attorney or lease forming part of the mortgage transaction was executed either in the past or along with the mortgage or in the future. I feel that cases of future execution of the lease or power-of-attorney will have to be brought in also and they might possibly escape. These might cause complications."

SRI K. VARADACHARI:—"Mr. Speaker, Sir, as the Hon. the Minister for Revenue was referring to the Statement of Objects and Reasons behind the Bill, I felt that the Explanation as it stood already covered cases present, past and future and the new amendment was making things more difficult for the Government to realize revenues where dishonesty was intended. The amendment is confined to present and past transactions and leaves out the future transactions which will convert simple mortgages into usufructuary mortgages. This provision will not be useful at all because as stands it will make it impossible for any stamp authority to impose any additional stamp duty or impound a document on that account. I submit that this amendment is absolutely uncalled for and is unnecessary."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, may I just ask you whether this Bill has been treated as a Money Bill."

MR. SPEAKER:—"It is a Money Bill."

SRI T. VISWANATHAM:—"If it is a Money Bill, we have to understand its implications a little more carefully. Of course, if the recommendation of the Governor is not there, I suppose it will be obtained in due course, although it may be a little irregular."

"But let me come to the Bill, Sir. It is really an amendment to the Transfer of Property Act although it looks like an amendment to the Stamp Act. By a side-wind as it were, he is

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defining simple mortgages under certain conditions as usufructuary mortgages with possession. As a matter of fact, there is distinction between simple mortgage and mortgage with possession and all lawyers know it and all those who have got properties or who have money to invest upon property know it and the framers of the Stamp Act were quite aware of the distinction and that is why they were very careful in making the distinction for purpose of the Stamp Act and they followed very carefully the provisions of the Transfer of Property Act. When we want to amend one of the Acts, there is no use forgetting the existence of other Acts altogether. Simple mortgages can never be deemed to be usufructuary mortgages. However in certain cases where there is simple mortgage accompanied, as part of the transaction, by power-of-attorney or lease, then it was that the stamp duty was as on mortgage with possession. On the other hand, if the Hon. Revenue Minister feels that the revenues of this State should be enhanced by declaring all mortgages as usufructuary mortgages, he can bring forward such a legislation and no doubt, this House will be certainly prepared to pass such measures as it has been doing.

"Then, Sir, I submit there will be in practice a confusion of things under this Bill. At the time when the simple mortgage is executed by the mortgagor, the power-of-attorney might have been registered earlier where there was previously a lease. Suppose it is only an yearly case in which case, that lease need not be registered. Or the power-of-attorney might have been registered in some other place, and the Registrar of the place where the mortgage is executed cannot be deemed to have constructive notice. Of course, the Government will say these difficulties might be got over by providing for them in the rules to be framed under this Act. They might provide rules asking the Registrar to inquire, or ask all the mortgagors to mention in the draft mortgage deed whether any previous power-of-attorney has been given or any previous lease has been given of the mortgage property. I have no doubt some case must have arisen, some difficulty must have arisen in some place regarding this, and so this amending Bill has been brought forward. If the Hon. Minister had told the House how the difficulty arose and where it arose, we would have liked to know it. And also, he could have told us what financial loss the Government had incurred in the absence of this legislation."

JANAB H. S. HUSSAIN:—"Mr. Speaker, Sir, simply to obtain more money under the Stamp Act, I do not think the Government is competent to distort the substantive law with regard to mortgages. The substantive law with regard to mortgages is the Transfer of Property Act. There simple mortgage is defined, as also usufructuary mortgage. That being so, and at substantive law being an all-India Act, I do not see how is Government by means of this backdoor method infringe upon the substantive law and say that simple mortgage may be a mortgage with possession under some colour and then collect some money under the Stamp Act. Therefore there is strong legal

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objection to this way of amending the Stamp Act, so as to bring simple mortgages under the Stamp Act. This is my view and I hope the Hon. Minister will take this legal point into consideration while proceeding with this Bill."

* SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I want to point out only one difficulty. If the Hon. Minister thinks that past transactions should be covered by this legislation, that is, if he wants them to be brought within the operation of this Act, I think, his amending Bill will not help him at all. What the amendment to the explanation says is:

'A mortgagor who gives or has given to the mortgagee a power-of-attorney'.

But the original Explanation says only:—

'A mortgagor who gives to the mortgagee a power-of-attorney'.

Therefore, relationship of mortgagor and mortgagee should exist if this legislation is intended to cover past transactions. There would be no relationship of mortgagor and mortgagee in the amendment sought to be made in Explanation. At the time when the power-of-attorney is executed there could have been no relation of mortgagor and mortgagee, and so, this Explanation will be of no avail. So, to make the Explanation effective, there must be a relationship of mortgagor and mortgagee subsisting at the time the power-of-attorney is executed. There may be a difference in time between the two transactions, but the whole thing should form part and parcel of the same transaction. One cannot transgress the provisions of the Transfer of Property Act. Unless there is the relation of mortgagor and mortgagee subsisting at the date on which the power-of-attorney or the lease is executed, this amending Bill cannot cover past transactions. I hope the Hon. Minister will duly remedy this defect in the Bill."

JANAB M. A. MUHAMMAD IBRAHIM:—"Sir, I rise to say this legislation is not necessary at all. There may be evasion of stamp duty in certain documents. But this is not the way in which that evasion should be prevented. Sir, there are two classes of mortgages, simple and usufructuary, and there are two kinds of rights and obligations attached to such mortgages. Ordinary people know what are their rights and obligations if they advance money on mortgage of property. If they advance money on the simple mortgage of property they may not be entitled to the rights and liabilities of an usufructuary mortgagor, even though there may be a power-of-attorney or a lease on the mortgage property in his favour. They are two quite different transactions. Even though, for ordinary purposes, the whole transaction is one, the parties may treat them as different. For their rights and obligations are different under each transaction. When a power-of-attorney is executed to the mortgagee, he is liable to render account to the principal of the benefits he gets from the property. Similarly in the case of lease, where the relationship of lessor and lessee subsists, the rights and obligations of the parties are different from those of the mortgagor and mortgagee. Therefore,

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when the Government bring in this sort of legislation imposing higher stamp duty, whenever persons give money on simple mortgage along with lease, or take lease on a prior simple mortgage, it will be a very great hardship on the people. Even supposing, in future transactions also, if they begin to collect higher stamp duty on leases as well as on power-of-attorney executed by the simple mortgagor, to the mortgagee with regard to the possession of property, the hardship is greater all the more. So, under these circumstances, I say, this Bill is not necessary."

THE HON. SRI H. SITARAMA REDDI:—"Mr. Speaker, Sir, from the various speeches made, I find, it looks, as though there are two types of objections. One set is, that for the difficulty that is sought to be removed, the existing provisions of the Act are quite enough and adequate and there is no need to bring in an amending legislation like this. Then there is the other objection that this is not the proper way to amend and that I must go and amend the Transfer of Property Act first and all that sort of thing.

"Sir, I can really understand when it was said—and I can appreciate it—that the existing provisions of the Act seem to be adequate and proper; but to say that I should amend the Transfer of Property Act, to say the least, is amazing! We have got power under the statute to amend the Stamp Act, and in the past there have been certain amendments to this Act. Now, it is sought to introduce an amendment to that Act in the light of experience gained in certain transactions that have taken place. Under the Stamp Act there is a particular provision declaring one type of stamp duty leviable if it is a mortgage without possession and another type of stamp duty if it is a mortgage with possession. If a particular person executes a mortgage and at the same time simultaneously executes a lease or a power-of-attorney, a higher stamp duty is leviable. Cases have come to the notice of the Government where a certain person executed a lease, and subsequently, the same person to the same authority executed a mortgage. Then it was examined whether in view of the fact that the parties to the two transactions being the same, whether a higher stamp duty should not be levied. It was then found, that the provision as it stands now, cannot give power to the Government to levy a higher stamp duty, unless the transaction is simultaneous. If a certain section of the people take advantage of this lacuna and execute mortgage and lease separately, the State would be deprived of its revenue. So, to get over this lacuna, this question was examined not only by the Legal Department of the Government of Madras, but was also referred to the Advocate-General, who advised this Government that it would not be wrong to bring an amendment. So, Sir, that is the basis of this amending legislation. We have been advised that it is a proper thing to do. I hope this will convince Members who raised objection against this legislation.

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"Then, there was another objection raised that the Government are trying to make simple mortgages into usufructuary mortgages, as though we are trying to do it as a sort of trick, and that there is no need for this legislation. I would like to draw the attention of the House to the Explanation, which says—

'A mortgagor who gives or has given to the mortgagee a power of attorney to collect the rents, or gives or has given to the mortgagee a lease of the property mortgaged or part thereof, is deemed to give possession thereof within the meaning of this article.'

So the only thing I have brought in is whether the mortgage is simultaneous or otherwise, it shall be 'leviable under stamp duty. So, Sir, what is sought is only to prevent people abusing the existing provision by taking advantage of the lacuna."

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noon.

MR. SPEAKER:—"The motion is—

'That the Madras Stamp (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 motion is—

'That clause 2 do stand part of the Bill.'

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, I want to draw the Hon. Minister's attention to the particular way in which the Explanation has been worded. Article 33 (a) covers mortgages when possession of the mortgaged property is given or agreed to be given. From the use of the words 'is given' and 'agreed to be given' it is clear that the article covers transactions when possession is given simultaneous with the mortgage itself or when there is an agreement to give possession in future. According to the proposed Explanation, a mortgagor who gives or has given to the mortgagee a power-of-attorney or lease is deemed to give possession. From the use of the words 'has given' it is clear that the transactions is already completed. I do not know whether we can include an already completed transaction is an Explanation when the body of the article covers only the transactions that go along with the mortgage or that are agreed to be done in future.

"The objection raised by my hon. Friend Sri L. N. Gopalaswami also requires to be paid some more attention. He pointed out that at the time of the execution of the power-of-attorney or lease, the persons never existed in the relationship of a mortgagor and mortgagee. At the time of executing the power-of-attorney or lease, there was no mortgage, as the mortgage was only subsequent, and therefore, the mortgagor-mortgagee relationship had not been brought into existence. I respectfully draw the Hon. Minister's attention that the use of the words 'mortgagor who has given' does not fit in. In the law courts it may be contended that the Explanation covers only mortgagor and as the

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person who executes a power-of-attorney or lease was not a mortgagor at the time of execution of the deed, it does not cover his case."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I was also amazed when the Hon. Minister for Revenue said that he was amazed when I said that this looked more like an amendment to the Transfer of Property Act than to the Stamp Act. Apparently he did not catch the spirit in which I said it. I said it just to tell him that the nature of a simple mortgage should not be mistaken while considering amendments to the Stamp Act. I hope he will not be under the misapprehension that my point was that the Transfer of Property Act must be amended before amending the Stamp Act. I know the difference between the two. The Transfer of Property Act deals with the substance of law while the Stamp Act deals with the rates of stamp duty. Even after hearing his explanation, I am not convinced that the purpose which he has in mind will be fulfilled by the language of the clause which he has introduced. He was not kind enough to tell us how exactly the need for the amendment arose and how much loss of stamp duty the Government sustained. The answer to these points will give us a clue to the wording of the proposed Explanation. 'Mortgagor who gives or has given' does not take us any further than 'mortgagor who gives', if the word 'gives' is interpreted to mean that the giving of possession should be simultaneous with or part of the mortgage. The Explanation even now will cover cases where a power-of-attorney or lease is executed only as a part of the mortgage transaction, though the different incidents of the transaction might take place at different times. I believe the object is to include a mortgage in respect of which a power-of-attorney or lease has been executed earlier without assuming the possibility of a future mortgage, and yet after one or two years the party is obliged to execute a simple mortgage for securing some more money, then the entire language will have to be changed. Unless the words 'or have given' are inserted after the words 'is deemed to give', there will not be symmetry with and historical relation to the words 'or has given' occurring in the first line of the Explanation. If the Hon. Minister wants to stick to his wording, I have no objection. But I dare say that it will be argued before the Registrars that the words 'or have given' have not been inserted, that therefore no substantial change has been made, and that no higher stamp duty need be given. Therefore I ask him to insert the words 'or have given' after the words 'is deemed to give' in the fourth line of the proposed Explanation."

* THE HON. SRI H. SITARAMA REDDI:—"Sir, the proposed Explanation first refers to a mortgagor who gives. That means it relates to a transaction which is current. Then it refers to a mortgagor who has given. That relates to a transaction which has already taken place some time ago. That is how the distinction is sought to be made. The object is to see that people do not take advantage of the lacuna in the present Act under which a lower stamp duty is payable if the mortgage and the

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power-of-attorney or lease are separated. I submit that the language as drafted by the Legal Department is adequate to cover the object behind this amending legislation, though I may not be able to satisfy the grammatical requirement according to the standards of my hon. Friend Sri T. Viswanatham.

"The objection raised by hon. Sri A. Vaidyanatha Ayyar was that a person might have executed a power-of-attorney or lease with no intention at that time of executing a mortgage later on and that such a person should not be mulcted with the higher stamp duty. My submission is this. As I have already explained, the object of this Bill is to prevent people from taking advantage of the lacuna in the present Act by executing a power-of-attorney or lease at one time and a mortgage some time later. Certain instances have been brought to the notice of the Government in which parties executed a power-of-attorney or lease first and a mortgage in respect of the same property some time later. After this amendment is passed, there will not be scope for evasion from paying the higher stamp duty. The parties themselves, I think, will disclose the previous transaction and there will be no difficulty in getting the higher stamp duty that is payable."

SRI K. VARADACHARI:—"Even now, how are the Government going to avoid evasion by the parties executing a power-of-attorney or lease in favour of the wife and the mortgage in favour of the husband?"

THE HON. SRI H. SITARAMA REDDI:—"The Bill does not cover such cases. It covers only cases where the parties are the same and the property is the same. As my hon. Friend said, it is possible even after this amendment to evade the higher duty by registering the power-of-attorney or lease in the name of one and the mortgage in the name of the other. It is quite possible that there may be hundred ways of escape."

"Hon. Sri T. Viswanatham was very particular to know how the need for the amendment arose. It arose out of a lease for a monthly rent of Rs. 200 executed by a party near about Madras with a firm. In order to clear a debt, he subsequently borrowed a sum of Rs. 20,500 from the same party. When the mortgage was sought to be registered, the Registrar raised an objection and made a reference to the Government. The matter was examined and found that the Government had no right to levy the higher stamp duty under the Act as it stands. That was the starting point of the investigation and the reason for this amendment. I hope this will satisfy the hon. Member."

MR. SPEAKER:—"The question is—

'That clause 2 do stand part of the Bill.'"

The motion was carried.

The Preamble was put and carried.

THE HON. SRI H. SITARAMA REDDI:—"Sir, I move—

'That the Bill be passed into law.'"

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MR. SPEAKER:—"Motion moved—

'That the Madras Stamp (Second Amendment) Bill, 1950, be passed into law.'"

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I really cannot understand how the Hon. Minister for Revenue has thought that there is a lacuna in the existing Stamp Act and because of that, some people have tried to escape stamp duty and so on. Sir, there are different kinds of transactions and different kinds of documents, and each of them has been carefully distinguished and separated and different rates of stamp duty have been prescribed. Then, where is the question of escaping the stamp duty? In the case cited by the Hon. Minister, it is quite legitimate for a party first to give a lease of the house, and if after a time when things become difficult, there is nothing wrong for him to execute a simple mortgage deed. At the time of the execution of lease deed, stamp duty was paid and at the time of the execution of the power-of-attorney also, stamp duty was paid. How could people escape these when they are specifically laid down in the Stamp Act? Sir, there are promissory notes executed for lease amounts and after a period, the lease is converted into a simple mortgage, and when a power-of-attorney to collect rents is executed, it is generally treated as a usufructuary mortgage. I submit, Sir, there is no use confusing these things, because specific stamp duty is laid down for each transaction and there is no question of anybody escaping stamp duty on account of some lacuna in the Central Act. If the Government want to fuse three or four transactions into one and collect stamp duty over and over again, then let them say so clearly. A simple mortgage can be converted into a mortgage of possession and at the time of conversion, certainly the extra stamp duty can be collected. I want to know whether the stamp duty that has been paid on the power-of-attorney or on the execution of lease deed will be given credit, when it is converted into a simple mortgage or a mortgage with possession. Otherwise, there is no point in collecting stamp duty over and over again at the time of the execution of the power-of-attorney, on the lease deed, on the simple mortgage and after a time when this simple mortgage is converted into a usufructuary mortgage and it will be most unjust. I submit, Sir, that only the excess alone should be collected."

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, the Hon. Revenue Minister gave us the origin and genesis of this Bill, and explained what led this Government to bring forward this Amending Bill. He said that a certain Sub-Registrar or a registering officer brought to the notice of the Government that some person had already executed a lease on a property and afterwards wanted to convert it into a mortgage with possession, and since he wanted to collect a much higher stamp duty, he had addressed the Government to amend the Act enabling him to do so. Sir, in bringing forward a legislation of this kind, I should like to make one or two submissions to the House."

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"Sir, there are transactions where as part of the mortgage, a man intends to give possession. That may be actually given or agreed to be given at the time of the execution of the mortgage-deed. In such class of cases, he generally brings out a kind of conveyance of the property and pays a higher stamp duty and that is what is intended. The Act naturally and justly intends to collect stamp duty only in that class of cases where the mortgagor at the time when the mortgage was entered into, gives actual possession of the property to the mortgagee or agrees to give possession in the future as part of the transaction. That is legitimate and the explanation may be justified in such transactions.

"Then again, Sir, a man might have originally intended to give a power-of-attorney to an agent to collect the rents or profits from the property and then finds that certain sums were due to him as arrears or rent, and therefore later on he might legitimately take a simple mortgage on the property. These are perfectly legitimate transactions and should really be kept apart. But according to the extended meaning of the explanation which is sought to be introduced, these separate transactions are netted together and this would bring about results which could not have been contemplated either in law or in justice, because the Explanation says that these transactions need not be simultaneous, for purposes of stamp duty.

"Similarly a man might give a lease of his property to somebody and afterwards might think of borrowing from the same person. Some months later, he also borrows from him on the mortgage of that property itself. Although these transactions might be separate, according to the wording of the new Explanation, these will be treated as a mortgage with possession, and an increased stamp duty collected on these documents. This is a contingency which could not have been contemplated at all by the original Act. I would therefore submit, that evasions of stamp duty in the class of cases referred by the Hon. Minister will be so small that a legislation simply for the purpose of netting together for getting a higher stamp duty, transactions which can legitimately be entered into separately, would be quite unnecessary and it is likely to produce results which might be harmful and which were not contemplated by the original Act. That is why I would call this a loose legislation which would go much further than what is contemplated and produce results, much worse than before. After this amended Explanation is passed by this august Assembly, the result will be this. In every case where is a previous power-of-attorney given to the mortgagee to collect rents or a lease, irrespective of the fact whether the mortgagor would create a simple mortgage or a mortgage with possession later on, a higher stamp duty will have to be paid, as if it were a usufructuary mortgage, or a mortgage with possession. That, I respectfully submit, Sir, is incorrect and unjust and that would create interminable troubles and difficulties in the future. Already the stamp duty is weighing very heavily on the parties

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and is even worse than court-fees. It is 8 per cent in the case of documents registered in towns and municipalities and 7 per cent outside the municipality. That is itself a heavy enough penalty, but if even legitimate transactions are likely to be made a source of harassment by the registering officers, then I leave it to the Hon. Minister to judge for himself what the consequences of an enactment like this would be. One consequence, which I am afraid, would result from this would be that when a dispute arises in any such transaction and a case is brought before a civil court, somebody may try to raise the question of the validity of the document itself by saying, 'This mortgage deed is not properly stamped, because the mortgagor has already executed a power-of-attorney to collect rents and then created a simple mortgage, which according to this enactment should be treated as a mortgage with possession and a higher stamp duty paid. Therefore this document is invalid'. Such things are likely to happen. I would therefore respectfully request the Government not to create, as far as possible, new complications over things which had been simple, before, and try to put more burden on the taxpayers, who are already over-taxed by means of stamp duties and court-fees, etc. As I have already mentioned, after all such evasions will be far and few between, but on that account, the language of the enactment should not be made so wide as to net in all transactions which could be entered into and treated as separate, legitimately and legally."

THE HON. SRI H. SITARAMA REDDI:—"Sir, I am unable to appreciate the argument of my hon. Friend Mr. Vaidyanatha Ayyar. Even now there is nothing preventing genuine transactions in respect of mortgages, leases and power-of-attorney to collect rents, being kept separate. But the whole object of this enactment is this. People have avoided registering usufructuary mortgage deeds and escaped a higher stamp duty and yet have created such a mortgage in effect, by first executing a power-of-attorney to collect rents or lease and then some days later registered a simple mortgage deed over the same property. Though in effect it is a mortgage with possession, because the man is already a lessee and is in possession of the property, he could escape paying a higher stamp duty on these documents, by adopting this tactics. The State is thus denied of its legitimate revenue of a higher stamp duty prescribed for usufructuary mortgages. I want my hon. Friend to look at the question from this aspect."

SRI A. VAIDYANATHA AYYAR:—"I submit, Sir, that if the lease stood separately, the lessor could eject the person at the end of one or two years, as the case may be, according to the terms of the lease and he need not wait until the whole mortgage amount is sought to be recovered. There the possession of the property could be speedily obtained, but in the case of a mortgage with possession, until the mortgage amount is fully redeemed, possession cannot be obtained. Keeping these two separately would confer substantially different rights to the parties. Suppose, for instance, if I give a lease of a property for two or three years

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and then I convert it into a mortgage for a period of 10 years, the lease amount could be recovered at the end of 3 years, whereas if I treat it as a mortgage with possession, I cannot get back the possession of the property until the 10 years' period is over. There will thus be a substantial difference in my rights over the property by these two transactions. Though my hon. Friend Sri T. Viswanatham did not put it in so many words, it is true that for purposes of avoiding higher stamp duty, some people are apt to put down the values of properties, when they enter into such transactions. Such things will go on and cannot be checked. Now take the case of a person to whom a power-of-attorney is given for the collection of rent or lease. It could be cancelled at any time, unless it is tacked on to a mortgaged property. Now, my complaint about this enactment is that it treats all power-of-attorney, even if they are intended to be separate, and all leases which have separate rights and all mortgages as mortgages with possession which is an ocean by itself."

THE HON. SRI H. SITARAMA REDDI:—"Sir, the arguments advanced by my hon. Friend would not take away what I have said already. The point is this. If a man leases out a property for 15 years and then mortgages the same property to the same person, it amounts to a mortgage with possession and the State is entitled to collect a higher stamp duty thereon. If both the transactions are simultaneous, then there is no difficulty, but if there is a time-lag between these two transactions there is no provision in the existing Act to collect an enhanced stamp duty which is legitimately due to Government. It is the intention of the Government that people should not escape the payment of a higher stamp duty by adopting this course, although it may be legal and legitimate. It is for that purpose that this Bill has been brought forward. I do not think it is likely to create any complications as my hon. Friend Sri Vaidyanatha Ayyar fears."

MR. SPEAKER:—"The question is—

'That the Madras Stamp (Second Amendment) Bill, 1950, be passed into law'."

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

(2) THE MADRAS HEREDITARY VILLAGE OFFICES (AMENDMENT) BILL, 1950.

* THE HON. SRI H. SITARAMA REDDI:—"Sir, I beg to introduce the Madras Hereditary Village-offices (Amendment) Bill, 1950, and move—

'That the Bill be taken into consideration at once.'

"Sir, proviso (ii) to section 13 (1) of the Madras Hereditary Village-offices Act, 1895, as amended by Madras Act XXVIII of 1942, makes the presumption that the emoluments of a village office consist only of the assignment of revenue, inapplicable to

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artisan inams. The effect of this amendment is that in the case of these inams, the question as to whether the grant consists of the land or only of the assignment of revenue has to be decided in each case on its merits. Most of these inams were granted before the commencement of British rule in India. There is no reason to suppose that in those days, the State had no cultivable lands at its disposal which it was free to grant as inams. The intention of the State was to defray the expenses of a particular service and it is unreasonable to suppose that, with this purpose in view, it would have granted only the assessment of revenue which in terms of money is often paltry. The fair and natural presumption is that the grant in respect of artisan inams consisted of the land and not merely the assignment of revenue. The Bill is intended to make a specific provision accordingly in proviso (ii) to section 13 (1). Suits and appeals pending on the date of publication of this Bill or which may be instituted thereafter will be decided in accordance with the Act as now proposed to be amended."

MR. SPEAKER:—"Motion moved—

'That the Madras Hereditary Village-offices (Amendment) Bill, 1950, be taken into consideration.'"

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, I rise on a point of information. I want the Hon. the Minister for Revenue to say how many of these inams, which are now the subject-matter of this Bill, are likely to be affected and whether there are specific cases outstanding where this kind of presumption would be of use."

* THE HON. SRI H. SITARAMA REDDI:—"It is rather difficult to say exactly the number. But I should say that there are not many. As the hon. Member knows, a large number of village service inams are disappearing, and the hereditary and traditional service in the village is being lost. People like carpenters and other artisans, who are going to be affected by this Bill, have been going out of the villages, and the village economy has been affected. If the presumption is given that this assignment is not land revenue alone but of the land, it is expected that it would stabilize the village economy, and we would be able to prevent the migration of this particular class of people from the villages. This would also help the villages to retain the services of these people, because it would be much more attractive for anybody to have the land and not merely the land revenue alone. That is the object with which this legislation has been brought forward. In the last portion of my speech, I have stated that if there are any cases that are pending, they will be decided in accordance with the Bill now brought forward."

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, while appreciating the perfect bona fides of the Hon. the Minister for Land Revenue in his attempt to make the villages retain their

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original integral unity, there are one or two observations which I wish to make to show that the legislation as at present brought forward is somewhat obsolete. My reasons are these. It is undoubtedly true that ancient rulers had it in their power to make grants of lands and not merely the land revenue alone. But unfortunately, my complaint on the floor of this House has been that we have forgotten it for 4½ years after the commencement of the Assembly. At the time when the question of abolition of zamindaris was considered, I was crying myself hoarse on the floor of the House that it was within the power of the ancient kings to grant inams not merely of land revenue but also the lands. As a matter of fact, it is unjust to deprive these persons of the grants that have been made, because we should not take away the things which had been granted by kings in the past and which had been kept up under Muslim rule and under the British rule. But curiously enough, suddenly the Government have awakened to their sense of duty and to the fact that ancient kings had it in their power to grant lands and not land revenue alone. The second thing that I want to bring to the notice of the House is this. In 1802, the Permanent Settlement was enacted. Long after that, in 1895, the Madras Hereditary Village-offices Act was passed (Act III of 1895). In section 3, sub-section (1) of that Act, a number of village offices were classified, namely, village munsifs, monigars, karnams, nirgantis, vettis, totis, tandalgars and talayaris. Sub-section (3) deals with some other hereditary offices. Sub-section (4) says—

‘the hereditary offices of village artisans and village servants such as the following, namely :—
(i) the village carpenter,
(ii) the village blacksmith,
(iii) the village barber,
(iv) the village washerman,
(v) the village potter,
(vi) the village astrologer,
(vii) the village purohit or priest.’

In 1895 when the question arose of enacting legislation, this sub-section (4) dealing with these village carpenters and others was put in. The Hon. the Minister for Revenue will concede this. In cases where the question arose as to whether these inams or grants were grants of land revenue alone or were grants of land themselves, it was specifically stated by statute—

‘When one of the facts in issue in a suit is whether the emoluments of the office consist of land or of an assignment of revenue payable in respect of land, the Collector shall decide the claim on the assumption that only the said assignment constitutes the emoluments; but such decision shall not bar the right of the claimant to institute a suit in a civil court for recovery of the land itself.’

That is, wherever the question arises in the Revenue Court in a suit for office or the emoluments of that office, under section 13 (1) (ii), the Collector shall decide the claim on the assumption that assignment was only in respect of land revenue. This was the law from 1895 to 1942. The Revenue Courts were proceeding on the assumption that land revenue alone and not land itself attached

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to the office. In the course of 47 years, that is, between 1895 and 1942, this was the assumption on which the Revenue Courts were proceeding. By that time, practically most of these village servants by virtue of the orders of the Revenue Courts had practically been treated as if they owned no lands but only the land revenue. In 1942, during the Advisers' regime, an amendment was made—we do not know for what reason—which went counter to the administration of the law which stood for 47 years. That amendment made an exception in the case of the village servants coming under section 3 (4), that is, the section in respect of which the Hon. the Minister has now brought forward this Bill, namely, village carpenters, blacksmiths, barbers, washermen, etc. In 1942, an exception was engrafted. It stated ‘except where the office is one falling under class (4) in section 3 and the land was on or at any time after the 14th July 1942 in the possession of the person then holding the office’. This amendment left the position in a neutral state. By that time, most of the village servants had already left the villages and became more or less factory hands in towns, because they found it was not possible to get on with the inams as they stood. These lands continued in the possession of the office holder, and the 1942 Act left the position in a neutral state without making the presumption clear either this or that way. What is now sought to be done is to make the position clear. It is just like the Tamil proverb ‘கண்ணைக் கெட்ட பிறகு சூரியம் தாமஸ்காரம்’ :” In English it means, closing the stable after the horse is stolen. Time and again in this House we have seen a repugnancy to recognise kudiwaram rights in the case of inamdars, except of course those cases in which they claim land interest. We have now discovered the village carpenter, the blacksmith the washerman and others have migrated to the cities and other urban places except very few people who still are sticking to the villages. Are we not appearing to be Gandhites in trying to invite these communities to the villages? The barber wants 12 annas for a shave. The charges of the washerman are more. With regard to the rest of the people, the village carpenter and others, nobody is prepared to be in the village. We are trying to devise some method by which we can make them remain in the villages. What we are now doing is that we are trying to reverse the whole process by bringing in this presumption that the Collector shall, in the absence of evidence to the contrary, presume that the emoluments of the office consist of the land and not merely of an assignment of revenue payable in respect of the land. Originally, the presumption was against the person; in the 1942 Act, the presumption was left neutral, and the present Bill proposes to make the presumption in favour of the person. What will be the result of this presumption? While I appreciate the Hon. the Minister for his sympathy that these persons should be protected, I see that the results of this Bill will be disastrous in most of the cases. The carpenters and blacksmiths are engaged in business, and they are not cultivating the lands, because their kudivaram rights were disputed. In the result, all those lands

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were purchased by the villagers outright. Even in the case of a few people, in whose possession these lands are, what they get is a few rupees by way of revenue. When that is so, why should we now try to resuscitate those original conditions. Sentiment I can understand. We are trying to help them to remain in the villages. What is the use of reversing the clock by 57 years when as a matter of fact the village carpenter and others have gone out of the village and the lands have changed hands. After all, the Government have sentiments. The Hon. the Revenue Minister is a human being trying to keep up Gandhian idealism. But if we do not impinge on others, I would certainly appreciate his sympathy. This Bill is likely to operate detrimentally in respect of those people in whose hands the lands are now. The protective clause that is given is as follows:—

‘5 Any question as to the validity of any mortgage or lease executed by the holder of any office falling under class (4) in section 3 of the said Act and subsisting on the 15th August 1950 shall be decided as if this Act had not been passed.’

What happens to those particular persons who have lost their property? The property has been in the possession of others for a long time and they have sold the property treating as if they were the owners of kudivaram rights in most of the cases, because the Government stated that the assignment of land revenue was the inam. But at present there is a real danger that inamdars can file a suit for recovery of possession when they get annexed to the office. A land which has been sold away will be grabbed at by another person, with the result that the existing title-holders are likely to be divested of their titles by virtue of this presumption that is given. Considering the small extent to which the people will be benefited and the large extent to which it will start up something like a new Tungabhadra Scheme whereby people, who will hunt up the revenue register for finding out whether there has been any past inams in respect of barbers, washermen, etc., would be financed by somebody to recover possession saying that it is a land annexed to the office, I think that this Bill tries to unsettle things. I beg to submit that any kind of legislation which tries to unsettle things which have become almost settled facts for a considerable time is not good. It is wrong to disturb the existing titles and establish new titles. That will result in a series of litigations and the benefit arising therefrom will be pretty small considering the amount of unsettlement of rights of property. I would, therefore, request the Hon. the Revenue Minister to balance on the scales the disaster that will follow on the one side and the benefits that may be conferred on the other side.

“I may also submit that ‘sales’ are not saved by clause 5 of this Bill. The wording used is, ‘Any question as to the validity of any mortgage or lease executed . . .’ Therefore, I would submit that this kind of legislation, however, well-intentioned, should not be brought into this House. I would request the Hon. the Revenue Minister to drop this Bill.”

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SRI V. I. MUNISWAMI PILLAY:—“Mr. Speaker, Sir, while I have to appreciate the Hon. the Revenue Minister for his attempt to give some facilities to the hereditary village officers such as the artisans, I do not think it is opportune to bring this piece of legislation at this juncture. The Hon. the Minister for Revenue is fully aware that the Government have constituted a Land Revenue Reforms Committee and a reference has also been made to them whether the hereditary system of officers is to continue or not. This Bill may not cover all sections of officers who come under the category of ‘village officers’, but it touches a certain section. Of course, in reply to my hon. Friend Mr. Vaidyanatha Ayyar, the Hon. Minister just now told us that there were not many cases filed before the Court. That being the case, I do not see any reason why this piece of legislation should be brought forward just now. I feel that if a comprehensive legislation, after the deliberations of that committee are over, is brought before this House, it will receive greater support. I have carefully read through the provisions of the Hereditary Village-offices Act, 1895, and also the proposal of the Hon. Minister to give some facilities to the village artisans. But I fail to see how this Bill is going to help this section of people. As it is known, to-day in the villages these artisans have lost practically the inams and even their avocations in life have been diverted to various other ways. In view of these circumstances, I do not think it is opportune to bring a piece of legislation of this character and I would request the Hon. Minister to reconsider the position before he pilots the Bill further.”

* SRI T. VISWANATHAM:—“Mr. Speaker, Sir, I am not very clear in my mind as to the implications of this legislation. The Act of 1942 was virtually the same as this. There the provision which is made in clause 2 of this Bill was inserted as an exception to sub-clause (ii) of section 13, clause (1). The wording there is, ‘except where the office is one falling under class (4) in section 3 and the land was on or at any time after the 14th July 1942 in the possession of the person then holding the office.’ In this Bill it is sought to provide this separately, ‘where the office is one falling under class (4) in section 3 and the land was on or at any time after the 14th July 1942 in the possession of the person then holding the office.’

“Section 3 of the Hereditary Village-offices Act deals with quite a good number of classes with respect to inams. There are four such classifications. The first class consists of village munsifs, patels, monigars, peddakapus, karnams, nirgantis, vettis, totis and tandalgars, talayaris, etc. The second class consists of hereditary village-offices to which the Madras Proprietary Estates village Service Act, 1894, is extended. The third class consists of other hereditary village-offices in proprietary estates except the offices forming the fourth class and in proprietary estates wherein Madras Regulation XXIX of 1802 remains in force, and

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the office of village accountants. The fourth class comprises the hereditary offices of village artisans and village servants such as those persons which are just now under consideration.

"Whenever any dispute arose as regards the nature of the emoluments granted, certain presumption was prescribed to be followed and the Collector was asked to decide the dispute upon the particular assumption. Emoluments have been defined in section 4 of the Act as follows:—

'Emoluments' means and includes—

- (i) lands;
- (ii) assignment of revenue payable in respect of lands;
- (iii) fees in money or agricultural produce;
- (iv) money salaries and all other kinds of remuneration are granted or continued in respect of, or annexed to, any office by the State.

Section 13 (1) (ii) says—

"When one of the facts in issue in a suit is whether the emoluments of the office consist of land or of an assignment of revenue payable in respect of land, the Collector shall . . . decide the claim on the assumption that only the said assignment constitutes the emoluments."

This applies not merely to claims covered by class (4) of section 3 but to all the inams covered by the whole Act. The 1942 Act made an exception in the case of village artisans' inams only. In view of the benefit of this, I want to know whether we are now making the assumption in favour of the village artisan inams applicable to all the village service inams. Apparently not. Then why should certain kinds of inams be discriminated as against other kinds of inams? Almost all the inams are of the same nature. They might have been granted for different purposes at different times. But as has been rightly observed by the present Revenue Minister, most of these inams were granted before the commencement of British rule in India. So, there is no reason to suppose that in those days the State had no cultivable land at its disposal to grant as inams. It is a refreshingly correct statement of the position and I am glad the Hon. Minister has been able to make it on the floor of this House. If that is so, why should a different presumption be applied in the case of other inams? I am glad that the Government are able to say that in one case the inamdar gets both the rights. Of course, there may be other legal complications as hon. Sri Vaidyanatha Ayyar pointed out, because this is piecemeal legislation. This covers old proceedings also. Therefore, some trouble may arise. But in a way a good beginning has been made and the rights of village officers are being recognized. But I want that these rights should be recognized in favour of all the inamdars covered by the hereditary Village-offices Act. The Hon. Minister says they cannot be covered. I ask 'why?'.

SRI D. V. RAMASWAMI:—"Mr. Speaker, Sir, on the face of it this piece of legislation ought to be very welcome to those who feel that the services of village officers ought to be recognized. It is wrongly presumed that the emoluments do not carry the land also along with them. So, on principle it is better late than never.

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"With regard to the other question that the *raison d'être* of this Bill should also apply to the classes which have not been brought within the purview of this Bill, much reason can be adduced in favour of it, and it can be done if not by an amendment of this Bill, by introducing a fresh Bill. Leaving that question apart, in the case of alienees who have purchased lands from these artisans whose rights are now sought to be protected, certainly there must be some period of limitation. We should not touch upon transactions which took place long long ago. In order to protect previous alienations, some clause may be introduced fixing a date transactions before which date cannot be gone into even by courts of law. Provided that some such provision is made and that the other point is considered whether it is feasible to apply the same fair principle to the other services also, this piece of legislation deserves the wholehearted support of this House. I welcome this Bill, Sir."

SRI K. BRAHMANANDAM REDDI:—"Mr. Speaker, Sir, I have listened with respect to my hon. Friend Sri Vaidyanatha Ayyar. But I feel sorry to say that his reasoning has failed to convince me. He has not agreed with the provisions of the Bill, not because the Bill is inherently bad or defective or that he does not want that these village artisans should not be benefited, but because some 4½ years ago when legislation was brought to abolish the estate inams, his reasoning that the zamindar should be presumed to be the owner of the land was not accepted by the Government. How far this reasoning holds good in this case, it is for you to judge.

"His second reason seems to be that there are not many village artisans now who would be benefited by this Bill. I quite agree that there may not be many people who will be benefited by this legislation. Even supposing there are a few persons, I mean there are a few artisans in the villages who will be benefited, this piece of legislation is necessary. There is no reason why we should not pass this legislation. This legislation may not affect the whole community in the State. If we feel that a thing is good, it does not matter if it is going to benefit only a small section of the society. It has been argued on the floor of the House that this Bill should not be made applicable in cases which might have been already settled elsewhere, as it would upset such decisions which might have been already arrived at. I have gone through the provisions of the Bill, once, twice and thrice and I feel that there is no section in this Bill which upsets decisions already taken by the Revenue Courts or other Courts. Clause 4 says, 'Except in the appeals referred to in clause (b) of section 3, no decision of any Revenue Court under section 13 (1) or section 23 (1) of the said Act passed before the 15th August 1950 and holding that the emoluments of any office falling under class (4) in section 3 of the said Act consisted of an assignment of revenue payable in respect of land, shall be liable to be questioned or re-opened, whether in the same or any other Revenue

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Court, merely on the ground that such decision was arrived at without making the presumption referred to in the said section 13 (1), as amended by section 2 of this Act.' So it is definitely made not retrospective. It applies, according to clause 3, also to suits and proceedings pending before Courts only. If matters have already been decided by Revenue Courts or other Courts, you cannot question it. This piece of legislation does not entitle the party to agitate the matter further anywhere except when a suit or appeal is pending and when the matter is being agitated at present. Further, my hon. Friend Mr. Viswanatham said that it does not make any difference from the 1942 amendment which was brought forward during the Advisers' regime. Sir, I beg to differ from him in this matter because, previously, i.e., prior to 1942, the presumption was against the artisan. The 1942 amendment does not give presumption either way. It is neither against nor in favour. It only entitles him to prove his case. The present Bill says that presumption shall be made in favour of the artisan definitely. One is a case where presumption was against the artisan prior to 1942. Under the 1942 amendment, presumption was neither in favour of or against the artisan. Under the present Bill, you have got the presumption in favour of the artisan. So there is the fundamental difference between the 1942 amendment and the present Bill. My submission is that this is a necessary piece of legislation, although it may not benefit a very large section of the society as pointed out by hon. Sri Vaidyanatha Iyer. I do not want to repeat my argument further. So I support this measure and request the Hon. Revenue Minister to proceed with the Bill."

SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I am surprised when hon. Sri Brahmanandam Reddi said that hon. Sri Vaidyanatha Iyer's argument did not convince him. Evidently, he has not understood his argument. The argument advanced by hon. Sri Vaidyanatha Iyer is this. He did not say that he was opposing this Bill because the Government did not follow his advice in the matter of abolition of zamindaris. He pointed out that in the case of an inam, it may not be supposed that it is only the revenue that is conferred upon the recipient, but there may be cases where the property itself may be conferred on the recipient. So, there is no use of telling that hon. Sri Vaidyanatha Iyer's arguments have not convinced him, especially when he does not understand his suggestions. Now, after an interval of 50 years, when you bring forward this legislation, it will admittedly benefit only a few persons. When you seek to bring an amendment after 50 years for the purpose mentioned in the Bill, you will have to consider what will be the consequences. The rights that are proposed to be conferred upon these people will benefit only a few cases. On the other hand, I am afraid this may lead to so many litigations which we should try to avoid. That was the whole point on which hon. Sri Vaidyanatha Iyer was stressing.

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"I am inclined to support hon. Sri Viswanatham's views. You concede that in the case of these artisans, there should be conferment of certain rights. The Hon. Minister said that this piece of legislation was necessary to bring back the old glory of villages by giving presumption in favour of these artisans. I want to ask, 'why should not the same benefits be given to the other set of poor village officers, viz., the village munsifs and karnams, who might also have been given such lands for the same purpose of serving the villagers. This is a very important point and I hope the Hon. Minister, in his reply, will make the position clear with regard to this point advanced by hon. Sri Viswanatham'."

* THE HON. SRI H. SITARAMA REDDI:—"Mr. Speaker. Sir, I did not expect much discussion on this piece of legislation. (Interruption.) I know Sir, that hon. Sri Viswanatham is not satisfied with the discussion that we have had on this Bill and he may consider that the time was too short. Apart from that. I am surprised that hon. Sri Vaidyanatha Iyer should have suggested that this Bill should be dropped. He, as well as other Members admitted that this is a good piece of legislation. But, the whole argument was that it was too late and this may not benefit many people and so this should be dropped. I may inform the House that I have a little more information pertaining to this question. I understand that there are lots of these cases in the districts of East Godavari West Godavari and Ramanathapuram. So far as these districts are concerned, the legislation that has been brought forward by the Government, if approved and passed by this House, is going to be of immense benefit to the people of these districts, and it is a live issue so far as they are concerned. I wanted to convey this information to the House as I was sure that the hon. Members would be interested in the same. There may be some other cases in other districts as well. I have mentioned about the three districts, but I do not have the exact number of such cases in those districts.

"Now, coming to the Bill proper, hon. Sri Brahmanandam Reddi clearly pointed out how the present amendment is an improvement over the 1942 amendment. In the 1942 amendment, each case was left to be decided on its merits; but here, each case is not left to be decided on its merits, but there is a definite and specific presumption in favour of the artisan. As such, it is a definite improvement over the position as it was in 1942. With a view to confer certain benefits to the artisans, this piece of legislation has been brought forward. Another objection raised is, that this is going to cause some trouble to the existing rights or rights that have already accrued. I should, however, point out that it is not so. For instance, clause 3 of the present Bill is definite about pending suits and proceedings. Again you have got the saving clause 4 with regard to the previous decisions of the Revenue Courts. Clause 5 is again another saving clause

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relating to the mortgages and leases subsisting on the 15th August 1950. (Sri A. Vaidyanatha Ayyar: 'But those clauses do not include sales'.) Thus, we have taken care to see that the existing rights that have accrued are not affected. We have also tried to see that in cases where there are matters pending and where a particular matter is likely to come up in future, the presumption is given in such a way as will help artisans and indirectly the village economy. That is the purpose with which the present Bill has been brought forward and I am glad that on the whole, the Bill has been received as a good measure which is going to help and assist the needy artisans of the village community."

MR. SPEAKER:—"The question is—

'That the Madras Hereditary Village-offices (Amendment) Bill, 1950, be taken into consideration at once.'

The motion was carried.

MR. SPEAKER:—"I will now take up the clauses. I think there are no amendments."

* SRI T. VISWANATHAM:—"Sir, I think the clauses can be taken up later. We thought that the supplementary demands only will be presented to-day. We did not expect that these Bills will be taken up for consideration to-day. So most of us are not prepared for the discussion. It was first announced that we will be having a holiday this evening, but I now find that we are sitting this afternoon also."

Clause 1 was put and carried.

Clause 2.

MR. SPEAKER:—"The motion is—

'That clause 2 do stand part of the Bill.'

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, when I commended the Hon. Minister for the spirit in which he has brought forward this Bill, I did not say that it was one which was beneficial; because, as I said, having regard to the present conditions, it was one which will operate detrimentally. That is why I asked from him more details as to how many cases are affected by this legislation. I am now glad to know the source from which this legislation has emanated, viz., the two important districts of East and West Godavari and the district of Ramanathapuram."

THE HON. SRI H. SITARAMA REDDI:—"I only gave the information relating to the districts of East Godavari, West Godavari and Ramanathapuram. Our desire is to see that the artisans are prevented from migrating from the villages as far as possible."

SRI A. VAIDYANATHA AYYAR:—"At any rate, I am glad that there are cases where this Act may be beneficial. At least

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there are three districts out of the 26 districts in this State which are likely to be benefited. Apart from that, my objection is, for the last 55 years, the Government have been recognizing only the assignment of revenue so far as these artisans are concerned. In many cases, the lands might have passed out of their possession. If you want to resuscitate their rights to the lands, there will be trouble and many suits will be filed for recovery of possession. When you take the original inam register or some original grants, they will show that some lands were attached to washermen and barbers. When once these lands are attached to an office irrespective of how long it has been held, the successive office-holders may, as a matter of fact, sue for recovery of possession and limitation arises only as soon as they become entitled to the office. By virtue of the present possession the barber and washerman can file a suit in the Revenue Court before the Sub-Collector for recovery of possession. Another man might have held the property by means of a sale made to him about 50 years back. Nevertheless, the Sub-Collector is bound to hold that it is a land that forms the emoluments of the washerman or barber as the case may be. This is the danger to which I have referred and I am sorry this has not been met by the Hon. Minister. As for limitation it starts from the date on which he became entitled to the office. I was, therefore, pointing out that it would ultimately result in utter annihilation of rights that have been spread over a considerable period. The Hon. the Minister for Land Revenue referred to some Section and said that as a matter of fact he was not meddling with any of the rights. But a mere perusal of the clauses in the Bill side by side with the original Act would show that great mischief has been done. So far as clause 3 is concerned it is perfectly all right. It says that suits pending on the 15th August 1950 or instituted thereafter would be dealt with under the provisions of the amended Act. But under clause 4, only appeals mentioned in clause 3 (b) can be dealt with. Cases where alienations have taken place but have not been subject to any decision by a Revenue Court do not come within its purview. Sir, I drew pointed attention to clause 5 where it is stated that any question as to the validity of any mortgage or lease will be decided under the old Act. But what about sale? If the word 'sale' is not mentioned there, what does it amount to? Persons who have purchased lands on statutory assurance held out by the Government under the Act of 1895 are affected. The statutory assurances already made have unfortunately been sought to be gone behind. Therefore, I said, on the whole, that whatever might be the motive of the Hon. the Minister—however beneficial it be—the measure would prove detrimental to the people at large."

* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, the Hon. the Minister for Revenue was good enough to make the presumption strong in favour of the inamdar. I said it was the same thing as was found in the 1942 amendment after going through the

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original Act as amended by the Amendment Act of 1942 and the present Bill. If the word 'emoluments' had not been defined in the original Act, it would have been a different thing. But it was defined in the original Act itself and in the 1942 amendment it was made clear that except in the case of artisans 'emoluments' would mean assignment of revenue. The assumption that it is assignment of revenue in the case of artisans also has already been thus removed. It is for this reason alone that I said that the present Bill was the same as that passed in 1942. There is nothing wrong with that Amendment Act except it be by way of out-stretched legalism.

"With regard to sale that is not sought to be covered by the present Bill under clause 5, I would like to point out that it is a very serious omission. Clause 5 as it is deals with leases and mortgages only and that too, they would be dealt with under the old Act if they were subsisting on the 15th August 1950. When we are making the 'presumption' in favour of the artisan inams, certainly those transactions which were entered into by him hitherto on a mistaken notion or subdued notion of his rights must all be validated. Here is a case where retrospective legislation is called for. Retrospective legislation generally is bad but in this it is quite justifiable. I hope the Hon. the Minister will give due thought to this question and see that justice is done."

THE HON. SRI H. SITARAMA REDDI:—Sir, we are in clause 2 but mention was made about clause 5 in particular . . .

SRI T. VISWANATHAM:—"No. We were discussing clause 2 in relation to clause 5." (Laughter.)

* THE HON. SRI H. SITARAMA REDDI:—"So far as the views expressed on clause 2 are concerned, I am in agreement with my hon. Friends, Mr. Vaidyanatha Iyer and Mr. Viswanatham. As far as the question of sale is concerned, if I remember right, there is prohibition on sale also according to section 5 of the original Act. It reads—

"The emoluments of village offices . . . shall not be liable to be transferred or encumbered in any manner whatsoever and it shall not be lawful for any court to attach or sell such emoluments or any portion thereof."

Clause 2 was put and carried.

Clauses 3 and 4 were put and carried.

Clause 5.

MR. SPEAKER:—"The motion is—

"That clause 5 do stand part of the Bill."

SRI A. VAIDYANATHA AYYAR:—"Sir, the Hon. the Minister for Revenue pointed out that there was prohibition on sale of the 'emoluments' of village officers. That in fact was the

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very reason why I said that in the new clause 5 'sale' should be included. There should be an exception in favour of sale also. As it stands at present, the clause reads—

"Any question as to the validity of any mortgage or lease executed by the holder of any office falling under class (4) in section 3 of the said Act and subsisting on the 15th August 1950, shall be decided as if this Act had not been passed."

The clause deals with mortgages and leases only. Where parties have proceeded for the last 55 years on the basis that it is the assignment of the land revenue only that forms the emoluments of the artisans and have entered into sales, this Bill does not provide any safeguard. If this Bill is not passed, the presumption would be that the land does not form part of the emoluments and the assignment of land revenue forms the emoluments. It is possible that a barber or a washerman might have himself sold away his land. So far as a Revenue Court is concerned, in such cases, it will pass a decree taking into account only the assignment of land revenue but it will not divest the alienee from the possession of the property. But by virtue of clause 5 of the present Bill this right is taken away. Again it also goes against the Fundamental Rights conferred by the Constitution on the citizen. In fact mortgages and leases are terminable and redeemable but in the case of sale it is not so. A man would have borrowed money and purchased a land long ago. But the present Bill seeks to nullify such transactions. As I have said such a provision is repugnant to the provisions of Article 31 (2) of the Constitution which says—

"No property, movable or immovable, including any interest in, or in any company owning, any commercial industrial undertaking, shall be taken possession of or acquired for public purposes under any law authorising the taking of such possession or such acquisition, unless law provides for compensation for the property taken possession of or acquired and either fixes the amount of the compensation, or specifies the principles on which, and the manner in which, the compensation is to be determined and given."

Again, clause (1) of the same article says—

"No person shall be deprived of his property save by authority of law."

So it is an inviolable right conferred on the citizen to own properties. With regard to the words 'by the authority of law', it does not mean that we can pass a legislation and then say the provisions of the Constitution are not violated. The words 'by the authority of law' should not be read in that way. The Fundamental Rights should not be interpreted in that manner. The Hon. the Minister for Law cannot say, 'we have passed a legislation to that effect and so the requirements of the Article 31 are met and, therefore, we can take away the right to own properties.' Here the term 'authority of law' does not mean a law passed by a Legislature. If it should be construed as a law passed by a Legislature, then it goes against the very conception of Fundamental Rights. In this connexion, it would be interesting to note what a Judge of the Supreme Court—hon. Mr. Patanjali Sastri—has said in the course of his judgment in one of the leading cases that went up to the Supreme Court from our High Court—A. K. Gopalan v. The State of Madras. He has clearly

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stated that the authority of law does not mean passing of an Act by a Legislature. He has added that it is wrong to construe it as meaning, 'provided the Legislature passes an Act, that right can be taken away', as was argued by the learned Advocate-General of Madras. The Judge pointed out that so far as our Constitution was concerned it was quite different from the British Constitution and that at the time when it was passed it was not forced by anybody on anybody but was one of option while the English Constitution gave the Parliament paramount authority and sought to make the prerogative of the Crown subject to the paramountcy of the Parliament itself. He also said that the Constituent Assembly preferred the American model in this respect to the British where the Crown sought to encroach upon the liberty of the individual. Therefore, Sir, the Americans visualised the possibility of a law being passed by the majority in a Legislature that might encroach upon not only minority but individual rights. For this reason, the American Constitution provided for certain fundamental rights with regard to person, property, religion, etc., which should not be meddled with by means of legislation by a State or by the Federal Legislature. These rights were called 'Fundamental Rights' and these are the essence of the American Constitution. We have accepted the American Constitution in essence and, therefore, the Fundamental Rights in our Constitution are such that they should not be encroached upon by means of any legislation passed by the State or by the Federal Legislature and they have also constituted a machinery in the Supreme Court in order to see whether any of the legislations passed by the States or by the Centre runs counter to the provisions of the Constitution. Referring to this aspect, the Judge said—

The Constitution assures to the citizen the dignity of the individual and other cherished human values as a means to the full evolution and expression of his personality and in delegating to the Legislature, the executive and the judiciary their respective powers in the Constitution, reserved to themselves certain fundamental rights, so called, I apprehend, because they have been retained by the people and made paramount to the delegated powers, as in the American model.

He quoted Madison who has said—

'Here (in America) the great and essential rights of the people are secured not by laws paramount to prerogative but by Constitutions paramount to laws.'

Referring to the intention of the framers of the Constitution the learned Judge pointed out that it was not correct to say the doctrine of parliamentary supremacy was conceded. If it was not so, then, he said, it would amount to an absurdity as was observed by an American Judge in a similar context who said—

'You shall not take away life or personal freedom unless you choose to take it away.'

So, Sir, if the term 'by the authority of law' means a law enacted by the Legislature, then it reduces the whole matter to an absurdity. It would mean only this: 'You shall not have any right to your property if the Legislature chooses to take it away.' This is wrong and absurd. Therefore, under the Indian Constitution the Government assure to us authority on the land. Here in this particular case my respectful submission to the House is that by

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making a law which takes away property from a man who has already acquired it by virtue of the law that prevailed before the making of the law, the man stands to lose it and this clause if you enact it, in a way without saying sales before, we would be led to this that we are taking the property without compensation and that will be against the fundamental rights. Therefore, I say, the Hon. Minister might well take note whether it is not possible to say with regard to previous things. The difficulty does not arise because section 5 rests only if after the Act is passed, it has made the land part of the emoluments. It is very necessary that you should put in also the saving clause regarding the sales."

SRI T. VISWANATHAM:—"I would not have risen if the Hon. Minister for Revenue had not pointed to section 5 of the Hereditary Village-offices Act."

* THE HON. SRI H. SITARAMA REDDI:—"I am sorry, I withdraw."

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MR. SPEAKER:—"The Hon. Minister may move that the Bill be passed into law."

SRI T. VISWANATHAM:—"This may be taken up in the afternoon, Sir."

The House rose to meet again at 3 p.m.

(After lunch—3 p.m.)

MR. SPEAKER:—"The Hon. the Minister will move that the Bill be passed into law."

THE HON. SRI H. SITARAMA REDDI:—"Sir, I move—
'That the Bill be passed into law.'"

* SRI T. VISWANATHAM:—"Sir, I want to offer a few remarks, as the Hon. the Minister did not agree to include the word 'sales', and I want to explain briefly why the word 'sales' should have been included. After all, this is an amendment to another Act. This is not an Act by itself. It is an amendment that is going to be incorporated in the Hereditary Village-offices Act. These clauses are coming in as additional sections. Clause 2 of this Bill is an amendment to section 13 of the Hereditary Village-offices Act. What does section 13 of the Act say? It says 'Any person may sue before the Collector for any of the village offices specified in section 3 or for recovery of the emoluments of any such office . . .'. That section deals with the right of any person to sue. It is not by a holder of office and by a person who is in possession of the land. Certain persons are entitled to certain offices either by right or by succession or by other laws which are in force. They have got to file suits for recovery of their office as well as their emoluments. Section 13 of the Act refers to this, and the amending Bill is with reference to this section. But what are the grounds for the suit? There are two grounds. One is by succession to the office in question at the time this Act comes into force. According to the law of succession, when a vacancy has arisen the person must get it, and also the emoluments. This is one cause of action. In section 10, subsection (4) it is stated where the next heir is not qualified the Collector shall appoint the person next in order of succession who is so qualified, and, in the absence of any such person in the line of succession, may appoint any person duly qualified under subsection (1). In that suit, the prayer would be that he should be appointed under the law of succession and that he should get the emoluments of the office. What are the emoluments? They are defined in section 4. They are (i) lands, (ii) assignment of revenue payable in respect of lands, (iii) fees in money on agricultural produce, and (iv) money, salaries and all other kinds of remuneration. Whether a man goes to the court under section 13 (1) of the Hereditary Village Offices Act or under the Proprietary Estates

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Village Service Act, 1894, the position is the same. When a man sues on the ground that he is in the next of succession, and that he is entitled to it, he is suing for the land not merely of the office but also the emoluments. The land is not necessarily in his possession. The land is in possession of somebody else. The suit itself is for the recovery of possession. The Hon. the Revenue Minister was telling this morning that the question of sale did not arise, because he was not in possession of land. I submit that it is not so. Here the suit is under section 13 of the Act for the recovery of emoluments. My previous holder might have mortgaged or might have given the land as a gift or might have sold it away. In either case I want the emoluments thereof. My plea is that the previous incumbent of the office had no right to mortgage or sell or do anything. It is true that he is prevented from disposing of emoluments under section 5 of the Act. But under a mistaken notion, because of the presumption in the Act that the land is separate from the emoluments thereof, or for some other reason, or in actual violation of the provisions of the Act—it does not matter what it is—my previous incumbent might have sold the land, and the land may now be in the possession of somebody. I go to the court and say 'I want my office; not only that, I want the emoluments; the emoluments consist of certain lands, some of which are mortgaged to one man and sold to another.' The suit is against persons who are not merely mortgagees but also others in whose possession the lands have gone by sale. The suit is by a person not having in his possession any of the emoluments. He is suing under this section for the office as well as the emoluments. In the course of enquiry under section 13 (1) (ii), that is, when one of the facts in issue in a suit is whether the emoluments of the office consist of land or of an assignment of revenue payable in respect of the land, this presumption will arise. Therefore, I submit that the amendment sought to be made by the Hon. the Revenue Minister must include 'sales' also. Prior to this Bill the presumption was that the grant was only the assignment of revenue and not the land itself. Hence there could be a valid sale and valid purchase. But the presumption now sought to be made is otherwise. The reason for saving mortgages is the reason also for saving sales. It may be under a mistaken impression or a wrong presumption the land might have been sold. Whatever that is, I am not concerned with that. The successor comes with a claim under section 13 of the Act. Just as a mortgage is protected I want also the purchaser of the sale to be protected. Otherwise what would happen is that although that man sold it, the innocent purchaser will be affected. I submit that innocent purchasers should under no circumstances be affected by subsequent legislation. Necessarily the person contemplated in section 13 (1) of the Act, who is without possession, wants to recover it, because it has been transferred or encumbered by the previous incumbent. Therefore, I submit that he must be protected. I will be glad if the Hon. the Minister will reconsider this matter, if there is time, before the Bill is taken to the Council."

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* THE HON. SRI H. SITARAMA REDDI:—"Sir, the hon. Member has rightly quoted section 5. Section 5 of the Act prohibits the sale of emoluments attached by the State to certain offices. They are not alienable and not liable to attachment. So, even if there is any sale or mortgage or lease, or any encumbrance, under section 5, it is invalid. As has been correctly pointed out, this amendment has to be read with section 5. What is sought to be protected by the amending Bill (clause 5) is that 'Any question as to the validity of any mortgage or lease executed by the holder of any office falling under class (4) in section 3 of the said Act and subsisting on the 15th August 1950 shall be decided as if this had not been passed.' The man who has purchased the land knows that the other man has no right to sell. If we are going to protect such a man, we will not be helping the artisan for whose benefit this amending Bill is brought forward. Is it the intention of the hon. Member that we should try to protect an invalid or illegal sale, a sale which is in contravention of section 5 of the Act? That is not the object of the Government. The Government's object is that if somebody by mistake, after 1942, in view of certain amendments, has entered into a lease or mortgage with these classes of people, he shall not be affected. But here is a case where the man has purchased it knowing that the other person has no right to sell. It is not the intention of the Government to give a right to the person who has purchased from the other man. The very object of the legislation would be defeated if we are to include the word 'sale'. Because we will be protecting not only lease or mortgage transactions, but sales which are definitely illegal. Lease or mortgage is only for a limited period. (Interruption.) It is only to the extent of transactions that have taken place between 1942 and now. I should also like to draw the attention of the hon. Member to the amendment that was introduced in 1942. That Act has got a section like clause 5 that is now proposed. No new section is sought to be introduced. The clause that is in the amending Bill is found in the Act of 1942 also. It seeks to protect mortgages and leases only (and not sales) that have taken place during a certain period. So far as that section is concerned, we seek to amend only the dates so that the transactions that have taken place, namely, mortgages and leases, between these two dates may not be affected. So far as sales are concerned, they were definitely omitted in the 1942 Act, and they are also sought to be omitted in this Bill, because we feel that by introducing the word 'sale' we will not achieve the object we have in mind of protecting the artisan from losing his land. Under section 5 of the Act it is invalid. Under section 13 the person tries to sue not only for his office but also the emoluments. If the man has ceased to perform the services, the Government have got the right to resume the lands. Because of the previous interpretation that it is only land revenue, and if a new man has to perform the service, he is given only a paltry sum of money, we are not able to get people to do service in the villages and continue the services of barbers and others for the benefit of the village. Now 'emoluments'

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means not only the land revenue but also the land itself. This has been done so that the alienee could cultivate the land and have interests in that land. That is the object of the Bill. (Interruption by Sri T. Viswanatham.) If there has been a new purchase, that man has to suffer, because he has no right to sell or purchase." 3-15 p.m.

SRI T. VISWANATHAM:—"Sir, 'emoluments' consists of different elements. One is land and the other is revenue. When you said that it should not consist of land, the office-holder then had a perfect right to sell the land and the purchaser had a right to purchase it. That is why he must be protected."

MR. SPEAKER:—"The question is—

'That the Madras Hereditary Village-offices (Amendment) Bill, 1950, be passed into law.'

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

(3) THE MADRAS AIDED INSTITUTIONS (PROHIBITION OF TRANSFER OF PROPERTY) AMENDMENT BILL, 1950.

* THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I introduce the Madras Aided Institutions (Prohibition of Transfer of Property) Amendment Bill, 1950, and move—

'That the Bill be taken into consideration at once.'

"The House will remember that the Act of 1948 sought to prohibit the transfers of lands and buildings of aided institutions without the permission of the Government. Very cleverly this requirement has been evaded. Permission is required only to transfer lands and buildings. So the management of an institution in a collusive way gets a court decree and has its property attached and sold. It is not prevented by the existing Act. Such instances have come to our notice and hence I have come forward with an amendment that 'No land or building referred to in section 3 (1) shall be liable to be attached, sold, or made subject to a charge by any court whether in execution of a decree or order or otherwise, unless the person seeking such relief from the court has obtained the permission of the Government to do so and files such permission in court'. So, the intention of the original Act cannot be defeated. Hon. Sri Viswanatham has suggested an amendment as follows:—

'No land or building referred to in section 3 (1) shall in the execution of a decree or order or otherwise be sold or made subject to a charge, unless the decree-holder obtains permission from the Government and files it in the executing court, before execution proceedings can issue.'

The drafting of my amendment was based upon half a dozen other enactments which have the same wording. But, to make things clear and to leave no doubt in the matter, I have accepted the

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suggestion of hon. Sri Viswanatham. Hon. Sri Viswanatham had omitted the word 'attached' in his amendment. I have added that word also in my amendment."

Mr. SPEAKER:—" Motion moved—

'That the Madras Aided Institutions (Prohibition of Transfer of Property) Amendment Bill, 1950, be taken into consideration at once.'

SRI A. VAIDYANATHA AYYAR:—" On a point of order, Sir. The Bill proposes to lay an embargo upon attachment, sale or creation of a charge by a court in the process of execution of a decree or order. It purports to refer not merely to land but also to buildings. So far as buildings are concerned, it does not come under State List, List II. Entry 18 in List II refers to 'Land, that is to say, rights in or over land, land tenures including the relation of landlord and tenant, and the collection of rents; transfer and alienation of agricultural land; land improvement and agricultural loans; colonization'. It does not refer to buildings. There is only one place in List II where the word 'buildings' is used and that is Entry 35, 'Works, lands and buildings vested in or in the possession of the State'. So far as the State List is concerned, power to legislate is conferred upon the State with regard to works, lands and buildings vested in or in the possession of the State. With regard to buildings themselves, there is no provision in the State List. The only other thing which we have to refer to is the Concurrent List. Entry 6 of that list refers to 'transfer of property other than agricultural land; registration of deeds and documents'. Entry 13 of that list refers to 'civil procedure, including all matters included in the Code of Civil Procedure at the commencement of this Constitution, limitation and arbitration'. If the power conferred by the Concurrent List is to be invoked, this would have to be done only by an amendment of the Civil Procedure Code. What is sought to be done by this amendment is 'restriction on the right to bring property to sale', and that will be a restriction both with regard to buildings and also with regard to lands being brought to sale in execution of a civil court's decree. That will be an infringement of the provisions of the Civil Procedure Code which is at present an existing law. 'Existing law' is defined in the Constitution as 'any law which has already been passed and which is now in force'. Civil Procedure Code is an existing law which has already been passed and which is now in force. Restriction on the legislative powers of the State, i.e., how far the State Legislature could legislate, is contained in Article 254 (1) of the Constitution. It runs as follows:—

"If any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament is competent to enact, or to any provision of an existing law with respect to one of the matters enumerated in the Concurrent List, then, subject to the provisions of clause (2), the law made by Parliament, whether passed before or after the law made by the Legislature of such State, or, as the case may be, the existing law shall prevail and the law made by the Legislature of the State shall, to the extent of the repugnancy, be void."

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Now, a provision is sought to be made against the provisions of the Civil Procedure Code which is an existing law. Under Article 254 (1), this is a provision which is repugnant to the provisions of an existing law with respect to one of the matters enumerated in the Concurrent List, namely, the right, under the Civil Procedure Code to attach and bring to sale any land or any building. The State Legislature has no power to alter the provisions of the Civil Procedure Code.

"Secondly, this Bill also takes away the powers of the court. Entry 46 in the Concurrent List refers to 'jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this list'. Therefore, if we seek to take away the jurisdiction of the courts with regard to the execution of a decree against the rights of property, whether it is land or buildings, it will be one which infringes upon the provisions of Article 254 (1) of the Constitution. Therefore, I would respectfully submit that this is a Bill which we are not in a position to enact."

* THE HON. SRI K. MADHAVA MENON:—" Sir, no question of want of jurisdiction arises in this case. I shall refer to the provisions applicable in this case. They are Entries 11, 18 and 65 of the State List, and Entries 6 and 13 of the Concurrent List. This legislation refers to educational institutions. Entry 11 of the State List is 'Education including universities, subject to the provisions of Entries 63, 64, 65 and 66 of List I and Entry 25 of List III'. Entry 18 is 'Land, that is to say, rights in or over land, land tenures including the relation of landlord and tenant, and the collection of rents; transfer and alienation of agricultural land; land improvement and agricultural loans; colonization'. There is no definition of 'land' given in the Constitution. So, we have to refer to the General Clauses Act. There we find that 'land includes buildings'. So, it is a subject on which we can legislate.

"Entry 65 of the State List is 'Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this list'. We say in this Bill that the court shall not attach or sell a property without the production of an order of permission from the Government by the party in the court. This comes completely under Entry 65 of the State List.

"Apart from these, we have power to legislate on this matter under Entries 6 and 13 of the Concurrent List. Entry 6 is 'Transfer of property other than agricultural land; registration of deeds and documents'. Entry 13 is 'Civil procedure, including all matters included in the Code of Civil Procedure at the commencement of this Constitution, limitation and arbitration'. Even execution of decrees as well as sales come under the Civil Procedure Code which comes under Entry 13 in the Concurrent List. So I cannot see how the Bill is out of order."

SRI A. VAIDYANATHA AYYAR:—" Sir, I am afraid the Hon. Minister for Law has not taken note of my point at all. The

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difficulty to which I have referred is with reference to Article 254 (1). The Hon. Minister seems to think that as this matter is in the Concurrent List, he can straightway bring in legislation in respect of the same. Mr. Speaker, Article 246 deals with allocation of powers between the Parliament and State Legislatures. clause (1) of this article says, 'Notwithstanding anything in clauses (2) and (3), Parliament has exclusive power to make laws with respect to any of the matters enumerated in List I in the Seventh Schedule (in this Constitution referred to as the "Union List")'. Clause (2) of the same article deals with Concurrent List which says, 'Notwithstanding anything in clause (3), Parliament and, subject to clause (1), the Legislature of any State specified in Part A or Part B of the First Schedule also, have power to make laws with respect to any of the matters enumerated in List III in the Seventh Schedule (in this Constitution referred to as the "Concurrent List")'. Similarly clause (3) of this article deals with State List. In clause (2) the State Legislature is enabled to bring forward legislation with regard to matters referred to in the Concurrent List. The whole of this article deals with the distribution of powers. Clause (1) deals with the Union List, clause (2) with Concurrent List and clause (3) with State List. Now, along with this Article 246, we have to read Article 254. Supposing in exercising the powers with regard to the State List or in making a law with regard to a matter in the State List or with regard to the matter in the Concurrent List, the State Legislature is making an Act, the provisions of which conflict with the existing enactment, then Article 254 steps in. Article 254 (1) says, 'If any provision of law made by the Legislature of a State is repugnant to any provisions of a law made by Parliament which Parliament is competent to enact, or to any provision of an existing law with respect to one of the matters enumerated in the Concurrent List, then, subject to the provisions of clause (2), the law made by Parliament whether passed before or after the law made by the Legislature of such State, or, as the case may be, the existing law shall prevail and the law made by the Legislature of the State shall, to the extent of the repugnancy, be void. Supposing there is an existing law with reference to a matter on the Concurrent List, existing law is clearly defined. That denotes that the laws at present in force include the Civil Procedure Code. This will not help the Hon. Minister. On the other hand, it will create difficulties in the way of the Law Minister. I think this is far from the Hon. Law Minister's intention. Probably he thinks that as the matter is in the Concurrent List he can bring forward this legislation. Another contention of the Hon. Minister seems to be that under Entry 6 in the Concurrent List, transfer of property also comes in. Even then, I will have to point out that there is an existing law with regard to the Transfer of Properties Act, and you cannot undertake legislation in this regard which is repugnant to the existing law. When we take Entry 13, i.e., Civil Procedure, it is dead against you. It relates to Civil Procedure including all matters included in the Code of Civil Procedure at

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the commencement of this Constitution, limitation and arbitration. At the commencement of the Constitution, Civil Procedure Code enabled any property to be attached and brought to sale. If now this subject is to be legislated upon, then Article 254 (1) will at once come in and make the thing void. The Hon. Minister also referred to the question of jurisdiction and powers of courts. Entry 46 refers to jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in List III. (The Hon. Sri K. Madhava Menon: 'There is also entry 65 under List II.') With reference to Civil Procedure, I may say that it comes under the Concurrent List and the power and jurisdiction of the courts come under Entries 46 under List III and 65 under List II. So far as this matter is concerned, my submission is that this being under the Concurrent List, any legislation undertaken now which is repugnant to the existing laws will be void. Then reference was made to Entry 11 under List II, which refers to education including Universities. So far as education is concerned, if it is prescribed that such and such education shall be given in such and such a place, I can understand. But it is a novel thing to say that education means any building in which education is imparted. Wherever there is a specific provision for lands and buildings, you cannot use the word 'education' to denote building itself. To say that legislation on education means legislation on buildings is something which is peculiar, especially as this entry refers to Universities also. This entry could not possibly apply to the present case. Again Entry 18 which relates to land, that is to say, rights in or over land, land tenures including the relation of landlord and tenant, etc. This entry also will not apply. Regarding buildings, there is separate mention under Entry 35, viz., works, lands and buildings vested in or in the possession of the State. So there is the specific use of the words relating to buildings and hence you cannot use the general word 'education' to denote 'buildings'."

* THE HON. SRI K. MADHAVA MENON:—"I am sorry hon. Sri Vaidyanatha Ayyar has not followed me. Education, Civil Procedure, Transfer of Property are all coming under the Concurrent List. He has quoted Article 254 (1), which will operate subject to the following clause (2) of the same article. I would very much like him to read this clause (2) which says, 'Where a law made by the legislature of a State specified in Part A or Part B of the First Schedule with respect to one of the matters enumerated in the Concurrent List contains any provision repugnant to the provisions of an earlier law made by Parliament or an existing law with respect to that matter, then, the law so made by the legislature of such State shall, if it has been reserved for the consideration of the President and has received his assent, prevail in that State'. I must point out that even if it is repugnant to the provisions of the existing law, the legislature cannot be prevented from passing such a legislation. We can pass this legislation and we can reserve it for the assent of the President.

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So it is not correct to say that in view of Article 254 (1), the State legislature should not pass this Bill. Even if we assume for argument's sake that it is repugnant to the existing law, we can pass this legislation and reserve it for the assent of the President. There is nothing else that we can do in the matter."

SRI A. VAIDYANATHA AYYAR:—"Sir, a new question is raised. The Hon. Law Minister thinks that Article 254 (2) is a saving clause. May I draw his attention, through you, Sir, to the difference in language between Articles 254 (1) and 254 (2). If we read both the clauses of this article carefully, we can understand the patent difference in the language used in them. The former says that if the law was repugnant to the provisions of an existing law, it will be void. The latter says that in case where a law is repugnant to the provisions of an existing law, it shall prevail if it has been reserved for the President's assent. So, I am afraid the Hon. Minister cannot take shelter under Article 254 (2) and say we can propose legislations even though they may be repugnant to the existing laws."

* THE HON. SRI K. MADHAVA MENON:—"I must again repeat that Article 254 (1) itself is subject to clause (2) of the same article and this should not be lost sight of."

MR. SPEAKER:—"I suppose that when the Government bring forward a Bill they would have consulted their own legal advisers and they will not bring forward any Bill without such consultation. This Bill has been before the House for a very long time, and hon. Mr. Vaidyanatha Ayyar knows about it. Of course, a point of order can be raised at any stage. He was in my room this morning and was discussing with me about other Bills. He could have told me at that time about his intention to raise this point of order so that I could have come prepared; but he has not done so. Apart from that, I would like to tell the House that in England the Speaker is advised by his legal adviser who is a K.C., that is, King's Counsel, who is a very eminent gentleman. But here, the Speaker is not advised by anybody (laughter). I must also tell the House that a Bill should not be thrown out by the verdict of the Speaker. That is why in some Dominion Parliaments such questions are not decided by the Speaker, but by the whole House itself. Under our rules, the Speaker has got to decide such matters. I have closely followed hon. Member Mr. Vaidyanatha Ayyar's arguments and also that of the Hon. Law Minister. I am of opinion that the subject-matter under discussion comes within Entries 11 and 18 of Schedule 7 under List II and also under Entry 6 under List III. So I rule that the Bill is in perfect order."

SRI T. VISWANATHAM:—"Sir, I rise on another point of order, viz., that the Bill violates Article 226 (1) of the Constitution which says—

"Notwithstanding anything in Article 32, every High Court shall have power, throughout the territories in relation to which it exercises jurisdiction, to issue to any person or authority including in appropriate cases any Government,

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within those territories directions, orders or writs, including writs in the nature of *habeas corpus mandamus*, prohibition, *quo warranto* and *certiorari*, or any of them for the enforcement of any of the rights conferred by Part III and for any other purpose."

"Clause (2) of the same Article says—

"The power conferred on a High Court by clause (1) shall not be in derogation of the power conferred on the Supreme Court by clause (2) of Article 32." So, Sir, in the face of such provision, clause (3) of the Bill cannot stand . . ."

MR. SPEAKER:—"Were not similar clauses passed in this House?" 3-45 p.m.

SRI T. VISWANATHAM:—"They were all prior to the passing of the Constitution by a Ministry which did not understand them."

MR. SPEAKER:—"But the Courts have upheld those provisions as valid."

SRI T. VISWANATHAM:—"Such an occasion has not arisen so far . . ."

MR. SPEAKER:—"Let us see about it when it arises."

SRI T. VISWANATHAM:—"I am only forecasting such a possibility. This clause goes against Article 226 of the Constitution and the provision that the Court shall not have jurisdiction at any stage is not merely unreasonable but absolutely illegal and *ultra vires* . . ."

MR. SPEAKER:—"We are not concerned with the reasonableness of the measure now. We are concerned with the legal aspect."

SRI T. VISWANATHAM:—"I shall come to 'reasonableness' later on but so far as the legal position is concerned it is *ultra vires*, as it has been the case with very many measures that have been passed."

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, along with Article 226 I would request you to read Article 32 of the Constitution under the heading, 'Right to Constitutional Remedies'. This Article comes under Fundamental Rights and clause (2) of that Article says—

"The Supreme Court shall have power to issue directions or orders or writs, including writs in the nature of *habeas corpus*, *mandamus*, prohibition, *quo warranto* and *certiorari*, whichever may be appropriate, for the enforcement of any of the rights conferred by this Part."

The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights is guaranteed by the Constitution. Whereas clause (3) of the Bill takes away the jurisdiction of the Courts altogether. I believe the Supreme Court is a Court of law and the High Court is a Court of law. Therefore provisions like this which have become a regular feature with the present Government of late are against the Constitution itself."

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* THE HON. SRI K. MADHAVA MENON:—"Sir, if the arguments advanced by my hon. Friends are correct, then this legislature will have no power to pass any legislation at all. If their point is conceded then we cannot legislate even with regard to the Civil Procedure Code and the Criminal Procedure Code which concern Courts. I believe, Sir, that the Supreme Court or the High Court can pass any order they like and the amendment we have suggested does not take away their powers. I cannot understand how Articles 32 and 226 come into play here. The provision 'for any other purpose' in Article 226 should be interpreted *ejusdem generis* with the rest. Article 32 says—

'The Supreme Court shall have power to issue directions or orders or writs for the enforcement of any of the rights conferred by this Part (Part III).'

And Article 226 confers the same power on the High Court in respect of Part III of the Constitution and in regard to certain other matters. So, Sir, there is no prohibition on filing applications for issue of writs."

SRI A. VAIDYANATHA AYYAR:—"Sir, the Hon. the Minister's construction is against plain English. The new Section 7-A (4) reads—

'No order of the Government granting or refusing such permission shall be liable to be questioned in any Court of Law'.

The Supreme Court is a Court of Law. The High Court is a Court of Law . . ."

MR. SPEAKER:—"Will the hon. Member kindly read Entry 65 under State list in the Seventh Schedule? It says—

'Jurisdiction and powers of all Courts, except the Supreme Court, with respect to any of the matters in this list'."

SRI A. VAIDYANATHA AYYAR:—"That pertains to the State list. But the jurisdiction of the Supreme Court is not excepted in the new Section 7-A (4). The words 'except to Supreme Court' are not mentioned there. My contention is that the Supreme Court is also struck at. I respectfully submit that it is not fair to take away the jurisdiction of that Court which is the poor man's last refuge who is oppressed by an oppressive legislation."

MR. SPEAKER:—"I could have given my ruling earlier but for the fact that I wanted to hear hon. Members before giving a ruling. I do not agree with the hon. Members Mr. Vaidyanatha Ayyar and Mr. Viswanatham that this Bill is *ultra vires* of the Constitution, that is, it does not come under Article 226 or Article 32. It is governed by Entry 65 under State list in the Seventh Schedule. The Bill is, therefore, perfectly in order and is *intra vires* of the Constitution."

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, I want to say a few words on the merits of the Bill (laughter). In the first place, I wish the Government do not take powers which

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are arbitrary. The second point is where there is some error—errone and mistakes there are and will be here and there—a legislation should not be resorted to, as for instance, we have seen in the case of the present Bill. Now, coming to the Bill proper, what is sought to be done under the Bill is to deprive the creditor of his right to collect his dues from educational institutions to which he has lent or lends some money. Sir, it is possible that educational institutions may also have to borrow at times to carry on their educational work. There are private aided institutions and also public institutions which actually borrow for the payment of salaries to the teachers, purchase of buildings or construction of buildings and for several other purposes connected with their educational activities. The person who lends money to such institutions is entitled normally to proceed against the management or the properties of the institution in case of default in repayment on the part of the institutions concerned, in a Court of Law. But the new clause 7-A (1) says—

'No Court shall, whether in execution of a decree or order or otherwise, attach, sell, or create a charge on any land or building referred to in section 3 (1), without the permission of the Government'.

So the Court cannot act without the permission of the Government. And what will the Government do? The Government may impose such conditions as they deem fit while granting such permission and where no such permission is sought or if any of the conditions imposed by the Government while granting permission are contravened, the action of the Court shall be rendered null and void. So they prevent the Court from ordering an attachment of the properties or bringing them to sale. I would respectfully submit that this provision will leave the creditor almost out in the streets. His fate will be decided at the sweet will and pleasure of the Government. There is also nothing in the clause to say that permission will be given to proceed against properties in proper cases whereas such a remedy is provided for in the case of the courts. If for instance an ordinary private institution borrows money, there is nothing to prevent a court from passing a decree against the person who manages the institution or proceeding against the properties of the institution. The Court before passing a decree goes into the matter in detail and satisfies itself as to whether the person who borrowed has spent the money on the activities of the institution or used it for his personal ends. But placing the power of a court into the hands of the Government merely for purposes of determining whether a property can be proceeded against or not is nothing but taking away the rights of the creditor to collect his money. There is also another danger. There is nothing in the Bill to indicate in what way the Government will use its discretion. This is purely arbitrary. I submit that this kind of making laws for each and every matter within the four corners of the State—from Food right to the Gods, educational institutions not excepting—is a direct interference with our daily life and is a negation of the very principles of the Constitution. The Constitution provides for

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individual liberty and freedom and the right to possession of property subject only to certain limitations. But the general policy of our Government seems to be to place everything into the hands of the Government. I trust and believe, however, that the Government would always try to deal with cases with equity. 'Government' is an impersonal entity and the Ministers sitting in the Fort St. George cannot be expected to know the rights and wrongs of their action. Unless some one makes an *ex parte* representation there is no chance for the Government to enquire into specific charges, and whatever they order would be in the nature of disposals made by the Board of Revenue on representations and petitions. This is rather an unsafe thing and is one to be deprecated.

"Then, there is another matter to which I would like to refer, and it relates to the filing of execution petitions. Suppose the Hon. the Law Minister has lent about 20,000 rupees to an educational institution with all the best of motives and having been dissatisfied with the method of repayment, has obtained a decree for that amount which is 11 years old. There is no provision in the Bill to cover such cases. The concerned clause says that no Court shall pass a decree, unless the Government have permitted it to do so. It is possible that by the time the Government permit the Court to execute the decree, the decree will have lapsed. Twelve years may have lapsed by then and the decree will have become time-barred. There are transactions which are valid only for three years and 12 years. I am sorry that the Government have not given due thought to these questions.

"And then, Sir, whenever the Government bring forward any legislation, they should take note of the provisions of the Constitution, especially the Fundamental Rights which guarantee to all of us freedom, liberty, right to possession of property, etc. Nothing that the Government do should abridge our rights conferred by the Constitution but on the contrary whatever they have done have helped to take away our liberties. I would request the Government to bear in mind the provisions of the Constitution whenever they bring forward any legislative measure. I was very glad yesterday when the Hon. the Leader of the House quoted, page after page, the provisions of the Constitution in support of the Government's stand in regard to the conduct of elections. It is a thing which we should abide by and we have sworn our loyalty to it. We must therefore observe the limitations imposed by the Constitution. What is the use if you do not investigate the limits of the Constitution and see that our private rights are not taken away by the Acts we are making? I feel that there will be precious little left of the fundamental rights because it is likely to be taken away by the law."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, I wish to support the point of view that has been taken by the hon. Gentleman Mr. Vaidyanatha Ayyar. This is not the first time that a legislation like this has been brought forward to attack

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those persons who owned educational institutions. There are various bodies in our State who have institutions and who are conducting them with the aid of the Government. The Government during last year withdrew a measure of a similar nature on the representations made to the Government from various sides. But to-day we find a similar measure has been brought forward by the Hon. Minister for Education.

"In the first place I must state that after the coming into existence of the Constitution, we find that the Madras Government has been bringing forward legislations to oust the jurisdiction of the court in various ways and one of the ways is to pass an order to restrict the powers of the courts. Secondly the right to own property is taken away without any compensation being guaranteed. Here I want to ask the Hon. Minister for Education whether when they give an aid they give it as an aid or as a loan? If they give it as a loan, they secure the loan by various ways. I suppose all the laws come to their aid in order to secure the loan. In case the authority, the proprietor, owner, or the manager of the educational institution misuses the money given by the Government for salaries to teachers or for any other purpose as a loan and not as an aid, as I said, the Government have ample opportunity to see that the amount is secured. The Government have made sure that the amount that is given by them as aid to the educational institutions are properly used. When all these are done, I do not know why the Government should take additional powers by restricting the jurisdiction of the courts, to pass any order they like. Why should the Government take away the power of the courts and their jurisdiction in this manner? I would urge on the Hon. Minister to consider whether it is proper to take away the power of the court by measures like this, and the right of any individual or an institution to own property free of being molested from time to time. When the Government secure the proper use of the loans and aids granted to the educational institutions by means that are now available why should the Government come forward now to take away the right of the court?

"Besides it seems to me rather anomalous that the highest tribunal in the State, the High Court, and when we say court, I suppose it includes the Supreme Court also, are deprived of their right. A free citizen in any country regards these courts with the highest respect because he believes that the court is a free institution, a free agent to exercise its discretion and to pass any order it likes. If by legislation in any State, we curtail the power of the Court by various means, the respect that the citizen has for the courts, High Court and the Supreme Court, is considerably reduced. It is wrong on the part of the Government to aid and abet citizens having less respect for the courts such as the High Court and the Supreme Courts. On the other hand it ought to be the duty of the Government to inculcate in the citizen love of freedom with respect for the courts in the country. If the Government are themselves taking away their jurisdiction and curtailing

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their right to exercise the discretion in any manner they like on the merits of the case, I do not know what respect we can have for these courts of law when they are made mere subordinates of the Government of the State with their freedom curtailed and rights curtailed. Therefore I would like to state that the Government should not do anything that would reduce the powers of the courts and thereby reduce the respect free citizens have for the High Court and the Supreme Court."

* SRI T. VISWANATHAM:—"Sir, even when the original Act was discussed there was a great deal of opposition to the Bill, the original sin. I am sorry the present Education Minister has taken upon himself the original sin and is now amending the Act and in so amending it he has added also new sin to it. Sir, I first want to thank him because he has accepted in advance the amendment to clause 3 which I gave. That I did only with a view to see that the Court won't be put to the necessity of going to the Government but the party who wants to execute would go to the Government for permission. Now, therefore, I am not going into the original principles of the original Act. But the Hon. Minister who belongs to the noble profession of law, after the passing of the Constitution has come forward with Bills containing clauses like this excluding jurisdiction of civil courts. This is astonishing. I, as a colleague of his, suggest on the floor of the House that he should not be a party to such measures as these. It is true, Sir, that the ruling has been given that it is *intra vires*. While I do not like in the least to question the ruling I will certainly go into the unreasonableness of the provisions which the Hon. Minister has imported into this Bill. What is it that he is afraid of to say that no order of the Government shall be liable to be questioned in any court of law? Is he of clear conscience that what the Ministry will do will be only what to their conscience is right. If so why should he make a provision that the court should not look into it. In these days the question of fundamental rights is always in the air, on the floor of the House, in the courts and on public platforms and every one is familiar that we now do have certain fundamental rights. But we are now bringing in the legacy of pre-constitution days and we think we can stamper on the fundamental rights of individuals simply because there were similar pre-constitution provisions. I submit that under a democratic Government it is absolutely unreasonable to say that an aggrieved person should not go to the Court of Law. All kinds of rights are affected under this Act, buildings taken away, lands requisitioned and arrears collected as if they are arrears of land revenue. The rights of third parties are affected. It may be said by the Hon. Minister 'You can trust the Government to do this'. But I do submit that provisions like these will enable the Government officers to disregard the legitimate rights of others and they will not scrutinize things properly when there is a safeguard for them in the Act itself with a provision that a Court of Justice will not look into it. I do submit that with even the best men in the Treasury Benches,

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great mistakes and great wrongs are liable to be done to the citizen if there are provisions like this in law. I submit it is not a proper principle to be embodied in any law which can be passed by the Government particularly representing the party to which I belong. I submit in all earnestness that this provision should be deleted.

"With all my objections to the existing Bill, I would not have spoken, but these provisions clearly show the tendency that is fast developing in the country and particularly in our State to take all power not only take power but to further say that their acts should not be again scrutinized by a Court of Law. I should have no objection to it, Sir, if they permit a Court of Law at one stage or another to scrutinize the acts of the executive. Then we can allow them to take all the powers they want. To-day we are passing a 'legislation'. I ask, Sir, is this legislation? What is the fundamental concept of legislation? Does 'legislation' mean merely going to the Legislature and asking 'Give power to us to do what we like' and next cut off the power of the court from scrutinizing the acts? Really it has got only the form of the law, only the name. Because it does not conform to the concepts of justice. What is the legislation we have here? The Government would simply grant or refuse permission according to their desire. It will not give an insight into the safeguards or limitations which it wants to impose upon the executive in exercising the discretion. It simply says the Government can grant or refuse permission. The Government can impose such conditions as they deem fit. But when the party is aggrieved, let him have the ordinary right of the ordinary citizen to go to an ordinary Court of Law and get the ordinary justice. I do submit that no Government has the right to deprive the citizen of his ordinary right and particularly this Government has absolutely no such right in view of the Constitution. I submit that the right of the citizen to go to a Court of Law at least at one stage, at the revisional stage and at the final stage should never be cut off by any Government which claims to be democratic. I know the Hon. Minister may think that I am simply 'lecturing'. He may say: 'I thank him for his remarks: I will go to him when I want his advice' and such other things. He adopts that attitude generally. But when I say all this I say it because I feel a sense of responsibility. When we go out we are not separated from the Ministers in criticism and abuse. It may be we are not garlanded and taken out but in passing the criticism the people don't make a distinction between the Ministers and members of the Congress party. When we pass legislation like this, it is the Congress men who are abused. The mentality of the Congress men is described as Fascist. I am equally responsible with the friends on the Treasury Benches for getting this Bill passed. I cannot be trumpeting that I was protesting against this; it is not possible nor do I want to do it. What I want to point out here is that both the Hon. Minister and I belong to the same organization, and we are responsible to the

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people. Let him revise his notions of what law should be. Let him not take away the jurisdiction of all courts to go into executive acts. I have no objection to give him all the powers. I shall canvass every support to give all powers to Government provided he gives the ordinary citizens affected by this Bill the ordinary redress in a Court of Law. I only request the Hon. the Minister to consider this carefully, and, if possible, delete sub-clause (4) of clause 3. The effectiveness of this Bill will not in the least be affected by it. The power to take over institutions which are mismanaged, according to the executive, will not be affected, if that sub-clause is removed. The Government can take over the aided institutions. They can still recover the moneys given as aid. That power will not in the least be affected. On the other hand a blot on our legislation will be removed, and we will be laying the foundations of a true democracy."

SRI T. S. AVINASHILINGAM CHETTIYAR:—"Mr. Speaker, Sir, the reason for the bringing in of the original Bill, which was passed into an Act by this House, was that the Government contemplated then, in view of the large building programme that was necessary in the interest of education in the elementary, secondary and collegiate stages, that they might borrow, if necessary, some Rs. 20 lakhs and advance it to a large number of schools, and that the institutions should be prevented from selling those buildings. Under the present rule, the buildings are not put up for a certain number of years. It so happens in the country that land prices are going up, and certain cases have been brought to the notice of Government that certain educational institutions, which had received grants, wanted to sell those buildings. It was necessary to put a ban on the sale of such lands or buildings so that they might continue to be utilized for educational purposes. What the Government wanted to do was to see that the buildings for which grants were given by Government did continue to be utilized for educational purposes. The original Act did not affect the rights of private parties who had advanced moneys previously or subsequently. It was not the intention of the Government to affect the rights of people. The intention was to protect their own right in that they had given State money for the putting up of these buildings. But the present Bill seeks to do a different thing altogether. While permission of the Government was made necessary for any individual institution to sell or transfer property, in this Bill the Court must take the permission of the Government. The amending clause is 'No court shall, whether in execution of a decree or order or otherwise, attach, sell or create a charge on any land or building referred to in section 3 (1) without the permission of the Government.' It certainly infringes the rights of private parties. The original Act said that no management could alienate property. I have no objection if a provision is made that the amount advanced by the Government is a first charge on the property. The Government may be a party in a

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suit. That is a different matter. The Government may put up a case before the court and take possession. But this Bill affects the rights of people who might have advanced moneys to private institutions for various reasons. That was not, let me point out to you . . ."

MR. SPEAKER:—"The hon. Member says 'you' turning to hon. Mr. Viswanatham. To whom does the word 'you' refer?"

AN HON. MEMBER:—"To the Chair, Sir."

SRI T. S. AVINASHILINGAM CHETTIYAR:—"Sir, I have lost the trend of my speech. I must point out this, that the original intention of the Government was not to affect the rights of any private parties. The original intention was to protect the rights of the Government themselves to see that the buildings and lands were utilized for the purposes for which the grants were made. If any other individuals have advanced moneys, they must be secondary and the Government's interests must be primary. This can be made clear. I can understand the real difficulty that is mentioned in the statement of objects and reasons. But that difficulty has to be met by saying that the amount advanced by Government should be treated as a first charge on the property, and every decree which does not include the charge of Government shall not be valid. That is the only thing which we can do. This will respect the rights of people who have advanced moneys to the institutions subsequently. Let me state the case of an institution which has received a grant of Rs. 35,000, because Rs. 35,000 is the normal maximum for a high school. That high school might have borrowed some Rs. 50,000 more. The Government advance may be treated as the first charge and the other amounts may be made secondary. But, in a Bill, to say that no proceeding shall be instituted without the permission of the Government is taking away the right of the private parties. That was not the original intention of the Government."

SRI K. VARADACHARI:—"Sir, I did not wish to participate in this debate but for the fact that though the intention underlying the Bill is a very good one, the method sought to prevent an abuse is rather an uncouth one. The original Act wanted to prevent transactions *inter vivos* behind the back of the Government. This Bill says that even the rights created before the passing of the original Bill shall come under the purview of the Government, that is, even when the matter has already gone before the courts for remedy and for recovering amounts advanced. This Bill has the retrospective effect. Even before the passing of the original Bill, if debts had been contracted and decrees had been obtained and executed, those cases should now go before the Government for their view. The Government will then grant permission to the court to attach and sell the property. I submit that even if such a power were necessary, and even if

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the power of the court or the decree-holder is curtailed in this manner, there must be some safeguards against the powers taken over by the Government in this behalf. That is to say it must enunciate the principles or the reasons for which the Government may refuse to give permission. Also it must be able to satisfy the decree-holder or the citizen whose rights are sought to be infringed. He should be enabled to go to a Court of Law to scrutinize the grounds on which the Government have refused permission to the court to attach and sell the property for recovery of debts. Without these safeguards it will be rather a piece of Draconian legislation. It will partake of the character of a Draconian legislation. Such a thing is unheard of in democratic governments. Governments should take care to see that they do not lightly interfere with the rights of the citizens who have already obtained substantial remedies before a Court of Law and are only pursuing the ordinary methods of recovering the amounts awarded to them by decrees of Courts of Law. I submit the whole tenor of the specific provision seems to underlie the idea that there will be one continuous Law Minister administering this Act, and there would be no injustice done to any one. I perfectly agree that so long as the Hon. Sri K. Madhava Menon is in charge of law, there will be no injustice done to any one. But it is not so when legislations are handed down to different Governments in times to come. Gentlemen who will be Law Ministers in later years may not be of the same type as our present Law Minister. Therefore, there will be great danger for parties who have obtained decrees. A legislation which is going to affect the rights of parties hereafter may be all right; but a legislation which is retrospective in scope and effect must contain safeguards for protecting the rights of individuals who have gone to courts and obtained remedies. I therefore submit that the Hon. the Law Minister should be able to

(At this stage the division bell in the Council rang.)

MR. SPEAKER:—"The Hon. the Law Minister must be in the Council."

AN HON. MEMBER:—"It is quorum bell, Sir."

MR. SPEAKER:—"No, it is division bell. The Hon. the Law Minister should be there. The Hon. Mr. Chandramouli may take down notes in the absence of the Hon. Sri K. Madhava Menon. The Hon. Sri Madhava Menon may go."

(The Hon. Sri K. Madhava Menon then left the House to attend the Council.)

SRI T. VISWANATHAM:—"The Hon. Sri Madhava Menon may go and we may also adjourn, Sir. (Laughter.)"

MR. SPEAKER:—"No, we will continue the discussion."

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SRI K. VARADACHARI:—"Sir, I therefore submit that sufficient safeguards should be introduced in the Bill itself. The Hon. the Law Minister may himself consult his legal advisers and put in a provision stating the principles on which the Government may refuse permission for attachment and sale by courts, and also the principles on which the Government may grant the permission. Also it may lay down the principles on which a decree-holder will be entitled to seek redress in a Court of Law to test the accuracy or correctness of the Government order refusing permission."

* JANAB M. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, I only want to say that I congratulate the Law Minister on what I understand he has agreed to do. Though he is not here now, all the same I congratulate him, because it transpires that he has agreed to have sub-clause (4) of clause 3 of the Bill deleted. Previously what I wanted to do was to enter a protest against this perpetual tendency of the Government, with reference to almost every piece of legislation introduced in the Assembly, to insert some provision restraining and restricting the jurisdiction and powers of Courts of Law. Now at least with reference to this Bill, the suggestions of his own partymen and colleagues of his in the legal profession have had some desirable effect. It is on this that I wanted to congratulate the Law Minister."

(At this stage the Hon. Sri K. Madhava Menon entered the Chamber.)

"I have at the same time to protest against the retrospective effect that he is seeking to give to this Bill. That is a pernicious provision and I think that the Government will reconsider the position in the matter."

*SRI A. VEDARATNAM PILLAI:—"கனம் தலைவர் அவர்களே, இந்த மசோதாவை நான் முழுமனதுடன் ஆதரிக்கிறேன். அரசாங்கத்தினிடமிருந்து ஏராளமான தொகையை கிராண்டாக வாங்கி பள்ளிக்கூடங்களுக்காக நிலங்கள் வாங்கப்பட்டிருக்கின்றன. யாரிடத்திலிருந்து வாங்கப்பட்டபோதிலும் எந்தக்காரியத்தை உத்தேசித்து அந்த தொகையை வசூலிக்கப்பட்டிருக்கிறதோ, அந்தக்காரியத்திற்காக அதைச் சிலவு செய்வது தான் நியாயமே அல்லது வேறுவழிகளில் துர்வினியோகம் செய்ய முயற்சிப்பது சரியல்ல. அதைப் பாதுகாப்பதற்காகத்தான் இந்த மசோதா கொண்டுவரப்பட்டிருக்கிறதே யொழிய வேறு அல்ல. அவைகளுக்கு சரியானபடி பாதுகாப்புக் கொடுக்கவேண்டியது எவ்வளவு அவசியம் என்ற விஷயத்தைச் சொல்ல தேவை இல்லை. பள்ளிக்கூடம் முதலிய நல்ல காரியங்களுக்காக கொடுக்கப்படுவதை துர்வினியோகம் செய்வதைத் தடுக்கவும், அடமானம், ஈடு, பந்தகம் முதலிய வகைகளில் வைத்து துர்வினியோகம் ஆகாமல் பாதுகாப்பதற்காகவும் இந்த மசோதா கொண்டுவரப்பட்டிருக்கிறது. ஆகையினால் அங்கத்தினர்கள் எல்லோரும் இதை ஆதரிப்பார்கள் என்று எதிர்பார்க்கிறேன். இந்த மாதிரியாக தர்ம சொத்துக்களையும், கல்வி ஸ்தாபனங்களையும் பாதுகாப்பதற்கு வழிசெய்வது மிக்மிக அவசியம் என்பதை யாரும் மறுப்பதற்கில்லை. இவ்வளவு நியாயமான இந்த 'பில்' விற்கு ஒரு ஆட்சேபணையை சொல்லலாம், கோர்ட்டிற்கு போவதற்கு மார்க்கம் வைக்கப் பட்டவில்லை என்று குறைசொல்லலாம். இப்பொழுது நம்முடைய சமூகத்தில் ஒருபழக்க வழக்கம் இருந்துவருகிறது. அதாவது எந்த ஒரு காரியத்திலும் ஒரு அபஜெயம் அடைந்தால் உடனே கோர்ட்டுக்கு போவது என்பது சகஜமாக ஒரு அபஜெயம் அடைந்தால் உடனே கோர்ட்டுக்கு போவது என்பது சகஜமாக

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யிருக்கிறது. ஆகையினால் இந்த மாதிரி ஒரு தர்ம ஸ்தாபனத்தையும், பொது ஸ்தாபனத்தையும், கல்வி ஸ்தாபனத்தையும் நடத்துகிறவர்கள் அனாவசியமாக கோர்ட்டுக்குப்பாய் சங்கள் பணத்தை வீண் விரயம் செய்வதைத் தடுக்கப்பட்டிருக்கிறது. இது ஒரு நல்ல காரியம் என்றே நான் நினைக்கிறேன். இதில் பலருக்கு அபிப்பிராய பேதம் இருக்கலாம். ஆனால் என்போன்றவர்கள் தர்ம ஸ்தாபனத்தின் பணத்தை விரயம் ஆக்கப்படாமலிருக்க வேண்டுமென்பதற்குத்தான் இந்த பாதுகாப்பை இந்த மசோதாவில் சேர்க்கப்பட்டிருக்கிறது என்று நினைக்கலாம். ஆகவே அதை இம்மசோதாவில் சேர்க்கப்பட்டிருப்பது மிகவும் நியாயம் என்றே நான் கருதுகிறேன். ஆகையினால் இந்த மசோதாவை நான் முழுமனதுடன் ஆதரிக்கிறேன். மற்ற எல்லா அங்கத்தினர்களும் இதை ஆதரிப்பார்கள் என்றும் நினைக்கிறேன்."

* THE HON. SRI K. MADHAVA MENON:—"Sir, I want the House to remember what it wanted to do in the original Bill. My hon. Friend Sri Avinashilingam Chettiyar said that what was contemplated by the present amendment was not intended by him. I am very sorry to say that he has not evidently understood the implications of this amendment. By this amendment the Government want to do nothing more than carrying out what was intended by him. The original Act says:

"Where before or after the commencement of this Act, any land or building has been acquired, constructed, improved or altered for the purposes of any institution, with the aid of any grant made from the revenues of the Government"

My hon. Friend has given Rs. 35,000 for a high school and Rs. 75,000 for a college or lakhs even for acquiring lands. After getting money for a school or a college, an aided institution is acquiring a land. He has himself said that the price of land has gone high. So, for some reason or other, they can sell or transfer the property with impunity. By this, not only Government revenue is gone but the education of the people in the area is also gone. That is why he himself brought in this Bill. So, he inserted a provision as follows:—

"Where before or after the commencement of this Act—

(a)

(b) any land or building has been transferred by the Government for use for the purposes thereof, then notwithstanding anything to the contrary in any other law for the time being in force or in the deed of transfer or other document relating to the land or building it shall not be transferred without the permission of the Government"

The idea was that in cases where the land has been taken from the Government, it shall not be transferred in any way without the permission of the Government. There also the Government may in their discretion give permission for such transfer. Absolute discretion has been given to the Government for this purpose. The intention of the House was that such cases should receive no consideration or mercy. So, it was provided in section 4 of the Act that if the provisions of section 3, sub-section (1), had been contravened in respect of any land or building, the Government might, by order, direct the Collector to take possession of the land and of the building, if any, standing thereon. This object should not be defeated"

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"Hon. Sri K. Varadachari said that the Bill tried to give retrospective effect. What is mentioned is that this Bill should apply only to those cases to which the original Act was applicable."

"Suppose money has been taken and a debt is created by way of a promissory note by the Correspondent of an institution. A decree is got on the promissory note and then the property is attached and sold. The result is that the object of the original Act is defeated. There we have not provided that it should not be attached or sold. So, we have inserted a clause here that where a Court wants to attach or create a charge on such a property, the party may be asked to get the previous permission of the Government for that purpose."

"Then, even the original Bill gives absolute discretion to the Government to grant permission in genuine cases. Though there is nothing wrong in saying that the action of the Government in granting permission in such cases should not be questioned in a Court of Law, still I have no objection to the Court going into the question. We only want that our object should not be defeated by collusive means. If there is a genuine case of transfer for the advancement of the interests of a school, permission may be given by the Government. I am prepared to accept an amendment to delete clause 4 of that section."

SRI A. VAIDYANATHA AYYAR:—"On a point of information, Sir. The old Act did not prohibit a mortgage which had already been made before the commencement of the Act. It only prohibited future mortgages. The language of the original Act was—

"notwithstanding anything to the contrary in any other law for the time being in force or in the deed of transfer or other document relating to the land or building, it shall not be transferred"

So, it prohibited transfer after the commencement of the Act. It did not affect transfers made before the Act. The present amendment of the Hon. Minister says that if a mortgage decree has been obtained, that decree cannot be executed by the sale of property. So, this goes a bit further. I hope the Hon. Minister will admit that."

THE HON. SRI K. MADHAVA MENON:—"Sir, it can be said that in cases of mortgage before the commencement of the Act there is a legitimate charge. That is why it has been provided that permission of the Government must be obtained before execution. If the Government refuse permission in such genuine cases, it will be arbitrary. The Court can go into such cases, in view of the amendment which I am going to accept."

SRI T. S. AVINASHILINGAM CHETTIYAR:—"Sir, can we not provide an earlier stage when the Government's permission may be required? Some people advance money and then they have to go to Court. According to this Bill, the Court cannot make any decree for attachment or sale of property, without the

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previous permission of the Government. But may I suggest that no conveyancing or no alienation can be created on the property without the permission of the Government, so that the people who advance money may not do so?"

* THE HON. SRI K. MADHAVA MENON:—"That is contained in the original Act. There cannot be any transfer, mortgage or charge created without the permission of the Government. Sub-section (3) of section 3 in the original Act merely stated—

"If any such land or building is transferred without such permission, the transfer shall be null and void."

what is omitted in the original Act, we have now added."

MR. SPEAKER:—"The question is—

"That the Madras Aided Institutions (Prohibition of Transfer of Property) Amendment Bill, be taken into consideration at once."

The motion was carried.

Clauses 1 and 2 were put and carried.

Clause 3.

MR. SPEAKER:—"The motion is—

"That clause 3 do stand part of the Bill?"

I wish to know whether hon. Sri Viswanatham's amendment is for the whole clause or for sub-clause (3) only."

* THE HON. SRI K. MADHAVA MENON:—"I do not think the hon. Member Mr. Viswanatham will move his amendment. I have accepted his amendment and I am going to move the whole thing including hon. Sri Viswanatham's amendment as my amendment."

MR. SPEAKER:—"Then let the Hon. Minister read out the amendment."

* THE HON. SRI K. MADHAVA MENON:—"Sir, I move the following amendment:—

"In new section 7-A—

(1) for sub-section (1), substitute the following sub-section, namely:—

"(1) No land or building referred to in section 3 (1) shall be liable to be attached, sold, or made subject to a charge by any Court whether in execution of a decree or order or otherwise, unless the person seeking such relief from the Court has obtained the permission of the Government to do so and files such permission in Court."

"(2) In sub-section (3), after the words 'a charge is created thereon' insert the words 'by any Court'."

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and after the words 'permission of the Government' insert the words 'having been obtained and filed as aforesaid.'"

"Sir, the first amendment that I have moved is exactly a copy of the amendment of hon. Mr. Viswanatham. The second amendment, I have moved, because hon. Sri Viswanatham's amendment has to be copied in sub-clause (3) also. The sub-clause as it stands reads—

"(3) If any such land or building is attached or sold, or a charge is created thereon, without the permission of the Government."

The addition of the words 'having been obtained and filed as aforesaid' is necessary after the words 'Permission of the Government' in view of the amendment that has been made to sub-clause (1). I have continued hon. Sri Viswanatham's amendment to sub-clause (3) also, so that it may be clear that the permission of the Government has to be obtained by the party and filed in the Court. The amendment is necessitated only to meet the contingency envisaged by hon. Sri Viswanatham though there are a number of legislations passed where the original wordings are there."

MR. SPEAKER:—"Amendment moved—

"In new section 7-A—

(1) for sub-section (1), substitute the following sub-sections, namely:—

"(1) No land or building referred to in section 3 (1) shall be liable to be attached, sold, or made subject to a charge by any Court whether in execution of a decree or order or otherwise, unless the person seeking such relief from the Court has obtained the permission of the Government to do so and files such permission in Court."

"(2) In sub-section (3), after the words 'a charge is created thereon', insert the words 'by any Court' and after the words 'permission of the Government' insert the words 'having been obtained and filed as aforesaid.'"

Is the hon. Member, Mr. Viswanatham going to move his next amendment to omit sub-clause (4)?"

SRI T. VISWANATHAM:—"I think the Government are going to accept that amendment."

SRI A. VAIDYANATHA AYYAR:—"Sir, I am glad that the Government have accepted the amendment. I want to say one word on the Bill itself. When the original Bill was under consideration the hon. Sri T. S. Avinashilingam Chettiyar was in charge of it. I then pointed out that there were several defects in it. Where a previous manager has alienated the property, you have got to recover it from the subsequent manager. I wanted to amend it by saying 'defaulting manager.' Then there was a double punishment imposed: you take possession of the buildings

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and you also recover the money from the manager. This is because of the defects in the original Act itself. That is in the nature of cumulative punishments.

"Secondly a charge may have been created and money might have been spent for the purpose of the institution itself. I suggested that any money that might have been spent for the institution need not be recovered. Hon. Sri Avinashilingam Chettiyar then promised that he would provide for these when the Act was amended. The Act was passed in a very imperfect form. When the Government have taken so much trouble to bring forward these amendments, I do not know why they have not brought forward necessary amendments to remove the glaring defects in the previous Act. They should have tried to rectify all the defects in the original Act.

"Then I pointed out another very serious defect. Under the original Act, a mortgage created prior to the Act was valid in law. When the question of the execution of the decree comes up, the Court is prevented from selling the property except with the permission of the Government. That will be taking away the right which is already existing on the date of the passing of the Constitution, because we prevent a man who has a valid mortgage decree from executing the decree by sale of the property. To say that the Government may grant permission is imposing a restriction on his right to property. The Government may not also grant permission. This will amount to taking away a person's right."

MR. SPEAKER:—"This speech could be made in the third reading of the Bill. I will put the amendment to the vote of the House."

The amendment was put and carried.

Sub-clause (4) of new clause 7-A.

SRI T. VISWANATHAM:—"I move, Sir—

'That sub-clause (4) of new clause 7-A be omitted.'"

JANAB ABDUL HAMEED KHAN:—"I second it."

THE HON. SRI K. MADHAVA MENON:—"I have no objection to accept it."

The amendment was put and carried. Clause 3 as amended was put and carried.

The Preamble was put and carried.

* THE HON. SRI K. MADHAVA MENON:—"I move, Sir—

'That the Bill as amended be passed into law.'

"Sir, instances have come to our notice that collusive decrees are being passed and property being attached and sold. The greediness of men is so great that every day we are hearing of blackmarketing, profiteering and hoarding. Even if the money

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is given for purposes of education by the Government, people want to make some money out of it improperly. Even if we pass some legislation, they would find some method of getting over it, selling the property and getting some money. It is to prevent this, that this provision has been made.

"Hon. Sri Vaidyanatha Ayyar said that my predecessor promised that he would see that in the case of default, recovery is made only from the defaulting manager. My recollection is that he said that the Government must get back the money, which they have given for a particular purpose. So it was not only from the defaulting correspondent for, any such defaulting correspondent may be dismissed, and in such a case, are the Government to lose the money? The institution must pay back what it has received. It should not be confined to the defaulting correspondent only. The institution must pay it back. That is my recollection and not that he would collect the money only from the defaulting manager. I am speaking subject to correction. Personally I feel that if a manager or correspondent misappropriates the money and takes it away, the institution must make good the money, so that the Government may give it to the other institution and run it properly. The defaulting institution should not be allowed to put a person as a scape-goat and enjoy the result of misappropriation. The institution may put up a *namkevasathe* man as a correspondent and he would go and others would benefit. That is not right. Anyhow I have not had occasion to examine all the provisions of the Act meticulously to see whether any such amendments are necessary. This particular thing was brought to our notice because collusive decrees were being passed for the purpose of avoiding this particular Act that we had passed.

"With regard to the decrees obtained on prior mortgages and the decree-holders being entitled to have the property sold, we are only saying that he should get the permission from the Government. If the permission is improperly refused by the Government, there is the remedy in a Court of Law."

SRI A. VAIDYANATHA AYYAR:—"Sir, we are glad and I congratulate the Hon. Minister for Law and the Government for having for the first time removed the embargo against going to courts. I hope it is opening a chapter where the Constitution will be respected and people outside will not be made to think that we are defying law courts and we do not want people to resort to law courts. Hon. Sri Vedaratnam Pillai said that we are all rushing to law courts often. Far from it. I have knowledge of litigation for 40 years. I know that people rather sacrifice their rights in India than go to a Court to vindicate them, for the Court-fee is 11½ per cent in each stage of the litigation. They are prepared to lose their rights rather than go to courts of Law. That has been my experience for the last 40 years.

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"The other point is, all this trouble and bother could have been avoided if the Government, when making grants to educational and charitable institutions, had introduced proper conditions. We are now seeking to rectify past mistakes. The Government should have introduced a condition that in case the grant is not used for the purpose for which it is made, it will revert to the Government. But you say that you have made a gift to a particular institution and you now want it back. Because it is the Government that made the gift, they say that they will pass an Act and take back the gift. If any individual has made a gift to an institution and after the gift was made, if the institution misuses the gift, would he be able to recover it. A distinction is made here because it is the Government that made the gift. The gift was made without any condition and we are trying to rectify the mistake by legislation. The Hon. Sri Madhava Menon is right in two things. The trustee from whom it is recovered must be the defaulting trustee. Secondly, where the institution has profitted, you cannot ask the trustee to repay. In this case it must come out of the funds of the institution. All this could have been rectified. I wish the Hon. Sri Madhava Menon takes time to go through the Acts which have been hastily drafted and passed. Bills have been hastily drafted and amendments also have had to be hastily made. I do not know when we will have fool-proof Acts. The Acts passed in the previous regimes have stood the test well and they were not questioned in the High Court or the Federal Court or the Privy Council. I wish the Hon. the Minister for Law would hereafter see that when Acts are passed in future, they are passed in such a way that amendments to them do not become a hardy annual, and that we do not have a first amendment or a second amendment or a third amendment to an Act every time we meet for a session. Some more care should be shown in regard to this. My only point here is that we should preserve the individual rights of the members of the nation."

SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I want to speak only three sentences. I congratulate the Hon. Minister and I congratulate myself. I will be glad if the Hon. Minister should be pleased to bring forward an amending Bill in which provision will be made to delete all provisions in legislations passed by this House excluding jurisdiction of Courts."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, I congratulate the Hon. Minister for agreeing to the amendment moved by the hon. Gentleman Sri Viswanatham, particularly with reference to Courts. Sir, it was said that as human nature is becoming greedy, there is the necessity to bring forward such legislation. It is very unfortunate that we should hold such a low opinion of human nature. Human nature is essentially and basically good; but when he seeks to control a man by complicated laws, he tries to get out of control. The less laws we have, the

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better it will be for human nature. Human nature must be allowed to assert itself uncontrolled and unrestricted by all these laws. I hope that the Government will not bring forward measures on the basis of suspicion of human beings saying that they will be wrong and they will indulge in blackmarketing and they will do this or do that. The earlier we cast away suspicion of our own fellow-men, the better it will be for all concerned. I am sure that human nature, without any of these laws, will continue to be good."

THE HON. SRI K. MADHAVA MENON:—"I thank the House and the Friends who have spoken on this Bill. But I do not at all agree that in a legislation of this type, if we limit the jurisdiction of the Civil Courts in certain matters, it would amount to disrespecting the Courts. Certainly, I cannot subscribe to the view taken by some hon. Members to that effect. I cannot accept the view that the Legislature cannot say that in a particular matter the Courts can go thus far and no further. In this connection, I should like the hon. Members to think of the supremacy of the Legislature. Courts are there to administer the law as laid down by this Legislature. Is it not common experience with hon. Sri Vaidyanatha Iyer and myself that when we lawyers address Courts in certain matters, we say that the Court has no jurisdiction to entertain that particular matter. May I ask whether that would amount to disrespecting the Courts? I am sure that it will not amount to disrespecting the Courts. Similarly, in a legislation passed by the supreme body, viz., the Legislature, if we say anything about the jurisdiction of the Courts, it will not amount to disrespecting the Courts. After all, the Courts are the creation of the Legislature. Surely, you cannot say that the Legislature cannot prohibit the jurisdiction of their own creation, viz., the Courts in respect of certain matters and say that the Courts shall go thus far and no further. I cannot agree to the dictum that if we say that the Civil Courts' jurisdiction will be prohibited to a certain extent, it would amount to disrespect towards the Court. I think it is not correct to say that. On the other hand, the position is otherwise. In this connection, I would like to draw the attention of the hon. Members to Article 262 (2) of the Constitution which says, 'Notwithstanding anything in this Constitution, Parliament may by law provide that neither the Supreme Court nor any other Court shall exercise jurisdiction in respect of any such dispute or complaint as is referred to in clause (1)'. The Constitution itself has laid down that neither the Supreme Court nor any other Court shall exercise jurisdiction in respect of matters relating to control and distribution of waters, etc., which is mentioned in clause (1) of the same Article. It says, 'Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter-State river or river valley'. Is it disrespecting the Courts when the Constitution says that they will not have

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jurisdiction over such matters? My point is, that it all depends upon in what matters we seek to take away the jurisdiction of the Courts. In this particular matter, even if we take away the jurisdiction of the Courts, I do not think that there is anything wrong about it. However, I do not want to leave any doubts that we want to take powers to arbitrarily refuse permission. It is only to remove such doubts, I have agreed to the amendment and not on the ground that we will be disrespecting the Courts by the introduction of such a provision."

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, by way of personal explanation, I want to state a few words. Hon. Mr. Madhava Menon said that he was of the view that the Courts were not supreme. I would like to draw his attention to the decision of the Supreme Court in the Case 'A. K. Gopalan v. The State of Madras', where the difference between the British Constitution and the Indian Constitution are brought out. Under the British Constitution, Parliament was the supreme body. If it wants to shoot a man, he can be shot and if it wants to take away one's property, it can do so. But, under our Constitution, Fundamental Rights are supreme and all Courts are subordinate to these Rights. That is what is stated in page 97 of (1950) II M.L.J. His Lordship observes—

"On the other hand, the insertion of a declaration of Fundamental Rights in the forefront of the Constitution, coupled with an express prohibition against legislative interference with these rights (Article 13) and the provision of a constitutional sanction for the enforcement of such non-interference by means of a judicial review (Article 32) is, in my opinion, a clear and emphatic indication that these rights are to be paramount to ordinary State-made laws."

I only wish that the Government will take note of the fact that even the Legislature is subject to these Fundamental Rights which are supreme under our Constitution."

MR. SPEAKER:—"The question is—

"That the Madras Aided Institutions (Prohibition of Transfer of Property) Amendment Bill, 1950, as amended, be passed into law."

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

MR. SPEAKER:—"I now adjourn the House to meet again at eleven of the clock on Thursday, the 12th October 1950."

The House then adjourned.

V.—PAPER PLACED ON THE TABLE OF THE HOUSE.

Demands for grants for further Expenditure and Detailed Supplementary Estimates.

THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 12th October 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.

Alleged death of Sri Konda Reddi.

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

(a) whether one Sri Konda Reddi was killed by the Communists in Neredupalli of Nellore district in the month of August, and if so, under what circumstances; and

(b) whether any solatium or compensation was given by the Government to the family of the deceased?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Chief Minister):—" (a) Yes. On the night of the 9th August 1950, a gang of communists raided the house of Chagamreddy Kondareddy in Neredupalli village and speared him to death.

" (b) No."

SRI S. NAGAPPA:—"May I know, Sir, whether Sri Konda Reddi was not a victim of the communist menace and will it not be reasonable for the Government to see that the dependants of late Konda Reddi are given some compensation in order that they are protected?"

MR. SPEAKER:—"Does the hon. Member want the opinion of the Government? If the Hon. Minister is prepared to answer I have no objection."

THE HON. SRI K. MADHAVA MENON:—"The incident occurred on 9th August 1950, and we have as yet received no application from the dependants of the late Sri Konda Reddi for any action to be taken."

SRI M. G. NATESA CHETTIYAR:—"May I know, Sir, whether late Konda Reddi was the head of the family, was he an earning member and whether the other members of his family were entirely dependent on this man?"

THE HON. SRI K. MADHAVA MENON:—"I cannot say, Sir, whether he was the head of the family. We know his wife was there in the house."

JANAB MOHAMED ABDUL SALAM:—"In individual cases, may I know, Sir, what is the policy of the Government, whether it is given to the Government servants who are victims of the

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communist raids or is it the policy to give to all victims irrespective of any other consideration, if they are victims of the communist raids?"

THE HON. SRI K. MADHAVA MENON :—" The late Konda Reddi was not a Government servant at all. The Government consider each case on its own merits and solatium is paid."

SRI K. BRAHMANANDAM REDDI :—" This solatium or compensation is ordinarily given to the Government servants or constables who are victims of these raids. Will the Government consider these people as landless poor and grant them some land also in addition to solatium?"

THE HON. SRI K. MADHAVA MENON :—" Sir, it is not correct to say that the solatium is granted only to Government servants. In cases where non-officials distinguished themselves by helping the Government to trace them or stem violence, we have given solatium, compensation and otherwise also."

SRI D. V. RAMASWAMI :—" May I know, Sir, whether the Government have not received the District Magistrate's report about the raid and the compensation to be paid to the family of late Konda Reddi?"

THE HON. SRI K. MADHAVA MENON :—" The District Magistrate has sent a report about the incident not about the question of compensation at all."

SRI ALLURI SATYANARAYANA RAJU :—" May I know, Sir, whether the Government are aware that most of the non-officials who are victims of the communist atrocities are those who have been trying to help the Government in trying to locate the places of hiding of the communists and where they are taking shelter and have the Government information on that?"

THE HON. SRI K. MADHAVA MENON :—" I cannot agree to a general assumption that in all cases that the communists murdered the people, they have done so because they helped the Government. Rich persons were singled out because they were rich and the communists got money out of them."

SRI K. BRAHMANANDAM REDDI :—" My question has not been answered, Sir. I said apart from the solatium and compensation that is generally paid to these constables who die in these raids, is there any proposal before Government . . ."

THE HON. SRI K. MADHAVA MENON :—" The late Konda Reddi is not a Government servant."

SRI K. BRAHMANANDAM REDDI :—" The point raised in the question is, while solatium and compensation is given to those victims of the raids and the Government servants are in some places the victims, especially the constabulary, whether there is any proposal before the Government to consider these constables as landless poor and grant them some land?"

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

THE HON. SRI K. MADHAVA MENON :—" I shall examine the question, Sir."

Cholera in Anantapur.

* 270 Q.—

MR. SPEAKER :—" The hon. Member is not in his place. The answer will be printed in the proceedings."

JANAB N. JAFER MOHADEEN : Will the Hon. the Minister for Health be pleased to state—

(a) the total number of persons inoculated during the period when cholera was prevalent recently in the district of Anantapur;

(b) the total number of attacks and deaths in the district;

(c) the total number of attacks and deaths in Hindupur and Dharmavaram separately;

(d) whether any special staff was employed to arrest the spread of the epidemic and if so, what;

(e) whether any medical aid was given to the villagers and if so, what; and

(f) the total expenditure incurred by the Government on this account?

THE HON. DR. T. S. S. RAJAN :—" (a) 67,260 persons have been inoculated against cholera in Anantapur district from the commencement of the present epidemic on 20th June 1950 up to the week ending 2nd September 1950.

" (b) Up to the week ending 2nd September 1950 there have been 790 attacks and 401 deaths.

" (c) Number of attacks and deaths in Hindupur and Dharmavaram ranges :—

Range.	Attacks.	Deaths.
Hindupur	55	41
Dharmavaram	159	80

Number of attacks and deaths in Hindupur M. T. and Dharmavaram town :

Range.	Attacks.	Deaths.
Hindupur M.T.	29	7
Dharmavaram town	69	34

" (d) Besides the range Health Inspectors special staff consisting of 10 Health Inspectors, 22 Vaccinators, 4 Sanitary Inspectors and 7 Cholera Inspectors with ancillary staff was employed to cope with the situation.

" (e) Distribution of medicines such as potassium permanganate, cholera pills, prodiarrhoea mixture and sulphaguanidine tablets was done.

" (f) Expenditure in connexion with control of cholera other than expenditure on the staff of Health Inspectors is a charge on the funds of the district board."

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Irrigation facilities in Pattukkottai taluk.

* 271 Q.—SRI M. MARIMUTHU: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any representation has been received by the Government that the cultivators in Pattukkottai taluk in Tanjore district are suffering for want of irrigation canal from Mettur Dam, bridges, and field bothies; and

(b) if so, what action the Government have taken or propose to take in the matter?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) Yes, a representation was received by Government for extension of irrigation facilities under the Cauvery-Mettur Project and for improvements to communications in Pattukkottai taluk. But no representations have been received about field bothies.

“(b) The Government sanctioned in May 1950 a scheme for providing irrigation facilities to an extent of about 4,000 acres in the Pattukkottai taluk by extending the Olavayal branch channel of the Grand Anicut Canal.

“The Postwar Road plan takes into account the special need for bridges in the areas where there are irrigation canals and the works included in the plan will be taken up in their due order of priority fixed in consultation with the district board.”

SRI M. MARIMUTHU:—“தயவு செய்து பதிலை தமிழில் சொல்ல வேண்டும்.”

THE HON. SRI M. BHAKTAVATSALAM:—“காவேரி-மேட்டூர் Project நீர்ப்பாசனத்தை அபிவிருத்தி செய்யவேண்டுமென்றும் ரோடு போக்கு வரத்துகளிலும் அபிவிருத்தி ஏற்படுத்தப்படவேண்டுமென்றும் பட்டுக்கோட்டை தாலுகாவிலிருந்து ஒரு மசஜர் வந்தது. ஆனால் field bothies-ஐப் பற்றி ஒன்றும் வரவில்லை. Grand Anicut Canal னுடைய ஓல வயல் வாய்க்கால விலை தரித்து 4,000 ஏக்கர்களுக்கு நீர்ப்பாசன வசதியைச் செய்து கொடுப்பதென்ற ஒரு திட்டத்தை 1950-ம் ஆண்டு மேயர் sanction செய்யப்பட்டது. நீர்ப்பாசன வாய்க்கால்களை உத்தேசித்து அவ சியமான பாலங்கள் போடுவதுபற்றி Post war திட்டத்திலிருக்கிறது. எல்லா ரோடுகளையும் கவனிக்கப்படவேண்டுமென்றால் வரிசைக் கிரமப் படிதான் எடுத்துக்கொள்ளப்படும்.”

SRI M. MARIMUTHU:—“கனம் தலைவர் அவர்களே, இப்பொழுது கனம் மந்திரி அவர்கள் சொன்னபடி பெரிய பாலங்கள் கட்டப்பட்டுக் கொண்டு வருகிறதேயொழிய விவசாயிகளுக்கு வசதியாகவுள்ள வாய்க்கால்களுக்கு வேண்டிய பாலங்களும் போக்கு வரத்திற்கு வேண்டிய வண்டிப் பாதைகளில்லாமல் அவர்கள் கஷ்டப்படுவதினால் அதற்கு வேண்டிய நடவடிக்கைகளை உடனே கனம் மந்திரி அவர்கள் எடுத்துக் கொள்வார்களா?”

THE HON. SRI M. BHAKTAVATSALAM:—“கனம் அங்கத்தினர் அவர்கள் குறிப்பாக ஏதாவதொரு அவசியமான பாலங்கள் கட்ட வேண்டுமென்று சொன்னால் அதைப்பற்றி கவனிக்கப்படும்.”

SRI A. VEDARATNAM PILLAI:—“May I know, Sir, how many acres are yet to be cultivated in Grand Anicut canal and whether water is available for cultivating these lands?”

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MR. SPEAKER:—“I think there is a similar question, question No. 279.”

THE HON. SRI M. BHAKTAVATSALAM:—“Water is available, Sir. I would like to have notice as to how many acres are yet to be cultivated.”

SRI S. NAGAPPA:—“Arising out of the answer of the Hon. Minister, Sir, what provision has been made to irrigate 4,000 acres of land and the scheme was sanctioned, may I know, Sir, what is the amount involved in the scheme and the time-limit fixed to complete the scheme?”

THE HON. SRI M. BHAKTAVATSALAM:—“About the amount involved in the scheme, I would like to have notice, Sir. About the time, it would be completed as early as possible.” (Laughter.)

Implementation of Industrial Tribunal Award.

* 272 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Land Revenue be pleased to state what action the Government are going to take against the bus operators who have not implemented the Industrial Tribunal Award as per G.O. No. 2169, Development, dated 29th April 1948?

THE HON. SRI H. SITARAMA REDDI:—“If cases of non-implementation of the award are brought to their notice, the Government will take such steps as are provided for by law.”

SRI M. KANNIAPPAN:—“Sir, தயவு செய்து பதிலை தமிழில் சொல்லவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.”

THE HON. SRI H. SITARAMA REDDI:—“இந்த மாதிரியான தீர்ப்புகள் எங்கெங்கே சரியானபடி நிறைவேற்றப்படாமலிருக்கின்றன வென்று கவரணமெண்டிற்குத் தெரிந்தால் அந்தந்த ஆட்கள்மேல் சட்டப்பிரகாரம் நடவடிக்கை எடுத்துக்கொள்ளப்படும்.”

SRI M. KANNIAPPAN:—“தலைவர் Sir, பல மோட்டார் தொழிலாளிகளுடைய சங்கங்களுக்கு தீர்ப்பு கொடுத்தும் கூட மோட்டார் முதலாளிகள் இன்னும் அந்த தீர்ப்புகளை நிறைவேற்றவில்லை என்று அந்த சங்கங்கள் எத்தனையோ தீர்மானங்கள் போட்டு அரசாங்கத்திற்கு அனுப்பியிருக்கிறார்கள் என்பது கனம் மந்திரி அவர்களுக்கு தெரியுமா?”

THE HON. SRI H. SITARAMA REDDI:—“எங்கெல்லாம் அவசியம் ஏற்பட்டனவோ அங்கெல்லாம் நடவடிக்கை எடுத்தாகி விட்டது.”

Mudumalai Range Forests.

* 273 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that a number of forests in Mudumalai Range has been eradicated as charred ones, and their timber, valued at some thousands of rupees, have been sold or smuggled to Mysore and if so, whether it was done with the permission of the Forest authorities and if so, what the sale-proceeds realized by the Forest department were;

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(b) whether the Conservator of Forests of the concerned range was apprised or his permission obtained for this deforestation and if so, whether the Government countenance such an action on the part of the Forest department;

(c) whether it is a fact that the West Lovedale Reserve Forest was completely deforested;

(d) whether it is a fact that this forest was sold in public auction for a paltry sum of Rs. 400 without proper notification or publication of the sale; and

(e) whether it is a fact that a number of forests adjoining the same area or elsewhere is proposed to be sold in public auction or deforested without proper reasons?

THE HON. SRI N. SANJEEVA REDDI:—“(a) Due to an unprecedented drought in Mudumalai Range, Nilgiris Division, with no rain in December 1948, and January and February 1949, there were two big fires, one on 27th February 1949 and the other on 11th March 1949. In the fire that occurred on 27th February 1949, an area of about 22,000 acres was burnt, and timber logs of about 3,546 cubic feet valued at Rs. 13,710 were lost. In the fire that occurred on 11th March 1949, there were damages to the Government buildings and stores, and also to the standing growth over an area of 5 acres in 1942 teak plantation.

No timber from this burnt area was sold or smuggled to Mysore.

“(b) The Conservator of Forests, Ootacamund Circle, was apprised of the matter. Whatever preventive measures were possible were taken.

“(c) No, Sir. The area of the reserve is 65 acres of which only 3 acres have been leased temporarily in auction.

“(d) No, Sir.

“(e) There are no such proposals.”

“The Hanuman.”

* 274 Q.—JANAB MUHAMMAD KAZA KHAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) when the Madras Government plane “Hanuman” was purchased;

(b) the amount spent up to end of July 1950 from the time of purchase on maintenance, establishment, aerodrome, fuel and other charges; and

(c) the number of times it was used by the Hon. Ministers of Madras since Legislative Council Question No. 281 on the subject was answered on 29th March 1949?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) May 1948.

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“(b) The figures are—

	RS.	A.	P.
(1) Maintenance and establishment	1,03,500	0	0
(2) Aerodrome (landing and housing charges)	3,003	10	0
(3) Fuel charges (petrol and oil)	35,629	7	6
(4) Other charges (handling, servicing, contingent and miscellaneous expenditure)	9,529	0	6

“(c) The plane was used on two occasions by the Hon. Ministers of Madras after 29th March 1949.”

JANAB MUHAMMAD KAZA KHAN:—“May I take it, Sir, that the Government of Madras spent 4 lakhs of rupees for purchase, maintenance, etc., just to take two or three trips for Government purpose?”

THE HON. SRI M. BHAKTAVATSALAM:—“I said, Sir, after the 29th September 1949 it was used twice. I would like to tell the hon. Member, Sir, that under the circumstances prevailing in 1948, the Government considered it necessary to have a special plane. But the Government have since decided that it is not necessary to have a plane and have decided to sell it by auction.”

SRI S. NAGAPPA:—“In view of the fact that the Hon. Ministers and State Officers have to go to Delhi very often will the Government consider the desirability to retain the plane and make officers go in this plane?”

THE HON. SRI M. BHAKTAVATSALAM:—“The Government consider it more economical to go by the ordinary service planes than by special plane.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I know, Sir, whether the sale has taken place and, if so, for what price it has been sold by the Government and the net loss on capital expenditure?”

THE HON. SRI M. BHAKTAVATSALAM:—“We have done the advertisement. We have not yet sold the plane.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I know, Sir, whether offers have been received for this plane? It was advertised two or three months ago. Is there any prospect of any offer being received for this plane?”

THE HON. SRI M. BHAKTAVATSALAM:—“We have received some offers. We are not satisfied with the offers and we therefore propose to take suitable steps to auction the plane.”

SRI K. BRAHMANANDAM REDDI:—“May I know, Sir, whether the Government have any figures to show, since the purchase of the plane, how many times it was used by the Ministers or by Secretaries and how much money was saved thereby?”

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THE HON. SRI M. BHAKTAVATSALAM :—“ About the use of the plane before 29th March 1949, answers have been given in the Legislature and I have no figures just now with me.”

SRI K. KOTI REDDI :—“ May I know, Sir, if this plane cannot be offered to the Flying Club if the Government are not going to get a proper price for it? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Even the Flying Club will have to purchase the plane from us.”

SRI B. S. MURTHI :—“ May I know, Sir, why the plane is kept at Bangalore and not in Madras? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ It is now kept in Madras, Sir.” (Laughter.)

11-15 a.m. SRI M. G. NATTESA CHETTIYAR :—“ May I know whether it would be possible to get this plane purchased by the Central Government for their use? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not know, Sir, whether the Central Government want this plane. If the hon. Member has any information about it, I would like to have it.”

BEGUM SULTAN MIR AMIRUDDIN :—“ Sir, since this plane happens to be a white elephant to the Government which they cannot get rid of by sale, why not they make a present of it to a flying club and thus save the expenses? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ If it is a white elephant, I do not know whether the hon. the lady Member would be prepared to take it for her use. We do not yet know whether it is not possible to sell it.”

JANAB M. S. ABDUL MAJID :—“ The Hon. Minister has said that due to the conditions prevailing in 1948, this plane was purchased. May I take it that there were no cheaper plane services available in 1948? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ In the situation prevailing in 1948, it was considered that a special plane was absolutely necessary for the purposes of this Government? ”

SRI A. KAMESWARA RAO :—“ Was it not a fact, Sir, that because the Deccan Airways had stopped their services and it was found difficult for officers to travel by air and so it was considered necessary to purchase this plane? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That was so, Sir.”

JANAB M. MUHAMMAD ISMAIL :—“ Will the Government consider the advisability of handing over this plane to the Transport Minister so that he may run an air taxi service within the State? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ No question arises of handing over the plane from one Minister to the other so far as the Government are concerned.”

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JANAB MUHAMMAD RAZA KHAN :—“ Will the Hon. the Finance Minister instruct the Finance Department to calculate the amount lost by the purchase and maintenance of the plane and try to recover it from the Premier and the Ministers of the then Cabinet? ”

JANAB MOHAMED ABDUL SALAM :—“ May I know whether the Hon. Minister for Public Works is in a position to explain why this plane journey is not popular among the Ministers? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is because, Sir, it is too costly. It is much more economical to travel by a service plane. If only one Minister travels, it is not necessary to take this plane.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I ask, Sir, what this plane cost the Madras Government and what is the highest offer received so far for the plane? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The cost of the plane is Rs. 2,57,680. I do not think it advisable to give the offer so far received.”

SRI K. BRAHMANANDAM REDDI :—“ During its brief service in this State, may I know how many times this plane had forced landing? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I remember there was only one occasion like that.”

SRI T. VISWANATHAM :—“ In view of the existing circumstances, may I know whether the Government would consider the two alternative plans which I am going to suggest: (1) whether they give it over to the flying club to be started at Visakhapatnam or (2) if the Government are not going to accept that offer, whether they would open a daily service between Visakhapatnam and this place as the regular air services are not running daily services? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Even the Deccan Airways which was running a service between Visakhapatnam and Madras had to stop it as there was not sufficient traffic. I do not know whether there will be any traffic now. This Government cannot undertake a service like that. Regarding the suggestion of the hon. Member that the plane may be handed over to the flying club at Visakhapatnam, if a representation is received, the Government would consider it.”

SRI M. R. APPA RAO :—“ The Deccan Airways Service failed because it was a twenty-seater plane and they could not get twenty people. This is only a five or six-seater plane. Why not the Government try a service between Visakhapatnam and Vijayavada? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The question must be addressed to the Communications Minister of the Government of India.”

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SRI K. BRAHMANANDAM REDDI :—“ May I know whether the Government could not start a programme of nationalization of airways by starting a plane service between Madras and Vijayavada where there was a service previously and which is now defunct? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government are not competent to nationalize airways even in this State.”

SRI M. S. PATTABHIRAMIAH :—“ Will the Government consider the desirability of putting this aeroplane in the Madras museum for exhibition? ” (Laughter.)

SRI L. N. GOPALASWAMI :—“ May I ask, Sir, whether this plane is in a fit condition now to be used with safety? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Just now it is not in a fit condition, Sir. Some servicing has to be done.”

JANAB M. S. ABDUL MAJID :—“ May I know, Sir, whether this plane will go at least for scrap value? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The hon. Member will wait for a while and see, Sir.”

JANAB MAHBOOB ALI BAIG :—“ May I know whether there is any inherent defect in the plane or whether it is merely reluctance on the part of the officers and the Ministers of this Government to travel by this plane on account of the forced landing on one occasion when the ex-Chief Minister was going to Delhi? What is the real reason why it was not used at all, although so many officers, Secretaries to Government and Ministers are very often going to Delhi? It is very strange.”

THE HON. SRI M. BHAKTAVATSALAM :—“ I can assure the hon. Member that there is no inherent defect at all in the plane. Even after the reported forced landing, this plane has been used so many times by the Ministers of this Government and the Ministers of the Mysore Government.”

SRI M. G. NATESA CHETTYAR :—“ Will the Government consider the desirability of leasing the plane to travel agency companies in this State if proper price is not forthcoming? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ If the hon. Member would secure an application from a club, we will consider that.”

Overall rations in Visakhapatnam.

* 275 Q.—SRI G. SANYASI RAO : Will the Hon. the Minister for Food be pleased to state—

(a) whether the Government have given instructions to the District Collector, Visakhapatnam, to issue twelve ounces overall rations in available kinds in all the rural ration shops;

(b) if the answer to clause (a) is in the affirmative, the reasons for non-supply of full rations as promised by the Government; and

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(c) the reasons for non-supply of ‘ B ’ class cards to the villagers who are in need of rations?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ (a) Yes.

“ (b) Owing to the low stock position of wheat and millets in the district and to the inability to import the stocks in time, it was not possible to supply the full quota of 12 ounces ration in certain areas. Necessary arrangements to allot and move adequate quantities of wheat and millets so as to ensure the full quota of rations have since been made.

“ It may be stated in this connexion that the overall ration in this State was only 8 to 10 ounces from 25th May 1947 to 5th March 1949, when it was raised to 12 ounces mainly with a view to dispose of semolina for which there was no demand within the ration scale.

“ (c) ‘ B ’ class ration cards are not denied to applicants entitled to them, provided they file declarations in the form specified for the purpose, showing the quantities of foodgrains harvested, period for which they will last, etc., before they apply for ration cards. The local officials concerned have been instructed to take all steps to ensure that the partial producer gets his card in time.”

SRI G. SANYASI RAO :—“ May I know, Sir, whether it is not essential to feed the agricultural labourer well if we want to encourage the grow-more-food campaign? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The position has already been made clear in the regulations of the Food Department.”

SRI D. V. RAMASWAMI :—“ May I ask whether the Hon. Minister has received a report from the Collector that he has carried out the instructions with regard to giving 12 ounces overall ration since last month? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Reports have been received from the Collector to the effect that he is trying to meet the situation as best he can, because the supplies have got to be moved from different sources with regard to rice, wheat and millets.”

SRI B. S. MURTHI :—“ Is the Hon. Minister aware that even on the 10th of this month, the full quota of rice was not supplied in many places in the dry areas in Visakhapatnam and may I know, when the Hon. Minister is going to expedite the supply? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ It is not peculiar to Visakhapatnam, Sir, because in other districts also, mostly they have not been able to give all the 12 ounces because of the absence of semolina, two ounces of which were given formerly. We have had to substitute wheat or some millet. When the supply of millets fell short, it was difficult to keep up the 12 ounces.”

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SRI G. KUMARASWAMI :—" May I know from the Hon. Minister for Food whether any representations have been received from the villagers that ' B ' class ration cards are not supplied to them? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" I have already replied to clause (c) of the question that ' B ' class ration cards have been supplied on the parties furnishing the necessary particulars in the form prescribed showing the foodgrains harvested, the period for which they would last and so on. There may be some delay in the filing of the applications. Probably the delay is due to that."

SRI T. VISWANATHAM :—" In view of the admitted and continuous failure of the Government to maintain the overall rations as promised, may I ask whether the Government will remove the restrictions at least on movements within the district? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" It is not possible to consider this request, Sir. That will require further vigilance and further organization in order that all the different parts of the district are supplied properly."

SRI S. NAGAPPA :—" Sir, though there is a rule that manual labourers should be given four ounces extra rations, though not in rice at least in the shape of millets, why is it that not even in a single municipality, whether he is an agricultural labourer or an industrial labourer . . . "

MR. SPEAKER :—" Is the hon. Member referring to Visakhapatnam? "

SRI S. NAGAPPA :—" Yes, Sir. Will the Government consider the desirability of issuing instructions to District Collectors to see that every manual labourer is given four ounces extra ration? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The instructions are always there to the effect that those who are doing hard manual labour should be supplied four ounces extra. But whether they are actually doing hard labour or not, is left to the Collector to decide."

SRI V. M. RAMASWAMI MUDALIYAR :—" Arising out of the answer given that the Government have not been able to keep up the overall ration of 12 ounces, may I ask whether it is possible for the Government to make good the deficiency of the previous weeks in the successive weeks when rations are available? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" That would not be possible, Sir, because every week whatever supplies are available have to be given. If we allow them to accumulate whatever is not given, it will be difficult to know how much demand there will be later on."

SRI D. V. RAMASWAMI :—" Is the Hon. Minister aware that in several villages in South Visakhapatnam villagers are told

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by the village officers that ' B ' class ration cards have not been received by them from the Government? The village officers themselves have not received the cards for distribution."

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The Collector has been asked to look into the matter and see that they are issued as expeditiously as possible."

SRI B. S. MURTHI :—" In view of the fact that the Government are not able to give the overall ration, why should they not allow the people to get some rice within the district and live without any harassment? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Where do they get the rice from, Sir? After procurement, we leave only the quantity required by the producers for themselves. We have now temporarily allowed two pounds to be bought freely without outside control. Over and above that, it is not possible, unless we remove control altogether and allow people to buy as they like."

SRI T. VISWANATHAM :—" May I ask whether the Government would supply forms printed in Telugu or English and not in Tamil or Malayalam? May I know whether the Government are in a position to meet the request for these forms? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" There is no difficulty about printing the forms in Telugu. If the hon. Member would only tell the Collector about it, it could be done."

SRI A. KALESWARA RAO :—" May I know, Sir, why any prosecutions should be made against the employer who gives rice to his labourer or to the man who is working under him, I mean, to the overall extent? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The employer is given the necessary quantity which he has to supply to his labourers and that quantity is left with the employer to be given over as wages and I do not understand what the hon. Member means. The employer is authorized to give to his labourer when he asks for that quantity."

SRI G. SANYASI RAO :—" May I know, Sir, whether it is a fact that even ' B ' class holders were refused rations due to lack of stock in Chinadhadigallu and such other villages? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" No specific instances have been brought to the notice of the Government, except the general complaint that the issue of these cards has been delayed."

Malaria in Nilambur.

* 276 Q.—JANAB M. MUHAMMAD ISMAIL (on behalf of Janab K. M. Seethi): Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government are aware of the widespread prevalence of malaria in and around Nilambur in Ernad taluk, Malabar,

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and of the public complaint that quinine is not made available in the villages of Ernad after the establishment of the World Health Unit in East Ernad;

(b) the number of deaths from malaria in Edakkara and other localities in East Ernad very recently; and

(c) the steps that the Government have taken for providing medical relief to the victims?

THE HON. DR. T. S. S. RAJAN :—“(a) The answer to the first part is in the affirmative. No such complaint has been received. Possibly the Member may be referring to the fact that after the advent of the World Health Organization Health Unit, paludrine is being given only to cases actually found to be malaria after examination of blood smears, as against the old practice of giving quinine in all cases of fevers, suspecting them to be malarial.

“(b) The number of deaths from malaria registered in the areas in question during the first seven months of 1950 was ten. During the month of July 1950, there was no death from malaria in the area.

“(c) Medical relief is available in the Local Fund Hospital at Nilambur and the Local Fund Dispensary at Kalikavu. Paludrine is distributed free to malaria cases by the Public Health Nurse and the Health Visitors in the Clinics run in the office and the Laboratory of the World Health Organization Malaria Control Demonstration Team, Nilambur, and at the Edakkara sub-headquarters of the Team, and also by the Field Assistant stationed at Amarambalam village. The drug is also distributed by the Health staff of the Teams during their tours in the malarious village.”

JANAB M. V. HYDROSS :—“May I bring to the notice of the Government that the people in that area are really handicapped by the long distances they have to travel and the time taken to get themselves examined by the World Health Unit?”

THE HON. DR. T. S. S. RAJAN :—“It is a great pity that they have got to travel such long distances. The Health staff, particularly the taluk staff, who are nearby have been authorized to give medicine and to give instructions as to how to use the medicine, to patients who approach them and want to get relief.”

JANAB M. V. HYDROSS :—“May I enquire, Sir, whether there are a large number of cases where people are suffering from acute and virulent type of malaria and still they are not able to contact the Health Organization Units?”

THE HON. DR. T. S. S. RAJAN :—“It is a very difficult question to tackle, I know, in the areas mentioned by the hon. Member unless we make medical help available to the people in that district. But, the agencies that are doing work in that area all these days could certainly render them help if they could only be approached.”

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JANAB M. MUHAMMAD ISMAIL :—“The Hon. Health Minister stated that only in regard to cases which are decided by the medical authorities that they are cases of malaria, that paludrine is being given. May I know with reference to that statement whether the Government have provided sufficient facilities for all cases of fever being examined and thoroughly dealt with?”

THE HON. DR. T. S. S. RAJAN :—“Cases of malaria are certainly examined particularly when paludrine is given. Paludrine is a drug which has come to the market recently. Government buy it at their own cost and give it free to those who require it, but it cannot be done on a universal scale. What they have done is to get the blood examined and if it is diagnosed that it is the right type of malaria which requires paludrine, then it is given. So, it is only by discriminating the disease we can make good use of the quantity of paludrine that is available and it is considered to be very good in its results.”

JANAB M. MUHAMMAD ISMAIL :—“Sir, what I want to know is, in view of malaria being prevalent in this area on a wide scale, whether the Government have provided sufficient facilities for the examination of all the cases promptly and provide relief also promptly?”

THE HON. DR. T. S. S. RAJAN :—“My answer is limited to the use of paludrine; otherwise quinine and such other anti-malarial drugs are being used. It is only in cases where paludrine is used, Government have made a recommendation to the effect that blood should be examined so that the small quantity of paludrine that is available may be used advantageously. So, in all cases in which blood examination has become necessary, Government are making blood examination.”

JANAB M. V. HYDROSS :—“May I enquire, Sir, whether this World Health Unit is only experimenting the effect of paludrine on malaria and that they are not having any effective treatment as such in that area for malaria?”

THE HON. DR. T. S. S. RAJAN :—“No, Sir, the World Health Organisation is not engaged in this campaign of medical relief in this country.”

SRI V. M. RAMASWAMI MUDALIYAR :—“May I ask, Sir, whether these two health units are itinerary or stationary units in those places to which patients have to go?”

THE HON. DR. T. S. S. RAJAN :—“They are located in particular headquarters where they may be working, so that their workers might be within reach of the areas from those headquarters, but wherever they think it is necessary to move their headquarters and they are called upon to do so, they may do it.”

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JANAB M. MUHAMMAD ISMAIL:—“Am I to understand, Sir, that apart from paludrine, the Government have made quinine available to people, that is, to whomsoever that requires quinine?”

THE HON. DR. T. S. S. RAJAN:—“There is no change in the practice of giving quinine in the malarial tracts, but since paludrine has now come into the market, we have made a stipulation to have blood examined before the application of paludrine. As for the distribution of quinine, it is still being done as it was done in the past.”

SRI N. M. R. SUBBARAMAN:—“May I know, Sir, whether there is any truth in the allegation that long and continued use of paludrine will affect the sense of hearing?”

THE HON. DR. T. S. S. RAJAN:—“It has not yet been brought to the notice of the medical public about the disastrous results of the use of paludrine.”

SRI K. VEERANNA PADAL:—“విశాఖపట్నం జిల్లా గుండం విజిస్సీ లోని పెద్దవలస, ఎమ్మసెంగు ప్రదేశాలలో Malaria Department ను తగ్గించినందు వలన విజిస్సీ ప్రజలకు మలేరియా ఎక్కువవుచున్నది”

MR. SPEAKER:—“The main question refers to Malabar.”

SRI T. VISWANATHAM:—“The hon. Member is asking a comparative question.”

MR. SPEAKER:—“Then let the hon. Member put a separate question.”

JANAB M. MUHAMMAD ISMAIL:—“Am I to take it, Sir, that Government are switching on to paludrine in view of the fact that quinine has deleterious effects?”

THE HON. DR. T. S. S. RAJAN:—“No, Sir. Because paludrine is not available in large quantities, they are still keeping on to quinine which has been found very efficient in the past.”

SRI B. S. MURTHI:—“Sir, has the World Health Organization given any opinion about the comparative efficacy of quinine and the new method?”

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

JANAB M. V. HYDROSS:—“May I bring to the notice of the Hon. Minister that no quinine is supplied in these areas to malarial patients?”

THE HON. DR. T. S. S. RAJAN:—“I do not know why this charge is newly laid on the shoulders of the Government. It is probably because malarial patients who were taking quinine so far are still getting only quinine. They could get it easily, but if they want paludrine they do not get it easily. That is the reason.”

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Land revenue in Banganapalle taluk.

219 Q.—SRI N. VENKATASUBBAYYA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the rates of land revenue in Banganapalle taluk are much higher when compared to those in the adjoining areas of Koilkuntla and Nandyal taluks;

(b) whether any representations have been received for their reduction from individuals and public organizations, ever since the State was merged in the Indian Union and if so, from whom;

(c) whether any enquiry and investigation have been made into the incidence of land revenue, and if so, what they are; and

(d) whether, and if so, what steps have been taken to reduce the rates and bring them on a par with the rates in the adjoining taluks?

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

(b) Yes. Representations were received from (1) Sri N. Venkata Subbiah, M.L.A., and Sri P. Venkatasubbiah, M.L.A., and from the ryots of Banganapalle.

(c) & (d) Yes. The Government deputed a Special Officer, trained in Settlement work, to visit the villages in the State area to study the position in some detail and to submit concrete proposals with a view to remove the inequalities in the prevailing rates of assessment.

As a result of the investigation made by the Assistant Settlement Officer, the Board of Revenue recommended that, pending regular resurvey and resettlement of the area, a proportionate reduction in the rates of assessment in each settlement class of land may be made, and that the rates of assessment in certain villages where the rates are reasonable in comparison with the adjoining ryotwari taluk, may be left as they are. The Government have accepted the Board's proposals and orders were issued accordingly. The Board of Revenue has also been asked to submit a consolidated report to Government in this behalf. The proposals for reduction will be given effect to as soon as the Board submits to the Government the consolidated report asked for.”

SRI N. VENKATASUBBAYYA:—“May I know, Sir, whether these proposals for reducing the rates would be given effect to in this fasli?”

THE HON. SRI H. SITARAMA REDDI:—“We will make an effort to do that.”

SRI P. VENKATASUBBIAH:—“May I know, Sir, what will be the financial commitment to the Government of this land revenue reduction.”

THE HON. SRI H. SITARAMA REDDI:—“I believe, Sir, all these concessions will mean that the people of the area will benefit to the extent of Rs. 60,000.”

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SRI N. VENKATASUBBAYYA :—“ May I know whether the enquiry and investigation ordered by the Government include manams also, because the rates for the manam lands are also comparatively high? ”

THE HON. SRI H. SITARAMA REDDI :—“ I could not give the information off-hand, Sir, but I would like to have notice about it.”

SRI K. KOTI REDDI :—“ May I know, Sir, whether the Government cannot commit themselves definitely. The Hon. Minister said in reply to another question, that the Government would make an effort. I do not understand what the Government mean by it? ”

THE HON. SRI H. SITARAMA REDDI :—“ I am sorry the hon. Member has not been able to understand what I said. It is not my fault if he has not understood me. As I said, the Government are committed to these proposals and orders will be finally issued after the consolidated report is received from the Board. The proposals of the Board which have been recently received have been approved. This is what I said. I have also stated that we are only waiting for a particular report from the Board and as soon as it is received, it will be approved and there is no doubt about the approval of the Government. According to the proposals, roughly it will mean a benefit of about Rs. 60,000 to the people of that area.”

JANAB MOHAMED ABDUL SALAM :—“ Sir, is the Hon. Minister aware of the statement of the Hon. Finance Minister in this House that the Government are spending on their administration more than what they are getting from the State, and the Hon. Finance Minister also promised to approach the Central Government because they have taken over this State at the instance of the Central Government. So, Sir, in view of that statement of the Hon. Finance Minister, does the Hon. Minister for Revenue propose to reduce the land revenue of the Banganapalle taluk and thus commit the State to further expenditure? ”

THE HON. SRI H. SITARAMA REDDI :—“ The main question read thus: whether it is a fact that the rates of land revenue in Banganapalle taluk are much higher when compared to those in adjoining areas? ” Our policy is to see that the burden of land revenue on the people is equal in the areas which come under the Government of this State and with a view to implement that assurance, we try to reduce it to the level of the rates in neighbouring areas. It is quite possible it may mean some loss to the Government. But the idea is that the burden of taxation should be equal on all people. That is the policy we are pursuing.”

11-45 a.m. SRI P. VENKATASUBBIAH :—“ May I know, Sir, whether only the rates of assessment for patta lands have been investigated and might I ask, Sir, what about inam lands and whether they have left them out of examination? ”

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THE HON. SRI H. SITARAMA REDDI :—“ I have already asked for notice in respect of this question, Sir.”

SRI S. NAGAPPA :—“ In view of the fact, Sir, that the Revenue Board will take its own time to submit its report, will the Hon. the Minister consider the desirability of giving retrospective effect to the reduced rates as from the date of the merger of Banganapalle into this State? ”

THE HON. SRI H. SITARAMA REDDI :—“ I assure the hon. Member that I shall see that the proposals are expeditiously received from the Board of Revenue.”

SRI K. BRAHMANANDAM REDDI :—“ Can the Government give the House figures of the revenue assessment under the Banganapalle State administration and what the reduced figures are now? ”

THE HON. SRI H. SITARAMA REDDI :—“ I should like the hon. Member to put a separate question because all these are details which are not readily available here.”

Causeway across 'Vaigai'.

* 278 Q.—SRI N. M. R. SUBBARAMAN : Will the Hon. the Minister for Public Works be pleased to state—

(a) when the reconstruction of the causeway across the river Vaigai within the municipal limits of Mathurai was begun; and

(b) when it is expected to be completed?

THE HON. SRI M. BHAKTAVATSALAM :—“ (a) & (b) The work was begun on 11th May 1950 and is expected to be completed by the end of December 1950.”

SRI N. M. R. SUBBARAMAN :—“ May I know, Sir, whether it is not a fact that funds for the reconstruction of this causeway were available even as early as April 1949 and if so, why there has been so much delay? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The investigation took some time and there was some difficulty in regard to foundation and some delay in getting the necessary materials. That is the cause of this delay.”

SRI N. M. R. SUBBARAMAN :—“ Might I ask, Sir, whether the Hon. Minister can give the House an assurance that the causeway will be completed within December? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir, I inspected it recently and I can give the assurance that it will be completed by the end of December.”

Lands under the Cauvery-Mettur Project area.

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

(a) how many acres of land are yet to be brought under cultivation in the Cauvery-Mettur Project area, Tanjore district;

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(b) what action the Government have taken to bring them under cultivation;

(c) whether the Government have taken any action against those who are not cultivating their lands though sufficient water is available for them and if so, what they are; and

(d) whether there is any land available for assignment to the landless poor, Harijans, I.N.A. men and political sufferers?

THE HON. SRI H. SITARAMA REDDI :—“(a) The uncultivated extent in the Cauvery-Mettur Project area which is capable of development is 49,088 acres and is classified under the following heads :—

	ACS.
Ryots neglect	16,259
Requiring reclamation	12,225
High ground	7,341
Want of irrigation facilities	10,814
Want of drainage facilities	2,449
Total	49,088

“(b) Ways and means of speeding up the reclamation of the undeveloped ayacut in the Cauvery-Mettur Project are being considered by this Government. The question of this Government availing itself of the offer of Government of India to give financial assistance to agriculturists and extending the scheme to Tanjore district is under consideration. It is also proposed to grant interest-free loans to the Cauvery-Mettur Project ryots for purposes of reclamation. All the available tractors with the Agricultural Department are expected to be pressed into service, wherever there is a demand for the same from the ryots concerned. As regards irrigation and drainage facilities, the Public Works Department is investigating cases of special difficulty brought to their notice.

“(c) Notices have been issued to the ryots in the Cauvery-Mettur Project area warning them that their lands will be excluded from the Cauvery-Mettur Project ayacut if they fail to make use of the water supplied to them in the current fasli and if they use Cauvery-Mettur Project water afterwards, they will be liable to pay enhanced water-cess. It is proposed to watch the reaction of the ryots to the notice issued and divert water to other lands of the Cauvery-Mettur Project if ryots fail to act up to the situation.

“(d) The total extent available for assignment is 39,661.57 acres of which 4,100 acres have already been allotted to political sufferers. The extent required for communal use is 1,096 acres 65 cents. Hence the net extent available works to 34,464 acres 92 cents including compact blocks.”

SRI A. VEDARATNAM PILLAI :—“May I know the reasons why the Government have kept such a huge extent, nearly a lakh of acres of land, as uncultivated waste, especially in these

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days of food scarcity and especially in Tanjore district where the lands can be easily brought under cultivation and may I ask, Sir, whether they have any drastic measures to bring these lands under cultivation?”

THE HON. SRI H. SITARAMA REDDI :—“It is not the Government that is responsible for keeping the lands in that way; it is the local people. I have already given the reasons in detail and so far as the Government are concerned, they have already taken various measures of helping the people to bring the lands under cultivation. The hon. Member is aware that that area has been receiving for a long time concessional rate of assessment and that was reviewed recently and we have given every possible incentive for the local people to see that Cauvery water is made use of by the people and the lands are brought under cultivation as early as possible in view of the Grow More Food Campaign.”

SRI B. S. MURTHI :—“In answer to clause (b), the Hon. Minister stated that 4,100 acres have been given to political sufferers; may I know, Sir, how many acres have been given to the landless poor, Harijans out of the 39,000 odd acres of land?”

THE HON. SRI H. SITARAMA REDDI :—“I should like to have notice, Sir.”

SRI M. G. NATESA CHETTIYAR :—“May I know, Sir, what the preference is between landless poor, Harijans, I.N.A. men and whether landless poor will be preferred to others or the political sufferers will be preferred to landless poor; may I know what is the policy of the Government in the matter?”

THE HON. SRI H. SITARAMA REDDI :—“The hon. Member knows that a Government Order has been issued concerning the question and subsequent to the issue of the Government Order the Government have not changed their policy and they continue to maintain that policy.”

JANAB M. A. MUHAMMAD IBRAHIM :—“May I know, Sir, whether a large portion of these lands are assessed waste and also they are split up into little areas and scattered all over and it is not worth while incurring the cultivation expenses upon them?”

THE HON. SRI H. SITARAMA REDDI :—“I may inform the House that I had occasion to go and see for myself some of these lands in the Cauvery-Mettur Project area which have not been brought under cultivation and I found that the land is of very poor quality and after inspection and in consultation with the local people, it was decided that certain concessions should be extended; I know that there are certain difficulties and owing to the poor nature of the soil they are not able to extend cultivation but as I said, the Government are already trying to give them inducements to bring the lands under cultivation.”

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JANAB M. MUHAMMAD ISMAIL :—“ Have the Government found out the reason, Sir, why the people, in spite of the concessions mentioned by the Hon. Minister refuse to bring this vast extent of lands under cultivation? ”

THE HON. SRI H. SITARAMA REDDI :—“ Most probably, they feel that it is not economic for them.”

SRI M. R. APPA RAO :—“ May I know, Sir, whether the lands will be only given to people of that area or to others from other districts who are prepared to come and settle there? ”

THE HON. SRI H. SITARAMA REDDI :—“ Most of the lands is already owned by some people or other and the question is the utilisation of the Cauvery water for the lands.”

JANAB M. MUHAMMAD ISMAIL :—“ With regard to the conjecture of the Hon. the Minister that probably the people do not think it economic to bring these lands under cultivation, may I know if the Government do not think it desirable, in these days of food scarcity when every means of production is to be resorted to, that they should try and see that they should make the cultivation of these lands economical? ”

THE HON. SRI H. SITARAMA REDDI :—“ Exactly and that is the reason why we are giving them certain concessions.”

SRI T. K. T. N. R. TATACHARI :—“ May I know, Sir, whether the Government include the dispossessed zamindars among the landless poor? ” (Laughter.)

THE HON. SRI H. SITARAMA REDDI :—“ If they are landless and poor, they will be landless poor.”

JANAB M. MUHAMMAD ISMAIL :—“ My question was, Sir, why despite the concessions and inducements given to the people, they still do not take to the work of bringing the lands under cultivation; I wish also to know, Sir, whether the Government have definitely found out the cause for the unwillingness on the part of the people to bring them under cultivation, particularly at a time when they say they are taking every step to increase agricultural production? ”

THE HON. SRI H. SITARAMA REDDI :—“ The area that had not been developed was very much larger than the 41,000 acres that I have mentioned; it was nearly more than a lakh of acres but by the inducement given by the Government and the concessions given to them, a lot of acreage has already been brought under cultivation under the Cauvery-Mettur Project area. It is expected that in the future, if the concessions and inducements are continued, it is possible to bring more lands under cultivation in that area and if people do not take advantage of them, that area will be removed from the use of the Cauvery-Mettur Project water and it will be made available to others who are in greater need of the water.”

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SRI M. G. NATESA CHETTIYAR :—“ May I know the policy of the Government in regard to Sivoyjanna cultivators being assigned lands if they also do not possess other lands? ”

THE HON. SRI H. SITARAMA REDDI :—“ May I bring it to your notice, Sir, that it is not quite relevant to this question. I would suggest to him to put a separate question.”

JANAB M. S. ABDUL MAJID :—“ Will the Government consider the question of co-operative farming at least in areas which have not been assigned for political or other persons as otherwise the indiscriminate assignment of lands will only accelerate fragmentations of lands in the State? ”

THE HON. SRI H. SITARAMA REDDI :—“ There is no question of indiscriminate assignment of lands; assignments are made in cases where they are deserving. So far as collective farming is concerned, I may inform the hon. Member that there are several co-operative societies which have taken up compact blocks of land and have started the scheme of co-operative farming. Particularly, there are *lanka* lands which have been given mostly to eligible communities and they have formed themselves into co-operative societies and they have been doing very well in the matter of cultivation.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I know, Sir, whether in the Cauvery-Mettur Project area the Government have conducted a soil survey of these unoccupied lands and found out whether they are of a virgin nature and what steps have been taken by the Government to promote collective farming or co-operative farming? ”

THE HON. SRI H. SITARAMA REDDI :—“ I take it, Sir, that the lands have been examined both from the chemical and physical point of view.”

SRI N. S. VARADACHARI :—“ May I request the Hon. Minister to look into the question of policy in regard to the obtaining of loans and concessions on a solvency certificate. At present people are experiencing a lot of hardship and will the Government be prepared to revise it and liberalise the rules so that the joint surety certificate and the like might be brought in in the place of the existing practice? ”

THE HON. SRI H. SITARAMA REDDI :—“ I could not possibly give an answer offhand; I do not know the implication of what my hon. Friend is suggesting. I shall only tell him that I shall have it examined and I would suggest to him to put down his suggestion in the matter in writing and send it to me.”

SRI A. KALESWARA RAO :—“ May I know, Sir, whether the Government are considering the question of framing a well-planned land colonisation scheme for the benefit of the landless people on a co-operative basis or otherwise, particularly when so much of lands is at the disposal of the Government? ”

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THE HON. SRI H. SITARAMA REDDI :—“ As I have said, we have already started them; it is not a question of experiment as we have already begun it.”

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

II.—MESSAGE FROM THE COUNCIL.

12 noon MR. SPEAKER :—“ I have to announce to the House that I have received the following messages from the Hon. Chairman of the Madras Legislative Council, dated the 10th October 1950 :—

‘ (1) I transmit a copy of the following motion passed to-day by the Madras Legislative Council in respect of the Madras Consolidated Fund (Charged Expenditure) Bill, 1950 (L.A. Bill No. 25 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 Stamp (Second Amendment) Bill, 1950 (L.A. Bill No. 26 of 1950) :—

That the Bill be passed.’

‘ (3) I transmit a copy of the Madras Hereditary Village Offices (Amendment) Bill, 1950 (L.A. Bill No. 27 of 1950), as agreed to by the Council without any amendment and signed by me.’ ”

JANAB M. S. ABDUL MAJID :—“ Sir, I rise on a point of information.”

MR. SPEAKER :—“ Let the hon. Member put it in writing and give it to me.”

III.—SUPPLEMENTARY ESTIMATES OF EXPENDITURE FOR THE YEAR 1950-51 (GENERAL DISCUSSION).

MR. SPEAKER :—“ Now we will have discussion on the supplementary budget. We will have afternoon session to-day. From the outset, I want to fix ten minutes for each Member.”

* BEGUM SULTAN MIR AMIRUDDIN :—“ Mr. Speaker, Sir, I am glad to note that this year the supplementary demands are not as heavy as they were last year when they amounted to nearly half a budget. This year the sum asked for is much less and we do not have such a bulky volume to peruse as that which was presented to us last year. The Government have been adopting a very wrong procedure in the past. The procedure that they adopted during the past four years was that they gave us to understand that they would carry out the items of work mentioned in the budget at the time of its presentation, then they revised their opinion and did not spend the amount as indicated but reappropriated it and came forward with huge supplementary demands. When they were presented, this House was confronted with a *fait accompli* and had no option but to grant the demands. In other countries, the governments will go out of office if the demands are not granted.

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

Since this Government have got a large majority behind them they treat this House with such scant courtesy. As a matter of fact during the past four years this House has had no grip or control over the expenditure of the Government. Now fortunately the New Constitution Act has come to our rescue for it is provided therein that it will not be in order to incur expenditure on a New Service in anticipation of the approval of the Legislature. Hence the amount of the supplementary demand is much less as compared to last year, it being Rs. 15,51,500.

“ The crying need of the hour, both for the State Governments and the Central Government is retrenchment in expenditure. But this Government have hardly done anything to reduce the cost of administration despite the demand made in that behalf by the Governor of the Reserve Bank and in other responsible quarters. The administration of this State is exceedingly top-heavy and its cost is beyond the resources of the tax-payers who are simply being crushed under the burden of taxation. Although mention is made of an economy drive, new posts are being created and the cost of administration is being increased still further. For instance last year the post of a Fourth Member of the Board of Revenue was created and now the Government propose to add another Member to the Board. When the Advisers were in office, they had only three Members in the Board of Revenue yet the Congress was vociferous in its demand for the abolition of the Board. We find from page 4 of the Supplementary Estimates that the Government propose to create a Fifth Member of the Board of Revenue for appointment as Chairman of the Committee set up to advise them on the problems relating to the improvement and reform of the method of assessment of land revenue in ryotwari areas and the like. In these days when the cry all over the country is for retrenchment in expenditure, is it advisable to add to the cost of administration in this manner? Is it not possible to utilize the services of the existing Members of the Board of Revenue for the purpose, by giving an additional allowance for the work or to entrust the work to an officer of the rank of a Collector? Why should superfluous posts be created in these days when economy is an urgent desideratum?

“ Again the police force is being increased at a tremendous pace. Last year this force was substantially increased and now we have before us a supplementary demand for Rs. 9,02,000 for expenditure on this force. I wish to enquire whether the ideal of the Hon. Minister is to make this State a police State or a welfare State. At the rate at which money is being spent on the maintenance of law and order, this Government cannot be called anything but a police State, for as a matter of fact this Government are spending more on the maintenance of law and order than a Foreign Government used to do. What does this signify? This signifies that the present Government do not enjoy the confidence of the people and that there is something radically wrong with the

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administration of this State. If this Government enjoyed public confidence they would not be adding to the police force or to the number of prisoners in the jails. It is not by increasing the police force that the subversive elements can be checked. It is by making available to the people the essentials of life—food, clothing and shelter at reasonable prices that these elements can be curbed. The Government are proceeding on wrong lines. They are merely increasing the cost of administration instead of attending to the dire needs of the people.

“On previous occasions, we requested the Hon. Finance Minister and the Government to constitute a Standing Finance Committee of this House to scrutinize the budget estimates before they were presented to it. There is a Standing Finance Committee for the Parliament and I do not see why a similar committee should not be constituted for the Legislature of this State as well. Just a day is allotted for the discussion of supplementary demands and each Member is allowed to speak for only ten minutes. During this short period is it possible for any Member to go into the details of the Demands and do justice to the subject and suggest priorities to the Hon. Finance Minister?”

THE HON. SRI B. GOPALA REDDI :—“It has been done in consultation with party leaders.”

BEGUM SULTAN MIR AMIRUDDIN :—“May I know what stands in the way of the Government constituting a Standing Finance Committee for the Legislature like the one of the Parliament. That would be a much better procedure. It is true there are complaints that the Central Government are not following all the recommendations of the Standing Finance Committee. But that is a different question. The Government need no fear that such a committee would reduce their power or authority. The Government will still retain their power for making schemes. The Standing Finance Committee would only scrutinize the estimates and assign priorities. The Public Accounts Committee makes only a post-mortem examination of old accounts and does not have to assign priorities. I do not see why the Government are so hesitant in adopting the procedure that we have been urging them to adopt time and again on the floor of this House.

“I referred to need for retrenchment in Government expenditure. I wish to refer to one other point in that connexion. The Government are having a wonderful economic drive! They propose to incur an expenditure of Rs. 50,000 on a world Conference on Dams. If each State of India is to contribute Rs. 50,000 for the conference the total amount run to several crores. Will such a huge amount be required for convening that conference? Why should not the Government curtail this huge contribution and sanction a token sum of Rs. 10,000 or 15,000? This is an example of how the Government incur unnecessary expenditure. The other example is the purchase of ‘The Hanuman’ about which several questions were raised during the question hour this morning.

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“Before I conclude, I wish to state that there are certain useful items also which have found a place in supplementary demands. One such item is the provision made for the construction of a cancer block in Government General Hospital. This matter has been pending for the past two years. Although the Hon. Minister for Health is the Chairman of the Cancer Association and a member of the Provincial Welfare Fund, the proposal has been kept in abeyance for two years during which period, several cancer patients have died for the treatment of cancer brooks no delay. I wish the Government were more active in regard to such matters.”

* SRI N. S. VARADACHARI :—“Madam Deputy Speaker, I am very glad that the revised procedure for presentation of supplementary demands and the inauguration of New Services has been introduced. I am also equally glad that we are undertaking a fairly large number of schemes, especially electricity schemes the capital outlay on which will, I hope, not in the long run but in the near future fetch additional revenue to the Government. Electricity schemes are very important. It is no doubt difficult to forecast years ahead with any amount of precision the expenditure for which sanction has to be obtained considering the delay involved in importing machinery from foreign countries.

[At this stage, Temporary Chairman (Begum Sultan Mir Amiruddin) occupied the Chair.]

“While saying that, Madam Chairman, I must draw the attention of the Government to one aspect of the supplementary estimate. It provides this year for a recurring expenditure of Rs. 15.62 lakhs and the total estimated cost of all schemes—that is administrative and capital schemes—amounts to Rs. 114 lakhs. Once we begin a scheme, we know that it will cost much more in the coming years and that is why it is helpful to note that the total outlay expected to be put down for the various schemes is really in the neighbourhood of Rs. 11 crores. One general caution that I would advise should be exercised in respect of all schemes in which recurring expenditure has got to be incurred is this. There is a practice by which small additions every year to a recurring expenditure might ultimately lead to that expenditure becoming permanent long after the effects of that scheme have been achieved and such expenditure is considered unnecessary. For instance, I would just set a limit to the total police expenditure for this State, even as the Central Government have set a limit to their total defence expenditure of the country. We know our revenues. We know the need for expansion of the police and we also know the difficulties of maintaining law and order. Taking all these into account, Madam Chairman, we must set a limit to the maximum expenditure on non-paying departments like the police. Expenditure on department which yields something in return stands on a totally different footing. Even there, the creation of a Standing Finance Committee from this House of Legislature will certainly help the Government in judging how much addition to the revenues can be made by the introduction of capital schemes, if not in the current year, at least say, three years hence.

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"Regarding recurring expenditure, one other thing has got to be noticed. There must be a constant review of this expenditure which practically creeps into the entire budget and goes on to swell it from year to year. We had a supplementary estimates last year, and this year we are having a supplementary estimate, and perhaps we were having it twice in a year, and then unnoticed it gets into the budget of the next year and the year after that also. Therefore, once you allow such expenditure to be incurred, no department is willing to cut down the total estimate of expenditure on that department, and the effect of these supplementary grants can never be wiped out. On the other hand, there should be close scrutiny and watch over all schemes which are considered minor, but important enough to be executed in the course of the year and then you will know exactly when to cut short the expenditure and when to reduce the recurring expenditure which has necessarily to be incurred from year to year when one gets into the general budget for the next year.

"Madam, I have also got another suggestion to make. Many items have been included in this supplementary demand for grants and no doubt the explanatory note under each item gives the reasons for the additional demand and explains any point of interest. One of the items is with regard to the grant to the Corporation of Madras. The increase in this grant to the Corporation of Madras is due to the fact that a lower estimate was originally accepted by the Government for the construction of the second conduit from Red Hills to Kilpauk, but that later on prices had increased and a revised estimate had to be accepted and on that account the Government have to make a greater contribution, because the total expenditure to be incurred has risen. I wish to know from the Hon. Minister whether in the case of all grants, before the works are actually undertaken and after the estimates are prepared, the Government commit themselves to a half-grant or quarter grant or even a full grant, and whether these estimates are actually looked into and certified by the Government themselves. If this were done, it would solve many difficulties. For instance, a local body may give a contract to a particular firm on the ground that its tender is the lowest, but actually it may be found that the firm either due to want of experience or due to other causes might have given the lowest quotation and executed the work in an unsatisfactory manner, as in the present case. Are we to take the additional burden in such cases, even when we have not in the first instance gone into the question of the entire estimate and given the sanction to the work? If the procedure I am now suggesting is adopted, the Government would automatically give the half-grant, even on the increased expenditure, because the Government would take the responsibility for the failure of the compliance of the terms of the first contract, by the firm. Then we would have ground to criticise the Government and not the Corporation on the floor of this House.

"Then, Madam, there is another item of a very extraordinary expenditure, although I must confess that that expenditure was

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rightly called for. For instance, the grant under Loans and Advances bearing interest, included in this supplementary budget, is perhaps the first of its kind in the history of this Province. On account of the lock-out of a Mill, we have had to advance moneys as loans to the workers who had been thrown out of employment. If this principle is generally accepted, it might lead to a lot of misuse. But if this is carefully safeguarded in advance by putting down conditions by which the Government can satisfy themselves that ultimately the recovery of these amounts can be guaranteed by either taking over the Mill themselves or when the Mill resumes its operations, by making this a charge on the mill expenditure, then I say such grants would be absolutely justified. I should like to have full information on the subject when the voting on the detailed demands for grants comes up before the House. I shall have to say something more on these two items, but I shall reserve it when we are entitled to speak on the voting of these demands."

TEMPORARY CHAIRMAN (Begum Sultan Mir Amiruddin):—"The hon. Member has already exceeded the time-limit."

SRI N. S. VARADACHARI:—"I have practically finished my speech, Madam. I would only request the Hon. Finance Minister to look into these points carefully and to inform the House about the merits of the cases I have referred."

JANAB MOHAMED ABDUL SALAM:—"Madam, Chairman, as you have said when you were speaking, the demands under supplementary grants this time are not so much as they were in the past, but at the same time, you will be surprised to see that there are still many token grants included in these demands, even though this is a supplementary budget, and we do not know why the Government are not in a position to give the exact figures even to-day, as to how much they are going to spend on such items.

"Madam, it has been said in the explanatory note that the amount for these token grants will be found by a special economy drive which the Government have decided to launch. On the very day on which we saw this item of news in the newspapers, we saw another item of news on another page that this Government have decided that no economy could be effected in the Collectorate in each district and that the Government have accepted the report of the Collectors who had been asked to express their views in the matter of effecting economy and retrenchment in the various collectorates. Madam, I should like to bring to the notice of the Hon. Finance Minister a news that appeared in the last night's 'Mail' which said that in the special economy drive launched by the Bombay Government, recently they have been able to secure Rs. 2 crores. (The Hon. Sri B. Gopala Reddi: 'We have also effected a saving of three crores of rupees by way of retrenchment and economy drive.') I know, Madam, the Hon. Finance Minister is ready with his reply. But if only he goes through the detailed retrenchment proposals of the Bombay Government, he will see

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that they have abolished 10,000 posts, which they considered unnecessary. On the other hand, Madam, instead of abolishing unnecessary posts, this Government are creating new posts. I find that the Hon. Minister has no reply to this. In Bombay, about 3,500 persons have been discharged from service without much difficulty and those persons have been absorbed elsewhere, and details of all these things are given in the paper. I hope that this Government also, instead of simply giving promises of an economy drive, will take steps to effect economy and retrenchment earnestly by going into every department in detail and not by asking the heads of departments to make suggestions or proposals therefor.

“Madam, it is true that the amount involved in these supplementary grants is not much, but the way in which the Government are trying to tackle problems is very peculiar. They have got immediately the greatest problem of the communist menace in the State and they do not know how to tackle it effectively. They feel that by increasing the police force, by increasing the number of police stations and by increasing the police divisions they can tackle it successfully. But they are entirely wrong, and I do not think they will be able to do it by simply increasing the police force. Some years ago the police budget was Rs. 3 crores, and we have gone on increasing it from year to year till it is now about Rs. 8 or Rs. 9 crores and in this supplementary budget also the Government have proposed to increase the police force, the police stations and the police divisions in order to put down the Communist menace. Without understanding the real problem, they are doing things in this way. The problem of maintaining law and order and of putting down the Communist menace in the State, should be tackled from an entirely different angle and by an entire change in the policy of the Government, because the existence of the Communist movement is inherent in the very policy of the Government itself. Therefore without a change in the policies of the Government, any amount of money spent in increasing the police force will not solve the problem. Even if you make every second man a police constable in the State, you will not be able to tackle this problem. You must analyse the real causes and the reasons behind this movement and then proceed to tackle it from the right direction and by removing the causes of discontent. Madam, I entirely endorse the statement of the hon. Gentleman Sri N. S. Varadachari that there must be a limit to the strength of the police force. The Hon. Chief Minister cannot go on saying ‘In my time, I have strengthened the number of police stations and I have appointed so many District Superintendents of Police’ and so on. The very composition of the police force is fundamentally wrong. Proper training is not given to the police constables and the very recruitment to the police force is based on wrong conceptions and wrong ideas. You are recruiting all sorts of people and from all communities to the constabulary. Let me tell the Hon. Finance Minister that a training school was started for the special police at Vijayavada and after six months, many of the

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people therein left the school. Special instructions were issued by the Government and the Inspector-General of Police to the District Superintendents of Police to recruit men for the police force, but people of the kind needed were not forthcoming. I know several cases in which the subordinate officials of the police have been punished because they could not recruit sufficient number of men for the constabulary, and actually a Circle Inspector has been spending money from out of his pocket by going on tour from place to place for the purpose of recruiting sufficient number of constables, because many people are not willing to come as constables.

“It is for this Government to change their policy if they want to meet the Communist menace. They must fundamentally change their views in the matter of recruitment. They must recruit all communities and see that proper training is given. That training should not be a hotchpotch affair of recruiting some persons, giving them training, dress, etc. That is useless. I have known of persons, who, after receiving training for about six months, have deserted their posts. They have left off service after huge amounts have been spent on their training.”

“Madam, in the matter of artesian wells, I do not know why the Government should spend money instead of granting loans or half-loans. They themselves have spent the money, and the Hon. the Minister will please explain that. One fundamental mistake this Government have committed is that they have concentrated all the expenditure under this head in one district. We know that we were on the verge of partition of Andhra. Leave alone that. I ask, is it proper, that this revenue collected from the entire State should be concentrated in one district alone, whatever the reasons may be. If this kind of well is not likely to be constructed, some other kind of well could be constructed.”

THE HON. SRI B. GOPALA REDDI:—“What is that some other kind of well?”

JANAB MOHAMED ABDUL SALAM:—“Money spent for the improvement of agriculture cannot be spent only in one district when the revenues are drawn from the entire State. I thank the Government for granting some amount to the Guntur Municipality, but they have given only half-grant, and I do not know under what provision they have done so. Originally it was a scheme for ten years for a population of one lakh. Now the population has gone up, and even though the scheme is there, the Government have paid only half-grant. I am congratulating the Government on the amount they have given.

“Only one more point, Madam. The Secretariat of the Legislature has been separated.

(At this stage Deputy Speaker occupied the Chair.)

The posts are styled Secretary, Deputy Secretary and Assistant Secretary. But the salaries drawn by these people when compared to the Assistant Secretaries, Deputy Secretaries and Secretaries in

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the other departments of the Government are less by a hundred rupees. What is the meaning of calling them Assistant Secretaries and Deputy Secretaries, and paying them less. There are Assistant Secretaries in other departments. There is no point in giving the name of Assistant Secretary without the appropriate salary. Since this separation has been effected recently, I hope the Hon. the Finance Minister will reconsider his decision."

* SRI K. R. KARANTH :—" Madam, Deputy Speaker, I am thankful to you for having given me this opportunity to speak on the supplementary estimates. Before I go into the matter of the estimates I wish to sound a note of warning to this Government on one aspect about which I read last night in the papers. That is about the proposed detention of persons for blackmarketing or raising prices. I do not know, Madam, where exactly this sort of affairs is leading to. We read that the proposals of the Government of India in this regard have been agreed to by this Government. I only hope that it is not correct. It is always easy to set up a sort of hatred or malice against a particular class of people, the merchants or anybody else, but it is not fair that such a sort of thing should be done. It is not my intention at all that merchants who are blackmarketing or raising prices or it may be even the landlords who do so—which has made the life of the community very hard to-day—should go scot free. By all means take the strongest action against them, but let it be only after a trial in a court of law. Otherwise, if we simply parade the people in the streets, as we read in papers last week that some big traders were paraded in the streets of Bihar, creating a sort of morbid delight of the public which is most undesirable. I say that no civilised country, if it is worth its salt, should do this. The Government may inflict any punishment upon any person but it should be done only after a trial before a court of law. I know, Madam, how in 1940, people who were considered troublesome to the police (barbers and other kinds of people who had nothing to do with politics) were herded together with us in the Vellore jail, because it was so convenient in those days for the police to call any one a Congressman whom they could not prosecute by ordinary ways. This sort of thing would mean people who are not liked by the local people or even one section of Congressmen against another would be put into the lock-up saying that they are Communists. And now it is proposed to be done in the name of blackmarketing. I cannot understand how this sort of thing can be decently done. It is going to be an engine of oppression in the hands of the police. By all means inflict the heaviest sentence upon the offenders, put them in jail or punish them heavily. But let it be only after a proper trial in a court of law. This is my first submission.

"With regard to Supplementary Estimates, Madam, I find one or two serious defects on principle which I would like to place before this House. The first one to which I took exception last year when the Supplementary Estimates were presented or again during March this year, was this, namely, the Government coming

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before the House for sanction after actually incurring the expenditure. This is not at all fair and proper. If it is a new service or new expenditure, unless it be an unforeseen item, the only proper course is to come before the House and obtain its sanction. The Government have always got their majority to carry through what they want. But to incur an expenditure actually and then come before the Legislature for sanction is not correct. I find from the Supplementary Estimates some of the items have been spent, and now we are asked to sanction, as if it is a post-mortem examination. This is not fair and this is not also sanctioned by the Constitution. I do hope that the Auditor-General of India will object to this sort of thing. Last March in all solemnity we went through the whole of the budget, and an Appropriation Bill was passed stating that so much only should be spent upon each Demand and nothing more. I cannot understand how amounts on so many other items could be spent under these new heads—additional police in Krishna district and so on. Wherefrom the money could be spent, and how the Auditor-General could sanction such items, passes my comprehension. The only way under the Constitution is Article 267 (2), wherein provision is made for unforeseen items. The Legislature of a State may by law create a Contingency Fund from out of which money could be taken. That Contingency Fund has not been formed yet."

THE HON. SRI B. GOPALA REDDI :—" No; it was formed."

SRI K. R. KARANTH :—" It was formed by this House, and the Bill was passed in the other House only the other day."

THE HON. SRI B. GOPALA REDDI :—" That is different. The Contingency Fund Bill was passed in the last session and it was approved by the Legislative Council."

SRI K. R. KARANTH :—" I would like to know, Madam, how these additional items, which were not of an unforeseen nature, could be spent. They could not be met from the Contingency Fund. Whether that is so or not, the Hon. the Minister will please tell us.

"The third point that I wish to state is that without any additional taxation being proposed, provision for some crores of rupees are now being made in these estimates. Almost at the end of each item what we find is 'in view of the economy drive and the savings that will be made we are going to meet this expenditure'. This again is very unfair to this House. When the budget was passed last March we entered into the debate on the merits of so many proposals and the budget was passed and an Appropriation Bill was also enacted. It meant that to the best of their ability the Government must carry out every item of expenditure which is involved in it. They cannot behind the back of this House sit and say 'We are going to save several lakhs or crores of rupees in the economy drive which we thought of.' I would like to know whether these economy proposals have been placed before this

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House and sanctioned by this House. We entered into a real debate thinking that all these items would be carried out in the course of the year. Now what do we find? The Government do not disclose to us what are the items that will be carried through. That is yet a secret. Three months ago we read in the papers that, while the Finance Minister and another Minister were in Burma, the Cabinet here passed certain proposals for very good reasons. But I should like to know if they revised the budget. If they are to revise the budget, the proper place for them to come is before the House and they say 'these are our economy proposals; such and such items we do not propose to carry through during this year; we want your sanction'. Unless that is done, it is most unfair to this House to have an Appropriation Bill passed, and then be told 'we will carry through this year only these items because we have got the authority to do whatever we like by mere numbers; we do what we like behind your back; we will decide upon the priority of the various proposals which have been passed by this House, and save money that way'. I cannot understand this procedure. Are the Government in a position to say what are these proposals? How much money is going to be saved? What are the items which they are not going to carry through this year and what not? Otherwise, we cannot understand where this money is going to be found. It is a very serious matter, Madam, that this House has not been taken into confidence in regard to the different proposals for economy. There may be some proposals with which we may agree. There may be others with which we may not agree. This House is the final arbiter and certainly not the Government. The Government having a majority can always carry through any proposal. But this House must sanction the expenditure, and it must agree with the Government. That process cannot be avoided. In no proper democracy in the world can this kind of thing take place. It is very unfair that it should be done here.

"Fourthly, I wish to state, Madam, that I see from the Supplementary Estimates many token grants are asked for in hundreds of rupees. What this sort of thing is is a matter I cannot understand. Under the Constitution of India there are only two positions and there is no scope for 'token' grants at all. Article 202 is with reference to the Annual Financial Statement. Article 203 deals with how the estimates are to be dealt with by the Legislature. Under Article 204 definite sums are voted and earmarked by Appropriation Bill and they must come from a definite fund. One pie of that cannot be spent for any other purpose. How do this Government say that in spite of such a Bill being passed by the House, they are going to make savings and spend them on other items? How can the Government say 'we have economy proposals, we are going to save from the Fund and we are going to spend the savings definitely on other things'. Supplementary Estimates are contemplated in Article 205. And they must come from a separate fund to be created for them. I do not object to that. But the actual amount required for them must be voted upon by this House.

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A separate Bill must be passed by this House for such moneys to be drawn from the new fund. The Government cannot say 'We want only a token grant of Rs. 100; we are going to spend Rs. 32 lakhs for such and such a thing; we are going to dip our hands into the sums which have been earmarked under the Appropriation Bill passed in March'. The whole thing is irregular and anybody functioning under the Constitution like the Auditor-General will put a stop to it and say all this was good in the past, but not now under the new Constitution. Simply because the Government have a majority they cannot do what they like. The whole procedure is altogether wrong, and it is very unfair to this House. Whenever, of course, there are unforeseen items, as for example, participating in the World Conference on irrigation—this is the first item in the Supplementary Estimate—and when the Central Government have to spend or promise to pay Rs. 50,000, one can understand that the Government cannot wait till the House meets and sanctions the amount. It may be spent temporarily from the Contingency Fund. But I see that there are several other items which are not of that nature but yet the expenditure has been incurred which could and ought to have come before the House for sanction. It is very unfair that these items of expenditure have been incurred without the sanction of this House. Practically it comes to this that the House have no voice in these matters. If only these proposals had been placed before the House previously, we could have given our suggestions whether a particular expenditure was right or not and it was open to the Government to revise their proposals. But that opportunity has been taken away from this House as we are now confronted with items which have already been put in execution. I respectfully submit to this House that this is thoroughly wrong."

DEPUTY SPEAKER:—"I want to inform the House that we have to finish the general discussion in the forenoon itself. Janab Abdul Hameed Khan has given his name to speak in the afternoon. Probably he thinks that the general discussion will be continued in the afternoon. It is not so. The Hon. Minister will reply at 1-10 and hon. Members can speak only till then."

BEGUM SULTAN MIR AMIRUDDIN:—"Are we not meeting this afternoon?"

DEPUTY SPEAKER:—"We are meeting, but legislative work will be taken up in the afternoon."

SRI T. VISWANATHAM:—"Madam, may I submit that we have understood that two days are allotted and by two days we mean full two days."

DEPUTY SPEAKER:—"Only the forenoon is allotted for general discussion."

SRI T. VISWANATHAM:—"It is true that it is written so. But it was not known that we were not going to have a full day

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for the general discussion of the supplementary estimates of expenditure. The procedure followed in regard to the general discussion of the Budget has to be followed in this case also and a day should mean a whole day."

DEPUTY SPEAKER:—"It is expressly stated that the forenoon of to-day is allotted for general discussion."

SRI T. VISWANATHAM:—"My submission is what is expressly stated is not carried out in spirit."

THE HON. SRI B. GOPALA REDDI:—"The Council is discussing the supplementary estimates of expenditure in the afternoon. So, to allow both the Houses to function simultaneously, this arrangement has been made."

SRI T. VISWANATHAM:—"Madam, the reason advanced by the Hon. Minister that this arrangement has been made to allow both the Houses to function simultaneously is not correct. May I submit we cannot do justice within one hour?"

DEPUTY SPEAKER:—"I am sorry the hon. Member is taking away even the little time at his disposal. The Governor has fixed only the forenoon of to-day for the general discussion; so, we cannot help it now."

SRI T. VISWANATHAM:—"Then I do not want to say anything more, Madam."

JANAB MAHBOOB ALI BAIG:—"Madam, Deputy Speaker, I want to clear some misapprehensions created by the hon. Gentleman Sri Karanth. I think we may take it that the Government are not going to spend even a single pie over and above the sum provided in the Contingency Fund. If that is so, there is no question of the Government spending money which has not already been granted by this House. Whether the Government deserve the sanction or approval of this House for the particular items over which the Government want to incur expenditure is a different matter. That will be considered on the merits of each case. Therefore, there is nothing wrong in the Government now having come to us and asked us to grant moneys for expenditure on certain items incurred within the limits prescribed, i.e., within the grant made by this House under the Contingency Fund. There is a change in procedure now over what used to take place in the past. That is the reason why the Government cannot spend a single pie more than what has been granted at the time of the General Demands. But it is likely that contingencies may arise in the course of the year. That is why the Contingency Fund has been created. Under the new Constitution, it is a great improvement which has been welcomed in this House and outside.

"Now the question naturally turns up this way. Supposing you are not able to effect any savings and the expenditure exceeds the amount provided in the Contingency Fund, then what is to be done? That is the question which we have to address ourselves to. With

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regard to the merits of each case, we can at the time of each supplementary Demand for Grant, go into the question whether each item of expenditure deserves our approval or not. But I might point out one thing which must have been done by the Government in order to regulate expenditure under heads which may be termed "instruments of new service". For instance, there is an institution and you want to make improvements to it. That is called an instrument of new service. If it is a question of a totally new institution coming into being, it is also called a new service. There is no quarrel about it. But the Public Accounts Committee is a post-mortem Committee. That Committee scrutinizes only after the expenditure has been incurred, whether the money has been spent well or ill. So, it is hoped that the Government would have a Standing Finance Committee to scrutinize the matter and bring the level of expenditure within the amount granted in the Contingency Fund. The Government should be able to implement their proposals for retrenchment. In many cases they have failed to do so for reasons which it is not for me to disclose. The Standing Finance Committee will look into the importance of the matter, whether it cannot wait till the next Budget and whether if it is to be spent immediately it would come within the limits prescribed or the money allowed.

"Now, I want to know how much savings the Government expect to effect. They must have some idea of it. Unless they have an idea of what is going to happen, they cannot ask this House for grant of money. Are they going to spend beyond the one crore of rupees already granted, or are they going to spend that one crore of rupees, or are they expecting to effect any savings? This no doubt requires the expert opinion of the departments concerned including the Finance Department. This must be decided by the Standing Finance Committee. It will be of great help to the Government and it will save them from criticism that they are partial and that they are spending on matters which are not essential. In order that the suggestions of the Government may be above board, in order that they may not be partisan, it is necessary to have a Standing Finance Committee. I hope the Government will consider this point. As far as the constitutional position is concerned, the Government are perfectly right in their actions.

"I only want to say that the representatives of the people are really very zealous of their rights in such matters. I entirely agree with the hon. Gentleman Sri Karanth that we won't allow the Government to spend even a single pie more than what is necessary. The people's representatives are very sensitive of their responsibility. So, I would request the Government to make only such demands as are absolutely necessary. They must not make demands simply because they are in the majority. They must understand that people who do not belong to their Party are as responsible and patriotic as they are. Therefore, the fact that they have a steam-roller majority should not be the criterion in getting a measure passed. The criterion should be whether the particular measure is really necessary or urgent and whether if it is not passed the country will stand to lose."

[Janab M. Muhammad Ismail] [12th October 1950]

In this connexion, I want to mention only this thing. For example, I would take the scale of pay that has been fixed for the Reporters. The scale is from Rs. 200 to Rs. 400 with an annual increment of Rs. 10. Here I would like to urge upon the Government that they must take the services of the existing staff into consideration and do them justice. What I mean is this. Now, the scale has been fixed as Rs. 200 for the Reporters. Previously, I think it was Rs. 125. Supposing there is one member of the staff with a service of one year getting just Rs. 125. Now, according to the new scale he will get Rs. 200 which is a big jump indeed. I do not grudge this and I know they deserve it. But, there may be another member of the staff with a service of 20 years and he may be getting Rs. 200. Even in the new scale, he will get only Rs. 200. It is not at all fair and it is not at all just that he should also get the same Rs. 200. His service should be taken into account. His pay should be fixed on a higher scale taking his service into consideration. That is what I want to say with regard to the staff.

“Madam, we have been urging upon the Government to afford certain facilities in the lobby and the Hon. Leader of the House has been promising us more than once that it will be attended to but he has been saying that a paltry sum of Rs. 2,000 could not be found. It is really unfortunate that he could not afford to spend a few thousands on the lobbies and thereby depriving the Members of this very reasonable amenity. In the lobbies we want some seating accommodation. As you know, Madam, some hon. Members may want to smoke and they cannot do it within this House as they are not allowed to smoke within the House. So they have to go outside to satisfy their craving for smoking. For that purpose they should not be asked to go to their respective rooms. That will be rather very inconvenient to them.

“On this occasion, Madam, I want to mention another fact, that is, the interest with which the Government are formulating a scheme of marketing coconuts and arecanuts, the products of Malabar. Marketing is a very delicate affair and the Government should be very careful in this matter. The ordinary course of things would be to enlarge the marketing facilities. The Government should not restrict and restrain the marketing facilities. That will very seriously affect the producers and thereby the prosperity of the people raising the coconut, arecanut and such other crops. As I said, the Government should be very careful; because, if anything goes wrong it will affect the producers whose very life depends upon such important articles as coconut, arecanut, etc. Therefore the Government must be very careful and circumspect in dealing with such matters.

“I want to say one word more with regard to sales tax. On some occasion, I remember that the Hon. Leader of the House said that the Government were proposing to afford some concessions to people dealing with perishable articles. They deserve that and I am sure that such concession would not in reality and as a matter of long range policy land the Government in any loss. It will produce contentment amongst the people and it will make them work more and it will make the people a little more prosperous. That will

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really add to the general well-being of the people of this State. In this connexion, I want to remind the Hon. Leader of the House of my very frequent requests and appeals to him with reference to one set of dealers in perishable articles, namely, the butchers. Year after year, this matter has been brought before the House and still the Hon. Leader of the House, who is also the Finance Minister, has not found a place in his heart to think of some relief to these people, to which they are entitled. Now at least when perishable articles are being taken up for favourable consideration, I think that meat which is also one of the perishable articles will be given due consideration. These people are illiterate; they are very poor; they cannot afford to have an accountant and even if they can afford, it is impossible for them to maintain accounts because of the very nature of their work and because of their illiteracy. Therefore it is that this question has been urged again and again and the Government were approached by these people with a suggestion that even some of the people who are not being taxed now might be made to pay something so that the Government might not lose anything so far as the total revenue was concerned. Even this suggestion the Government were not willing to consider. The Hon. the Minister for Finance might say that the arguments advanced by some of us are not convincing. But I do not know what is not convincing—whether he is not convinced of the fact that the people are illiterate or whether he is not convinced of their being poor or, last but not least, of these poor people being harassed by the tax collecting staff. As was pointed out by one of the previous speakers, people who ought to pay are left out and people who were not paying or who cannot pay are harassed. If some consideration is shown to such people, Madam, I may assure the Government, it will not result in any loss in the long run to the Government but will, on the other hand, add to the prosperity of the people.

“Madam, one word I would like to say about the way in which the Government go about with retrenchment and allied matters. I find in the Budget Memorandum a small item concerning the compounders. People who are expected to know things about the compounders have suggested that they should be given a scale of pay of Rs. 45—90. But the Government want to modify that scale as Rs. 45—75. This is what I call false economy because they are people with some technical knowledge. Men in authority do not appreciate the work of such men until they meet with a deadlock when they cannot get sufficient number of people to man such services. It is only then they begin to think about their lot. What I tell the Government is that they should foresee such things and do what is necessary in time. I am bringing this to the notice of the Government for their future guidance. There is another matter to which I would like to refer before I close and that is a very big matter. Every department of the Government is dealing with either revenue or expenditure or revenue and expenditure. What we find to-day is those departments do not have a sufficient number of accounting staff. They have not trained men in large numbers and perhaps none comes forward for such training because of lack

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p.m.

[Sri G. Sanyasi Rao] [12th October 1950]

గోదావరి జిల్లాలో కూడా కొన్ని వేల ఎకరముల భూమిని సాగులోనికి తీసుకొని రాగలము. ఈ విషయాన్ని మా Superintending Engineer గారు ప్రభుత్వము వారికి తెలియజేసినట్లు విన్నాము. కాబట్టి వారి సలహాను ప్రభుత్వము వారు ఆంగీకరించి వెంటనే తొండవ, వరాహ చదులగు కట్టలు వేయించబడినదని ప్రభుత్వము వారిని కోరుచున్నాను. ఈ జిల్లాలో చిన్న చిన్న స్త్రీ కుటుంబములవారిలో మా విశాఖపట్నం జిల్లాకు ఇతర జిల్లాలనుంచి అహరిధాన్యాలను కొనివచ్చేయించబడిన అవసరము ఉండదని మనవి చేస్తున్నాను. గోదావరి నదికి అవకాశ కట్టకు పూర్వము ఉభయ గోదావరి జిల్లాలకు మా విశాఖపట్నం జిల్లా అహరిధాన్యాలను సరఫరా చేయించుండేదన్న విషయాన్ని ప్రభుత్వమువారు గమనించబడినవి యున్నవి. ఆ రోజుల్లో మా జిల్లాలోని చెరువులు, కాగులు, నదులు చుట్టి పొడిగా ఉండేవి. జమీందార్ల బ్రతకెల్ల అవి ఈనాడు ముచ్చటలు లేక పాడైపోయినవి. కాబట్టి ప్రభుత్వము తనవంతు ప్రయత్నముకొని Food Production Department ఈ పనులు త్వరితముగా take up చేసేటట్లు చూడబడినదని మనవి చేస్తున్నాను.

“ ఎట్టేట్టను ప్రభుత్వమువారు తీసుకొనిన తరువాత వాటినుంచి వచ్చే రాబడి జిల్లా బోర్డులకు తగ్గింది. ఇందువలన Local Boards వచ్చే ముత్తం రాబడిలో పట్టిపోయింది. ఈ కారణంచేత Local Boards వారు గ్రామాలలోని పనులకుగాను ఇచ్చే గ్రాంటులను తగ్గించినారు. ఒకవైపున రైతులు జమీందారుల రద్దుచేయబడినాయని సంతోషిస్తున్నారేమి గ్రామాలకు ఇదివరలో వచ్చేటటువంటి గ్రాంటు తగ్గిపోయినాయని అసంతోషించుచున్నారు. కాబట్టి అధికశాఖామంత్యులగు శ్రీ గోపాల రెడ్డిగారు ఈ విషయాన్ని ప్రత్యేకంగా గుర్తుంచుకొని, గ్రామాలకు ఇదివరలో ఇచ్చేటటువంటి గ్రాంటులు తగ్గింపకుండా చూడగోరెను.

“ వ్యవసాయ కూలీల విషయంలో శాసనములు చేయబడినందున ప్రభుత్వము వారిని నేను అభినందించుచున్నాను. శాసనాలు చేసినంతమాత్రముతో సంవత్సరముదక అవి వెంటనే ప్రకటనగా అమలుజరగేటట్లు చూడబడినదని వినిపించి గోరొచ్చుచున్నాను.

“ నియోజకవర్గములను ఏర్పాటుచేసే సంవత్సరములో ప్రభుత్వమువారిని ఎందరు విమోచించుచున్నారు. నియోజకవర్గాలను నిర్ణయించే నుండు ప్రభుత్వమువారు map లను దగ్గరపెట్టుకొని జనాభాలను దృష్టిలో భరించుకొని వ్యక్తులయొక్కగాని, వార్డులయొక్కగాని అభిప్రాయాలలో నిమిత్తములేకుండా చేసినట్లయితే ప్రభుత్వమువారిని ఎవరుకూడా విమోచించుటకు ఎంతమాత్రము అవకాశము ఉండదని నేను ఘంటాపథముగా చెప్పగలను.

“ జమీందారులు రద్దుచేయకముందు Local Boards కు ఇవ్వబడిన శాస్తులను రైతులు సగము, జమీందారులు సగము చెల్లిస్తూవుండేవారు. కాని ఇప్పుడు జమీందారులు రద్దుచేయబడినందువలన ఇదివరలో జమీందారులు ఇచ్చుచుండే సగము శాస్తులకూడా ఇప్పుడు రైతులే ఇచ్చుకొనవలసివచ్చుచున్నది. ఇందువలన శాస్తు తగ్గుతుందని ఆశించుటవంటి జమీందారి రైతులకు అశాభ్యంమైనది. Rent Reduction కు ముందు rent enhancement అయినదని రైతులు అనుకొంటున్నారు. రైతులలో అసంతృప్తి విస్తృతమైంది. కాబట్టి రైతులే శాస్తులంతా ఇవ్వకుండా, సగము మాత్రమే ఇచ్చుకొనేటట్లును, మిగతాది గవర్నమెంటువారి ధరించేటట్లును order లు issue చేయించబడినదని కోరుచున్నాను.

12th October 1950] [Sri G. Sanyasi Rao]

“ అంతేకాకుండా పెద్ద ప్రాజెక్టులను నిర్మించే సంవత్సరముకూడా రాబోయే బడ్జెట్టును తయారుచేయుటలో విశాఖపట్నం జిల్లాను గుర్తించి, అక్కడ ఉన్న పెద్ద ప్రాజెక్టులకూడా నిర్మించబడినదని ప్రభుత్వమువారిని కోరుచు ఇంతటితో విరమించుచున్నాను.”

JANAB M. MUHAMMAD ISMAIL :—“ Madam Deputy Speaker, it is a great pity that the Government have not advised His Excellency the Governor to allot more time for the general discussions. I stop with that, Madam.

“ I do not know whether all the items of expenditure and demands that have been placed before us could not have been foreseen by the Government even at the usual budget time. Perhaps they may say that expenditure on such items as the International Association of Hydraulic Structures Research and the appointment of the Land Revenue Reforms Committee could not have been foreseen by them. But, there are other items of which we can be sure. If as has been suggested by one of the previous speakers, my hon. Friend Mr. Mahboob Ali Baig, a Standing Finance Committee had been constituted, this question would not at all have arisen. In addition to the Public Accounts Committee which conducts a post-mortem examination on the expenditure of the Government, it would have been very desirable if there had been a Standing Finance Committee. The Government may not be obliged in law to set up such a Committee. However, if they take the initiative and set up such a Committee, it would be good for the finances of the State, it would be good to the Government and it would be good to the people as well.

“ Now, coming to a few items in the supplementary budget, Government speak of the Land Revenue Reforms Committee that has been set up by them. I do not know when the Government will give effect to the recommendations that may be made by this Committee, and whether it will be during the lifetime of this Assembly or not. Anyway, the Government are doing one thing and that is, they are introducing the Malabar Tenancy Bill. It is good that they are introducing it at least now. Many promises were made in the past that such a measure as this would be brought forward before the House; and it is already too late. But, it is a matter for satisfaction that the Government are introducing that Bill at least at this juncture and we welcome it. I hope that this measure will be brought into force long before the life of this Assembly is over; because only then, the hon. Members of this House will have an opportunity to see how that reform in Malabar works and how it benefits the people whose requirements are very acute and who have been crying for relief for a very long time.

“ One word about the Legislature Department, Madam. We have been urging year after year for the setting up of a separate Secretariat for the Legislature Department. Now, the Government have been pleased to bring forward that proposal as a result of the new Constitution. It is a matter for satisfaction that they have also formulated more satisfactory scales of pay for the staff.

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In this connexion, I want to mention only this thing. For example, I would take the scale of pay that has been fixed for the Reporters. The scale is from Rs. 200 to Rs. 400 with an annual increment of Rs. 10. Here I would like to urge upon the Government that they must take the services of the existing staff into consideration and do them justice. What I mean is this. Now, the scale has been fixed as Rs. 200 for the Reporters. Previously, I think it was Rs. 125. Supposing there is one member of the staff with a service of one year getting just Rs. 125. Now, according to the new scale he will get Rs. 200 which is a big jump indeed. I do not grudge this and I know they deserve it. But, there may be another member of the staff with a service of 20 years and he may be getting Rs. 200. Even in the new scale, he will get only Rs. 200. It is not at all fair and it is not at all just that he should also get the same Rs. 200. His service should be taken into account. His pay should be fixed on a higher scale taking his service into consideration. That is what I want to say with regard to the staff.

“Madam, we have been urging upon the Government to afford certain facilities in the lobby and the Hon. Leader of the House has been promising us more than once that it will be attended to but he has been saying that a paltry sum of Rs. 2,000 could not be found. It is really unfortunate that he could not afford to spend a few thousands on the lobbies and thereby depriving the Members of this very reasonable amenity. In the lobbies we want some seating accommodation. As you know, Madam, some hon. Members may want to smoke and they cannot do it within this House as they are not allowed to smoke within the House. So they have to go outside to satisfy their craving for smoking. For that purpose they should not be asked to go to their respective rooms. That will be rather very inconvenient to them.

“On this occasion, Madam, I want to mention another fact, that is, the interest with which the Government are formulating a scheme of marketing coconuts and arecanuts, the products of Malabar. Marketing is a very delicate affair and the Government should be very careful in this matter. The ordinary course of things would be to enlarge the marketing facilities. The Government should not restrict and restrain the marketing facilities. That will very seriously affect the producers and thereby the prosperity of the people raising the coconut, arecanut and such other crops. As I said, the Government should be very careful; because, if anything goes wrong it will affect the producers whose very life depends upon such important articles as coconut, arecanut, etc. Therefore the Government must be very careful and circumspect in dealing with such matters.

“I want to say one word more with regard to sales tax. On some occasion, I remember that the Hon. Leader of the House said that the Government were proposing to afford some concessions to people dealing with perishable articles. They deserve that and I am sure that such concession would not in reality and as a matter of long range policy land the Government in any loss. It will produce contentment amongst the people and it will make them work more and it will make the people a little more prosperous. That will

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really add to the general well-being of the people of this State. In this connexion, I want to remind the Hon. Leader of the House of my very frequent requests and appeals to him with reference to one set of dealers in perishable articles, namely, the butchers. Year after year, this matter has been brought before the House and still the Hon. Leader of the House, who is also the Finance Minister, has not found a place in his heart to think of some relief to these people, to which they are entitled. Now at least when perishable articles are being taken up for favourable consideration, I think that meat which is also one of the perishable articles will be given due consideration. These people are illiterate; they are very poor; they cannot afford to have an accountant and even if they can afford, it is impossible for them to maintain accounts because of the very nature of their work and because of their illiteracy. Therefore it is that this question has been urged again and again and the Government were approached by these people with a suggestion that even some of the people who are not being taxed now might be made to pay something so that the Government might not lose anything so far as the total revenue was concerned. Even this suggestion the Government were not willing to consider. The Hon. the Minister for Finance might say that the arguments advanced by some of us are not convincing. But I do not know what is not convincing—whether he is not convinced of the fact that the people are illiterate or whether he is not convinced of their being poor or, last but not least, of these poor people being harassed by the tax collecting staff. As was pointed out by one of the previous speakers, people who ought to pay are left out and people who were not paying or who cannot pay are harassed. If some consideration is shown to such people, Madam, I may assure the Government, it will not result in any loss in the long run to the Government but will, on the other hand, add to the prosperity of the people.

“Madam, one word I would like to say about the way in which the Government go about with retrenchment and allied matters. I find in the Budget Memorandum a small item concerning the compounders. People who are expected to know things about the compounders have suggested that they should be given a scale of pay of Rs. 45—90. But the Government want to modify that scale as Rs. 45—75. This is what I call false economy because they are people with some technical knowledge. Men in authority do not appreciate the work of such men until they meet with a deadlock when they cannot get sufficient number of people to man such services. It is only then they begin to think about their lot. What I tell the Government is that they should foresee such things and do what is necessary in time. I am bringing this to the notice of the Government for their future guidance. There is another matter to which I would like to refer before I close and that is a very big matter. Every department of the Government is dealing with either revenue or expenditure or revenue and expenditure. What we find to-day is those departments do not have a sufficient number of accounting staff. They have not trained men in large numbers and perhaps none comes forward for such training because of lack

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of attractive prospects. This is the reason why the different departments are not able to assess their requirements in time and we are faced with a heavy supplementary budget. If the Government want real thrift they should effect cuts where retrenchment is called for as a matter of necessity but they should give adequate pay where such a step is warranted in the interests of a well-balanced economy in the State."

THE HON. SRI B. GOPALA REDDI :—" Madam Deputy Speaker, we are sorry, we did not advise His Excellency the Governor to give more time for the discussion. (Laughter.) As hon. Members are aware, the general discussion of supplementary estimates is a recent innovation and previously only the Legislative Council was given an opportunity to discuss supplementary estimates. We used then to go straightway to voting on Demands. I think for the last two or three years only we have introduced this procedure of having first a general discussion on the estimates and, therefore, we shall be having the voting on Demands tomorrow. Nevertheless I feel we have not wrongly advised the Governor (laughter) so far as the time required for general discussion goes.

" With regard to my hon. Friend, Sri Karanth's objection to the procedure adopted at present, he has been raising it for the last three or four years. As required by the Constitution, we have created a Contingency Fund and a Bill to this end was passed during the last sitting of the House. We have not exceeded the one crore limit so far as expenditure is concerned and I may assure hon. Members that we are well within our limits.

" With regard to the other objection that the Government have no power to vary the amount of expenditure provided in the Appropriation Bill without the prior approval of the House and that any proposal not contemplated in the Budget Estimate should receive the approval of the House before any expenditure is incurred on that proposal, I can only explain the constitutional position in defence of our action. With regard to the first objection, viz., the Government should not vary the figures, we should certainly come up to the House for sanction if we want to incur any extra expenditure on schemes not originally contemplated. But we can certainly implement proposals for retrenchment without coming to the Assembly for prior sanction. Suppose we want to effect a cut in the provision for travelling allowance or contingent expenditure. Suppose we want to curtail some expenditure on schemes like maintenance of roads, etc. Then the constitutional position is we need not come up to the House. Only when we want to embark on new schemes which involve extra expenditure not provided for already, we should have the approval of the people's representatives. Therefore, some time ago we took up these schemes for examination—and these could not be included in the Budget Estimates presented last—and after careful scrutiny they were included for the consideration of the House during this season. We have had ample time from April to June to examine the schemes in detail and it is not as if we deliberately omitted them when the estimates were presented last. We have cut down expenditure

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wherever possible without abandoning the essential schemes and we have thus effected a saving of three crores of rupees. In the circumstances the criticism levelled in this connexion is not of any consequence.

" About the other objection, viz., prior approval of items, I have heard other hon. Members also say that there is no use of bringing them before the House for a sort of post-mortem examination. They contended that such a post-mortem examination was rather difficult to conduct. Madam, if we look at the items of expenditure contained in the Memorandum we will find that there are many items on which expenditure has been incurred under the authority of old sanction, i.e., the sanction given by the House when estimates were presented in February last. For example, Rs. 60 lakhs was provided under 'Irrigation' in respect of Grow More Food schemes and we operate on that sanction. A provision of 75 lakhs of rupees was made in the Budget Estimate of 1950-51 for repairs to tanks, etc., for being operated upon by the Revenue Department, and this sanction is being administered. With regard to 'Electricity' again, we expect that we may not exceed the sanctioned amount and if necessary we may come forward with a supplementary demand some time in February or March. There is another difficulty also. If we want to bring in supplementary estimates both the Houses must meet and they will have to be in session for seven or eight days. The Assembly will take at least three days and the Council may take a little less time. Both the Houses have to pass the Appropriation Bill. So a tedious procedure has to be gone through if we are to have supplementary estimates. (Sri K. R. Karanth : 'To observe democratic principles is always tedious.') But we have now got a Contingency Fund and certain limits have been set beyond which we cannot go in the matter of expenditure. Previously supplementary estimates used to cover nine crores and ten crores of rupees and in the case of the Government of India it used to go up to a hundred crores of rupees. The framers of our Constitution wanted to limit our powers of expenditure and fixed one crore of rupees as the sum for which a Contingency Fund should be created. Therefore, it is not a question of our exceeding our limits nor is it possible for small items of expenditure to come up before the House for sanction. There are also other items of expenditure which require immediate provision. Suppose some police force is required for the Krishna district. If it should require the sanction of the Legislature the whole procedure I have mentioned should have to be gone through as though it is a sort of miniature Budget session. Hon. Members will, therefore, appreciate the difficulty of the Government in bringing such items of expenditure before the House. After all there are not very many items put down in the Memorandum for the sanction of the Legislature. There are only a few items for which sanction is required. If a few Deputy Superintendents of Police or a few Sub-Inspectors of Police or constables are required to meet an unexpected Communist raid, that matter cannot certainly wait for the House to give its approval.

" Then, Madam, with regard to retrenchment, we have taken care to see that while effecting retrenchment we do not send out

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many people as the Government of Bombay are supposed to have done. Hon. Members like Mr. Hameed Khan and Mr. Raza Khan have always insisted that the Government should not embark upon retrenchment which will oust many officers and accentuate the problem of unemployment. We have kept this point always in view and we have tried to effect a reduction in expenditure by three crores without adding to the unemployment problem. I hope, hon. Members are happy about the way in which we have tackled this question. Although the people's representatives are very vigilant on these matters and do not want us to incur any expenditure without their approval, yet at times we have to do so in the interests of the people themselves. The hon. Lady Member, Begum Amiruddin and my hon. Friend Mr. N. S. Varadachari went to the extent of saying that expenditure on police was mounting up and that it had reduced the position of Madras to that of a Police State. Mr. Varadachari wanted that the Government should set apart a certain percentage of their revenue for expenditure on Police and that they should not exceed that. I think that Mr. Varadachari's suggestion is a very dangerous one. With regard to the Police or the Military expenditure there should be no restrictions. We can control expenditure even on things, like elementary education, agriculture and irrigation. But on Police expenditure there must be no restrictions because most often such expenditure is unforeseen. Even the Government of India would not like control on Police or Military expenditure. Of course we will be trying to reduce the expenditure to the extent possible but we have to take many things into consideration when doing so. We are conscious of the fact we are spending heavily on the Police and nobody is happy about it. But we must see the conditions in our State. There are Members like Mr. Kaleswara Rao who want more drastic action to be taken against the Communists. So on one side there is demand for more Police force and on the other there is a demand for reduction of expenditure on Police. So, when we spend so much on Police, it is out of necessity and it is intended purely to create confidence in the minds of the people.

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m. "The hon. Member, Begum Amiruddin, asked whether the Government enjoyed the confidence of the people and said that if they did, there was no need for such a heavy expenditure on the Police. I do not think it is the correct way of measuring the Government popularity or otherwise. There are certain factors in the country and whichever Government is in office they have to tackle certain problems and necessarily large amounts of money have to be spent. It may be due to high cost of living, or to anti-social elements. There is a great strain on the Police Department and whenever the Inspector-General of Police asks for more staff, certainly we must sanction it and see that they take the fullest responsibility for keeping the peace in the country. Therefore, there is no use grudging police expenditure and there is no use trying to put it at a definite percentage.

"With regard to the Guntur Scheme, I think we have sanctioned half-grant but in respect of certain other municipalities, like

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Coimbatore, we have refused to give half-grant, because the municipalities wherever they can, must contribute two-thirds or so and the Government grant is only one-third. It is the usual and the normal procedure. I think, the hon. Member Mr. Salam, as he happens to be the Vice-Chairman of the Municipal Council should thank the Government for at least undertaking that responsibility with regard to the Guntur water-supply. It has been pending for a long time and I hope it will be an accomplished fact very soon, to the satisfaction of the people there. Even in regard to Red Hills works and the grant to the Corporation, the Superintending Engineer is scrutinizing the estimates before the Corporation is allowed to give the work to the contractor. It became necessary to revise the estimate. Almost in every case, irrigation, electricity, building, agriculture, we have to approve the revised estimates also. Originally if the estimate was for 10 lakhs, on revision it comes to about 12 to 13 lakhs due to high cost of labour, materials and so many other factors. Therefore when the Corporation finds it difficult to keep it up within the original limits, necessarily the Government must go to the rescue and give them whatever they have promised to them, half, one-fourth or whatever it is. But the Chief Engineer would look into the estimates and we do not allow a free hand to the Corporation to do whatever they like.

"With regard to Mr. Salam's objection that we are spending money on the artesian wells in South Arcot district, unfortunately that seems to be the only district where there are artesian wells and water is assured. If it is possible elsewhere, if the geologists say there is scope for developing artesian wells in other districts and we get information, scientific or layman's information, certainly we shall try to explore it and try to spend more money. Because a certain district has a particular advantage we should not ask why that district only should have the advantage. As South Arcot has these subterranean springs, it is up to us to tap them and utilize them for the benefit of the ryots. Wherever we have got these springs, whether in South Arcot, Rayalaseema or Guntur, we have to tap them and utilize them fully.

"In regard to the question of sales-tax, I am certainly moving in the matter. I have consulted the Members of the Sales Tax Advisory Committee and I should like to give certain concessions and I think in the course of the next month we will be bringing some sort of amendments, about half a dozen or ten amendments to the Sales-tax Act and I hope to incorporate these also into the amendments. (Interruption.) They are all mostly administrative concessions here and there. (Interruption: 'What about the Sales-tax Tribunal?') The Tribunal is also coming under the amendments. I hope to move the amending Bill in the month of November. I think it will be all right."

BEGUM SULTAN MIR AMIRUDDIN:—"Will milk also be included? That is a perishable article."

THE HON. SRI B. GOPALA REDDI:—"I do not remember it just now. Whether it should be extended to milk also is a matter, I think, we will consider."

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"With regard to the other matters like the Secretariat and others, we can usefully take them up tomorrow when we reach those demands. There are many cut motions. We will have a fairly good discussion on these matters. I need not refer to them now.

"I hope, I have touched on all the main points. Regarding the Irrigation Conference which is a World Conference, we expect all world experts of major powers to come to New Delhi for this Conference. All the Provincial Governments have contributed liberally to this. Of course, we did not want to give Rs. 50,000. We wanted to contribute only Rs. 25,000. But the Government of India came again on a deputation and ultimately we sanctioned Rs. 50,000. It is a world conference and if we send our experts to such a conference, in Paris, London or New York, even if one officer is deputed, it would cost us more than Rs. 50,000. It is an unique opportunity for India to invite such a world conference. They are meeting in New Delhi. Since the Madras Government is embarking on huge irrigation schemes, we thought it is proper we also contribute a reasonable share to the expenses of the conference. They are going to spend some crores at New Delhi on this conference. All the State Governments have contributed and therefore, Madras Government also has to make the contribution of Rupees 50,000."

JANAB MAHBOOB ALI BAIG :—"What about the Standing Finance Committee?"

THE HON. SRI B. GOPALA REDDI :—"Last time also I made a promise, about this. I made certain preliminary enquiries from hon. Members who happened to be Members of the Standing Finance Committee. From the cursory replies they gave and from the information I elicited, it looked as though it was not worthwhile. (Laughter.) As I promised to go into the question at great length, I wanted to write to the Secretary of the Finance Ministry and also to the Finance Member and find out whether it was useful or it was only a fifth wheel to the coach. It is a matter to be examined. But as I have said, from the cursory replies I got from Mr. Anantayanam Ayyangar and others, it looked as though it was not worthwhile. The Finance Committee was a thing of the past when there was a bureaucratic Government at the centre, when the Finance Member was a non-responsible Member, not responsible to the Legislature. Then they had a Finance Committee which used to scrutinize the estimates, etc. Now, there is a popular Government. But they are continuing it and it is continuing there. We gave it up in 1937. We had it till 1936 and on deep consideration, it was given up in 1937. (Interruption: 'Estimates Committee.') I do not know whether there is need for it or the Standing Finance Committee. Anyway I promise to go into the question very carefully and see if there is any useful purpose that could be served by it. I will be the last man to oppose it. I certainly welcome association of Members of the Honourable House with regard to the Standing Finance Committee or the Estimates Committee and I give that assurance."

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SRI S. NAGAPPA :—"In addition to examining the case for the Finance Committee, may I ask the Hon. Minister, why not consider the desirability of appointing Advisory Committees to each Ministry as it is done in the Centre." (Laughter.)

THE HON. SRI B. GOPALA REDDI :—"As far as I am concerned, I have Advisory Committees, such as the Sales-tax Committee, Entertainments Tax Committee, etc., and also Advisory Committee on Transport problems. I am sure they are all doing useful work. The Committees have on them hon. Members of this House and also outsiders. They are co-operating with the Government and I believe there are various other committees also for other Ministries, Education and so on. Whenever a Minister finds it necessary, certainly he is appointing a Committee and getting useful information from various Members. Therefore it is not taboo and if Hon. Ministers feel it is necessary, certainly they will appoint Committees."

SRI B. S. MURTHI :—"On a point of information, Madam Deputy Speaker."

DEPUTY SPEAKER :—"Not now. You will get a chance later. The general discussion is now over. We will now rise and meet again at 2-30 p.m."

The House adjourned for lunch.

(After lunch—2-30 p.m.)

MR. SPEAKER :—"The Hon. Minister for Local Administration will move the Bill that stands in his name."

SRI T. VISWANATHAM :—"May I submit, Sir, that to-day is a non-official day."

MR. SPEAKER :—"The Hon. the Minister will move the motion under rule 24 of the Madras Legislative Assembly Rules."

IV.—MOTION UNDER RULE 24 OF THE MADRAS LEGISLATIVE ASSEMBLY RULES.

THE HON. SRI K. CHANDRAMOULI :—"Sir, I move—
'That rule 24 of the Madras Assembly Rules be suspended and the House do proceed to transact Government business on Thursday the 12th October 1950.'"

MR. SPEAKER :—"The motion is—

'That rule 24 of the Madras Assembly Rules be suspended and the House do proceed to transact Government business on Thursday, the 12th October 1950.'"

* SRI T. VISWANATHAM :—"The Hon. the Minister has been obliged to move this motion *extempore* without previous notice. The Government have got every right to do so, and I have no objection to that. But there must be some definiteness in our

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programmes. You yourself will be able to see from the various changes (almost daily changes of the programme) of the Government that they have been putting Bills first in one order and then changing them. We come here and we make certain domestic and non-domestic engagements. The order of business is given by Government. Then it is changed. It is changed not once but twice or thrice. Now there is a rumour that the Malabar Tenancy Bill will be taken up. This is really surprising, because there is already one Bill under discussion. Some clauses of that Bill have already been discussed. I do not understand how that Bill can be postponed to some other day. This Malabar Tenancy Bill is following a topsy-turvy procedure, if I may say so. It was put in the agenda in one order first. Then it was changed and relegated to the last place. Then it was put one or two places above the last Bill. Then again it was relegated to the last. Now, to-day, all of a sudden, it is stated by some friends that the Malabar Tenancy Bill will be taken up. Sir, I take interest in all the Bills that come before the House. I have been preparing myself for the part-heard or part-discussed Bill, namely, the Hindu Religious Endowments Bill. What is the meaning of coming forward with a fresh Bill at this stage? Of course the Government have every right to change the order of business in the morning and in the evening. They are only exercising their right. But I submit that they are not exercising their right in an appropriate way."

THE HON. SRI K. MADHAVA MENON:—"In the agenda circulated to hon. Members, the Malabar Tenancy Bill was put over the part-heard Bill. So, it is not a case of changing the order topsy-turvy overnight because it relates to Malabar."

SRI T. VISWANATHAM:—"If so, I withdraw all my objections, Sir."

The motion was put and carried.

V.—GOVERNMENT BILL.

THE MADRAS DISTRICT MUNICIPALITIES (AMENDMENT) BILL, 1950.

THE HON. SRI K. CHANDRAMOULI:—"Sir, I beg leave to introduce the Madras District Municipalities (Amendment) Bill*, 1950, and move—

'That the Bill be taken into consideration at once.'

"Under section 5 of the Madras District Municipalities and Local Boards (Amendment) Act, 1947, 73 municipal councils in the State are due to be reconstituted on the 1st November 1950.

"The Government consider that it will not be in accordance with the spirit of the New Constitution to reserve seats in municipal councils for any community other than the Scheduled Castes and Anglo-Indians. It is accordingly proposed to omit from the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the

* Published in the *Fort St. George Gazette*, dated 19th September 1950.

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provisions relating to the reservation of seats for Muslims, Indian Christians and Europeans. The total number of reserved seats for members of the Scheduled Castes, Anglo-Indians and women will be limited to one-fourth of the strength fixed for the municipal council under section 7 (1) of the Madras District Municipalities Act, 1920. These changes will, however, be given effect to in respect of existing municipal councils only from the date of the next ordinary elections or if any such council is dissolved or superseded before that date, from the date of the first elections to the council after such dissolution or supersession.

"The term office of members of municipal councils in this State expires, except in a few cases, either on the 1st November 1950 or on the 1st November 1951. Government have decided that fresh elections to municipal councils should be on the basis of adult suffrage. It is expected that the electoral rolls prepared on that basis will be ready only in February 1951; but there is also the possibility of those rolls becoming available only at a later date. It is accordingly proposed to give the Government power to extend the term of office of existing members to such date (not being later than the 1st November 1952) as may be fixed by them."

MR. SPEAKER:—"Motion moved—

'That the Madras District Municipalities (Amendment) Bill, 1950, be taken into consideration at once.'"

* SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I want to make a few observations on this Bill. The very object of the Bill, as stated in the statement of objects and reasons, is that the Government consider that the spirit of the New Constitution is to abolish reservation of seats for those except Scheduled Castes and Anglo-Indians. If I understand by the word 'spirit', what the Constitution means, then it should be the total abrogation or the total elimination of all reservations. As far as I have seen the Constitution, the letter of the Constitution is that though they want it, they have reserved only for ten years for Scheduled Castes and Anglo-Indians. But if it is the spirit, I am quite emphatic in saying that the spirit is that we should have no such reservations at all. But I do not know or I do not see from the provisions of the Constitution where the Government of India have ever stated that special reservation should be made in every elective body like the municipalities or panchayats. If really we are to follow the spirit of the Constitution, it should be for the total extinction of this reservation and not for its continuation, be it in any small sphere.

"Another thing they have done is the reservation for women. Nowhere is it to be found in the Constitution. Nowhere any provision is made for the reservation of seats for women."

THE HON. SRI K. CHANDRAMOULI:—"The hon. Member is wrong. In the Constitution it is clearly stated that women are exempted from the operation of the other clauses. That is why they have a right for reservation."

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* SRI L. N. GOPALASWAMI :—“ If really they are exempted from the operation of the other clauses, it does not mean that they should be given seats here and there and totally denied representation in the Parliament and in the Legislatures of the State. It is not as if women have no franchise. It is now adult franchise, and I may point out to a provision in this very Act itself where special representation is taken away from these communities, if it is proved that in the previous census that community is more than 50 per cent of the population in that local area. But here it is that they have not only more than 50 per cent of the population but they have more than 50 per cent of the voters themselves represented by women. I do not see why under such circumstances women should have reserved seats in these small municipalities.

“ Another point I would like to say is that the Government want that democracy should be effective, and that since adult suffrage is coming in the course of a year or two, they ask ‘ why not postpone these elections for two years more ’. That, I submit is not the proper definition of democracy. The method the Government are now adopting is taking away what is already given to the people. They have a right to elect their representatives in the municipalities and district boards every three years. Under the guise of giving adult franchise, the Government are taking away even the limited franchise which these people are entitled to have in these self-governing institutions. By saying that we are going to give adult franchise we are not entitled to prevent the people from electing their own representatives. They are entitled to send their representatives to represent them for a definite period in these municipalities. To say that simply because adult franchise is coming (the Government themselves do not know when it will come, whether the lists will be ready in 1951, and when they will be ready for publication), elections should be postponed, is taking away the rights of the people. Such being the case, it is not proper that we, democratic people that we allege ourselves to be, should deprive the people of their very democratic rights, namely, sending their own men to the municipalities. I submit that if they think that adult franchise is coming by February they may say so. They may say that elections will be in March. But so long as they are not sure for two years to come when the lists will be ready and when elections will take place, what is the meaning in depriving these people of their right to send their representatives to the municipalities? After two years, when adult franchise comes, by all means let them have elections once again. In the meantime, why, in the name of democracy, should the Government deprive people of their established rights. Why should they have men in municipalities in whom they might have lost confidence? During the period of three years, there may be people who have lost the confidence of their voters. Why give a long lease to these people? Simply because adult franchise is coming, should we take away the existing rights of people? It will mean taking away by the left hand

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what we propose giving by the right. These things, I hope, will be considered by the Hon. the Minister if really he is tempted by the words that are given in the Statement of Objects and Reasons.”

* BEGUM SULTAN MIR AMIRUDDIN :—“ Sir, this is another Bill that has been brought forward to eliminate the rights of the minorities. The Hon. the Minister said that it was in consonance with the Constitution Act that this Bill had been brought forward for, under the Constitution, all special representations for the minorities except for the Scheduled Castes and Anglo-Indians had been abolished. You would remember, Sir, how when discussing Municipal Bills, we have been told time and again that municipalities are not political bodies but bodies dealing with civic matters. As such I do not see any necessity for the introduction of a political principle into a civic organization. Further, I see no necessity to rush through this legislation. So far as the provisions of the Constitution Act are concerned, there is nothing therein to warrant the assumption of the Hon. Minister that any necessity has arisen to bring forward this measure. He may declare that the spirit of the Constitution requires such legislation. But since the Hon. Minister stated that until 1952 the existing members would continue in office, what hurry is there for this measure? Is it not advisable on the part of the Government to wait for the results of the forthcoming elections so that they may see whether the minorities have been returned in adequate numbers to the Legislature or not under the new conditions and then act as circumstances would require?

“ The previous speaker, Sri L. N. Gopalaswami, referred to the case of women. He is perfectly right in his argument. If the spirit of the Constitution is to be respected, then I think the special representation of women in the local bodies should also be taken away. Of course, Article 15 (3) of the Constitution provides that ‘ Nothing in this article shall prevent the State from making any special provision for women and children ’. But if in a political body such as the Legislature, the Government are of opinion that women can stand on their own legs and are not in need of props, I do not see the necessity of providing special representation for them in a local body. Women have, of their own accord given up the privileges and the special representation they enjoyed hitherto. Perhaps the Government feel that women will not be returned in adequate numbers to the Legislatures at the forthcoming elections, hence they wish to appease them by retaining special representation for them in local bodies.

“ It would be wise on the part of the Government to take stock of the present situation and see whether when the special representation of the minorities is taken away, they will have a chance of being returned to the local bodies in adequate numbers. One of the reasons advanced by the Hon. Minister for the step he is taking is the introduction of adult franchise. But that is exactly the reason why this amendment should not be brought forward, for under adult suffrage, the majority community with its overwhelming numbers will completely eliminate the minorities.

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Since the Government are launching on the new experiment of adult franchise, should they not wait and see the result of that experiment in the political sphere before bringing in legislation in regard to elections to civic bodies?

"It may be easy to get a measure like this passed by this House, but it is not easy to win the confidence of the minorities. It is the duty of the Government to act in such a manner as will give satisfaction to those sections of the population that are already frustrated and plunged in dejection. The majority community in this country on account of its overwhelming numbers can afford to be not merely just but also generous to the minorities. It is inexpedient on the part of the Government to launch on a measure such as the Bill before us at the present moment for communalism cannot be eradicated by creating situations which will drive certain sections to despair and despondency. When legislation is brought forward to eliminate the minorities from even civic bodies how can the members of those communities have confidence in the majority?

"Sir, you would have seen the editorial of that responsible and eminent paper, *The Hindu* on the delimitation proposals of the State Government. *The Hindu* cannot be accused of communalism for it has a reputation for fair-mindedness. For the second time the other day this paper came out boldly with a leader to the effect that the Government would not be acting rightly in eliminating the chances of the minorities getting returned to the Legislature in adequate numbers. The Government should be realistic and take into account the conditions prevalent in the country to-day. It is not by measures like the one before the House that communalism can be eradicated. On the other hand, such legislation will help to perpetuate communalism for disappointment and despondency will prove to be not cementing but dividing factors. The proper method of eradicating communalism is by promoting satisfaction and contentment in the minds of those who feel that they have no place at all in the political and civic life of the country. I therefore urge upon the Hon. Minister to drop this measure."

JANAB MOHAMED ABDUL SALAM:—"Mr. Speaker, Sir, I rise to congratulate the Hon. Minister in charge of local bodies on taking the first opportunity to bring a legislation in conformity with the provisions of the Constitution. I think this is the first attempt of the kind by one of the Members of the Cabinet. There are some other pieces of legislation which have to be brought in conformity with the Constitution, which relate to the department of the Law Minister. Sir, some of our Hon. Ministers themselves have been Chairmen and Presidents of local boards. For instance, the Hon. the Law Minister was Chairman of a municipality for about six years and the Hon. Minister for Local Administration was President of a District Board for a term. So, I have a faith that this Government can realize the conditions prevailing in the local bodies. To add to that, we know how accommodating our Hon. Minister is in the matter of accepting certain suggestions. At a

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later stage when the measure went up to the Upper House, the Hon. Minister was pleased in an instance to accept an amendment which involved the finances of the State. With that hope I get up and ask something on behalf of the minorities even though it is too late to do so. Is it too much to ask at least in the case of local boards for double constituencies without cumulative voting? Can the Hon. Minister lay his hand on his heart and say that there is no communal feeling in the taluks and districts? Can he say that the minorities need not fear and that the Government will act justly and generously? Is he satisfied that everything will be all right? Sir, the Hon. Minister for Law once said in reply to hon. Gentleman, Sri Nagappa, 'The Constitution asks us to do so many things, but it was passed only last year; I want time in the matter of elementary education. In regard to the separation of the judiciary from the executive, I have gone a step further.' We are really glad that the Government of Madras have led the entire India in the matter of separation of the judiciary from the executive. In one instance the Law Minister said that he had to wait and take his own time. In this matter, the Hon. Minister knows the conditions of local politics for he was himself the head of a district board. Is there any Article in the Constitution preventing the provision of a double-member constituency in respect of local bodies? We are not asking for separate electorates or for cumulative voting. In order that the Government may not come to grief afterwards, they may go step by step. They can abolish these separate representations, but they can have double constituencies. May I ask why the Hon. Leader of the House and the party in power have accepted double constituencies in the matter of local representation in the Upper House? In respect of graduates' constituencies, teachers' constituencies and local authorities' constituencies, they have recommended to the Central Government not only double constituency but multiple constituency. What prevents the Hon. Minister from going slow in this matter? We have been having reservation for a long time. Is it too much to ask for double constituency without cumulative voting? Why is this 'double dealing' on the part of the Government in the matter of constituencies for the local bodies and in the matter of graduates', teachers' and local authorities' constituencies for the Upper House? Do those people who support the Government ask them for a double constituency in respect of teachers, graduates, etc.? When they come to local boards, they say that they do not want double constituencies. There must be a method even in madness. When you have to deal with the minorities, you have not only to be just but also generous. You have to realize whether you will not come to grief in letting loose these powers by adopting the basis of adult suffrage without reservation. I do not know what is going to happen, we all wish that something good may happen.

Mischief thou art afoot
Take thou what course thou wilt.

That seems to be the way of thinking of certain persons in this matter. Without knowing what is going to happen, we have

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launched upon a great reform. The Hon. Minister in charge of this Department has been very reasonable and I hope he will consider the suggestion made and see that double constituency without cumulative voting is introduced at least in respect of some districts or municipalities."

3 p.m. SRI A. KALESWARA RAO:—"Mr. Speaker, Sir, I have already expressed my opinion in the discussions relating to the delimitation of constituencies, namely, that I favour double-member constituencies with distributive voting so that the Committee that chooses the candidates for the various constituencies may also select members of the minority communities wherever it is necessary so that all the members of the minority communities also may have a due share in the Legislature. Otherwise, under the present circumstances and atmosphere prevailing in the country, minorities may become eliminated and we will be doing a grave injustice and wrong to them in not allowing them to have their share in the Legislature. When once they are not in the Legislature, they could not also become members of the Cabinet. Therefore, I am for double-member constituencies with distributive voting. The Government have prematurely and unnecessarily introduced a measure which removes all reservation of seats for certain communities like the Muslims, Christians, etc. They are a minority and we know that unless reservation is made and a particular member of a minority community is chosen for the reserved seat, he will not generally come in. The same will be the case with regard to seats for Harijans, Muslims, Christians and women. Even now, women are rarely coming in. At present, they are succeeding in elections and coming in only because seats are reserved and set apart for them. At this state, I do not agree with the Government that they should remove all reservation for Muslims and Christians. They are giving reservation to Harijans and women and also Anglo-Indians; but they are removing reservation for Muslims and Christians. I do not agree with the Government (hear, hear) that they should introduce that measure now. I also join the members of the minority communities in requesting the Hon. Minister, who I know has broad views with regard to Local Self-Government matters, to give up this portion and to allow the present thing to continue. In 1929-30, when we were in the old Legislative Council the Local Boards Act of 1920 was amended, I was also a member then and I took an active part in the Select Committee and we all agreed that nominations should be removed and reservation to the minorities, viz., Harijans, Anglo-Indians, Christians, Muslims, and women should be introduced. This scheme has worked very successfully. Sir, I think there is nothing in the Constitution that compels the Government to change it. The Constitution is for the whole of India. They are making a bold experiment on a national scale. When we come to large constituencies, the matters may be different; but when we come to small constituencies, communalism, sub-communalism, etc., will play a very important part. When we come to narrow constituencies where three or four streets of the municipality become a constituency, it will be very difficult.

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Therefore it is premature and it is wrong to make this experiment at this stage. That is my opinion with regard to that portion. With regard to the other portion, viz., extending the time-limit for municipal elections, the municipal councils were elected in 1947. They have already completed three years. Really, it would be unjust to the voters to keep their representatives for five years without being elected again, in the name of adult franchise. The holding of elections gives the right to the voters to examine the work done by their representatives and to criticize their conduct and change them if their work had not been satisfactory. Elections are great opportunities to the voters to exercise their right of selection. Now, if the period and lifetime of these councils are extended, the voters will be denied that opportunity for longer time and really adult franchise is not so important as the right of the electors to examine the situation and to exercise the right of selecting the candidates for the work done or not done. So, that is more important. I am one of those who advocate that elections should be held even during this year, 1950. Even without the adult franchise, elections may hold good for three years. That is, the Councils may be formed and they may continue for three years even under the existing franchise and afterwards, new elections can be held after three years under the adult franchise. Therefore to club adult franchise with elections is not good and I do not agree with the Government. I am sorry I am not a supporter of the measure before us."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, I am not opposing this Bill that has been brought forward by the Hon. Gentleman, the Minister for Local Administration. But, I do not agree with him that it is absolutely necessary for the Government of any State to remove reservation from elections to local bodies on the analogy of the Constitution. It may be remembered here that even when we had separate electorates so far as elections to Legislature were concerned, we did not have separate electorates in local bodies; but, at the same time, we had reservation. It worked very well. Those persons who decry separate electorates and who hold the view that separate electorates are not beneficial to the country and would not conduce to the bringing about of unity among the various communities living in this country, say that separate electorate system should go. They think that by the introduction of separate electorates, there will be communal disharmony and differences between various communities. I have nothing to say about that. They have removed separate electorates so far as parliamentary institutions are concerned and they have also removed reservation for parliamentary elections. But I fail to agree with the view that it is obligatory on the part of the State Government, whenever they legislate for elections to local bodies, that they should remove reservations for minorities also. I would like to be corrected on this point by anybody who could point out to me any Article in the Constitution which makes it obligatory and compulsory for the State Government to give up reservation for minorities even for local bodies. Even here I would say, as I have stated when I spoke on the question of delimitation of

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constituencies, that the State Government should remember that conditions here are far different from what they are in other parts of the country. To-day, I am afraid the spirit of communalism is not so much between Hindus and Muslims, but between the various sections of the Hindu community which is worse. They cannot deny that. I am afraid nothing is being done to remove that spirit that has come to prevail in our State. The very fact that hon. Members from the Brahman community have taken up the cause of the Muslims and also of the Brahmans at the same time when they spoke on the delimitation question as well as here on this question is clear proof of this. They have raised the question as to the advisability of preserving this reservation so far as local bodies are concerned or having double-member constituencies at least in the case of elections to local bodies. They suggest these things as practical people in order to enable the minorities to get at least a breathing chance or what they call the dogs' chance to see that the minorities are elected. To-day, nothing is being done to create real harmony and unity not only among the religious communities but also among the various sects and castes of the Hindu community itself. On the other hand, everything is being done to widen the gulf that has existed in the past and it is being accentuated by the acts of some of the members of the Government and also by the Government as a whole.

"So far as the Muslims are concerned, what is being done in regard to recruitment to the various posts? Their action shows clearly that the Government do not believe in secular Government. If this were a secular State, certainly the Government would not make any difference between man and man. The only thing that they should visualize is that every man who lives in this country is a citizen of this country irrespective of the community to which he may belong. But, to our great sorrow, we find that they are really making a distinction between one religious community and another. It is the duty of the majority and it is the duty of the State to so administer that they do not give room for complaint as to their attempt to whittle down the very concept of a secular State. I am afraid that everything is being done to mutilate and destroy that concept of a secular State in this State as well as elsewhere. Therefore, I plead that the Government should so organize its administration and its activities that it does not give room for such complaints. But facts are otherwise. Some of the speeches that are made by some of the leaders, instead of creating peace, harmony and goodwill amongst the various communities, go long enough to create greater disharmony and a possible disturbance of peace, often resulting in the incitement of the majority community against the minority communities. So, in an atmosphere like this, how could you expect an election to a local body where it will be possible for the minority community to be elected by the majority community?

3-15 "Of course, the Government may point to a few minorities here
P.M. and there getting representation through joint electorates. They may come forward with such illustrations. But one or two illustrations do not make for reality. We must see that the various opinions

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in the State are represented. We must give an opportunity for various points of view to be expressed not only in the Parliament and in the Legislature but in the local bodies also. The remedy would be, as suggested by the hon. Members Mr. Kaleswara Rao and Mr. Salam, the adoption of double-member constituencies in the case of municipal elections. It will not do any harm to any one, it would not work any hardship on any one, if we have such constituencies. It will give an opportunity to the member of the majority community to take along with him a member of the minority community. That is the object with which various suggestions were made in the House but I am afraid things are being conceived of, ordered and insisted upon with a view to seeing that representation to people who hold views different from those held by the Government, is denied. I would request the Hon. the Minister for Local Administration to take back this Bill. The Deputy Prime Minister of India said the other day that there was no need for Opposition for five years. What does he exactly mean? Does he think that Opposition will try to get at the throat of the party in power or prove to be a possible menace to its very life? I hope he did not mean it that way. Opposition is one that tries to express a point of view different from the one put forth by the Government and it exists only to show that there are two sides to a question and both the sides should be taken into account before arriving at a decision. There may be more than two sides but on every question there are not less than two sides and both of them merit due consideration and then only it is possible to eliminate all the defects contained in it. Here, our Opposition may be slow and ineffective. But at the same time we express a point of view which must necessarily weigh with the Government. Unfortunately, the 'team-spirit' in the Cabinet is such that even if one or two Hon. Ministers try to accommodate the wishes of the Opposition, their views are brushed aside and are over-ruled by the majority of Ministers who are adamant. Therefore, the Government must wait and see what is going to happen after the coming general elections based on adult franchise. They must wait and see how many of the minority community candidates are going to be returned. Whatever may happen in the case of elections to the Parliament and to the State Legislature, the Government should not in their own interests deprive the chance of a candidate belonging to a minority community getting elected to a local body. If good administration is to result, all sections of the community must be accommodated because the people of the locality know who is the popular man and who can represent their interests properly. The Government might say 'we are all one and why talk about communities?' They may ask, 'what does it matter if you are a Hindu or a Muslim, a Brahman or a Non-Brahman or a Reddi or a Kamma?' We are running a secular Government, Sir, and we must be really secular in our outlook. I wish we get that outlook soon. The sooner it comes the better for all of us. But as conditions are at present that will remain a forlorn hope and all that I request the Government is not to do anything that will obstruct the achievement of that wholesome objective."

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JANAB MUHAMMAD RAZA KHAN :—“ Mr. Speaker, Sir, I am of the view and opinion that it is neither for the members of the majority community nor for the members of the minority community to preach homilies to each other. What provoked me to say like this are the speeches of certain of the hon. Members belonging to the majority community in this House. I was really pained to hear such speeches. Of course there are hon. Members like Mr. Vaidyanatha Ayyar and Mr. Kaleswara Rao who really are in a position to understand and appreciate the feelings and sentiments of the members of minority communities and I am not referring to them. Whenever we on this side of the House try to make ourselves felt, placed as we are, our opinions do not carry conviction with the party in power. But the cardinal principle of democracy consists in allowing people of all shades of opinion to have their say on all matters. It is possible on many matters we may differ from the Government. But it does not mean that motives should be attributed to them and they should try to meet them with irrelevant things when they put forth their view points. It has been our misfortune to be subject to such attacks in the last five or six months in this House, whether it is a question of single-member constituencies or plural-member constituencies or whether it is a question of recruitment to services or admission to colleges. But we are here to do our duty and it is immaterial for us whether the Government listen to the views we express or not. It is only in that spirit that I want to say a few words on the Bill before us.

“ Sir, I am in entire agreement with the views expressed by the hon. Lady Member, Begum Amiruddin, that there is no hurry about this Bill. It looks as though the Government are eager to do everything in accordance with the principles laid down in the Constitution ahead of other States. Yes, Sir, they do so but when it suits their convenience only. If it requires the taking away of the provision for religious instruction to Muslim boys in Malabar or elsewhere, they do it immediately to satisfy the requirements of the Constitution. If it is a question of adopting single-member constituencies, they immediately take advantage of the provisions of the Constitution. Whenever it suits their convenience, they take shelter under the Constitution. But it is a tragedy that they are not keen about the other provisions of the Constitution. Perhaps they do not suit their convenience. The Hon. Gentleman, Mr. Sanjeevi Reddi, is smiling. He knows what I mean. When it comes to admission of boys to educational institutions, when it comes to the recruitment to Services, the Constitution does not suit them. Then the question of rationing comes in, to use the term coined by the Hon. the Leader of the House. Therefore, I want the Government to show a certain amount of consistency in their actions. When they are so much loyal to the Constitution, I ask, ‘ why have you preferred an appeal to the Supreme Court against the judgment of the High Court on the Communal Government Order? ’ The question of Constitution did not arise at all when they decided to prefer an appeal. They did not worry themselves about it then. I agree that we should stand and swear by the Constitution. But I would request Hon. Ministers not to drag

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in this poor Constitution according as circumstances warrant them to do. They must uniformly abide by its provisions. If the Government are so very sincere to implement its provisions I ask what the Hon. the Minister for Education, Mr. Madhava Menon, has done so far to implement the provisions of article 45 of the Constitution. It says :

‘ The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution for free and compulsory education for all children until they complete the age of fourteen years ’.

It is already some months since the Constitution was passed and what is the reply we get from the Minister whenever we put questions on this subject? He says, ‘ I know the provisions of the Constitution, but you should know my difficulties also; I have no finance and after all what is written in the Constitution is only by way of directive principles whose implementation depends upon various factors ’. Therefore, there must be some consistency in whatever we do.

“ I do not want to repeat the points I made while speaking on the Delimitation proposals so far as minority representation is concerned. But I put a straight question to the Hon. the Minister for Local Administration. Where is the hurry for this measure? My hon. Friend Mr. Hameed Khan raised a pertinent point. He said that we should watch how the proposals worked with regard to elections to the Legislature and then only we should adopt them in the case of local bodies. I agree with him. General elections are to take place in April or May 1951. We have embarked on a new experiment, adult franchise. Therefore, let us wait and see. It is not a question of Hindus or Muslims getting representation. They do not live by getting a small representation here and there.

“ Sir, when I saw the preamble I really wanted to raise the question about special representation to women and I thought of speaking about it but I was afraid of Begam Sahiba on this side and Members on the other side. But she has raised that point. When you do not have a special area or separate representation for women in these municipalities, I do not understand the reason in having representation for women in these municipalities. I want to know which are the special matters which affect women with reference to the Madras City Municipality or any other municipality. Well if it is a question of representation to any particular area, say Triplicane or Mirsahibpet as you think it, it affects all. Therefore there is no point in having a women constituency. It therefore shows the incongruity of the policy of Government which they cannot reconcile with the other.

“ Sir, I should not be misunderstood for a minute or a second, as standing against the interest of the Members of the Scheduled castes. Even in their case there is a provision to reserve certain seats in proportion to their population, even when there is no necessity. Supposing a member of the Scheduled caste, living in slums and knowing all the people in the slum area, canvasses the votes and is returned from that ward he is sent in not as member of the Scheduled Caste, not as a member under reservation but as

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a Member representing the backward area or the Backward caste. He could have been there as such. But still there is the provision for reservation. The Hon. Minister may argue that it is done in accordance with the constitution.

"The Hon. Minister, I feel sure, will not lose much if he could see that this Bill is not rushed through or even withdraws it. I quite understand the difficulty. The term of some of the municipalities or councils is going to expire by about this month or so. I am sure without casting any reflection on anybody, members of these councils will be happy on the extension of the term by a year or two. I can quite understand the extension as far as the question of the operative part of the Bill is concerned, but take away the reservation. The Government can wait for some time. They are not going to lose much. The Hon. Minister will try to reconsider the whole case. I am sure he can withdraw that part of the Bill."

*SRI T. VISWANATHAM:—"Sir, with a great deal of what hon. Mr. Raza Khan has said, I have my sympathies (laughter) for when the question of the Communal Government Order came after the constitution in this House he was one of those who supported me and said that the Communal Government Order should go. That is the reason why I have got my sympathies for what he says. Of course his criticism against the Government is just because the Government have been following a dual policy in the matter of communalism after the constitution. But apart from that, I do not argue the point basing it on communalism. When there is a strong feeling among a great section, an important section of our people that they will not have a fair deal in the future councils, either of the local bodies or in the Legislature here at least you must remove these fears wherever possible, under the constitution. I submit this must be done and must be done with good grace.

"This Legislature has decided upon single-member constituencies. Without going against the Constitution without putting it on the ground of communalism at all, I still submit that even in the interest of the local administration, it would be good and quite alright if you have got double-member constituencies throughout. I have no objection either to single-member constituencies or double-member constituencies or triple-member constituencies. I know the local conditions in our towns and municipalities and I can get on whatever the constituency may be. But why not allay the fears and suspicion in order to give great help to some of those who are in a minority, politically or otherwise. I for my part would certainly say that either double-member constituencies or triple-member constituencies are acceptable, but with no reservation. Reservation question arises only for the Scheduled castes and the Anglo-Indians, but where double-member constituency or triple-member constituency are likely to help certain minorities who have got a fear, I submit in all sincerity that they may be constituted. I do not put it on the ground of communalism at all. After all, all the Muslim Members in this House do not belong to the same party. They are also divided among themselves. (Laughter.) They do

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not put it and I do not put in on the ground of communalism or religion at all. There may be so many cross-sections and political groupings and a good number of citizens of this State feel that they will have a fairer deal in double-member constituencies; by all means when the constitution does not come in the way let us have the constituencies, let us allay the suspicion and fears and let us have a psychology of harmony and goodwill among ourselves.

"I am not anxious either to have the election to-day or postponed for two or three years. So far as I am concerned, my views are, that the date is perfectly immaterial but what I am anxious about is that there must be a certainty in the programme and schedule. As the Chairman of a Municipal Council, I may tell you, if I am not simply giving out a secret that when last time the Government announced that elections would take place and circulars were sent to Commissioners to prepare and make arrangements for election in the month of September it had an effect upon the staff of the municipality of which I am the Chairman. It would have had similar results in other municipalities. As soon as the circulars came the clerical staff and the executive staff became a little sedate. They thought 'Some other fellows would come and let us watch and see.' That way work was impeded. After a month or two when the statement came again that the elections would be held in November, I certainly found a change in the atmosphere of the clerical and executive staff and they began again to open the files and started working. It is a practical difficulty and I know having been in charge of the municipality that the certainty of the programme and dates is an essential feature that affects efficiency of the work. With great respect, I submit to the Hon. Minister for Local Administration that he can be a little more definite than what he is. Of course, there is no doubt he is giving the outer limit, not later than November 1952. That will not always help matters from the point of view which I have expressed. It would be much better if he says that the elections would be held in September 1951 or November 1952, whatever it is, if it is one year or two years, does not matter. I would ask him to say, even if he has not incorporated it in the Act, to at least give an assurance that the elections would be held in the month of say, September 1952 and that the new councils and local bodies will take office in November 1952. (Interruption.) It does not mean the exactly, because Government may change their minds unless they make a definite statement. I want certainty. It is not that the elections should not be postponed. If they are postponed let them postpone it but let them fix a definite date. The executive staff will then work and will act. That is one main reason which I am advancing this point.

"There is also this point. Some friends have said, 'Why not run the elections now?' He may run the election if the electoral rolls are ready, electoral rolls based on the adult franchise. Government say that the electoral rolls for the local boards are the same as for the State Assembly and if that is so and if adult franchise is the basis for electoral rolls of the State Assembly, it

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within a nation, and all those confused notions which have wrought havoc and misery in this country. We shall have to outlive all that; we shall have to re-write the history of past years. I know it is a painful process. It cannot be done in one day or one year; it may take perhaps ten years and that is why we have the reservation in a limited sense allowed in the Constitution for the Scheduled Castes and for Anglo-Indians. For Anglo-Indians, I think the reservation is only for service, if I remember aright. (Janab Abdul Hameed Khan: 'It is even for the elections.') I wish the impulse of the moment will not carry the day but our conduct and the conduct of the large millions of people in this country will go to infuse confidence in those who now fear that they may not be represented either in the State or in the Central Legislature. But, for municipal and local board politics I see no case whatsoever. While I would not press for the abolition of reservation for the Scheduled Castes and for Anglo-Indians even at the present moment, I would leave it to time to work out a remedy. It is for them to make up their mind and then tell us. Muslims gave up separate electorates long ago even under the existing arrangement for elections to municipalities. In the City the hon. Gentleman Janab Abdul Hameed Khan was elected not by a Muslim electorate but by a general electorate consisting perhaps mostly of Hindus and very few Muslims. That is the spirit in which we should learn to work. The minority to-day must have a chance of becoming a majority to-morrow, otherwise it is not a minority. We should not still harp on the old theory of separation, separate nations, separate culture, separate life and separate requirements.

"Now, as regards women, I would tell this House that it is certainly anachronistic to make reservations for women in local boards and municipalities. The reservation, as I pointed out, has this disadvantage that once you choose a constituency where a seat for a woman is reserved you are really taking away the right of all the citizens to elect whomsoever they think would suit the constituency best for the purpose. We should develop our thoughts on those lines. Women are not a minority. Women do not ask for special representation and in fact, the Bill only says—I would invite the attention of the Hon. Minister to this point—that the State 'may' make reservations for women. On principle, this State and this Ministry will not make any reservations for women in the sense in which I have pictured those reservations. I would not even mind the State reserving by a separate clause the power to nominate a woman in case women are not represented in these bodies.

"Coming to the second part of the Bill there are some who urge that elections should be held on general principles. I cannot object to that. The life of democracy and its resuscitation is within itself a constant endeavour to test the soundness of particular representatives which opportunity is available only when you limit the duration of office to a particular term. At the end of the period

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you must ensure in a certain manner the return of the candidate at the election if he chooses to recontest. It is wrong in principle to take power to postpone elections especially in respect of local bodies like district boards and municipalities. But in the present context of things, as the Minister has pointed out, adult franchise will shortly come in and if the State Legislature has adult franchise, the municipality and the district board should also have the same franchise. Of course, the law lays down even at the present moment that the electorate for the State Legislature would be also the electorate for the limited area of a municipality or a district board. There is nothing which bars elections even at the present moment. Though the Government are taking powers to postpone elections, I would request that, if they find in the conduct of municipalities, that the elected members of a municipality or of any other local body have lost the confidence of their electorate, the Government should have no hesitation in ordering elections. It may be argued that to have elections just now in many places would be an inconvenience. Elections are an inconvenience no doubt; but to some extent you cannot avoid it. If you minimize the elections, they must be held in such areas where the Government have reason to believe that the members of the municipality or the district board concerned have completely lost touch with their electorates. They should not resort to the practice of suspending or superseding a local body. In fact, the power of supersession should be exercised only in extreme cases and should cover a very short period to ensure the return of proper candidates at the next elections. The reasons for such supersession, I suggest, should be made known to the public, so that in the election after the supersession the same people may not be returned or might have to fight a hard battle, owning all their mistakes before their electors. That is all I have got to say about the Bill. I generally support the Bill and commend it to the House."

DR. D. S. RAMACHANDRA RAO:—"Mr. Speaker, Sir, 4-15
it is with mingled feelings that I rise to speak on this occasion. P.M.
The great trouble is to exactly know what a minority means. When once you know what it is, the problem seems to be too simple. If it is a religious minority, I am thankful to say that I never suffered because of religion. In fact, in certain circumstances it even helped me, but if it is meant minority of views and minority of ideas and minority in dreams about the future of the country, I have always felt that for a new idea it is very difficult to go up. Another difficulty that I have felt is though I have had occasions to modify my views, that so far as there is an invidious distinction made there is a tendency to feel disappointed or have the sense of frustration become greater. If the Hon. Minister for Local Administration has come with a proposition that all kinds of minorities should have same treatment, I can understand it. But he seems to take courage not with both hands but with only one hand . . . (Interruption.) Sir, I am a

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stands to constitutional sense and reason that the elections could be held only on the basis of adult franchise even to local bodies. Even if the Hon. Minister had announced the elections and the elections were to take place I would have been one of those who would have raised a constitutional point. It is another point. The elections could take place only if the Government are ready with the electoral rolls of the various bodies of the State Assembly. Therefore those who suggested that the elections might be held straightway on the basis of the old electoral rolls, I hope, will reconsider their views in the light of what I have said.

"This is all what I have to say. I am only pleading for a certainty of the date of the election and also that Government might very well concede this double or triple-member constituencies. I am not pleading for reservation because a constituency which is wide and will have two or three members will certainly bring in those who otherwise feel they won't be able to come in."

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—
Mr. Speaker, Sir, it is really surprising to note this reverse gear policy of the Government in every direction. As was pointed out by my hon. friend Mr. Kaza Khan, wherever it suits them they bring in the Constitution to their support and whenever it does not suit, they do anything as they like to suppress the minorities. I want only to point out a few facts for the consideration of the Government irrespective of the results because past experience shows whatever may be our representation they have not heeded them. It is not because they are not able to understand us but it is because they refuse to be understood. They are not doing anything good so far as the minorities are concerned and still more so regarding the Muslims. I want to be plain, Sir. If you want to follow the constitution and strictly adhere to it there is no necessity to reserve seats for women in the local boards and municipal councils. Under the old constitution we had separate electorates for the legislative bodies and we were having reservation of seats for local boards and municipal councils. Unless, under democracy a body is represented by all minorities that body will not be a proper body whether it be a district board or a municipality of the State Assembly.

"Regarding the elections, hon. Member, Mr. Kaleswara Rao said that at least double-member constituencies may be conferred. It is also good even to the minorities and Muslims. Let us have 'multi-member constituencies'. The only argument which I want to place before you is this. Do you think it would be possible for Muslims that too in a general election and in a general seat to contest the election and succeed in the elections. No. It was pointed out by hon. Member Sri Subbaraman that even during the last elections in Mathurai Municipality, in spite of the vast majority of non-Muslims, two Muslims succeeded, and out of the two Muslims I am one. (Hear, hear and laughter.) Please wait and

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feel that they are a minority and that they will continue to remain a minority whatever the changes in the administration may be, that is not a minority in my opinion. In a municipality there is all the more reason absolutely to abolish all distinctions in voting. I am not one of those who plead for municipal elections on a purely political programme but I shall contest myself by saying for the present that I look forward to the day when municipal elections will be fought on purely municipal issues without the confused factor of the general political administration thrown in. We know the case of other countries. It is just possible that a Labour Government may be in Office in Britain, and the local bodies may still have a conservative majority. It was so even during the conservative administration in Britain. There was an overwhelming majority of members of the Labour Party in County Councils at one time and the people came to believe that the volume of opinion in the country turned in favour of Labour as against Conservative. That leads me to another question altogether which I shall deal with at a later stage. There is also the strongest case for single member constituencies in municipalities. The idea of a contest in a municipality is that the member who chooses his ward or his particular electorate to contest from, intends from the very beginning to concentrate his work in that area and carry out the civic programme intended to benefit the people of that locality. It is unlike the general body politic where absolutely different considerations enter into elections. (Interruption.) I am speaking from the book, says Janab Abdul Hameed Khan. The books were written by very wise men and not by those who did not develop an extensive and wide outlook, both in respect of State administration and in respect of the administration of municipalities and local bodies. In fact, I am one of those who strongly advocated that the Congress should not set up candidates at the municipal or district board elections. The issues are totally different and I cannot conceive of a minority in terms of Muslim or Christian or for that matter Anglo-Indian. (Janab Abdul Hammed Khan 'Woman'.) Women are not a minority. It is straightway admitted by the hon. Lady Member opposite. So, we should learn from now to contest elections to municipalities and district boards on a purely municipal or district board programme.

"Now let me describe how we got into these mistaken notions of minorities. We were fighting first for reservation. Then the reservation meant that from that particular constituency you should not have any other candidate except those belonging to that particular community for which reservation had been made. So, that electorate has no other choice but to choose in a very limited sense the candidate belonging to a particular community. That was the evil of reservation. Then we were not satisfied with reservation; from reservation we jumped on to separate electorates. We wanted reservation even in the form of electorates. Then it went on to the logical extreme of becoming a separate nation, a nation

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surgeon and I believe in cutting with both hands. If the Hon. Minister has said that we are going to have a new experiment by which all will be treated equally, whether they are Harijans, whether they are Anglo-Indians, or whether they are Christians or Muslims or Hindus, I could understand it. Then, I would probably support him even, but I cannot understand on what human, humane or divine right he can base his argument which is simply arbitrary. There can be various reasons in the case of large areas. But it will not hold good in small constituencies. My hon. Friend the Minister in charge of this Bill will, I am sure, have known this by personal experience. But my experience in this matter as Chairman of a municipality as well as President of a District Board is at least a decade earlier than his has been different. We know the difficulties that obtain in selecting the candidates. I did not have the courage and my supporters too did not have the courage to put up candidates for the elections without taking into consideration various factors. So there are some obvious difficulties in the way of a member belonging to a minority community being returned from the general seat. What is the reason for such a situation? There are certain narrow feelings that are still operating in the minds of certain people. Unless by the trend of circumstances or the peculiarity of the situation an individual has won the confidence of his competers, religious and communal considerations will come to play. I do not say this obtains just because a particular religious community came into power. That is not the question. What are you going to do with the number of people professing different religions, or economic or social ideologies? You should not drive them to despair and a sense of frustration. I do not want a great Republic, the largest Republic in the world, to become one of second-rate or third-rate importance. I want highest ideals to prevail; I want that every community, whether majority or minority, should have opportunities to go forward and this kind of discrimination should have no place whatsoever. What may hold good in the case of a large electorate for selecting candidates for the State Legislature or for the Indian Legislature at the centre, do not necessarily hold good in the case of municipalities, taluk boards and district boards. The smaller the constituencies, small things would assume large proportions like sweeping in front of the house, sanitation, or pumping before the House, lighting in a particular locality. All these things will come to play and how are you going to meet these?

"So far as I know, any assembly of women or any women's association have not asked for special constituencies. They have always been against it when we men have been fighting amongst ourselves asking for separation. They never wanted that a separate constituency should be given to them. However, I do not see any reason at this stage when India has become a Republic, why women should be compelled to have a constituency of their own. I think even in the case of Harijans and Anglo-Indians, unless you whip them up to be separate they may not mind. In a

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municipal area which is an urban area, people will have cosmopolitan views and you will have a certain number of educated men. So municipalities are really places for you to try your experiment. You must take courage in both hands at least in the case of municipalities. That is the point which I want to stress. If they are to stand as individuals and canvass for votes, the so-called minorities have no chance. On the other hand, if as a big party, you want to win the confidence of all sections of the people as was done some time back, you can do so. You have known that in the past when we put a candidate for one of the constituencies say, for the Vijayavada municipality, people were ready to accept any candidate who may be put up by the Congress. That was the position then. What is the position to-day? Can they do the same thing to-day? Well, it is for the Congress and it is for the majority community to say that they can or cannot do it. If you have courage, take the minorities as your own candidates and support them and help them to come in. Then, they will be your supporters. Without giving them responsible positions and by merely treating them as contemptible minorities, how are you going to protect their interests? You must be prepared to do the right thing whatever the consequences may be. There cannot be any half-way in the matter. Democratic ideas cannot be achieved by simply calling a particular thing as democracy. Where is democracy when you do not make it possible for everybody to express himself or herself freely. Tomorrow, Sir, the Brahmin community might feel that they are absolute minority without any protection whatsoever. Are you going to give them protection? You are going to take a leap in the dark and so you must be careful. Do not complicate matters with adult franchise. There is no immediate hurry for introducing adult franchise for local boards. They have waited for all these years and they could wait for another three or four years. Take courage and be firm and stick to your convictions. Brush away all differences of castes and creeds and give a chance to everybody to share the responsibilities of administration."

* SRI K. BRAHMANANDAM REDDI :—" Mr. Speaker, Sir, this short Bill raises two important matters. One is the cancellation of reservation that is being enjoyed by the minorities like Muslims and Christians and the second is the introduction of adult franchise in local boards. Regarding the first point, we have been discussing this matter time and again and in season and out of season too. We must be clear in our minds as to what the attitude of this State is in this matter. There is no use trying to snatch every opportunity and plead for separate electorates or reservation or multi-member constituencies with cumulative voting, etc. It has been decided by our eminent leaders belonging to all communities who sat in the Constituent Assembly, that these reservations and separate electorates should go in the interests of the rapid progress of the State."

JANAB MOHAMED ABDUL SALAM :—" Sir, on a point of information. Hon. Mr. Brahmanandam Reddi referred to the

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decision of the leaders of all communities. May I know from him what he has to say with regard to the decision of the leaders of all communities that there should not be any special representation and reservation to the various communities in the matter of recruitment to services? Let him speak out."

* SRI K. BRAHMANANDAM REDDI:—"The hon. Gentleman is, as usual, very hasty. I am going to reply to that point also, though it is not pertinent to the discussion. When once it has been definitely decided that all communities living in this State should have equal opportunities in every walk of life, there is no point in asking for reservation or separate electorates. So, there is no use of confusing that fundamental idea and trying to agitate over and over again with regard to that matter. It is easy for hon. Mr. Raza Khan to indulge in cheap taunts saying that the Government will swear by the Constitution whenever it is convenient to them and will abrogate the provisions of the Constitution whenever it is inconvenient to them. Suppose I turn round immediately and ask him, 'Well, what are you doing?' You are swearing by the Constitution in certain matters and when questions like reservation, etc., come in, you want to abrogate the provisions of the Constitution. Supposing I ask him that question, he will be in a very, very inconvenient position. I do not want to do it; but I just want to point out to him that it is wrong in principle to indulge in these things whenever fundamental issues are involved. Of course, it is open to any Government to decide whether they are really within the Constitution or not. Supposing, considering the principles of the articles of the Constitution they feel that they are within the Constitution on any Constitutional matter. It is up to them to go to a Court of Law and fight the matter out and get a decision of the Court in the matter. It is so simple. But there is no point in hon. Mr. Salam or hon. Mr. Raza Khan trying to tell the Government that they want to take advantage of the Constitution in situations like this. Secondly, as I have already stated, these reservations are against the spirit of the Constitution, never mind the letter. But I feel honestly that it is against the letter of the Constitution also."

"Article 15 of the Constitution says:

4-30 p.m. "The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them."

This is a general provision and it is up to us when occasion arises to go to the Courts and get a decision.

"Then, Sir, we are going to have elections shortly on the basis of adult franchise. It is absolutely necessary that elections to local bodies which are due in the course of next year or late next year or are near at hand should be held on this basis. There is no point in having elections immediately because some hon. Members want it. It is all a question of convenience. Elections are a terrible drain not only on the purses of the contesting candidates but on the State coffers also. With these few words, Sir, I support the measure."

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* SRI D. V. RAMASWAMI:—"Mr. Speaker, Sir, I quite appreciate the spirit in which the Hon. the Minister for Local Administration has brought forward this measure. The measure is designed to make the people feel that they all live in one State, feeling alike and trying to make the State strong and united. The aim of the Bill is to eliminate divisions and make the people work together for the common cause. This is indeed a very sound principle and no sane man can take exception to it. There is, however, the question of representation for Harijans who are legitimately given certain safeguards under the Constitution because of their long history of suffering. As regards women who were given separate representation under the previous laws, they have been nationalistic enough to say that they do not want separate representation, that their interests are quite safe and that they can compete for the general seats. Their education has helped them to march towards the ideal of a common nationhood."

"Then about the views expressed by certain hon. Members, I feel that there is a genuine feeling of misapprehension in the minds of certain Members that their interests may not be fully protected so far as local bodies go, by the present proposals. I refer to the question of representation of minorities. Minorities are not groups of minors. They are all educated men, well-meaning adults, who take interest in the welfare of their country, their State and the civic affairs of their cities. They are engaged in a sphere of work where politics cannot help. They are engaged in a work connected with the betterment of conditions in the cities. Their opinions must be given due weight when we consider the question of election to local bodies. I feel that it will not be part of wisdom to completely cast away the wishes of people who suggest that the Bill be postponed to a future date or who alternatively suggest the continuance of the present system of elections. As we progress we should progress in such a way as not to jeopardise the interests of the minorities: we are in the infant stage of democracy. Unless we take all people with us in our present state of illiteracy and ignorance, our democracy may vanish. We approve of the principles of democracy. We are anxious to apply those principles in our very lives. So we must iron out our differences and feel as one body. We must work as one body and not under 'వేరు-వేరు' as we call in Telugu. Then only our sufferings will be alleviated and we shall have removed the reasonable apprehensions of the minorities. Sir, I have made certain suggestions—all constructive ones—and I hope that the Hon. the Minister for Local Administration will consider them sympathetically and agree either to the postponement of the Bill or to the provision of plural-member constituencies in the case of minorities."

THE HON. SRI K. CHANDRAMOULI:—"Mr. Speaker, Sir, as usual my work has been made easy, very easy, by hon. Members. Some hon. Members raised objection to the very principle underlying the Bill and its provisions. Other Members spoke and proved how the Bill was a necessary piece of legislation. So, I

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have nothing to say about these two points of view. However, I was perplexed to hear the opinions expressed by certain hon. Members who seem to move in a vicious circle. They have demanded with one voice that there should be separate representation for minority communities. Evidently they have forgotten the fact that it was only in their own interests that the State had been declared a secular one. It is only to safeguard the interests of the religious minorities that the country has been declared a secular State. Such being the case I cannot agree to the demand for separate representation for any community except of course the Harijans and certain scheduled tribes, whether it is in the name of religion or otherwise. I cannot think of separate representation with equanimity. I would like here to read, for the information of the house, a portion of a letter received from the Government of India on this subject. It is a letter sent to all other States also and it reads:

As a matter of principle, there should be no reservation of seats in local bodies for any community other than the scheduled tribes and Anglo-Indians. In order to ensure uniformity in all the States, the Government of India commend this policy to the Government of Madras, and request that necessary action may be taken.

Therefore

JANAB MOHAMED ABDUL SALAM:—"On a point of order, Sir, I want to know whether it is open to any Member or Hon. Minister to quote from documents, whether they are from the Central Government or elsewhere, at any stage of discussion? Can he read out anything written on a piece of paper and concealed in his pocket?"

MR. SPEAKER:—"It must have been placed on the table of the House."

JANAB MOHAMED ABDUL SALAM:—"Will the Government then place all the papers connected with this question on the table of the House?"

MR. SPEAKER:—"I have already told the House that any documents referred to in the course of a speech should be placed on the table of the House."

THE HON. SRI K. CHANDRAMOULI:—"Let the hon. Member ask for those papers. I shall certainly arrange to make them available to the House. After all the letter I have read is not a confidential one."

JANAB MOHAMED ABDUL SALAM:—"What about the other letters?"

THE HON. SRI K. CHANDRAMOULI:—"There are certain confidential letters which cannot of course be placed on the table of the House. I just wanted the House to know the position of the Muslims, Christians and other religious minorities under the new set up."

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"Then, Sir, the question was raised why seats should be reserved for women. I must point out that reservation of seats for women is not done with reference to any particular community or religion. I personally feel that the presence of women members in local bodies and organizations engaged in civic matters, in greater numbers, will be beneficial to the society. (Hon. Members: 'Hear, hear'.) This is the only consideration which weighed with us while we decided to provide them separate representation."

"Certain hon. Members spoke about 'double-member constituencies' and I do not know what it means. Perhaps it means reservation within reservation. (Hon. Members: 'No reservation within reservation. It means multi-member constituencies.') If that is what they mean, then the matter may be considered."

"Some hon. Gentlemen from the Muslim League group charged us that we had failed to infuse confidence in the minds of the people. I would like the hon. Gentlemen like Mr. Raza Khan and Mr. Hameed Khan to feel as free citizens of the Indian Union whenever they begin to attack the Government. Let them not be suspicious always. If they do so, then there will be greater good-will, tolerance and understanding between the members of the minority and the majority communities. These are essential for the building up of our State and I am always for making our State one of the most democratic ones within the Union."

"About the adoption of adult franchise for election to Municipalities certain criticism has been made. I ask, when the elections to the Parliament, Legislatures, and local boards are to take place on the basis of adult franchise, why should the poor municipalities alone be deprived of that? Why should elections to municipalities take place on the basis of literacy franchise? Sir, it is not fair to discriminate in the case of municipalities alone. In this connexion, I may assure my hon. Friend, Mr. Viswanatham that elections will take place not later than the 1st of November 1952. It does not mean elections will not take place earlier. We shall try our best to have elections as early as possible but the deadline is fixed as November 1952."

"The hon. Member Mr. Gopalaswami raised a point whether the provision for reservation of seats for women was not done under Article 15 (3) of the Constitution, and I think I have already made this clear. With these words, Sir, I place the Bill before the House."

MR. SPEAKER:—"The question is—

"That the Madras District Municipalities (Amendment) Bill, 1950, be taken into consideration at once."

The motion was carried.

Clause 1 was put and carried.

JANAB MOHAMED ABDUL SALAM:—"Mr. Speaker, Sir, may I make a submission?"

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MR. SPEAKER:—"Not on the clause."

JANAB MOHAMED ABDUL SALAM:—"Not on the clause Sir. In view of the very kind sentiments expressed by the Hon. Minister and in view of the promise or suggestion that he would consider or reconsider the question of conceding plural constituencies . . ."

MR. SPEAKER:—"It would be much better if the hon. Member says anything he wants to say during the third reading."

JANAB MOHAMED ABDUL SALAM:—"I have submitted an amendment to that effect to the Hon. Speaker and the Hon. Speaker knows it. It was considered too late. But we have precedence in this House and legislative matters are decided on precedence. The Hon. Law Minister also . . ."

MR. SPEAKER:—"Is the hon. Member raising a point of order?"

JANAB MOHAMED ABDUL SALAM:—"It is only a submission, Sir. Since I have given an amendment and the Hon. Minister has consented to consider the matter we will take up the matter later and in the meanwhile the Hon. Minister may consider the amendment . . ."

MR. SPEAKER:—"No. This is not the time. I am going to put the clauses to the vote of the House."

Clauses 2, 3, 4 and 5 were put and carried.

Preamble was put and carried.

THE HON. SRI K. CHANDRAMOULI:—"Mr. Speaker, Sir, I move—

'That the Bill be passed into law.'"

MR. SPEAKER:—"Motion moved—

'That the Madras District Municipalities (Amendment) Bill, 1950, be passed into law.'"

* SRI T. VISWANATHAM:—"I am glad that the Hon. Minister has said when the elections will be held. He has given an outer limit of definiteness. I wanted an inner limit of definiteness. (Interruption: 'Both inner and outer'.) This Bill of course has given a date—'not being later than the 1st November 1952'. What I wanted is, give us a particular date, say any three months in 1951 or in 1952, it does not matter, so that there might be a certainty and that would ensure efficiency of work. I know the Hon. Minister is certain in his own mind that it will be somewhere in September, October or November 1952. But instead of having the certainty in his own mind, if the Hon. Minister announces it at least on the floor of the House, that during this particular period the elections would take place, there will be definiteness and that will also ensure efficiency of work."

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SRI A. KALESWARA RAO:—"I am very glad, Sir, the Hon. Minister has conceded that he is prepared to consider dividing the constituencies of the Municipalities and the Local Boards into double-member or triple-member constituencies when there is necessity. Of course, too many members would be bad because it would be difficult for the voters to vote. I want that this should be on the distributive voting. I am opposed to cumulative voting, because it is bad and single transferable vote is too difficult for the ordinary voter to exercise. Therefore, let it be distributive voting."

"Then, Sir, this reservation question would not at all affect because minority members also would be taken along with the majority members. I am glad the Hon. Minister has given the assurance I have also given my amendment which I have shown to you, Sir, for his consideration. This was however considered too late."

"With regard to the extension of the term of the Municipalities and Local Boards, of course, it is a different matter. Here is a body that is elected for only three years. It does not bear any comparison with Legislative Assemblies and Parliament. It is a different matter. However, the Bill is being passed. I do not want to say anything more about it."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, the Hon. Minister is such a goodhearted and kind gentleman that it becomes very difficult for any Member in the Opposition to oppose him. But all the same it must be taken note of that it is not because of the Constitution that the Hon. Gentleman has come forward with this Bill eliminating reservation for particular minorities and retaining it for other minorities, but it is as a result of the special letter that the Government of India sent to the State Government asking them to conduct elections on such a basis taking away reservation for Muslims and Christians. Perhaps they have also given directions that reservation should be given to Scheduled castes, Harijans, women as well as Anglo-Indians. The Government of India regard separate electorates as poison which would eat into the vitals of the body politic of the country. When they thought it was poison, I cannot quite understand why they are insisting upon giving that very same poison to their dear friends, the Harijans, who are part and parcel of the Hindu community. Either they regard the Harijans as part and parcel of the Hindu community or they treat them as a separate community. If they treat them as part and parcel of the Hindu community why give them that poison which they regard as poison so far as the Muslims and Christians are concerned. They are certainly not the friends of Harijans. They are their friends in name only. They are their enemies for otherwise they would not have administered this poison to them. They do not stop there. They are giving this to the women and the Anglo-Indians. The Anglo-Indian community does not get any reservation so far as the Legislature is concerned or even the Central Legislature but they are specially given reservation in local

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bodies. And how many Anglo-Indians are there throughout the length and breadth of the State. Here and there, there may be a few of them. Why then this special consideration. These clearly show that these are all political moves in order to befriend other minorities and make some other minorities like the Muslims and the Christians enemies. If you want to make them your enemies treat them as enemies. This is the only conclusion that anybody can come to, seeing the way in which the Government of India has been treating the minorities. I hope, Sir, this order of things will change for the better soon."

BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, it is indeed a matter of regret that this Bill will pass through this House to-day despite the fact that the majority of those who have spoken on it have opposed the measure including a large number of Members from the Congress party itself. There were only three or four supporters of this Bill. Nevertheless it is to be placed on the Statute Book. That is how the steam roller majority of the Government works, paying no heed to logic or reason and crushing all opposition. The Hon. Minister proclaims that he is well intentioned. Then perhaps he is helpless, and it is, the mandate of the Central Government that has compelled him to bring forward this measure. I am afraid those who are at the helm of power, both here and at the Centre are not taking a realistic view of conditions that prevail in this country to-day. After the results of the forthcoming elections are announced they are bound to be disillusioned for they will see that the Muslims and the other minorities will be completely eliminated from existence in the political and other spheres."

"Sir, one Member of this House, Mr. Brahmanandam Reddi stated that this Bill seeks to implement the letter of the Constitution and he quoted article 15 (1) which states 'The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them'. But the reservation of seats for various communities does not discriminate against any citizen within the meaning of this Article; otherwise special representation for Harijans and Anglo-Indians would not have been provided in the Constitution Act itself and Dr. Ambedkar and other Legislators would not have incorporated in the Constitution Act conflicting and contradictory provisions. Hence it is clear that the Constitution Act does not put a ban on special representation to any class of persons in civic bodies. If special representation is valid for Harijans and Anglo-Indians, it can be valid for Muslims and Christians as well, provided the Legislature sanctions it. So far as the letter of the Constitution is concerned there is nothing therein to warrant the assumption that special representations should be removed from all spheres. It is indeed regrettable to note that this Bill is to be passed by this House despite the fact that a number of Members from the Congress party also spoke against the measure."

MR. SPEAKER:—"There are one or two more Members to speak. We will sit till 5-15 and finish the Bill."

[2th October 1950]

SRI T. VISWANATHAM:—"It is sweating all over. The fans are not working properly. We shall adjourn . . ."

MR. SPEAKER:—"We will adjourn in another 15 minutes."

JANAB N. MUHAMMAD ANWAR:—"Mr. Speaker, Sir, I understand that while replying to the debate the Hon. Minister has held out an assurance that multi-member constituencies with distributive voting will be there. I am glad, Sir, that at least he has that sense to be realistic, not merely an idealist because that alone will guarantee not merely the counting of the heads but cementing of the hearts which will be so vitally necessary if you want to lay the true foundations of democracy. It is in that spirit, Mr. Speaker, Sir, I assure co-operation, from myself, from my party and of my community."

JANAB MUHAMMAD RAZA KHAN:—"I really reciprocate the feelings and sentiments expressed by the Hon. Minister for Local Administration while he spoke at length on the concept of the secular State which the party in power and the eminent leaders are trying to set up. As far as we are concerned, not once but many times it has been said by the leader of our community and of our party that we want to help and co-operate with the Government in the attainment of that concept, and it would be seen by our actions and our speeches that we have been trying in that direction. It would really be a great day for this country and for all Indians if we all feel and think with reference to that context. I do not want to go into the particular sections of the Bill now."

"My hon. Friend Mr. Brahmanandam Reddi unfortunately is not here now. Sir, with your permission, I can say, it has always been my sad experience to find that even when there are good cases for the Government they are always spoiled by bad advocacy of the friends of the Government. If only he leaves the Government to manage for themselves I hope the Government will have a better success. We Muslims here when we speak on the Bill, it is not for the pleasure of it to say a thing and get all the insults and taunts and all that. As I have said in the earlier part of my speech, when we feel we have a certain point of view to be considered, we place it before the Government whether they would accept it or not. We felt so in this matter also and placed our points of view before the Government. Whether the Government are going to accept it or not, it is a different matter. All the same we have to place the point of view before the Government and go on continuing to place it without regret so long as we happen to be Members of this House."

* SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I have now to congratulate the Hon. Minister in piloting this Bill. I would have had no quarrel had he not brought in the word 'spirit of the Act' to his rescue when he moved this Bill. My only object was if it has been the letter of the Bill I would have no quarrel but he mentioned that it was the spirit of the Bill."

[Sri K. Chandramouli] [12th October 1950]

constituency will be considered, and I will place this matter before my colleagues and see if there is any possible adjustment. With these words, Sir, I move that the Bill be passed into law."

MR. SPEAKER:—"The question is—
That the Madras District Municipalities (Amendment) Bill, 1950, be passed into law."

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

MR. SPEAKER:—"I now adjourn the House till 11 a.m. tomorrow."

The House then adjourned to meet again at 11 a.m. on Friday, the 13th October 1950.

THE MADRAS LEGISLATIVE ASSEMBLY.

Friday, the 13th October 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.

Harijan Police constables.

* 280 Q.—SRI K. SHANMUGAM: Will the Hon. the Chief Minister be pleased to state—

(a) the number of Harijan Police constables working in the Nellore district; and

(b) whether any Harijan was selected to the post of Sub-Inspector of Police for the last five years from the Nellore district?

THE HON. SRI B. GOPALA REDDI (on behalf of the Chief Minister):—" (a) 84.

" (b) Two Harijans from Nellore district were selected for appointment as Sub-Inspectors of Police during the last five years."

SRI K. SHANMUGAM:—"Will the Government consider the desirability of recruiting a larger number of Harijans as Sub-Inspectors of Police?"

THE HON. SRI B. GOPALA REDDI:—"We are always anxious to recruit more Harijans to the cadre of Sub-Inspectors, but suitable candidates are not forthcoming."

SRI S. NAGAPPA:—"With reference to the answer to clause (b), may I ask the number of candidates that appeared for the selection of sub-inspectors out of whom only two have been selected?"

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

SRI S. NAGAPPA:—"May I ask whether the Government have taken any trouble to promote from the ranks of the constabulary a certain number of Harijans who have the necessary qualifications and service and who are deserving?"

THE HON. SRI B. GOPALA REDDI:—"A certain percentage of head constables is selected as sub-inspectors, but even there suitable candidates are not available."

SRI M. G. NATESA CHETTIYAR:—"Out of the 84 Harijan police constables, how many have been transferred to other places and made sub-inspectors there?"

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

THE MADRAS DISTRICT MUNICIPALITIES (AMENDMENT)
BILL, 1950

[Sri L. N. Gopalaswami] [12th October 1950]

The spirit is that there should be absolutely no distinction between man and man and yet using the word 'spirit of the Bill' he brings in distinction between man and man and man and woman and scheduled castes and so on. That is why I said, if you really want the spirit of the Bill to be there, there seems to be no need for particular reservation of seats. There seems to be another misapprehension. As it is elections to the Municipal Councils and local bodies cannot go because it is only the electoral roll based on the adult franchise that is to function hereafter. I hope it is not so. Though we have the Constitution, adult franchise is not coming into effect as the electoral roll is not yet ready. The same set of electors now existing are entitled to have the elections. Even at present they can run the elections with the existing electorate.

"The Hon. Minister expressed there is some Article under the Constitution giving the privilege to some women to be represented and even so, if he thinks that by giving one seat here and one seat there, in a Municipality or some other council, justice to women would not have been done.

1 p.m. "As has been pointed out by one hon. Member, women themselves do not want this representation. Under the adult franchise, we are going to have more than 50 per cent of the voters in women. As such I do not think any reservation need be made. (An hon. Member: '51 per cent.') They are more than half. Therefore we will not be doing justice to them by providing for one or two seats here and there. Another point is that when once we reserve seats, it will be impossible, to whatever party the contestants may belong, to stand as candidates in any place reserved for women. That is what has been happening. I hope the Hon. the Minister will bear this in mind."

JANAB M. MUHAMMAD ISMAIL:—"Mr. Speaker, Sir, we all know that ours is a secular State and we, for our part, are helping and would help to build up a secular State. I request you, Sir, to consider this point. This point of our country being a secular State is being raised again and again. For what reason it is being raised? It is because we have got two different communities in the country. If the country consists of one community and one religion, this talk would not have arisen at all. Because there are different communities and different sections of people, this question of our State being a secular State and of the necessity of the people having to remain in a secular State, has arisen. For that purpose what has to be done is that all the communities are to be treated alike and equally with one another. That is the implication and that is the meaning of what we say 'secular State'. Under the present circumstances, for assuring equal treatment to all communities, it is thought necessary to give reservation in representation in at least certain bodies. I want to say and declare that Constitution is not at all against securing reservation for minorities in the local bodies. It is different with the legislatures. The Constitution speaks of the abolition

QUESTIONS AND ANSWERS

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SRI S. NAGAPPA:—“ I find from the answer, Sir, that out of 84 constables in Nellore district, not even a single constable has been found qualified to be promoted as a head constable or sub-inspector. Am I to understand from that that the Government have not taken care to see that these Harijan constables get the necessary qualification to be promoted to these posts? ”

THE HON. SRI B. GOPALA REDDI:—“ Two Harijan sub-inspectors have been selected from Nellore district during the last five years. Wherever a suitable candidate is available, certainly he is recruited. ”

SRI S. NAGAPPA:—“ I am not talking of recruitment. I am talking of the 84 constables. I want to know how many of them have been promoted as head constables and sub-inspectors. ”

THE HON. SRI B. GOPALA REDDI:—“ I think only two were qualified and two were selected. The rest of them were not qualified and were not selected. ”

SRI M. G. NATESA CHETTIYAR:—“ Invariably in the new police stations which have been opened, is it not a fact, Sir, that Harijan constables and head constables were given the choice to be selected as sub-inspectors? ”

THE HON. SRI B. GOPALA REDDI:—“ Whether it is a new station or old station, the question of recruiting them is the same. ”

SRI D. V. RAMASWAMI:—“ May I ask, Sir, whether it is not a fact that the usual qualifications for being selected as sub-inspectors have been relaxed in the case of Harijans? ”

THE HON. SRI B. GOPALA REDDI:—“ Certainly, Sir, even for other candidates we have reduced the qualification to intermediate just now. While it was intermediate for Harijans before, we have now reduced it to S.S.L.C. ”

SRI S. NAGAPPA:—“ Sir, in view of the answer that not even a single constable was qualified to be promoted as a head constable or sub-inspector in the course of such a long service, may I ask what steps the Government have taken to give them the necessary facilities to get themselves qualified for these posts? ”

THE HON. SRI B. GOPALA REDDI:—“ We are advising the Harijan candidates to qualify themselves. We are giving them the necessary stipends and scholarships in order that they may qualify themselves in due course. ”

Unani section of the Government College of Indian Medicine.

* 281 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Health be pleased to state whether the Government intend to abolish the Unani section of the Government College of Indian Medicine?

THE HON. DR. T. S. S. RAJAN:—“ There is no such proposal. ”

QUESTIONS AND ANSWERS

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BEGUM SULTAN MIR AMIRUDDIN:—“ Sir, on account of the changed conditions, and insistence on the regional language, Muslim students now find it difficult to take up Urdu as a subject in Part II of their University examinations, will the Government pass orders to the effect that for admission to the Unani section it should not be insisted that the student should have taken up Urdu in Part II? Instead, those seeking admission should be subjected to an examination by the College authorities and if the College authorities are satisfied that they can cope with the studies, they should be admitted. Will the Government consult the Director of the College of Indian Medicine, Dr. Guruswami Mudaliar and pass orders to this effect in order to encourage Muslim and other students to take up the study of Unani medicine? I hope the Hon. Minister has understood the question; or shall I repeat it? ” (Laughter.)

(At this stage Deputy Speaker took the Chair.)

THE HON. DR. T. S. S. RAJAN:—“ The policy of the Government has been made perfectly clear in my answer. If any other suggestion or advice is offered by the hon. Member in this matter, certainly the Government will consider it. ”

BEGUM SULTAN MIR AMIRUDDIN:—“ Will the Government consult the Director and the Principal of the College in regard to the suggestion made by me just now? ”

THE HON. DR. T. S. S. RAJAN:—“ Such an immediate answer with regard to the action to be taken is not possible to be given in the Assembly with regard to the dealings of the Government. We can only say that we shall certainly consider the question and refer the suggestion to such persons as are competent to advise the Government in the matter. It is that answer alone that can be given in the Assembly in answer to the question raised by the hon. Member. ”

Judicial stamps.

* 282 Q.—JANAB M. MUHAMMAD ISMAIL (on behalf of Janab K. M. SEETHI): Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government are aware of the hardship and inconvenience caused to the work of courts in North Malabar by the non-availability of judicial stamps with the stamp vendors to the extent of the stock they are required to keep;

(b) whether the Government have received similar complaints from other districts; and

(c) if so, what steps the Government have taken to remove this difficulty referred to in clause (a)?

THE HON. SRI H. SITARAMA REDDI:—“ (a) Yes. Three instances have been reported by the Collector of Malabar of inadequate stock of court-fee labels of the lower denominations. ”

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"(b) Yes. Similar complaints were also received from Salem, Tiruchirappalli, Bellary, Tanjore, South Kanara and Anantapur districts. They were caused by the unusually high demand for stamps of the smaller denominations and by non-receipt in full of indents, from the Controller of Stamps, Nasik Road.

"(c) The Board of Revenue has taken steps to replenish stocks, and Government have issued instructions to all Collectors to see that ex-officio stamp vendors keep adequate stock of stamps and that they give no room for complaints regarding non-availability of stamps."

JANAB M. V. HYDROSS:—"May I know whether it is due to the paucity of stamps in the district treasury that vendors are not in a position to get sufficient stamps?"

THE HON. SRI H. SITARAMA REDDI:—"To some extent it is correct. It so happened that smaller denomination stamps were needed by vendors in view of the raising of the court-fee from 3 annas to 5 annas. There was a depletion of the smaller denomination stamps for some time. Subsequently we have taken up the matter and very strict instructions have been issued to the Collectors to see that not only adequate stocks are held but also possible requirements are anticipated and indented for."

SRI M. G. NATESA CHETTIYAR:—"Madam, may I know whether it is not possible to agree to the alternative method of depositing the money in Court when such paucity arises?"

THE HON. SRI H. SITARAMA REDDI:—"I do not think that it is possible to accept the suggestion."

SRI S. NAGAPPA:—"Is it a fact, Madam, that the abnormal rise in the demand for stamps is due to the fact that most of the landlords have been disposing of their lands on account of the fear that the land reform Bill is coming very soon?"

THE HON. SRI H. SITARAMA REDDI:—"I am afraid the hon. Member has not read the question properly. It relates to Court-fee stamps."

SRI M. G. NATESA CHETTIYAR:—"Madam, is it not possible to make an exception in respect of limitation cases at least and accept the alternative method of payment? May I know whether the Courts would be consulted in the matters?"

THE HON. SRI H. SITARAMA REDDI:—"Madam, there is no need for such a procedure now, because we have got adequate stocks. We have taken sufficient precautions in the matter."

QUESTIONS AND ANSWERS

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Total mileage of cement roads.

* 283 Q.—SRI K. LINGA RAJU: Will the Hon. the Minister for Public Works be pleased to state—

(a) the total mileage of cement roads and asphalt roads in the State on 1st July 1950; and

(b) the total length of cement and asphalt roads in the districts (1) north of Madras, (2) west of Madras and (3) south of Madras?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) The mileage of cement roads in the State is 150 and of asphalt roads 626.

"(b) The mileage of cement and asphalt roads in the districts north of Madras is 34 and 73, in the districts west of Madras 66 and 471, and in the districts south of Madras 50 and 82, respectively."

SRI K. LINGA RAJU:—"Madam, in view of the comparatively small mileage of these roads in the northern districts, will the Government consider the desirability of speeding up the asphaltting and cement-concreting of these roads there?"

THE HON. SRI M. BHAKTAVATSALAM:—"The selection of stretches of roads for cement-concreting and asphaltting for other improved surfacing normally depends on the intensity of the traffic. Madam, during the war, certain roads were taken up from the point of view of military importance. Before the Congress Ministry came into power, the Government did not look into the equitable distribution of the improvements. But since this Government have taken up responsibility, we have been trying to equitably distribute this improvement programme over all the districts in the State subject to the need arising on account of the intensity of the traffic."

SRI M. G. NATESA CHETTIYAR:—"May I know, Madam, whether any of these roads connect rural areas?"

THE HON. SRI M. BHAKTAVATSALAM:—"I do not know what is a 'rural area.' If the hon. Member would give me an exact definition of a 'rural area' I shall look into these roads and tell him."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask, Madam, whether any experiments have been made with regard to the comparative utility and the life and the wear and tear of the asphalt and cement-concrete roads, vis-a-vis their cost, and if so with what result."

THE HON. SRI M. BHAKTAVATSALAM:—"Madam, provided we are able to find the necessary capital, cement-concreting does appear to be more economical in the long run. The hon. Member who has put the question himself knows how the road between Katpadi and Vellore which was laid more than twenty years ago is still quite good."

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SRI S. NAGAPPA:—“Madam, in view of the fact that in the districts north of Madras, mileage of these roads is poor, will the Government consider the desirability of stopping further improvements in the districts south of Madras and concentrate their attention on the districts north of Madras?”

THE HON. SRI M. BHAKTAVATSALAM:—“I have already explained how we are trying to distribute equitably the improvement programme. I might remind the hon. Member that the districts west of Madras include also Telugu districts and Rayalaseema districts.”

11-15
a.m. SRI K. LINGA RAJU:—“Madam, are the Government satisfied that the traffic in the northern districts is sufficiently large to warrant improvement of more roads?”

THE HON. SRI M. BHAKTAVATSALAM:—“I cannot say how the intensity of traffic generally is either in the northern, southern or western districts. We take particular stretches of road and take a census of traffic and when the report of the census warrants we do take up the improvement of roads of all districts.”

JANAB M. V. HYDROSS:—“Madam, in view of the special climatic conditions in the West Coast, will the Government consider the desirability of having more cement roads in the West Coast?”

THE HON. SRI M. BHAKTAVATSALAM:—“When we decide on the improvement or the surfacing of roads in the Malabar district, we will take into account the climatic conditions also.”

SRI D. V. RAMASWAMI:—“May I ask, Madam, whether the Hon. Minister will give an assurance that at least in the case of the present proposals for which estimates have already been made, as for example Anakapalle-Chodavaram road, such roads will not be left behind but will be taken up? I mean the roads for which estimates have been submitted and proposals are completed should be taken up immediately.”

THE HON. SRI M. BHAKTAVATSALAM:—“That will be done, Madam, subject to availability of finance.”

JANAB M. S. ABDUL MAJID:—“May I know, Madam, by what time the Government would be prepared to cement-concrete all the trunk roads in the State of Madras?”

THE HON. SRI M. BHAKTAVATSALAM:—“That is for this Hon. House to tell me, Madam, as to the availability of funds that would be required to improve the surfacing of all the roads that are very necessary.”

* SRI T. VISWANATHAM:—“May I know, Madam, whether the Government are prepared to cement-concrete all the State and National highway stretches of roads lying in municipal areas, not only the riding surface of the roads themselves but also the sides of the roads?”

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THE HON. SRI M. BHAKTAVATSALAM:—“That is our object, Madam, so far as the provincial highways are concerned, but in regard to national highways, we have to do it in consultation and with the approval of the Government of India. Then, regarding provincial highways, that would depend upon the availability of finance. We do realise that the intensity of traffic is comparatively more in the town areas and there is also greater need to prevent dust nuisance, but that will depend on the availability of funds.”

SRI L. N. GOPALASWAMI:—“May I ask, Madam, whether there is any proposal to cement-concrete or asphalt the roads leading into villages from the main roads?”

THE HON. SRI M. BHAKTAVATSALAM:—“If the intensity of traffic in regard to roads leading to villages demands it we would improve them either by cement-concrete or by asphalt.”

JANAB ABDUL HAMEED KHAN:—“Arising out of the answer of the Hon. Minister, may I ask whether the Government do not have a plan and also a period fixed for asphaltting or cement-concreting of the highways in the State?”

THE HON. SRI M. BHAKTAVATSALAM:—“Government do have a plan but they are unable to fix up a period because finding the necessary funds is not in the hands of the Government exactly.”

JANAB MOHAMED ABDUL SALAM:—“Madam, since the cement-concreting of roads is more essential within municipal limits what special help is given to municipalities and local boards if they come forward to bear a share of the expenses?”

THE HON. SRI M. BHAKTAVATSALAM:—“That is exactly the policy we are pursuing. If the municipality comes forward to bear a share of the expenditure, Government would consider taking up cement-concreting of that particular road.”

DEPUTY SPEAKER:—“The hon. Member wants to know what help the Government would give in such cases?”

THE HON. SRI M. BHAKTAVATSALAM:—“I cannot describe what particular help can be given, except that I should consider the taking up of the particular road and giving a fairly high priority to it.”

SRI M. G. NATESA CHETTIYAR:—“May I know, Madam, whether the traffic census or intensity of traffic alone should be the reason for laying cement roads?”

THE HON. SRI M. BHAKTAVATSALAM:—“That will be the primary consideration and then the next consideration will be avoiding of dust-nuisance in a thickly populated area.”

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SRI S. NAGAPPA:—“Madam, arising out of the answer of the Hon. Minister that plans are ready, may I know whether the estimates are also ready in order to cement-concrete all the provincial and national highways and if so, what will be the cost, so that the people may know how much they have to spend in order to have dust-proof roads?”

THE HON. SRI M. BHAKTAVATSALAM:—“Government can only give a rough idea, but they do not consider it necessary to waste their time in preparing the estimates without any prospect of finding the necessary funds for the purpose.”

JANAB M. S. ABDUL MAJID:—“Madam, is it not a fact that the Advisers' Government reserved sufficient funds under the post-war development schemes to cement-concrete all the roads in the State and if so, what has happened to that fund?”

THE HON. SRI M. BHAKTAVATSALAM:—“Whatever funds there were, Madam, they were hardly sufficient to cement-concrete even a small portion of the roads that we have to improve.”

SRI L. N. GOPALASWAMI:—“May I ask the Government, Madam, whether they would be prepared to extend the same facility to panchayats as they are extending to municipalities, when they take up those roads in panchayat areas?”

THE HON. SRI M. BHAKTAVATSALAM:—“They can extend the same facilities, provided the intensity of traffic in those roads warrants improvement.”

SRI K. VEERANNA PADAL:—“War time లో విశాఖపట్నం నుంచి నల్లపల్లి వరకు సిమెంట్ రోడ్డు వేసియున్నారు. దోడుపల్లి water falls వరకు సిమెంట్ రోడ్డు వేస్తారా?”

THE HON. SRI M. BHAKTAVATSALAM:—“We first metalled the road up to Duduma and the question of further improvement has to be taken up with reference to the intensity of traffic. That would have to be examined after the Duduma falls scheme has been completed.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I ask, Madam, whether the Government have taken up any grand accelerated programme of roads for providing employment in order to relieve famine conditions and employment brought about by drought?”

THE HON. SRI M. BHAKTAVATSALAM:—“Whatever the famine conditions that might warrant an accelerated programme, there is the difficulty of finance, as I have already explained.”

JANAB MOHAMED ABDUL SALAM:—“May I know, Madam, whether the Hon. Minister for Public Works is aware that trunk roads within municipal areas, at least for a mile or two, are now under the direct control of the Public Works Minister

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and whether he will consider the advisability of cement-concreting at least those trunk roads which lie within the municipal areas?”

THE HON. SRI M. BHAKTAVATSALAM:—“Even with regard to such roads which vest with the Government, we have been insisting on municipalities to make their contribution towards improvement and when they agree to make the contribution, the difficulty arises in getting the necessary funds for taking up the improvement of all the stretches in all municipal areas.”

JANAB M. MUHAMMAD ISMAIL:—“Madam, in view of the short mileage of cement or asphalt roads in the southern districts, that is, those districts to the south of Madras, for example, the roads in Tanjore and South Arcot districts are muddy and of soft ground—will the Government pay more attention to these parts so that they may have more enduring and permanent roads in those parts?”

THE HON. SRI M. BHAKTAVATSALAM:—“Regarding cement-concreting of roads, I would like to inform this Hon. House, Madam, that the cost of concreting per mile of road ranges from Rs. 50,000 to Rs. 90,000 or even a lakh of rupees according to the width of the road and that is our difficulty.”

SRI M. R. APPA RAO:—“May I know, Madam, what proportion of the cost of cementing trunk roads will be met by the Central Government?”

THE HON. SRI M. BHAKTAVATSALAM:—“The Government of India would undertake the cost of cement-concreting only the national highways.”

Irrigation ponds in Sriharikota.

BEGUM SULTAN MIR AMIRUDDIN:—“On a point of order, Madam. I want to know whether this question is in order in view of the fact that there are two writs on the subject before the High Court and whether we can discuss that question on the Floor of the House.”

DEPUTY SPEAKER:—“The next question is with reference to Prohibition and the hon. Member may raise the point of order when that question is taken up.”

* 284 Q.—SRI S. NAGAPPA (on behalf of Sri V. Raghavayya): Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the irrigation ponds in Sriharikota and Venadu islands have been ordered to be repaired at Government cost;

(b) whether any amount was sanctioned for this and if so, what the amount is; and

(c) why the works have not been carried on yet?

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(e) whether the Government have taken any steps to restrict the increase;

(f) whether there is any abnormal increase in issuing liquor by doctors to their patients and if so, what the reason is; and

(g) what action the Government have taken to restrict this?

THE HON. SRI N. SANJEEVA REDDI:—"The answer is placed on the table of the House."

11-30 a.m. SRI A. VEDARATNAM PILLAI:—"May I know, Madam, whether the Government are aware that some drugs such as Essence Lemon are sold in the open market, even in the City, with the printed label showing '80 per cent alcohol' in those drugs; and if so, may I know what action Government have taken to prevent such sales?"

THE HON. SRI N. SANJEEVA REDDI:—"Essence Lemon cannot be sold openly, because it is a controlled thing. Only two ounces of it can be purchased at a time and that too under a doctor's prescription. That detail is given already in the answer placed on the table of the House. If that is not done, it is against law."

SRI A. VEDARATNAM PILLAI:—"May I know, Madam, whether there is a strong rumour that Prohibition officers who are in charge of Prohibition are still having their old mamool system (laughter) of allowing these drugs to be sold in the open market. May I know whether it is true and if it is so, may I know what action the Government have taken to prevent this?"

THE HON. SRI N. SANJEEVA REDDI:—"Government cannot take action on vague and irresponsible rumours. If particular instances are brought to the notice of the Government, very severe action will be taken."

SRI P. KANDASWAMI PILLAI:—"In view of the fact that the ordinary brandy which was sold before Prohibition came to force contained only fifty per cent of alcohol, whereas many of the drugs mentioned in the list here contain more than eighty per cent alcohol, and that is put on the label of the bottles themselves, in view of that, I want to know what action the Government have taken against the Surgeon-General who has issued permits for the sale of these drugs in the open market?" (Laughter.)

THE HON. SRI N. SANJEEVA REDDI:—"Medicines are entirely different from liquors. Liquors are purely intended for consumption generally. Medicines are taken only when they are unavoidable. So we cannot prevent alcohol being given as medicine. As regards the reference to the Surgeon-General, there is no relevancy here. If necessary, the hon. Member may put a separate question about it."

* Printed as Appendix I on pages 438-439 infra.

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SRI K. BRAHMANANDAM REDDI:—"May I know, Madam, from the Hon. Minister what this 'Extract Kamala' is?" (Laughter.)

THE HON. SRI N. SANJEEVA REDDI:—"Like extract of orange, it is extract of Kamala. It is not a proper name!"

SRI N. S. VARADACHARI:—"Will the Hon. Minister take note that there has been a sudden increase in the production of these drugs especially in the City of Madras and the area round about it, and will the Hon. Minister investigate the fact whether some of these factories are actually State-aided?"

THE HON. SRI N. SANJEEVA REDDI:—"Yes. Government are aware that the sale of these drugs is on the increase; and that is why we have after investigation been trying to control the number of licensees who are preparing these drugs, and we are trying to cancel a few of these licences so that their production may be limited."

SRI M. KANNIAPPAN:—"கனம் திரு. வி. அவர்களே! சென்னை நகரிலும் அங்கங்கேயுள்ள சிறு நெருந்துக் கடைகளெல்லாம் இவை போன்ற சாராயங்களை விற்கின்றனவேயன்றி அந்த நெருந்து ஷாப்புகளில் நெருந்துகளை விற்கப்படவில்லையென்பது அரசாங்கத்திற்குத் தெரியுமா என்பதை கேட்கிறேன்."

THE HON. SRI N. SANJEEVA REDDI:—"தெரியுமா. அப்படி தெரியவந்ததினால் தான் அவைகளைத் தடுக்க கவர்மெண்டார் ஆலோசனை செய்து வருகின்றனர்."

SRI T. VISWANATHAM:—"May I ask, Madam, something about the figures which are given in the answer, which are baffling to some of us. It is stated against item 1, namely, Spirit Aetheris Nitrosi B.P., that it contains 147 to 152.2 percentage of spirit. I want to know, whether the percentage of spirit can be more than the cent itself?" (Laughter.)

THE HON. SRI N. SANJEEVA REDDI:—"As I have said, it is a medicine, and if doctors feel that it is necessary probably we cannot object to it being given. We can only object to its general sale; and so we have controlled it."

DEPUTY SPEAKER:—"I do not know whether the Hon. Minister has understood the question. Perhaps the hon. Member will repeat his question."

SRI T. VISWANATHAM:—"I only asked whether the percentage of spirit in any particular tincture can be two hundred or three hundred per cent, while the quantity of medicine is very much less, i.e., can the quantity of medicine be less while the percentage of alcohol in it is more?"

THE HON. SRI N. SANJEEVA REDDI:—"Evidently it is necessary."

SRI V. M. RAMASWAMI MUDALIYAR:—"Madam, arising from the answer given to clause (c) of the question, particularly with reference to the statement 'Spiritous preparations are

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manufactured in the bonded laboratories of this State,' may I ask, what is the difficulty in regulating the quantity manufactured when it is done in bonded laboratories?"

THE HON. SRI N. SANJEEVA REDDI:—"That is why we are trying to control the number of laboratories. Since we feel there is over-production, we are thinking of cancelling some of the licences issued."

JANAB MUHAMMAD RAZA KHAN:—"Since some of these medicines are to be used by bona fide people, may I know why some of these producers are to be penalised, simply because some others are abusing these drugs?"

THE HON. SRI N. SANJEEVA REDDI:—"Provided one is producing these drugs to the extent to which the really needy public require it, his licence will not be cancelled. Only those who produce in larger quantities than that are prohibited from manufacturing them."

JANAB M. MUHAMMAD ISMAIL:—"Madam, in answer to clauses (d) and (e) of the question it is said that there has been a sudden increase in the manufacture of spirituous preparations in this State, and so, it has therefore been decided not to increase the number of pharmaceutical laboratory licences in this State. Now, if that is done will this State be not adversely affected in the manufacture of drugs which are necessary and useful for this State?"

THE HON. SRI N. SANJEEVA REDDI:—"No, Madam. Because the number of laboratories has increased from what we had before. Previously we had only eight laboratories, I think, I am not sure about the number. But that number has increased since Prohibition has been enforced in this State. That is why, we feel, the extra licences are not serving the real purpose; and that is why we want to produce it only on the pre-Prohibition level."

SRI A. VEDARATNAM PILLAI:—"May I know, Madam, whether the production and sale of alcohol in these laboratories have abnormally increased during the last few years, if so, will the Government take immediate action to prevent the production of them instead of controlling their sale, and if so, may I know what action Government have taken in this direction?"

THE HON. SRI N. SANJEEVA REDDI:—"Two questions are asked in this one supplementary question, and one of it is the same as the question put by the Leader of the Opposition."

DEPUTY SPEAKER:—"You can reply them independently."

THE HON. SRI N. SANJEEVA REDDI:—"These medicines are being used by the doctors, and so we cannot prevent their production. So we have asked the new licences to be cancelled and asked the rest to produce only that much quantity which was being produced just before Prohibition came into force."

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SRI A. VEDARATNAM PILLAI:—"May I know whether it is a fact that the Surgeon-General has given as his considered opinion that no medicine which contains alcohol is necessary. If it is so, what then is the necessity for manufacturing these drugs?"

THE HON. SRI N. SANJEEVA REDDI:—"It is a wrong presumption that the Surgeon-General said that no medicine containing alcohol is necessary. The Surgeon-General only said that drinking is not necessary for reasons of health. Prohibition of the use of alcohol as medicine, he has not said. Nor do I think any doctor will give that as his opinion."

JANAB M. MUHAMMAD ISMAIL:—"Is it the view of the Government that this State is manufacturing all the drugs for the use of the people as such; if not, will they consider the question of scrutinizing the need for every laboratory on its merits and after investigation put to a stop to the issue of fresh licences?"

THE HON. SRI N. SANJEEVA REDDI:—"The State is not preparing medicine. Besides the medicines produced in our country we are also importing a good number of other medicines from abroad. Since we cannot check and control effectively the manufacture of drugs containing alcohol, we are limiting the number of laboratories engaged in it, the starting of which it will be easy to check and control."

'The Price Control Act'

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

(a) whether the Government have taken any steps to enforce the Price Control Act in this State;

(b) if so, when it is proposed to be enforced; and

(c) if not, the reason for the same?

THE HON. SRI C. PERUMALSAMI REDDI:—" (a) Yes. (b) & (c) The Supply and Prices of Goods Ordinance, 1950, is being enforced in this State with effect from the 2nd September 1950."

SRI A. VEDARATNAM PILLAI:—"May I know whether the Government have got any proposals to control any other commodities which are necessary for the daily life of the people, and if so, may I know, what they are?"

THE HON. SRI C. PERUMALSAMI REDDI:—"Now Government are controlling only eleven commodities; if any more commodities are necessary to be controlled, they will consider them."

SRI V. M. RAMASWAMI MUDALIYAR:—"Have the Government of Madras listed any commodities other than those recommended or listed by the Central Government, and if so, may I know what they are?"

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THE HON. SRI H. SITARAMA REDDI:—“(a) It has been decided to take up repairs or improvements to the doruvus in the areas referred to under the Tank Improvement Scheme.

“(b) It is proposed to meet the expenditure on these works out of the lumpsum provision of Rs. 75 lakhs made in the Budget Estimate for 1950-51 for Tank Improvement Schemes under the control of the Revenue Department.

“(c) Twelve estimates prepared by the Minor Irrigation Staff have been received from the Collector of Nellore. They are being forwarded to the Superintending Engineer (Food Production) for technical scrutiny. The works will be taken up at an early date.”

SRI S. NAGAPPA:—“Madam, in view of the fact that the minor irrigation staff in the Nellore district especially is very poor, will the Government consider the desirability of increasing the minor irrigation staff, particularly the overseers and maistris, whenever they take up irrigation works?”

THE HON. SRI M. BHAKTAVATSALAM:—“I do not accept the proposition of the hon. Member that the minor irrigation staff in Nellore is poor.”

SRI S. NAGAPPA:—“Will the Government at least give me an assurance that they will complete all the works within the time-limit fixed. I am asking this because, Madam, the Hon. Ministers have been saying they would try and complete as early as possible. So, I would like to ask the Government definitely whether they will complete all the works for which they have obtained the sanction of the House before the end of the financial year?”

THE HON. SRI M. BHAKTAVATSALAM:—“Yes, Madam.”

Percentage of alcohol in certain drugs.

* 285 Q.—BEGUM SULTAN MIR AMIRUDDIN: On a point of order, Madam. I wish to know whether it is in order to take up starred question in view of the fact that the matter is *sub judice* and there are two writs on the subject before the High Court. We should give our courts of law the respect that is due to them. When the subject-matter of the question is in dispute in a court of law, it is but proper that we defer discussion of the subject in this House?

THE HON. SRI B. GOPALA REDDI:—“The hon. Member who put the question is only seeking information and it has nothing to do with what is happening before the High Court at all, because it does not also refer to any case pending before the court. The proposed writ is only about the legality of the Prohibition Act itself. But, here the hon. Member is only asking for certain information about the alcoholic content of certain drugs.”

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BEGUM SULTAN MIR AMIRUDDIN:—“But as the validity of the entire Prohibition Act has been questioned in a court of law I feel it is better that we defer discussing this subject.”

DEPUTY SPEAKER:—“The question deals only with how much alcohol is contained in all the drugs mentioned in the question.”

BEGUM SULTAN MIR AMIRUDDIN:—“Not only these, but there are also other questions involved in it, for instance, whether the Government have taken steps to prevent or control the sale of drugs, etc.; and all such questions will come up before the court of law.”

THE HON. SRI N. SANJEEVA REDDI:—“Madam, the answer to the question has already been printed and placed on the table of the House, and I do not think any purpose will be served by discussing the question whether it is relevant or not.”

DEPUTY SPEAKER:—“The question does not deal with anything that is before the court of law. It is a matter of giving some information. I do not think there is anything objectionable in replying to the question. The subject-matter of this question is not particularly before the High Court for decision now. Of course, if the High Court decides against the Prohibition Act altogether, then we have to be careful about it. We can now take up the question.”

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

(a) whether the Government have examined the percentage of alcohol in the following drugs and if so, what the percentage of alcohol in each drug is:—

- (1) Spirit Aether Nitrosi;
- (2) Tincture Capsicum;
- (3) Acqua Rose;
- (4) Tincture Tolu;
- (5) Tincture Cube;
- (6) Acqua Rose Concentrated;
- (7) Acqua Aurante Concentrated;
- (8) Spirit Rose;
- (9) Essence Orange;
- (10) Essence Lemon;
- (11) Extract Kamala;
- (12) Tincture Chirata; and
- (13) Eau-de-cologne.

(b) whether the Government have taken any steps to prevent or control the sale of these drugs and if not, why not;

(c) where these drugs are manufactured;

(d) whether there is any sudden increase in the production of these drugs;

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THE HON. SRI C. PERUMALSAMI REDDI:—"They have not listed any so far."

SRI S. NAGAPPA:—"Is it a fact that the price of gram in this State is controlled, but gram dholl price is not controlled?"

THE HON. SRI C. PERUMALSAMI REDDI:—"I do not think that question arises out of this answer."

Grain supply to Bhadrachalam.

* 287 Q.—SRI K. LINGA RAJU: Will the Hon. the Minister for Food be pleased to state—

(a) whether rations were not issued to grain depots of Bhadrachalam (East Godavari agency) during the first week of September 1950;

(b) whether a large number of Koyas and other people had to go without any rations; and

(c) if so, whether any arrangements are made to rush food supplies to that area?

THE HON. SRI J. L. P. ROCHE VICTORIA:—" (a) Adequate quantities of foodgrains were issued to the grain depots of Bhadrachalam.

" (b) No.

" (c) Does not arise."

Recruitment of District Judges.

* 288 Q.—SRI T. VISWANATHAM: Will the Hon. the Chief Minister be pleased to state—

(a) whether the Advocate-General and the Honorary Secretary of the Advocates' Association, Madras, have made any representation to the Government in the matter of direct recruitment of District Judges; and

(b) if so, what action the Government propose to take in the matter?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Chief Minister):—" (a) Yes. The Advocates' Association has made a representation.

" (b) The question of issue of rules regarding the formation of the Higher Judicial Service is under consideration."

SRI T. VISWANATHAM:—"May I know whether within the last three or four years any direct recruitment has been made?"

THE HON. SRI K. MADHAVA MENON:—"If the Hon. Member means recruitment of District Judge, I say 'yes'."

SRI T. VISWANATHAM:—"May I know how many appointments have been made by direct recruitment?"

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THE HON. SRI K. MADHAVA MENON:—"Within my recollection, one appointment and that is of Mr. Narasimham."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know what is the recommendation made by the Advocate-General, and also by the Secretary of the Advocates' Association?"

THE HON. SRI K. MADHAVA MENON:—"The Advocate-General represented as President of the Advocates' Association that 50 per cent of the vacancies should be directly recruited from the Bar, and for posts in the High Court it should be from the Bar alone."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know whether any posts of District Judge are likely to fall vacant shortly?"

DEPUTY SPEAKER:—"That does not arise out of the answer to this question."

BEGUM SULTAN MIR AMIRUDDIN:—"The Hon. Minister is likely to know about it."

DEPUTY SPEAKER:—"But that question does not arise out of the answer to this question."

JANAB MOHAMED ABDUL SALAM:—"May I inquire whether this Government have appointed any District Judge directly from the Bar within the last three years?"

THE HON. SRI K. MADHAVA MENON:—"I said Mr. Narasimham was recruited directly as District Judge of Visakhapatnam."

SRI T. VISWANATHAM:—"May I submit that the statement that Mr. Narasimham was appointed District Judge within the last three years is not correct?"

THE HON. SRI K. MADHAVA MENON:—"I said within the last four years."

SRI T. VISWANATHAM:—"My question is whether the avoiding of recruitment of District Judge directly from the Bar, will not be by-passing the recommendation of the High Court altogether and the provisions of the Constitution Act?"

THE HON. SRI K. MADHAVA MENON:—"There is no question of by-passing the recommendations of the High Court, and with regard to the recruitment of District Judges, there is absolutely no rule to the effect that a particular percentage of District Judges should be recruited directly from the Bar."

JANAB N. MUHAMMAD ANWAR:—"May I know, Madam, whether lady Advocates will be appointed as District Judges?"

DEPUTY SPEAKER:—"Lady Advocates form part of the Bar."

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JANAB MOHAMED ABDUL SALAM:—“ May I know whether the Government are aware that Mr. Narasimham was appointed not because he was a member of the Bar but because he was a war service candidate? ”

THE HON. SRI K. MADHAVA MENON:—“ He was a direct recruit; he was not in the Judicial Service before.”

SRI T. VISWANATHAM:—“ I will repeat my question, as it has not been properly answered. When there is a provision in the Constitution for direct recruitment from the Bar and when the High Court also has recommended direct recruitment, I ask whether it is not by-passing Constitution and the High Court, if the Government have not appointed any one by direct recruitment for the last three years? ”

THE HON. SRI K. MADHAVA MENON:—“ I am not aware of any provision in the Constitution to the effect that there must be recruitment from the Bar to the posts of District Judges. The Constitution only lays down the qualifications and the number of years of practice as Advocate of a High Court for becoming eligible for direct recruitment. The Constitution never says anywhere that a particular number should be recruited from the Bar.”

Indigenous medicine.

* 289 Q.—SRI A. VEDARATNAM PILLAI (on behalf of Sri S. Nagaraja Manigar): Will the Hon. the Minister for Health be pleased to state—

(a) the several steps taken by the Government in furtherance of the development of the system of Indigenous Medicine from April 1949; and

(b) the definition of “ A ” class and “ B ” class practitioners and why they are so named?

THE HON. DR. T. S. S. RAJAN:—“ (a) A statement* showing the information is placed on the table of the House.

“(b) Class ‘ A ’—Practitioners whose qualifications denote at least a minimum standard of professional training for undertaking medical, surgical (including obstetrical) and medico-legal work.

Class ‘ B ’—Practitioners whose qualifications denote at least a minimum standard of professional training for undertaking medical work only.”

SRI A. VEDARATNAM PILLAI:—“ May I know whether there are any pharmacies recognized by the Government which prepare and sell indigenous medicines? If so, how many are there and where are they situated? If not, will the Government consider the desirability of starting such institutions? ”

THE HON. DR. T. S. S. RAJAN:—“ I want notice to give the information.”

QUESTIONS AND ANSWERS

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Lands to political sufferers.

* 290.—SRI K. ISHWARA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of applications received from the political sufferers in the South Kanara district for the assignment of land;

(b) the number among them that have already received the plot;

(c) the number of persons that have not received the lands in the district; and

(d) the names of the persons who have already received the plots?

THE HON. SRI H. SITARAMA REDDI:—“ (a) 816.

“(b) 347.

“(c) 288 applications have been rejected and 181 applications are pending disposal.

“(d) A statement* showing the names of the persons who have already received the plots is placed on the table of the House.”

SRI K. ISHWARA:—“ Why is the Board of Revenue objecting to assignment of lands by the side of the river to political sufferers? ”

THE HON. SRI H. SITARAMA REDDI:—“ They are perhaps objectionable lands.”

Sale of rice by the producers.

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

(a) whether it is a fact that the Government have allowed producers of rice to sell rice to the poorer agricultural labourers in that locality;

(b) the quantity of rice so far sold like that; and

(c) the names of the districts in which such sales have been conducted so far?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“ (a) The Government have permitted the sale by producers, who have already met the Government's demand for procurement, up to 2 lb. of foodgrains to non-producers and partial producers within the same village for their personal consumption as a temporary measure till 30th October 1950.

“(b) It is impossible to furnish the information as producers have not been required to keep or report statistics about such sales.

“(c) The concession was extended only to the districts of Anantapur, Bellary, Cuddapah, Kurnool, Chittoor, North Arcot, South Arcot, Chingleput, Tiruchirappalli, Salem Mathurai, Coimbatore, The Nilgiris, South Kanara, Mala bar, Tirunelveli, Ramanathapuram and Visakhapatnam.”

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SRI S. NAGAPPA:—“As it is not possible to get foodgrains in the same village, will the Government consider the desirability of extending the concession to cover at least a firka?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“It will not be possible to extend the concession beyond the village limit.”

Motor cars for Hon. Ministers.

* 292 Q.—SRI T. VISWANATHAM: Will the Hon. the Chief Minister be pleased to state—

(a) whether the Government have purchased new motor cars for any or all the Hon. Ministers during 1949-50 and in the current year from 1st April 1950 onwards;

(b) the average annual maintenance cost per car; and

(c) the total money spent by the Government on the maintenance of cars intended for the Hon. Ministers and the Guest House in the years 1947-48, 1948-49 and 1949-50?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—“(a) Three new motor cars were purchased for three of the Hon. Ministers during 1949-50 and one car for another Hon. Minister after 1st April 1950.

“(b) Rs. 1,200.

“(c) Rs. 27,456 as shown below:—

		Hon. Ministers' cars.	Guest House cars.
		RS.	RS.
1947-48	.. ..	1,245	Nil.
1948-49	.. ..	10,711	1,200
1949-50	.. ..	13,200	1,100

JANAB MOHAMED ABDUL SALAM:—“May I know whether any other State Governments are maintaining a guest house and cars for the guest house?”

THE HON. SRI B. GOPALA REDDI:—“I know that several State Governments are maintaining a guest house and a large establishment and conveyance.”

SRI A. KALESWARA RAO:—“May I know how many legislators were granted permits for cars during this period?”

DEPUTY SPEAKER:—“This question does not arise.”

Ayurvedic and unani dispensaries.

* 293 Q.—SRI K. SHANMUGAM: Will the Hon. the Minister for Health be pleased to state—

(a) the respective number of ayurvedic and unani dispensaries in this State; and

(b) the amounts spent on each of the above classes of dispensaries last year?

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THE HON. DR. T. S. S. RAJAN:—“(a) A statement * is laid on the table of the House.

“(b) A total sum of Rs. 2,10,595 has been spent from the State Funds during the year 1949-50 as subsidy and grants to rural dispensaries.

“Information regarding the amounts spent on each of the classes of the dispensaries is not available.”

SRI M. R. APPA RAO:—“Will the Government consider the establishment of a central Ayurvedic pharmacy to prepare and sell genuine medicines?”

THE HON. DR. T. S. S. RAJAN:—“The proposal will be considered when the need for such a pharmacy is imperative.”

Industrial concerns.

* 294 Q.—SRI G. LATCHANNA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the industrial concerns in which works committees have been formed and those in which they have not been formed so far in the Madras State; and

(b) if works committees have not been formed in any of the industrial concerns so far, the reasons for the delay?

THE HON. SRI H. SITARAMA REDDI:—“(a) Works committees have been formed in 275 out of 650 establishments employing 100 or more workers. A list^b of establishments in which works committees have been formed is placed on the table of the House.

“(b) The delay in the formation of these committees in other establishments is due to the non-co-operation of some of the workers' unions and the indifference of workers. The Labour Officers have been asked to persuade the unions and the workers to co-operate in the formation of the committees.”

SRI G. LATCHANNA:—“May I know whether it is a fact that no free choice is given to the workers in electing their representatives to the works committee and, if so, what the reason is?”

THE HON. SRI H. SITARAMA REDDI:—“There is free choice.”

SRI D. V. RAMASWAMI:—“Will the Hon. Minister consider the desirability of issuing instructions to the department concerned to constitute more works committees for Visakhapatnam district as out of the 275 works committees, only one is in the Visakhapatnam district at Eti Koppaka?”

THE HON. SRI H. SITARAMA REDDI:—“I have already said that Labour Officers have been asked to persuade the unions and the workers to co-operate in the formation of the committees.”

* Printed as Appendix IV on page 443 infra.

^b Printed as Appendix V on pages 444-449 infra.

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Picketing of shops.

* 295 Q.—SRI S. NAGAPPA:—“ I put the question.”

DEPUTY SPEAKER:—“ Has the hon. Member got the authorization?”

SRI S. NAGAPPA:—“ Yes, Madam.”

SRI S. NAGAPPA (on behalf of Sri V. Raghavayya): Will the Hon. the Minister for Industries be pleased to state—

(a) whether it has come to the notice of the Government that the Andhra Provincial Congress Committee at its meeting held on 21st August 1950 at Visakhapatnam, approved of peaceful picketing to be organized by its subordinate bodies;

(b) if so, the number of cases of peaceful picketing by the Andhra Provincial Congress Committee subordinate bodies at the shops of persons selling articles at high rates that have been brought to the notice of the Government for the months of July and August 1950;

(c) whether the Government have fixed the maximum prices in relation to non-controlled commodities; and

(d) if not, whether the Government intend to do so?

THE HON. SRI C. PERUMALSAMI REDDI:—“ (a) The Government have no information.

“ (b) Does not arise.

“ (c) The Government of India, in pursuance of the Supply and Prices of Goods Ordinance formulated by them recently have, in consultation with this Government, fixed the prices of certain non-controlled commodities.

“ (d) Does not arise.”

S.S.L.C. Examination, 1950.

* 296 Q.—SRI D. DORAIRAJA PANDIAN: Will the Hon. the Minister for Education be pleased to state—

(a) the number of candidates that appeared for the S.S.L.C. Examination of March 1950 and out of these how many have failed;

(b) what the minimum marks required for a pass are;

(c) whether it is a fact that, for a deficiency of each mark in English, the candidate should have taken 10 marks more in the total over and above 210; and

(d) whether it is a fact that most of the failures are in English?

THE HON. SRI K. MADHAVA MENON:—“ (a) Sixty-two thousand and eighteen candidates appeared for the S.S.L.C. Public Examination of March 1950 taking subjects qualifying for University courses of study, out of whom 27,538 were not declared eligible for admission to the University Course.

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“ (b) There is no system of pass or failure under the S.S.L.C. Scheme. Eligibility of candidates appearing for the S.S.L.C. examinations for admission to University courses is governed by the rules of eligibility framed by the Universities. The Annamalai University accepts the rules of the Madras University. A copy of the rules* of eligibility framed by the Universities is placed on the table of the House.

“ (c) Moderation Committees are appointed by both the Universities to consider hard cases not covered by the eligibility rules. The rules for moderation, which vary year to year, are confidential and they cannot be published.

“ (d) A comparatively large number of candidates failed to secure the required marks in English.”

Recruitment of Deputy Superintendents of Police.

* 297 Q.—SRI S. NAGAPPA: Will the Hon. the Chief Minister be pleased to state—

(a) the number of Deputy Superintendents of Police directly recruited during 1948-49 and 1949-50;

(b) the number selected from Andhra area;

(c) the number selected from Rayalaseema; and

(d) how many of them are from Backward and Scheduled Classes?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—“ (a) One and six.

“ (b) One.

“ (c) Nil.

“ (d) Six of them are from the Backward Hindu communities and one is a Harijan.”

SRI S. NAGAPPA:—“ Arising from the answer to clause (c) that the number selected from Rayalaseema is nil, may I ask whether there were no applicants from Rayalaseema or whether the Government completely avoided giving any jobs to the applicants from that area?”

THE HON. SRI B. GOPALA REDDI:—“ It is entirely within the jurisdiction of the Public Service Commission; the Government do not come into the picture at all.”

SRI S. NAGAPPA:—“ In view of the fact that the Service Commission has not been doing justice to all the territorial areas, will the Government consider the desirability of reconstituting that body with representation to each and every linguistic area and especially to Backward and Scheduled Classes?”

THE HON. SRI B. GOPALA REDDI:—“ The Constitution stands against such a proposal.”

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SRI S. NAGAPPA:—"Madam, this is an important question and I request that an half-hour debate be allowed for discussing it. Much injustice is being done to Rayalaseema and Andhra areas in the name of Public Service Commission. If the Commission is not there to do justice, I have to seek justice in the House."

DEPUTY SPEAKER:—"This is not a new question and an half-hour debate is not necessary. The hon. Member may repeat the question some time later if he wants fuller information."

SRI S. NAGAPPA:—"Repetition of my question will not solve the problem."

School-fee concessions.

* 298 Q.—SRI S. NAGAPPA (on behalf of Sri V. Raghavayya): Will the Hon. the Minister for Rural Development be pleased to state—

(a) whether it is a fact that the children of the aboriginals and Erukulas and Sugalis are given the ten-year full-fee concession as in the case of Harijans;

(b) whether this concession applies to the children of ex-criminal tribes; and

(c) whether it applies to sub-sects of the aboriginals, like Dommaras, Pitchiguntas, Nakkalas, Pamulas, Budabukkalas of the Andhra area?

THE HON. SRI B. PARAMESWARAN:—" (a) to (c) Yes."

SRI S. NAGAPPA:—"The Hon. Minister was pleased to say that the children of aboriginal tribes were given all the facilities that were given to the children of Harijans. May I know whether he has any objection to including the aboriginal classes in the list of Scheduled Classes instead of Backward Classes?"

THE HON. SRI B. PARAMESWARAN:—"I would request the hon. Member to first of all make sure whether the tribes to whom he refers are included in the Scheduled Castes or aboriginal tribes."

DEPUTY SPEAKER:—"The Hon. Minister may give him the correct position."

THE HON. SRI B. PARAMESWARAN:—"The question is whether the concession that is given to Harijan children is extended to the children of aboriginals and hill tribes."

SRI S. NAGAPPA:—"In view of the fact that the children of these classes are getting all the concessions that the Harijan children are getting, what prevents the Government from including these classes in the list of Scheduled Classes?"

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THE HON. SRI B. PARAMESWARAN:—"My hon. Friend must realize the Constitutional difficulties in the way. When they are given all the concessions, what does it matter whether they are included in the Scheduled Classes or in any other class?"

SRI B. S. MURTHI:—"May I know whether Harijan Christians are given full-fee concessions, Sir?" 12 noon.

THE HON. SRI B. PARAMESWARAN:—"It is a misnomer to say that there are Harijan Christians, Sir."

SRI S. NAGAPPA:—"The list has been prepared in order to give certain educational and other concessions to the Scheduled Classes. Now the Hon. Minister has been pleased to declare the policy of the Government that the Government are prepared to extend all the concession to Scheduled Classes that are given to Scheduled tribes. I ask the Government now, what prevents them from including these classes also into the Scheduled tribes?"

THE HON. SRI B. PARAMESWARAN:—"Scheduled Classes are different from Scheduled tribes, Sir."

Joint Director of Public Instruction.

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

(a) whether the post of Joint Director of Public Instruction has been abolished, or is to be abolished; and

(b) if the answer to (a) above is in the affirmative, the reason for the same?

THE HON. SRI K. MADHAVA MENON:—" (a) & (b) The post of Joint Director of Public Instruction was created in 1948 with a view to afford relief to the Director of Public Instruction from his greatly increased work. But as the system did not work properly the post has been abolished."

DEPUTY SPEAKER:—"Questions are over. We shall now proceed to the next item in the Agenda, namely, Supplementary Estimates of Expenditure for 1950-51. The Hon. Minister for Public Works will now move Demand No. VIII—Irrigation."

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

II.—SUPPLEMENTARY ESTIMATES OF EXPENDITURE FOR 1950-51 (VOTING).

DEMAND VIII—IRRIGATION.

THE HON. SRI M. BHAKTAVATSALAM:—"Madam, Deputy Speaker, on the recommendation of His Excellency the Governor, I move—

'That the Government be granted a further sum not exceeding Rs. 100 under Demand VIII—Irrigation.'

"This Demand, Madam, relates to an *ad hoc* grant of Rs. 50,000 being the contribution towards the expenses that would

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be incurred in connexion with the International Congress on High Dams that will be held in Delhi early in January 1951. In the course of the general discussions on the Supplementary Demands yesterday, one hon. Member took very strong objection to this grant of Rs. 50,000 and the Hon. Leader of the House answered the criticism. I should like to tell the Hon. House, Madam, that not only will this Conference of the International Congress on High Dams be held on that occasion, but there will be some other International Conferences also along with this Conference. There will also be, for instance, an International Conference on Irrigation Canals, another International Conference on Soil Mechanics, an International Conference on Hydraulic Structures Research and a Conference of the United Kingdom Bureau on Flood Control and lastly there will be a World Power Conference. All these conferences will be held in Delhi at that time. An International Engineering exhibition is also proposed to be arranged along with these conferences. The last plenary session of this Conference was held in Sweden and this is the fourth Plenary Session of the Congress and it is to be held in Delhi early next year. The total expenditure that is estimated for this Conference is Rs. 12 lakhs. It is the Central Board of Irrigation that are organizing these conferences and it is they who have asked the various States to contribute towards the expenses of these conferences and they are also making their contribution to this Congress. Our annual normal contribution to the Central Board of Irrigation is Rs. 12,500 and since this time they are arranging these conferences, they have appealed to this State for a contribution of Rs. 50,000. This Government have accordingly sanctioned that grant. Similarly, Madam, the Central Board of Irrigation have appealed for contributions from other States also, like Bombay, Bihar, Hyderabad, the Union of Travancore-Cochin, West Bengal, Madhya Bharat and East Punjab and they have also agreed to contribute towards the expenses of this Conference a sum equal to four times their normal annual contribution to the Central Board of Irrigation. About 200 outstanding Engineers from other countries are expected to attend this Conference and the deliberations and results of these conferences are sure to be of immense value to our State. This Hon. House is aware of the large programme of irrigation and hydro-electric schemes undertaken by this State and which they have proposed to undertake in the near future. There are complex questions relating to the construction of dams and other things which we have to tackle in our State and there are vast problems to be solved and vast things to be learnt in connexion with irrigation and public works and there is no limit to the extension of knowledge that we can acquire, and which we will have to make use of in carrying out our great projects of irrigation and electricity and so we cannot easily assess the value of the knowledge that can be acquired from international conferences of this sort. The last conference, as I mentioned just now, was held in Sweden and we deputed one of our Engineers to attend that conference. Our engineers tell us that the proceedings of the last

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International Conference at Sweden have been published in six volumes and they are of very great value to the engineers who have to tackle various intricate problems and to overcome several difficulties in the construction of dams and other irrigation works in this State. They tell me that if one has to wait for text-books embodying the results of these conferences, it would take another three or four years for them to be brought out, while, on the other hand, the proceedings of the Conference which were published in six volumes and which have come into their hands, have been of very great value and of immense benefit to them in tackling the problems that face them in carrying out their work. When experts in the engineering profession from various countries of the world meet together, they naturally discuss various subjects and various problems and there they will have an excellent opportunity of exchanging not only their ideas, knowledge and experience, but also of gaining more knowledge. We have programmed to spend crores of rupees on the construction of dams for irrigation and on schemes of hydro-electric development in our State and I say that conferences of this sort will be of very great value in adding to our knowledge on engineering matters, and thereby we could effect considerable savings in the execution of our projects. If, as a result of the mutual exchange of ideas, knowledge and information at this conference, we have learnt something which would enable us to save a crore of rupees in our projects, certainly we cannot grudge giving this contribution of Rs. 50,000, which is an *ad hoc* contribution for an International Conference like this, which is to be held in India once in a way. Other private engineers and engineering firms have also made their contributions towards the expenses of this conference. The Government of India have also made a large contribution towards the expenses of this conference and therefore I do hope that this House would, without any misgivings, vote for this grant."

DEPUTY SPEAKER:—"Six hon. Members have given notice of cut motions on this demand. All of them may move their cut motions and discussions may be carried on, on all these cut motions together. Mr. Mahboob Ali Baig will please move his cut motion first."

JANAB MAHBOOB ALI BAIG:—"Madam, Deputy Speaker, I move—

'To reduce the allotment of Rs. 100 for Irrigation by Re. 1 for eliciting information regarding the scope and usefulness of the International Association of Hydraulic Structures Research.'"

SRI T. VISWANATHAM:—"Madam, Deputy Speaker, as the purpose for which I have given notice of my cut motion has been served, by the introductory speech of the Hon. Minister for Public Works, I do not propose to move my cut motion."

SRI S. NAGAPPA:—"Madam, Deputy Speaker, I move—
'To reduce the allotment of Rs. 100 for Irrigation by Re. 1.'"

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JANAB MOHAMED ABDUL SALAM:—"Madam, Deputy Speaker, I move—

'To reduce the allotment of Rs. 100 for Irrigation by Re. 1.'"

SRI M. G. NATESA CHETTIYAR:—"Madam, Deputy Speaker, I move—

'To reduce the allotment of Rs. 100 for Irrigation by Re. 1.'"

JANAB MAHBOOB ALI BAIG:—"Madam, Deputy Speaker, my object in moving my cut motion is primarily to elicit information regarding the scope and usefulness of this Conference. I have just heard the introductory speech of the Hon. Minister for Public Works in moving his motion for the grant of Rs. 50,000 under Irrigation and he has given us some very useful information. I am one of those, Madam, who hold the view that for seeking knowledge we should go even to the ends of the earth. But if I make certain observations on this motion, it is simply to point out how and in what way this State is being handicapped by the interference of the Central Government in many matters which ought to have been left to this State itself. I submit, Madam, that the initiative in many matters which ought to have been with this Government has been taken away indirectly in some cases and directly in many others. What I mean is this. The Union Government has appointed a Planning Commission and it is this Planning Commission that plans for the country as a whole. May I ask the Hon. Minister whether this State have made any representations to the Government of India that they have not been given their due share in the deliberations of that Planning Commission, if not to decide all matters, at least in matters which intimately concern this State?

"Again, Madam, it is only the Planning Commission that decides the priority of the projects to be undertaken in the various States. However much this State might like to take up any useful and desirable schemes of improvement, they have no choice in the matter. What has happened to the Ramapadasagar Project? Has it been placed even on the agenda of the Planning Commission? On the other hand there is the Government of India who are all-powerful and they alone control and direct the activities of the Planning Commission, because that Commission was constituted by the Central Government. It is therefore the Central Government who are deciding everything.

"Now let me tell you, Madam, that this is a suitable opportunity for us in this House and for people outside to protest against too much centralization and too much control by the Centre.

12-15 p.m. "Have you any choice in the big undertakings?—As far as I know, if the Ramapadasagar Project had been taken up, it might in ten years have made this State self-sufficient by bringing thousands of acres of lands under cultivation and

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millions of citizens of this State might have been saved from starvation. But what is the place given to it by the Government of India?

"Madam, I want to point out that this Government have no choice, they are always directed from above, they are spoon-fed and sometimes not fed at all. That is the position with regard to all the projects, undertakings, ventures and adventures, whatever you may call them. If I raise my voice of protest on this Demand, it should not be understood that I am against spending this 50,000 to gain expert knowledge. One might go to the ends of the earth to gain expert knowledge. But as far as I am made aware, in most of the departments of this State, it is the Central Government that directs and controls this State, even in regard to the subjects in the State list. We are a mere dependency. I do not want to use strong words. Even in regard to our taxation sources, for instance in regard to our sales tax, in the name of uniformity, that source of income might be taken away from us. Now Madam, even in the matter of food, we have no choice. We cannot purchase even a small quantity of grains according to our own choice. It must be permitted by the Centre. Millions might starve and die here, but we must await the orders from Delhi. Of course, the Government of India may be making some contribution and giving us some advice, but especially in the case of Madras, the advice has proved to be very injurious. That is the result of the integrated food policy of the Government of India."

DEPUTY SPEAKER:—"This is not a general discussion of the budget."

JANAB MAHBOOB ALI BAIG:—"My point is that we are spending money on subjects which are controlled by the Government of India."

DEPUTY SPEAKER:—"The question is whether the hon. Member approves of the demand that is made here or not. He may speak on the merits of this particular question before the House. He need not make it a general discussion of the budget."

JANAB MAHBOOB ALI BAIG:—"I bow to your ruling, Madam. I thought that I was within my limits in pointing this out. When I read the note on the demand, these thoughts came to my mind and I wanted the Hon. Minister to tell us how far this State has a free hand in matters for which this knowledge has to be obtained by spending this amount. That is the point, I have been trying to make out, not that I am opposed to this demand. Madam, if the administration of this department is directed by the Central Government, if its activities are guided by the Central Government, that Government which does things in a big way and spends crores of rupees on matters which, though they may not give immediate benefit may give some benefit in the distant future, may make this contribution also in a big way,

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especially because we have no choice in this department and we are directed and spoon-fed and sometimes criticised if we go out of the way.

"Madam, the Government of India would not grant us a loan because we adopted prohibition without listening to their advice. Madam, why not the whole administration be taken over by the Central Government? That will be good so far as it goes. Why should there be this independent legislature and this separate State Government? Why not they appoint a Governor on behalf of the Government of India? Why not they also appoint collectors on behalf of the Government of India? There will be then no question of this State being autonomous at least on paper in regard to some subjects. Now, in the actual administration, this State is nothing but a subordinate branch of the Central Government and it has no choice of its own."

DEPUTY SPEAKER:—"We are free to refuse this grant. It is not compulsory to make this grant. We are not directed by anybody."

THE HON. SRI B. GOPALA REDDI:—"We are not giving it to the Government of India either."

JANAB MAHBOOB ALI BAIG:—"My point is, why should not the Government of India which is supervising and directing us every time, why should they not pay it?"

DEPUTY SPEAKER:—"That argument does not hold good in this case."

JANAB MAHBOOB ALI BAIG:—"It is for this Government to protest against the interference of the Central Government with regard to our projects. I asked what are the projects on which this is going to be put to use. The Tungabhadra Project is nearing completion. The only other project is the Ramapadasagar Project, which has been put in cold storage. I do not know, Madam, when it will be taken out. But even before starting it, we have had to spend several lakhs of rupees which have been wasted. When the Government are going to revive the project, I do not know. Do the Government want to spend this amount for gaining knowledge which will be put to use 10 or 20 years later, when this project is taken up? Of course, knowledge for its own sake is good and we may spend money to gain it. But I submit that we must act independently and exercise our discretion except where we are bound down by the rules and the Constitution."

"Madam, I have moved this motion only to show how and in what ways this State is put in great difficulties. This particular Minister or that particular Minister may protest. Many a time, the Hon. the Finance Minister has protested against too much interference from the Centre. It is a good sign. I wish every Minister, whenever there is some interference from the centre in

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regard to his portfolio, protests against it, so that the protests of the several Members of the Cabinet might have its effect. That is the purpose of my motion."

* SRI S. NAGAPPA:—"Madam, Deputy Speaker, I am not one of those who will stand in the way of making this grant of Rs. 50,000. But whom are the Government going to select as delegates? Are they going to select people from the areas which are badly in need of irrigation facilities or are they going to select people whom they like? Whether the Ministers will go there or whether the Secretaries or the Engineers who are in charge of the projects will go there—it is not made clear by the Hon. Minister who moved the Demand. If at all you want to send delegates to the Conference, you may send . . . (Interruption.) I do not want to send Nagappas or other appas. You must send people hailing from the areas which require immediate improvement in irrigation facilities. Rayalaseema is badly in need of irrigation facilities. Nothing has been done for it so far. I particularly asked the Government what they have done for the Tungabhadra High Level channel. It has been put in cold storage. What has happened to the Sangameswaram Project? If the Hon. Minister says that he would send engineers hailing from Rayalaseema in order that they may get knowledge from the Conference which they would be able to utilize for the development of this area which badly requires irrigational development I would be the first to assent to this grant of Rs. 50,000 and even more. But what is the use of my assenting to this grant, if the Government would only send their own favourites as delegates to the Conference? It would only amount to waste of public funds if the knowledge gained from the Conference is not going to be of use to the people."

"I now come to another point, Madam. This Conference is organized by the Central Government. That Government had not the courtesy to grant us a loan. Why not then the Hon. Minister tell the Central Government, 'You invited the International Irrigation Conference to be held in India and therefore you may bear the charge yourselves. Madras State is poor and cannot afford to pay Rs. 50,000.' If the Hon. Minister had the guts he would have said so. (An hon. Member: 'Where are they available?')"

available? It has to be acquired and asserted and not bought."

DEPUTY SPEAKER:—"The hon. Member may try to be in order whenever he speaks."

SRI S. NAGAPPA:—"I would request you to keep the other Members also in order and not let them interrupt me, Madam."

DEPUTY SPEAKER:—"The hon. Member cannot make any conditions for his assent to the grant. He wants to know who are the delegates who will be sent and unless he is satisfied with the choice, he says he would not be giving his assent to the grant."

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That is not the way of looking at it. The question is whether this Conference is going to be of any use to this State and if so, whether the hon. Member is willing to agree to this grant being made."

SRI S. NAGAPPA:—"I thank you, Madam, for your kind advice. But before I agree to this expenditure of Rs. 50,000 I must know how the Government are going to spend it."

DEPUTY SPEAKER:—"The Hon. Minister has explained it when he moved the Demand. Therefore the hon. Member may confine his remarks to that point."

SRI S. NAGAPPA:—"But he has not explained it to me fully. He has only explained it in his own way. I am seeking information on further points which he has not explained. No doubt, the Hon. Minister took pains to explain the matter for about 10 or 15 minutes. In spite of that, I am sorry to say that he has not convinced me."

SRI K. BRAHMANANDAM REDDI:—"Why?"

SRI S. NAGAPPA:—"I will let you know, my friend. Have patience and hear me."

DEPUTY SPEAKER:—"The hon. Member should address the Chair. If he goes on at this rate, it will be a waste of time."

SRI S. NAGAPPA:—"I meant only my hon. Friend, 12-30 p.m. Mr. Brahmananda Reddi, Madam."

DEPUTY SPEAKER:—"Whatever it is, the hon. Member should address only the Chair."

* SRI S. NAGAPPA:—"Now, if only the Hon. Minister comes forward and says that the knowledge acquired by the engineers attending the Conference would be utilized in the area which requires immediate irrigational development, particularly in Rayalaseema, Nellore and Guntur, and that only the engineers who are working in these areas are going to be sent, I have no objection to this grant and I am prepared even to withdraw my cut motion. But, if the Hon. Minister is going to reserve his choice to nominating his own favourites to this delegation, I am extremely sorry I cannot allow this grant of Rs. 50,000 to be spent for the conference."

JANAB MOHAMED ABDUL SALAM:—"Madam, Deputy Speaker, any contribution that is made should be only voluntary and I do not think the Hon. Finance Minister has brought credit to this Government when he revealed the other day that he made a contribution of Rs. 20,000 towards this Conference and that only after long correspondence and repeated requests that he has increased the contribution to Rs. 50,000. The Hon. Minister in charge of the portfolio has laboured hard to enumerate all kinds of conferences, river conferences, dam conferences and so on, and we have known the results of these conferences. Now he has

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come forward to ask for this amount of contribution to this Engineers' Conference. But, Madam, conferences will be of any benefit only if the engineers attending the conference from foreign countries are invited to come to this State and see our projects at first hand, so that we may derive knowledge of their experience. The Hon. Minister has not told us how much money would be required for their travelling and other expenses if they are going to be invited to come to this State and investigate the proposed schemes and whether they are going to be invited at all. I know, Madam, if these engineers are invited they will certainly come here. So, some amount will be required for their coming here, investigating the schemes, perhaps staying and overstay here, if necessary, after the conference is over. But the Hon. Minister has not come forward with that particular item. I think, Madam, that instead of a contribution like this for the conference at Delhi, it is better we spend some money in inviting them to study our irrigation projects which will be to our advantage."

SRI ALLURI SATYANARAYANA RAJU:—"అవ్వు, irrigation కు సంబంధించిన అంశం ఈ Demand లో ఒక రూ 50,000 ను ఖర్చు చేయటం ప్రభుత్వం వారు ఈ కానీస్ సభయొక్క అవగాహనను కోరియున్నారు. ఒక్క 50,000 రూపాయలకు మాత్రమే కాకుండా, ఇంక ఎంత హెచ్చు మొత్తమైనా irrigation సంవర్ధనలలో ఉంట్రివర్ధమువారు ఖర్చు చేయదలచినపుడు వారికి అవగాహన మిచ్చుటకు ఎవరు అడ్డుపడరు. ఈ విషయము వారికి ఎంత మొత్తము కావలసినప్పినను కొవవలేదు అనే సంగతి అందరికీ తెలిసినటువంటిది. ఇద్ద ఇద్ద projects లు కట్టి విషయాలలో ప్రభుత్వం వారు విశేష శ్రద్ధ చూపవలసినదం ప్రశంసా పాత్రమైన విషయము. ఒక్క ఇద్ద projects ల విషయమే కాకుండా, ఇతర విషయాల ఎడలనూ ప్రభుత్వం వారు శ్రద్ధ వహించ వలసియున్నది."

"ఈ ప్రశ్నకు గౌరవరి శిల్పంలో అనేక ప్రాంతములలోని ఖాములు ఎకరము నకు 20 బస్తాలు అంతకు వైసనూడ వంటి పంటలుంటుంటివి ఉన్నవి. సాధారణ శరి స్థితులలో రైతుకు ఈ పంట దక్కవలెను కాని, చేను కోతకువచ్చి సిద్ధాన్నము దగ్గరగా ఉన్నప్పుడు వరదలువచ్చి చేలు మునిగిపోయి అనేకవేల ఎకరములలోని పంట నాశనమై పోవూయంది. ఇద్ద ఇద్ద projects లను నిర్మిస్తూనూడ కొద్దిపాటి ఖర్చుతో సరిదిద్దగల ఈ మురుగు కాల్వల మరమ్మత్తులైననూడ ప్రభుత్వం వారు శ్రద్ధ వహించ వలసియున్నది. మా జిల్లాలో మురుగునీరు పోయే సౌఖ్యములను కలుగజేస్తే అనేక వేల బస్తాల వియ్యన్ని ఇతర ప్రాంతాలకు పంపటానికి అవకాశముంటుంది. అది కావూత్తున్న చేయడానికి మురుగునీరు పోయే సౌఖ్యములు కలుగజేయడం అత్యవసరం. ఈ విషయాలనే అనేక పర్యాయములు Budget వర్షం సంవర్ధములోను, ఇతర సంవర్ధాలలోనునూడ ప్రభుత్వం వారికి తెలియజేసియున్నాను. Budget estimate లో చూచినట్లయితే నక్కలకాలవ, భగేశ్వరం drain, ముగల్గురు drain, గంలేడు drain, కావూత్తేరు drain ముఖ్యములుంటివి ఉరమ్మతు చేయించటానికి ప్రభుత్వం వారు నిశ్చయించినట్లు కనిపిస్తుంది. కాని ఈ 4, 5 సంవర్ధాలనుంచి estimate లో stage లోనే scheme లు ఉన్నాయి. ప్రభుత్వం వారిని ఈ విషయమే ప్రశ్నిస్తే dredger ఇంకా కాలేదు. అది కాగానే మరమ్మత్తులు చేస్తాము అంటున్నారు. ఎప్పుడు dredger లు వస్తానూ తెలియదు. ఈ మురుగు, కాల్వల మరమ్మత్తు చేయవలసిన

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[Sri Alluri Satyanarayana Raju]

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వరక (పరి సంవత్సరము సిద్ధాంతంగా ఉన్న అనేక వేల 2 నాళ్ళ భాగం మట్టి అయి పోవడం తప్పదు. అధికాంశం పైల్ల కట్ట ప్రభుత్వంవారికి కేటగిరి అండ్ సెక్టర్ కు చెప్పి చెప్పి scheme అను వెంటనే పూర్తి చేయాలి అని చెప్పుట ఇంకా బలమిస్తున్నాను.

SRI S. NAGAPPA:—“On a point of order, Madam. I want to know whether what the hon. Member has said, is relevant to the subject-matter of discussion.”

DEPUTY SPEAKER:—“It is quite relevant.”

* SRI N. S. VARADACHARI:—“Madam, Deputy Speaker I unreservedly support this motion for the grant of Rs. 50,000. The future of our State largely depends on our irrigation projects and even if this conference were not organized by this Government—and I know it is not—it is an invitation extended by the Government of India to a number of eminent research scholars on hydraulic structural research to assemble together and give their general conclusions, in the light of which all engineers, not only in our State, but also over the rest of India, could usefully base their future plans and projects. Now, we want such conferences in India and we must be thankful to the Government of India for having extended their invitation to such eminent men and we want our prominent engineers—and we know our engineers in South India are perhaps the best of their kind in the whole of this country—to attend this conference, compare notes with the engineers who come from other parts of the world and take stock of the latest knowledge and experience that is available there from other countries. It is not as if we cannot give our own contribution at this conference. Conditions in India are such that I know the entire east, especially China and other countries can largely draw on the results of the experience of projects carried out in this vast country. It is within my knowledge that students from China have come to study even these small tank systems in Chingleput and other districts. It is also within my knowledge that some of the schemes started in India are very difficult ones and their future entirely depends on the study of structural research below the water. For instance, reference has been made to the Ramapadasagar scheme. The success of the scheme would depend on the study of the foundations available. For instance, the huge dam and such a huge project as a result of that dam below the waters of the Godavari, is a very difficult problem. The other day, when I saw at the Rajaji Hall a demonstration given by our engineers of the Tennessee Valley projects, for instance, I almost felt dizzy and I wondered how with such precision and accuracy the whole organization was maintained and such huge projects carried out within a small number of years. That is exactly what we should attempt to do in this country. It is no use blaming the Planning Commission or attempting to sneak an attack on the Planning Commission from here. We want the Planning Commission, we want them to act boldly in this country and we want them to

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[Sri N. S. Varadachari]

take big and small schemes and order priorities to schemes, in order that there may not be confusion in the administrative order of things and in order that money may be saved and not spent recklessly. That is the aim and the object of the Planning Commission, but that is irrelevant to the subject under discussion and I shall only be too glad if the suggestion put forward just now by the hon. Member is accepted by the Hon. Minister for Public Works, in inviting some of the engineers whom our engineers would like to take round the various projects that are either developed or plans for which have been drawn for the future. We have to largely draw on the experience of the engineering community. It is perhaps the only body in the world to-day doing constructive work of a very high order and it is very necessary in the international as well as in the national interest. We want more food, we want more projects, more drinking water and we want perhaps to tap subterranean springs that may lie, not one thousand, not two thousands, but perhaps 10,000 feet below the ground. I understand there are possibilities even that way and as scientific investigation goes, we are called upon to witness amazing changes in the structure of the soils below the ground. I wish hon. Members of this House took some interest in all problems of research, though they may not be scientists themselves; at least constant looking into such things happening around us will certainly improve and heighten the tone, not only of the discussion in this House, but will also infuse hope where depression prevails. It is not as if the problem of food cannot be solved. That can be solved in a quick manner if only we concentrate on programmes with the accumulated knowledge and experience of other countries driven down into our soil. That is what we want and I am glad the Hon. Minister agreed to this contribution. Other bodies have contributed, bodies of engineers and private contractors have contributed and the Government of India have made a handsome contribution. I can only say that our contribution is but a token and I want such a contribution to be made in a larger measure and invitation extended to engineers of every country to visit our State and add to our knowledge and experience and thus enable us to carry us through our goal of self-sufficiency in food and in other matters.”

* SRI N. VENKATASUBBAYYA:—“Madam, Deputy Speaker, I do not think there can justifiably be any demur or objection to sanctioning this Demand. Past history of irrigation in India, had been largely governed by the fact that our forefathers had not the necessary scientific knowledge and the necessary modern equipment which are essential for the further development of irrigation. The Grand Cauvery Anicut which is now improved and the great tanks that were constructed in ancient days are only examples of efforts to harness the waters for irrigation but they have not reached that height of maturity or given those extensive facilities for irrigation which some of the great dams that have been constructed in modern times in the western countries have been able to do. A panoramic view

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[Sri N. Venkatasubbayya] [13th October 1950]

of the country will tell us that all over India we have got a number of tank and canal systems but further development could not take place for lack of scientific knowledge of the soil conditions down below the earth. Now, the latest idea in development of irrigation is the integration of river basins. You cannot have a big irrigation project with only one river or small streams. Several rivers should be connected and big reservoirs created for extensive irrigation. Since we are now facing a food crisis, this problem of integration of river basins and the construction of large dams to create reservoirs and store water must necessarily interest us very much. It is really a fortunate thing that this conference has been invited to India, and this State which is very famous and very remarkable for some of its achievements in irrigation should be asked to take part in it. Our great engineers and our Public Works Minister who evince very keen interest in implementing schemes should make as great a use of this conference as they can. So, I was a bit sorry when some of my friends in this House sidetracked the issue and showed a little of their petty-mindedness when they said that this project has not been started, that that project has not been started, that the delegates should have been chosen from such and such an area and so on. All these things are irrelevant to the discussion. The main subject here to consider is, how we can make the best use of the great scientists, the great engineers and experts in science who are attending this conference in Delhi and the contribution they may make to the solution of our problems.

"The other day I had an opportunity of being given a preview of some of the exhibits that are being prepared by our Government to be exhibited at this conference. The Hon. Finance Minister invited me to accompany him to see these exhibits. It was a marvel to see how even though we are in the initial stage, yet we had developed hydro-electric schemes such as the Pykara, the Papanasam and the Mettur projects and what we propose to do in the Machkund project. A big tunnel is being proposed to be struck through the hills to enable the scheme to yield maximum results. When I saw these and got an inkling of the enormous schemes proposed and already working, I was transported into a new world altogether. A new vista of the possibility of economic development of our State opened up before me and I visualised how rich in water we are. Therefore this conference is a very important conference. Especially now, when we are planning the Krishna-Pennar project, connecting the river basins of the Krishna and the Pennar and when huge dams are proposed to be constructed at Siddeshwaram and Somasila, when our engineers are expecting to do all these things, they surely require some more knowledge in the latest methods of Engineering. Our Chief Engineer is devoting his attention to complete the Krishna-Pennar project in three stages, and that would alter the entire economic future and structure of our country. Madam, it seems to me that our food problem can be solved only by taking up the

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construction of high dams. The Ramapadasagar project has given a lot of trouble. We have to go two hundred feet down into the earth to get a suitable strata for the foundation. It is all very difficult to do unless our Engineers have latest knowledge in the line. These cannot be achieved by protesting or making suggestions on the floor of this House. Very high expert minds have to be applied to this question. So in a high-level conference of the type arranged in our country wherein world experts participate, we should extend our whole-hearted co-operation to it, we should wholeheartedly welcome it, and really the pittance of fifty thousand rupees which the Government have brought forward for sanction, does not matter very much.

"One more thing, Madam, and I have done. Though some of the Members of this House are not engineers or scientists, still, since they take much interest in matters of irrigation, I request the Government to consider whether one or two Members of this House cannot be sent to participate in this conference."

JANAB ABDUL HAMEED KHAN:—"Madam, Deputy Speaker, I entirely agree with Mr. Varadachari and Mr. Venkatasubbayya, when they told us about the importance of the plenary session of the International Congress on large dams. I doubt whether the Government have surplus funds to contribute such a large amount as fifty thousand rupees for conducting this conference at Delhi. I believe this conference which is being convened or invited by the Government of India to be held in Delhi is to be financed by the Central Government themselves. It is true that the entire country would be benefited by the deliberations which will take place there and that whatever result accrues out of this conference will certainly be useful to the entire country. Madras will certainly also be benefited. But I strongly believe that our finances are not in such a condition as to enable us to give fifty thousand rupees for this plenary session of this conference. The Government of India may not be in a position to help us with large sums of money for the carrying out of projects and various irrigation schemes. They only come forward in a miserly manner with their contribution, whenever the Government of Madras require financial help from the Central Government. That apart, Madam, I believe even from the point of view of general principles, whenever a conference is held in Delhi, it is the Government of India that convene this conference, and so, it is they who should meet the entire expenditure. So, to call upon this State to make their contribution is, I believe, rather a tall order. As my hon. Friend, Mr. Baig said, when the Government of India have been neglecting projects like Ramapadasagar and others, when they have not been financing adequately to speed up construction of projects, particularly now, when the food problem is looming large before us, I do not see any reason why we should contribute this sum now asked for. I know the Government are not in a position to come forward with large sums of money for speeding up projects. That being the case, it seems to me to be right to deny them this contribution, more so, when

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"Mention was made by the hon. Members Janab Mahboob Ali Baig and Sri A. Kaleswara Rao about the Ramapadasagar Project. It is the huge estimated cost of the project that staggers the Government of India. It is quite possible that, when the engineers all over the world meet together in this country, discuss common problems and seek to find solutions, they may be able to suggest a revision of the design of this huge project so as to bring its cost within the means of not only this State Government but also of the Government of India.

"The hon. Member, Janab Abdul Hameed Khan, wondered whether it was worthwhile spending fifty thousand rupees on this international conference. In moving the Demand I have explained how our engineers have to tackle several complicated problems in carrying out the programme which we have placed before them. By adding to one's knowledge by exchange of ideas and by coming to know the latest results secured after considerable study, experiment and experience, one can make considerable savings in the cost of the various schemes which we are seeking to execute. There is the construction of Jalaput Dam in the Machkund Scheme. We have taken up that work and the Chief Engineer tells me that it is a very complicated work. Still we have to carry out the work as expeditiously as possible with the best engineers available to us. Although in this part of the country we have the best engineering talent, yet there is so much to learn for our talented engineers and the expenditure of fifty thousand rupees that this State is incurring by participating in an international conference like this is certainly worth while.

"I would like to tell the hon. Member Mr. Abdul Hameed Khan, that it is not the Government of India who have invited this international conference to India. It is the Central Board of Irrigation that invited this conference on behalf of the Government of India. The last three conferences were held in various countries and India participated in them. When our State is participating in the conference, it is but right that we should ungrudgingly make this contribution of fifty thousand rupees towards the expenses of that conference."

JANAB ABDUL HAMEED KHAN:—"Who has fixed the amount?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Central Board of Irrigation has suggested the amount and not the Government of India. The Central Board of Irrigation has estimated the total cost at twelve lakhs of rupees and suggested to the States to make a contribution equal to four times the annual contribution that they are making to that Board. As I said this morning, several States in this country have agreed to make a contribution equivalent to four times the annual contribution that they have been making to the Central Board of Irrigation.

"About the speech of the hon. Member, Sri Nagappa, I need not take seriously his inimitable comments like 'no guts,' 'eye-wash,' etc. (Interruption by Sri S. Nagappa.) As I have already

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said, I do not propose to take these criticisms seriously and attempt to answer them. But I would like to tell the hon. Member that delegates will be sent from this State to attend the conference. The expenditure on the journey that will be undertaken by these delegates does not come under this Demand. I would like to tell him and the hon. Member Sri Venkata Subbayya that it is not any of the Ministers or Secretaries to Government or even the hon. Members of this House that are going to attend the conference. It is a technical conference and only certain engineers will be attending it. But I am unable to give an assurance to Sri S. Nagappa that only engineers coming from Rayalaseema, Guntur and Nellore districts will be deputed to that conference. As the hon. Member Sri A. Kaleswara Rao pointed out, there is no territorial or communal question involved. We want the best engineers to do the work that we have got to do. We want the best talents, irrespective of whether the persons belong to this area or that area or to this community or that community. The Chief Engineers concerned will be selecting the engineers whom they deem fit for attending the conference and benefiting by it. Even Sri S. Nagappa, I am sure, will give the right answer if I ask him whether he will be satisfied if I appoint a chief engineer belonging to his community and also to his village (Interruption by Sri S. Nagappa) or whether he will be satisfied only when the High Level Channel of the Tungabhadra Project is completed. I have no doubt about the answer that he will give. We want the best engineers wherever they are. The Damodar Valley Corporation authorities have been persistently asking us to spare our engineers for carrying out their very difficult work. There is no question of territory or community in this matter. Of course I can give the assurance to the hon. Member that no injustice will be done to any territory or community. If, however, the hon. Member has got any suggestion about the personnel that is to be selected for deputation to the conference, he could give the suggestion to me and I will simply pass it on to the Chief Engineer for his due consideration.

"The hon. Member, Mr. Salam, suggested that it would be more useful and profitable if the eminent engineers from various countries attending the conference visited some of our projects. It is not absolutely necessary for these experts to visit every place in order to study the various problems that confront engineers. Several problems will be posed and discussed. At the same time, I would like to tell the hon. Member, Mr. Salam and this hon. House that I have been told that it has already been arranged to divide the foreign and Indian delegates who will be participating in the conference into two batches. One batch will be touring Northern India in a special train. The other batch of engineers will be undertaking a tour in this part of the country in a special train and they will be visiting several places of interest but not all places for want of time. Among the places that are proposed to be visited are the Tungabhadra Project works and the Grand Anicut over the Cauvery.

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[Janab Abdul Hameed Khan]

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they collect large sums from this State in the shape of income-tax and other taxes to the maximum and give back very very small contribution to us out of that collection. So I feel all the expenditure connected with this conference should be met by the Government of India. Fifty thousand rupees is not a small sum. Only this morning, in answer to an interpellation, the Hon. Minister for Public Works told this House that he could not take up this thing and the other thing for want of finance. On account of this we cannot afford to contribute fifty thousand rupees to the holding of this conference. I do not suggest this conference should not be held. It is really useful to the country. It will help to develop the resources of our country; it will help us to exploit our resources. It is a welcome conference and we shall certainly send our representative to participate in this conference. But participation does not necessarily mean contribution of as much as fifty thousand rupees to meet the expenses of the conference."

SRI A. KALESWARA RAO:—"Madam Deputy Speaker, the holding of the international conference on large dams in the capital of India is a rare occasion. Experts and famous engineers from the whole of the civilized world are expected to attend that conference. The Government of India on behalf of the people of this country have invited this famous conference to this country. So it is but right that this State also should contribute its mite, its proper share to the successful holding of this conference. I am sure this Government will send the experts who are available with them. There is no use of territorial of communal representation in the selection of the delegates. It is the experts that ought to go; it is the experts that are expected to exhibit their talents there, and so the best engineering talent available in the State should be sent to it. They should go and study the problems that arise there; they should take an intelligent part in the discussions and in the deliberations. Therefore, as one of my predecessors has stated, Madras is noted for its engineering talent; so, our engineers should attend the conference; and so, the Government of Madras should take full advantage of this conference, invite the illustrious experts that attend the conference to this State, ask them or rather take them to the various projects that are now under execution, show them the sites of projects that are yet to be planned, estimated and executed and ask their advice with regard to their investigation and the possibilities of extension of irrigation and electricity in this State. Therefore, the Government of Madras should not grudge meeting this expenditure of fifty thousand rupees. Madam, some time back, some American experts visited the Ramapadasagar project, and they even advised that the scheme should be taken up. But the Government of Madras and the Government of India have not chosen to take it up for various reasons, which I am not going to enter into now."

DEPUTY SPEAKER:—"The hon. Member can continue his speech after lunch."

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

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(After lunch—3 p.m.)

DEPUTY SPEAKER:—"Sri A. Kaleswara Rao will now continue his speech. He should not take more than five minutes."

SRI A. KALESWARA RAO:—"Madam, Deputy Speaker, I was saying that, in spite of the American experts visiting the site and examining the plans and estimates of the Ramapadasagar Project, the project was thrown into cold storage. Somehow it was postponed *sine die*. The chief needs of the Madras State are food, irrigation and hydro-electric schemes. The waters of the Cauvery, the main river of Tamilnad, have been harnessed to the full by the construction of many dams and anicuts. Only in the Andhra country there are many rivers whose waters can be harnessed to meet the needs of the State. The waters of the three great rivers of the Tungabhadra, Krishna and Godavari have to be harnessed not only for the benefit of this State but also of Telengana. Visala Andhra will be benefited if there is a joint effort by the Governments of Madras and Hyderabad. Andhra country is full of rivers like the Rushikulya in the Visakhapatnam district and the Swarnamukhi in the Chittoor district, and there is plenty of scope. If the waters of these rivers are fully utilized, not only will the Andhra country be flowing with milk and honey, but it can also export any quantity of foodgrains to other parts. I join the several hon. Members who said that the Government must utilize this opportunity to bring all the engineers attending the conference, show them these great rivers and examine the possibility of building dams and anicuts at cheap rate and on a scientific basis and the development of hydro-electric schemes in the Andhra part of the Madras State. I hope the Madras Government will take full advantage of the opportunity to bring the best engineers of the world here, allow our State engineers to come in contact with them, and then send our engineers also to foreign countries, if necessary, to study things there and give the benefit of their knowledge to the people of the Madras State."

"With these words I support the Demand moved by the Hon. Minister."

* THE HON. SRI M. BHAKTAVATSALAM:—"Madam, Deputy Speaker, several hon. Members spoke on this Demand for making a grant to the international conference on large dams. I am obliged to them for the very helpful comments that they have made. While supporting the Demand, Mr. Mahboob Ali Baig referred to the National Planning Commission and to the neglect of the interests of this State. I can assure him and this Hon. House that so far as this Government are concerned, they are doing their very best to safeguard the interests of this State with the Government of India. I want the hon. Member Mr. Mahboob Ali Baig also to appreciate the difficulties of the Government of India in the present situation. There should be no feeling in the minds of the hon. Members that the Government of India are treating a State and a State in a different manner."

DEMAND VIII—IRRIGATION

[Sri M. Bhaktavatsalam] [13th October 1950]

"I have no doubt, Madam, that this House will ungrudgingly vote for this Demand." [Interruption by Sri Nagappa.]

DEPUTY SPEAKER:—"Why is it that the hon. Member Sri S. Nagappa goes on interrupting? I do not understand this method at all."

SRI S. NAGAPPA:—"On a point of personal explanation, Madam."

DEPUTY SPEAKER:—"Is it in explanation of what I have said? Why does he get into the habit of going on interrupting? It is not good."

2-15 p.m. SRI S. NAGAPPA:—"Madam, the Hon. Minister just now said that I will not be satisfied even if the Government selected an engineer from my own community and from my own district. I never said . . ."

DEPUTY SPEAKER:—"The hon. Member cannot make a speech now. Let him say in one sentence what he wants to say?"

SRI S. NAGAPPA:—"Madam, the Hon. Minister said that I should suggest the personnel and that he would be pleased to send them as delegates to the conference, if they are members of my community. I never wanted to . . ."

DEPUTY SPEAKER:—"He did not say that. Let not the hon. Member make a second speech now."

SRI S. NAGAPPA:—"I never said, Madam, that members of my community should be sent as delegates. What I said was that young men are available and that if they are selected and sent as delegates their services will be useful to the State and nothing more . . ."

DEPUTY SPEAKER:—"The hon. Member need not repeat it once again. Now I am going to put the cut motions to the vote of the House, and I want to know whether hon. Members who have moved their cut motions are going to withdraw them."

JANAB MAHBOOB ALI BAIG:—"I am prepared to withdraw my cut motion, Madam."

The cut motion was, by leave, withdrawn.

SRI S. NAGAPPA:—"I have no objection, Madam, to withdraw my cut motion, if the Hon. Minister is prepared to answer the point that I have raised. My point was that while I wanted him to select such men who will be of service to the State . . ."

DEPUTY SPEAKER:—"No more explanation need be given. I want to know whether the hon. Member is withdrawing his cut motion or whether he is pressing it."

SRI S. NAGAPPA:—"I am withdrawing the cut motion, Madam."

The cut motion was, by leave, withdrawn.

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JANAB MOHAMED ABDUL SALAM:—"In view of the satisfactory explanation given by the Hon. Minister, I withdraw my cut motion, Madam."

The cut motion was, by leave, withdrawn.

DEPUTY SPEAKER:—"The question is—

'That the Government be granted a further sum not exceeding Rs. 100 under Demand VIII—Irrigation.'"

The Demand was carried and the grant was made.

DEMAND IX—HEADS OF STATES, MINISTERS AND HEADQUARTERS STAFF.

THE HON. SRI H. SITARAMA REDDI:—"Madam Deputy Speaker, on the recommendation of His Excellency the Governor, I move—

'That the Government be granted a further sum not exceeding Rs. 32,500 under Demand IX—Heads of States, Ministers and Headquarters Staff.'

"Madam, I should like to reserve whatever I have got to say at the end."

DEPUTY SPEAKER:—"It will be more helpful for the discussions, if the Hon. Minister explains now the object of this Demand."

THE HON. SRI H. SITARAMA REDDI:—"Madam, the details regarding this demand for a supplementary grant are at page 4 under Grant IX of the supplementary statement of expenditure, and the Explanatory Note therein gives the details under this head. I move that the Government be granted a further sum not exceeding Rs. 32,500 for the purpose mentioned therein."

DEPUTY SPEAKER:—"Then what is it that the Hon. Minister wanted to reserve at the end?"

THE HON. SRI H. SITARAMA REDDI:—"Any special points which hon. Members may raise in the course of the debate, Madam."

DEPUTY SPEAKER:—"That is the reply which the Hon. Minister will have to make at the end. Anyhow, that is no reservation. The motion is—

'That the Government be granted a further sum not exceeding Rs. 32,500 under Demand IX—Heads of States—Ministers and Headquarters staff.'

SRI K. R. KARANTH:—"Madam Deputy Speaker, I move the cut motion standing in my name, namely—

'To reduce the allotment of Rs. 32,500 under this Demand by Rs. 100.'

"I hope, Madam, that I can speak on this motion later on,"

DEMAND IX—HEADS OF STATES, MINISTERS AND
HEADQUARTERS STAFF

[13th October 1950]

SRI M. G. NATESA CHETTIYAR:—“Madam Deputy Speaker, I move the cut motion standing in my name, namely—
‘To reduce the allotment for this Demand by Rs. 100.’”

SRI S. NAGAPPA:—“Madam Deputy Speaker, I move the cut motion standing in my name, namely—
‘That the allotment be reduced by Rs. 100.’”

JANAB H. S. HUSSAIN:—“Madam Deputy Speaker, I move the cut motion standing in my name—
‘To reduce the allotment by Rs. 100 under this Demand.’”

JANAB MAHBOOB ALI BAIG:—“Madam Deputy Speaker, I have given notice of two cut motions and I move both of them, namely—
‘To reduce the allotment by Rs. 100.’”

SRI T. VISWANATHAN:—“Madam Deputy Speaker, I move the cut motion standing in my name, namely—
‘To reduce the allotment by Rs. 100.’”

* SRI K. R. KARANTH:—“Madam Deputy Speaker, I shall be very brief, because there are a number of other demands also. I wish that the Hon. Minister had given us some idea as to how long the labours of this Committee will last and when we could expect some legislation on the subject. As to the appointment of the Committee itself, I have had my say in this House more than once. Therefore I shall not repeat myself. But I want to bring to the notice of the Hon. Minister and of this House certain things that are going on in the districts. It is well known that land reform was one of the major items of our election manifesto in 1946. To-day what is happening is that in view of the legislation which has been promised, a large number of evictions are taking place and eviction proceedings are being instituted. Speaking of my own district—I do not know what is happening in other districts, because I have not sufficient knowledge of them—I know, as a matter of fact, that notices have been given by many landlords to their tenants who had been for generations on the land to evict them from their holdings, because they want to take possession of them, themselves, and this is causing very great hardships to the tenants.

“Secondly, Madam, there is one other thing which the Government should take serious note of. I shall not be satisfied if it is merely said that it is the concern of the Hindu Religious Endowments Board. There has been a studied attempt—I do not know whether it is so elsewhere—but at any rate, in my district it is so—to increase the rents of the tenants who are in the occupation of temple and math lands for years together. Some directions seem to have been given by the Hindu Religious Endowments Board, that rents in respect of lands belonging to religious endowments and maths should be increased and that the rentals

DEMAND IX—HEADS OF STATES, MINISTERS AND
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should be auctioned annually and given to the highest bidder. I have myself seen some such orders. I cannot imagine any Government, much less a Congress Government, allowing this sort of thing to be done by a body which is under their control. If there are any class of landlords who ought to be considered and who ought to treat their tenants liberally and with sympathy, it is the Government and the Government controlled agencies like the Board. The tenants have been living on these lands for generations together and now directions are given by the Board to the temple authorities saying ‘You must auction the rentals annually to the highest bidder.’ I do not know whether this Board is living on earth or elsewhere. I say, if it is responsible for giving such directions, it ought to be abolished at the earliest possible moment. To say that the rents should be auctioned to the highest bidder, is a thing which is never heard of. What is the effect of such a direction? Some middleman who does not cultivate the land himself will come and bid at the auctions. Madam, tenants in my district have got the right to improve the lands which they have taken lease of, and the customary law of the district also allows them to make improvements. As I said, they have been on these holdings for generations past, and therefore the highest bidder contemplated by the Religious Endowments Board will naturally have to go to a court of law to evict them. What an amount of money would be spent and what hardships would be caused to the tenants, I need not mention. This wonderful Board has been given statutory powers for framing schemes in respect of maths. And one of the reasons they give as a cause of action for framing such schemes is non-auctioning of rents as mentioned by me. Hence temple and math authorities are issuing a large number of notices to tenants to quit their holdings. I cannot imagine a greater injustice being done by the Hindu Religious Endowments Board.

“Now, Madam, there are many longstanding tenants in my district who have been paying very high rents and they have been crying for years together for some reduction in their rents or that fair rents should be fixed and that some security of tenure should be given to them. I submit to the House that this was a reform which was intended to be carried out even when we took up office in 1946. It was with that object in view that an officer was appointed to enquire and report. He made his report somewhere in August or September of 1947. Then my successor Sri Kala Venkata Rao announced both in this House and the other that a comprehensive legislation would be brought for the reform of land tenures very soon. In April 1947, a resolution was passed by the Congress Party that immediate legislation should be brought forward by the Government for the reform of land. After that, the Kumarappa Committee has also made its report. I do not say that the Government should be bound by every word of that Committee. Perhaps they may have their own views on this question, but they must come forward quickly to do something in

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that direction. This was a most important plank in our election programme. Now after four years to be told that some other Committee has been constituted and that it is going on with its labours and that it is going to review the whole situation and so on, is something which is rather very hard to bear. I should like to know from the Hon. Minister when this Committee is expected to close its labours. It is no use of the Committee going on from month to month with making enquiries, taking down evidence and proceeding on with its labours. The terms of reference of the Committee are so wide that it is impossible to say when it would finish its labours and produce a report. It has got to go into a number of things such as the land revenue assessment, economic holdings, land-tenure, absentee-landlordism, village officers, etc. I submit, Madam, that at least this one question, namely, the eviction of the tenants, should be immediately taken up by the Government and legislation introduced to stop such evictions. I do not ask for more. Provided there is a tenant who has been on the land for a long time and whose family has been getting its livelihood for generations from that land, if he pays the rent in due time, such a tenant should not be evicted. That is the minimum I am asking. I want to know whether the Government are really serious about bringing forward at least this little piece of legislation. I would have wished for a major legislation for the reform of land being passed by this House before we go out for the next elections. This reform is long overdue. Whether it fructifies or not, I want to know at least whether the Government would ask this Committee to express its opinion on this matter and make its recommendations immediately therefor. Even if the Government are not going to do anything by way of legislation for the tenants in all ryotwari areas in the State, at least let them bring forward a legislation so far as my district is concerned, or if even that is not possible, let them at least allow me to bring forward a legislation and I shall do so. There is hardly six months before us for the next elections to be held and if we do not do anything before that time, the conditions of the tenants will become worse. I know that temples are giving notices to their tenants to quit their holdings and last week when I left for Madras I was told that the Manjeshwar temple authorities have given notices to their tenants who have been on their lands for 100 years and more to quit them before next March. I should like the Government to tell us what their intention is and whether they will allow this sort of thing to go on or whether they would give some immediate relief which I am asking for."

* SRI M. G. NATESA CHETTIYAR:—"Madam, Deputy Speaker, this Committee has been set up to deal with the question of improvement and reform in respect of the method of assessment of land revenue in ryotwari areas. It has not been constituted to deal with all the reforms necessary regarding lands. It has been set up to advise the Government only in respect of a particular matter. I know that this Committee could

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not go into all the defects in the administration of land revenue in this State. When the zamindaris have been abolished, I do not see why those estates also have not been included within the scope of this Committee. To-day, my hon. Friend Mr. Karanth was speaking about the eviction of tenants in respect of temple lands. But in respect of Government lands, may I inform the Government that the revenue authorities are issuing eviction notices on people who have no other lands except *sivoyjama* lands cultivated by them at the present moment. I do not know why this question has not been included in the terms of reference of this Committee. Difficulties have been experienced in respect of assignments which have been pending and revenue authorities have been acting mercilessly in the matter. Hitherto, zamindars and other landlords were accused of committing crimes by way of eviction of the landless poor, but now the Government themselves have started committing the same kind of crimes against these poor people. People who have been cultivating the lands on *sivoyjama* terms in connexion with the grow-more-food campaign have been ordered to be evicted. Some people who have been there for 15 years have been given notice of eviction on the ground that the lands are required for political sufferers. Political sufferers have now been set up to take away the lands of the landless poor. That is the general charge that has been levelled. Recently, I happened to come across a batch of cases where the landless poor were deprived of their lands for the purpose of assigning them to political sufferers. The result of such a step is that there will be troubles and turmoils in the local area. Unnecessarily, the Government would be exposing themselves to the charge of being untrustworthy. This has to be checked at least now.

"Madam, I see that the Malabar Tenancy Bill is going to be piloted in this House now. When the Government have on the one hand set up a Committee to consider the question of land reform, why should they on the other hand introduce reforms of a special nature in Malabar? What is the difference between the Malabar Tenancy enactment and the reforms considered by this Committee? There cannot be any difference between the proposals in the Malabar Tenancy Bill and the recommendations in the Committee's report. There is eviction going on in respect of lands under *sivoyjama* cultivation so far as the landless poor are concerned. All the pending cases and proceedings at present before the Government or the revenue authorities must not be proceeded with. When the zamindari legislation was introduced, it was provided that nobody should be evicted from the lands. Now the Government are going to introduce land reforms in the State and they have appointed a committee for the purpose. Then why should they take proceedings for eviction in the meanwhile? Nobody must be evicted from the land. From the lowest revenue authority to the highest Government authority, everyone must be restrained from taking action for eviction, so long as he pays rent

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and does not misuse the land. That should be the consistent policy of the Government now. Madam, there is no reason why the Malabar Tenancy Bill must be piloted now. As regards evictions, the Government must issue a Government Order that no cultivating ryot must be evicted.

"Madam, the proceedings of the Land Revenue Reforms Committee must be communicated to the Members of the House, as and when they are communicated to the members of the Committee so that they may be apprised of the points that are being considered by the Committee. Hon. Members must be able to call for all the papers connected with the Committee. I do not know whether it will be possible for a Committee of this nature to deal with such a big question of land revenue reform. I am afraid it may become something like the zamindari legislation, ineffective in its nature. When the zamindari legislation was considered, we suggested many amendments, but they said that the vested interests were opposing the Bill. But now I find that the Government themselves are bringing forward from time to time the same kind of amendments which the vested interests brought forward. Madam, I want the proceedings of this Committee to be supplied to the Members of this House week after week. The Members of this House should at any time be at liberty to represent to the Committee the difficulties that have arisen in their constituencies and in the State as a whole. With these remarks, Madam, I support the Demand."

* SRI S. NAGAPPA:—"Madam, I should like to bring to the notice of the Hon. Minister the difficulties of agricultural labourers. The Government have constituted a committee to advise them on the problems relating to the question of improvement and reform in respect of the method of assessment of land revenue in ryotwari areas. There is already a ready-made report, the Kumarappa Committee Report. That Committee was appointed by the Congress High Command and this Government is also a Congress Government. If this Government had wanted to do something and if they are sincere in their desire to carry out their election pledges, they could have given effect to the recommendations in that report. They need not spend this Rs. 32,000 on this Committee. It is sheer waste of public funds."

"As regards land revenue assessment, what is happening to-day? A man owning two acres of land has to pay at the same rate as a man owning 2,000 acres. Is there any justification for it? Is it commonsense? There is no need for a committee to recommend a change in this system. AM holdings below 2 or 3 acres and even below 10 acres should be exempted from the payment of land revenue. Landed aristocrats holding hundreds and thousands of acres of land may be asked to pay twenty times and hundred times the assessment. The Government could make enough money by that means. Sir, we all know what the British Government did when there was agitation in the legislature or in the public with regard to any question. They appointed a

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"Coming to the question of the agricultural labourers, these poor fellows are sold away along with the lands as if they were so many cattle, in order that they may till the lands under the new owner. That is the position of the agricultural labourers. If the Government had really wanted to improve their condition, they could have done it during the last four years. They have had enough time for it. If the Government had raised the economic and social status of the agricultural labourer, they would have produced more food for the country. If the agricultural labourer had been made to realize that he is working for his own sake, his country's sake and the people's sake, he would have produced more and more. But landed aristocrats grab everything. Most of them are absentee-landlords living in the towns and cities carrying on some other business or entangling themselves in politics. When that is so, how do you expect him to produce more food and solve the food problems of his State? I say it is all sheer bosh! I have no confidence that they will do justice."

SRI K. BRAHMANANDAM REDDI:—"On a point of order, Madam."

SRI S. NAGAPPA:—"I am not yielding, Madam."

DEPUTY SPEAKER:—"The hon. Member has to yield when another hon. Member rises on a point of order."

SRI K. BRAHMANANDAM REDDI:—"I do not understand what is meant by 'bosh', Madam. Is it English literature or what literature is it?"

SRI S. NAGAPPA:—"It is Guntur literature."

DEPUTY SPEAKER:—"The hon. Member, Mr. Nagappa, may please use decent language."

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SRI S. NAGAPPA:—"Madam, I wish to bring to the notice of the Government the troubles of the poor agricultural labourers and poor landholders. When I speak about it, I feel it myself and give expression to my feelings. What can the landed aristocrats understand about the difficulties of the agricultural labourers?"

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

SRI S. NAGAPPA:—"Has any time-limit been fixed, Madam?"

DEPUTY SPEAKER:—"Yes, ten minutes."

SRI S. NAGAPPA:—"Within this three minutes, I shall cover as many of the points as I can. As regards political sufferers, I am not standing in the way of these people being granted lands."

DEPUTY SPEAKER:—"How can the hon. Member bring the question of political sufferers here?"

SRI S. NAGAPPA:—"The demand is about the Committee to enquire into the land reforms."

DEPUTY SPEAKER:—"Not for the purpose of granting lands to political sufferers."

SRI S. NAGAPPA:—"I want to bring to the notice of the Government that in the name of political sufferers lands are snatched away from poor agricultural labourers who have re-claimed the land at an enormous cost of money, energy and time."

DEPUTY SPEAKER:—"But it is not relevant to this question."

SRI S. NAGAPPA:—"May not be, Madam."

DEPUTY SPEAKER:—"I am telling the hon. Member that it is not."

SRI S. NAGAPPA:—"As regards the assessment, I want to ask this Government to introduce the slab system. Now they have found it very difficult to procure grain from the landed aristocrats. The landed aristocrats have political power and they do not yield to the officials and the officials are afraid of them. Therefore why do not the Government collect land revenue from these people in the shape of grain? The village officers themselves can do this work without a special procurement agency. Grains are badly needed. Why should the Government first of all collect revenue in the shape of cash and then go to these people with empty bags to collect grain? The rich landlords of the village do not give grains. They point out the poor people, especially those whom they do not like, and the procurement officials procure the grain from them. The Government should

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do justice to the poor people and should have the courage to procure the grain from the rich landholders even though they may be political magnates.

"Then there is another point, Madam. The Hindu Religious Endowments Board has so much of land. Why not the Government form co-operative societies for them, as they have formed field labour co-operative societies in the case of Lanka lands and appoint a special development officer to look after them?"

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

SRI S. NAGAPPA:—"Thank you, Madam."

* JANAB H. S. HUSSAIN:—"Madam, Deputy Speaker, it is admitted by all that there should be some reform of tenancy legislation in the State and the question appears to have been long overdue in spite of persistent demands from all quarters. It was at one time thought that soon after the abolition of the zamindaris and the estates were taken over there would be a uniform system of improvement and reform of ryotwari tenure for the whole State. But then, what do we find? Instead of taking timely action and steps towards that goal, the abolition of the zamindaris is proceeding rather slowly and in spite of clamour for reform of the tenancy system in the State, especially in the ryotwari areas, at the fag-end of the term of this Legislature and also of the Government, a committee is set up to go into the question. The committee consists of a member of the Board of Revenue, a civilian as Chairman, and another civilian as Secretary. Of course, there are other members who represent perhaps the vested interests or the landowners alone, and I am not quite sure whether there is any accredited representative of the tenancy class on this committee. I am just informed by the Hon. Minister that the hon. Mr. V. I. Muniswami Pillay, a member of this House, is on the committee to represent the interests of the ryotwari and other tenants in the State. But, I wish, Madam, there were some more representatives of the tenants. Of course, I do not mean to say that my hon. Friend, Mr. Muniswami Pillay will not effectively represent the interests of the tenants, but it would have been better if there had been more representatives of the tenants, because it is they who stand in need of reform. It is stated in the Explanatory Note that the committee is to advise the Government on the problems relating to 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 condition of cultivating tenants and agricultural labourers. All that is good and I have nothing to say against the purpose or the objects of this committee. But then, Madam, the activities and doings of this committee appear to be shrouded in mystery and secrecy. We do not hear much about its activities. Only the other day, some questionnaire was sent round and probably replies were

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sent only by vested interests and landowners' associations throughout the State and I am not quite sure whether any replies were received from the tenants or their representative associations in the State. Though it is purely a Government committee with an official Chairman and official Secretary, it would have been better if they had toured round the State and come into contact with the tenants themselves in their own areas and examined them on the spot. That would be the proper way of going about the business of formulating proposals for tenancy reform in the State, but the Government do not seem to have done the right sort of thing in the matter of tenancy reform if they are really serious about it. The result of all this is delay and the persistent demand of the people has not yet been met. Because of the setting up of a purely Government committee, the impression has gained ground among the people, especially among the tenant class, that the Government are trying to evade the issue and shelve it altogether till the general elections take place. Therefore, Sir, I say it would have been better if there had been more representatives of the tenants on the committee and the committee itself came in contact with the tenants themselves. At least to show their sincerity of intention, they should give more scope for tenants' representatives to make their representations either inside the committee or outside it if they visit their areas throughout the State. Otherwise, there is always this danger. We know some sort of piecemeal legislation is being introduced for this district or that. As for example, a legislation is being introduced for amending the Malabar Tenancy Act, and under such circumstances, the tenants in other parts of the State think that the Government are partial only to one district and do not care for the interests of tenants in other parts of the State. That is the sort of impression that is gaining ground that such things are being done by the Government in a very halting manner. If it is really the intention of the Government to have a uniform system of land revenue under a well-defined code or legislation or whatever it is, I see no reason why such piecemeal legislation should be introduced for the benefit of any one district alone in the State. Especially when a committee has been set up to go into the whole question of reform with regard to tenancy in the State, it would have been more graceful if the Government had held up all other reforms and waited till the report of the expert committee on which there is one or two trained and well-seasoned civilians, one as Chairman and the other as Secretary, is received. They would give us the benefit of their advice after considering the views not only of the landowners but of the tenancy class who are actually affected and who have been clamouring for reforms for several decades. Therefore, when the Government have set up this committee at the fag-end of the term of this legislature and of their own term, naturally people feel that the Government are trying to evade the whole issue by such delaying tactics. That is the impression, as I said already, that has been gaining ground and that is I am sure strengthening the kisan movement and here and there

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they are committing acts of violence and they more or less seem to be allied with communist elements. In my own district, it has been happening. Take for instance the sub-taluk of Hosdrug and also some parts of the Kasaragode taluk. There things are going from bad to worse. Therefore, I would suggest that the Government while conducting an enquiry through their own committee, should take the tenant class into their confidence by giving representation to that class on this committee by taking in more of the chosen and accredited representatives of tenants. That would, I think, facilitate the work of the committee and at the same time allay the fears and doubts that are now to be found among the tenants and also the agricultural labourers in the State."

JANAB MOHAMED ABDUL SALAM:—"Madam, Deputy Speaker, if not for any other reason, for one thing at least this Government have become famous and that is, whenever they want to postpone or shelve matters, they appoint a committee to go into the matter. If I am properly informed, there are reports of about 10 committees pending consideration by this Government. Madam, you might have heard during the question hour the Hon. Ministers replying in regard to certain matters, that they have appointed committees, that the committees are going into those matters, committees have submitted their reports and the matters are under consideration and so on. For years, the reports of certain committees are under the consideration of the Government and perhaps in that view even this matter has gone before a committee. First of all, Madam, I have no time to go into all its aspects, but we cannot understand the basis of this Government in selecting members for this particular committee. The question of selecting members is the most important factor in deciding the issue and the way in which the Government have nominated members to the committee by one stroke of the pen, clearly indicates that they are not serious over the matter. Perhaps the Hon. Minister has forgotten the very election mandate which they put before the country, namely, that when the Congress Government should come into power, they would bring into existence a state based on socialistic principles. Perhaps he has forgotten that pledge. The persons appointed to this committee will not be able to do anything in the matter. Unfortunately, I have to say that the landed aristocracy has taken the upper hand with the party in power. I would like to repeat it again, that the landed aristocracy in the State have taken the upper hand with the party in power and so nothing that they have promised to the electorate will be possible.

"Madam, the second most important thing is the terms of reference to the committee. What is it that is expected of this committee? If the Minister and the Government are sincere they would have allotted a day to discuss this matter and as has been explained by my hon. Friend, Mr. Karanth, this matter need not be decided by a committee, because people have already given their opinions and those opinions could have been easily taken up and if they only want to do it they could have brought forward

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piecemeal legislation in regard to this matter. For instance, they have taken up the abolition of the zamindaris. It is very strange that Government have their own conveniences in matters like this. I will tell you how, Madam. They have passed legislation which they are not sure of implementing. They have passed certain legislation with a clause saying that they will implement that legislation after a date convenient to them. Take for instance, the legislation relating to abolition of horse racing. They said, we want to pass it and they have passed it, of course . . .

DEPUTY SPEAKER:—"That does not come in here."

JANAB MOHAMED ABDUL SALAM:—"I am only citing this instance to show how they are passing legislation to suit their convenience. Again, take for instance the Electricity Undertakings Bill . . ."

DEPUTY SPEAKER:—"The hon. Member cannot take up all Bills as instances. He should confine himself to the grant under discussion."

JANAB MOHAMED ABDUL SALAM:—"I only want to show, Madam, that the Government are not serious in regard to this matter and that all the money that is allotted is only a waste. After all, this Government were anxious to abolish zamindari land-lordism. But what about the next step they propose to take? They said, having abolished zamindaris they would take up the reform of ryotwari land tenure. Now, take the case of the Hon. Finance Minister."

DEPUTY SPEAKER:—"You cannot talk in a personal manner."

JANAB MOHAMED ABDUL SALAM:—"Take for instance the case of those who own a thousand acres, two thousand acres and so on. Now, if Government were to take up the reform of ryotwari tenure, all of us, including the Hon. Ministers would be affected. If Government were to take up that question, they should decide it, not outside this House, but they should decide it after discussing it in this House. Now, Sir, it was reported in the newspapers that a member of the Land Revenue Reforms Committee has resigned on some principle. We do not know, whether it is a fact. We do not know why Mr. Alluri Satyanarayana resigned. Perhaps he resigned on a question of difference of opinion. I wish the Hon. Minister tells us why he resigned. Is it on the question of the terms of reference of the committee? Again, I wish, Government issue a statement occasionally as to how the Committee is working. Why not the public know how the Committee is working. The public also are entitled to know about the deliberations of the committee. Why should they conduct their proceedings in a confidential manner? Why not throw it open to the public; why not allow the public to watch its proceedings; why not allow the Press to attend the meetings of the

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Committee? Madam, so far Government have promised to bring in several measures of reform on the floor of this House, more especially the Hon. Minister in charge of Revenue. But nothing has been done. This morning I was discussing about the terms of reference of this committee with one of the members of the Committee. In the course of the talk that member told me that the Committee can decide on any point without limitation, but it was open to Government to accept it or not. We do not know whether that is true. We do not know when the committee will finish its work. I hope the Hon. Minister in charge of this subject will give all this information in his reply. I would ask Government to bring at an early date the Agricultural Labour Minimum Wages Act. I appeal to the Hon. Revenue Minister to bring it as early as possible. Ministers have come and Ministers have gone; even Chief Ministers have come and Chief Ministers have gone. Some Ministers have passed legislation and their name has gone down in history. The Hon. Revenue Minister's predecessor in office, Mr. Kala Venkata Rao's name has gone down in history by the legislation abolishing zamindari system. The name of Hon. Mr. Chandramouli has also gone down in history by the passing of the panchayat legislation. I ask the Hon. Minister in charge of Revenue to think over this problem of ryotwari tenure, instead of appointing a committee with a thousand and one points to consider, and finally do nothing. I hope he will do something substantial to make his name go down in history."

JANAB MAHBOOB ALI BAIG:—"Madam, Deputy Speaker, I consider that the codification of land revenue is long overdue. If this committee which we are now considering, is to help Government in bringing a legislation for codifying land revenue system, it is a most welcome thing. For this will be only bringing the land tax, which is not now covered by any legislation, under a statute. The burning question, or rather, the age-long question has been, whether land revenue system should be codified and how it should be codified. Under the British Government rule, that Government has always been very hesitant; or rather, they put off the codification of the law for the reason that they wanted to exercise their discretion to increase or decrease land revenue at their own sweet will and pleasure. But now, under the article of the Constitution Act, a State cannot collect a tax without the basis of any law. So it has become necessary for this Government to codify land revenue system. Thank God, the Constitution of India has come to our rescue for codifying land revenue system. I do not think, if it were not so, this Government would ever have taken up this question of codification. I think they would have simply followed their predecessor-in-Government, by not taking it up. So this is a very wholesome and welcome step in the right direction, if really the constitution of this committee is meant as a precursor to codify the land revenue system."

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"Madam, I heard some members taking exception to the ryotwari landlords ousting their tenants. The point at issue now is, having abolished zamindari system, where the tenants had occupancy rights till now Government have converted those holdings into ryotwari holdings. That is Government have invested those tenants with more powers or rather, with the ownership of the land they held. They were called, technically, tenants, even though they did not actually till the land; they had patta in their name, and they held in this way thousands of acres, and yet they were called tenants under law. Now consequent on the abolition of the zamindari system, these tenants have been given ryotwari pattas. Therefore, the present position is this: by abolishing zamindaris, these tenants have become ryotwari owners; it is wrong to call them tenants; you cannot call them tenants; and so, we have got both in the erstwhile zamindari areas and also in Government areas ryotwari owners, pattaholders liable to pay a land tax to the Government. These zamin tenants, now that the Government have vested in them the rights of ownership, are now as good as ryotwari ryots under the ryotwari system. The question now is how far the ryotwari ryots can exercise their rights of full ownership by ousting their tenants. I very much regret that the Government have not given us an inkling of their view in this matter; nor are we told anything about the terms of reference of the Committee. If they say, 'We are non-committal, our decision will depend upon the conclusions of the expert committee' then, I have to say, we do not know who these experts are. They may be experts as far as land revenue matters are concerned; they, having been all through their life in the land revenue department, may be experts in their field; but whether they would be helpful to the public is a different matter. For they know only how to work the land revenue system; they are experts in assessing land revenue and collecting it; they are experts in revising the land revenue assessment once every thirty years and so on. They are experts no doubt; their technical knowledge is good. But whether they are public-spirited, whether they have the idea of the common good of the people, is a thing which I do not know. We do not know who the members of the Committee are. We do not know whether the country has confidence in them. We can expect such a committee only when this House has elected them. Now, it is with this intention that I gave notice of my cut motion. It is not known whether that Committee commands the confidence of this House; and that is my criticism with regard to this Committee.

"Madam, it was said by some friends that these are delaying tactics adopted by Government. But, I would like to be very charitable to them. For, I think, it may not be so, for I argue like this. They have only recently brought in uniformity of tenure among persons owning land. They have only just now

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converted the zamin tenants into ryotwari owners of land. So they are now to take up the next step in the sphere of land revenue reform. And so, the next step is with regard to the ryotwari owners of land. Most of the ryotwari owners of land, at least 95 per cent of them, including myself and others sitting on the other side of the House are not actually tillers of the soil. We give our land on lease to the actual cultivators at competitive rates. Now, the question to be considered is, whether the actual tiller of the soil is to be made the full owner of the land simply because he is tilling the land. Suppose I am a ryotwari owner of land owning 100 acres. Naturally, I cannot cultivate all the one hundred acres myself. I have to give away some of my lands on lease to be cultivated. So, now, the most important point to be settled by this Committee is that. Government should make up their mind through the advice of their experts what they should do. According to me this Committee is not at all representative of this House. Even assuming they are honest and public spirited and so on, Government should decide this question only after taking into consideration the prevailing conditions in the country. What with the Communist menace, what with the Socialist menace, what with the propaganda going on in the country that the highest earner should be levelled with the lowest earner, equalizing the incomes of all; it is left to the Government to decide whether these ryotwari owners of land should not be allowed to eject their tenants. It is a very serious problem. For this is an agricultural country. The wealth of this country lies in the value of the land. By not allowing the owner of the land to eject his tenant, are we not bringing down the value of the land? This is a serious matter that should be taken into consideration by the Hon. Minister. Of course, the sequence of bringing all the persons to the same level and then passing a legislation is quite correct. Even after what we have observed, will the Government still persist in going on with this Committee? What prevented them from saying that they were going to constitute a committee and asking this House to elect members to it? People would have confidence in a committee so elected. We do not know what the personnel of the committee is. It may be that the Government have selected the members with *bona fide* intention. But it would have been better if the Government had consulted the House in the matter. Though it is late, I think, it is not too late."

* SRI T. VISWANATHAM:—"Madam, I moved the cut motion to elicit information regarding the progress so far made by the Land Revenue Reforms Committee. I thought that the Hon. Minister had this cut motion before him and I expected him to say something about the progress so far made by the Committee. Other friends have spoken about the background of this Committee. It follows the promise made by the Congress Party in its election manifesto that the Congress Government would reform."

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the land tenures in this Province and do something for the tillers of the soil. The fact has already been adverted to that there have been two committees, one at the instance of this Government and the other at the instance of the Congress. The Government Committee is presided over by an experienced Government officer. However, this House is not aware of its progress. The Congress Agrarian Reforms Committee was presided over by a great rural economist. Not being a Government committee, the report of that Committee was not made available to the Members. All that we know is that one of its Members, who was a Member of the other House and the Premier of this State, had appended a dissenting minute to that report. Now comes another committee. We have no objection to the Government appointing any number of committees and they have been very liberal in appointing committees. What we want is some information about the progress made by the committee. I happen to know some members of the committee. Some months ago, I read in a newspaper that one of the members of that committee had offered to resign. We do not know whether he actually resigned or not. A statement purporting to come from him appeared in the Press to the effect that this Committee was overweighted with vested interests and that no useful purpose would be served by his continuing to be on it. Is it true that the Committee is composed of persons who have got a bias in favour of vested interests and that it cannot find out a satisfactory solution to the agricultural economic problems that are facing the State? We cannot get over the fact that there is great dissatisfaction with the existing land tenure system and the position of agriculturists and agricultural labourers. After the passing of the Zamindari Abolition Act, about 40 lakhs of tenants have become pattadars. But that is not enough. As is well known, all pattadars are not cultivating tenants. What is it that we have done to the actual cultivator? Several solutions have been offered. It is not as if there are no solutions. Solutions have been there for the past twenty or thirty years. We know the various land tenure systems prevailing in this State and the reforms that were sought to be embodied in legislation. So what we want are not committees and suggestions; we only want a definite policy to be pursued by this Government. I am one of those who believe that agrarian reform cannot be delayed any further in this State. It is all right for us sitting in this House engaged in other legislative activity to forget what is going on in the State. It may be that the Ministers are not on the right scent. When they go on tours, probably they are in the midst of persons who have other matters to discuss with them and they are not able to see exactly the discontent that is prevailing in the State. For relieving this discontent, the Government must come forward with a definite policy immediately. The steps necessary in that direction are to guarantee security of tenure to the actual cultivators and to fix an upper limit for rents payable by tenants known as under-tenants or sub-tenants or lopaikari tenants. Unless these two things

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are done immediately, the discontent will not be allayed. There is no use of the Government saying that they will await the report of the Committee. Even the Raghavendra Rao Committee's Report has not been examined and possibly that report also has been given to this Committee for examination. I submit that it will take a long time for the Committee to make the report, for the Government to study it, and then for this House to consider and pass a suitable legislation. I ask in all earnestness that this Government should take some immediate steps to make the cultivators feel that they have come into their own, that this State belongs to them, that the lands and the fruits thereof can be enjoyed by those who labour for them and that the Government represent their interests and have their welfare at heart.

"The Committee may consist of sincere members. They are anxious to have first-hand knowledge of different tenures and they propose to visit important areas of the State. I wish they see for themselves the various kinds of lands—wet lands, dry lands, lands with red soil or loamy soil, hilly lands and cultivable waste lands—and meet the tenants and hear their representations. I wish the Committee Godspeed. But I submit that it will not be able to give a report immediately. I said that one of the members of the Committee resigned on the specific allegation that it was overweighted with vested interests. I want the Government to take a warning from this and from the psychology that is prevailing among the tenants and the cultivating labourers. The Government have not come forward with a definite policy even after being in office for the last three years. I suggest that some steps should be taken immediately by this Government. I was glad to read in the newspaper that the Madras Government were considering the fixation of minimum wages for agricultural labourers. I want them to come to an immediate decision and make a very early announcement. That will put things right to a certain extent and give breathing time for the Government to consider other measures. I want them to give security of tenure to undertenants besides fixing the minimum wage for agricultural labourers. I hope these suggestions are acceptable to the Government and that they will take early action on them.

"I will be glad if the Hon. Minister gives in his reply an idea of the progress so far made by the Land Revenue Reforms Committee."

DEPUTY SPEAKER:—"Members who have given notice of cut motions have finished speaking. Hereafter other Members who wish to speak may speak. Each Member will be allowed to speak only for five minutes."

SRI A. KAMESWARA RAO:—"Madam, Deputy Speaker, I rise to support the Demand and in doing so I would like to pass a few remarks. The land tenure in this country is a very

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intricate problem. The British introduced the system of zamindars and intermediaries, ruled this country for about two hundred years and left. We have been able to abolish zamindaris. But even under the ryotwari system, there are landlords who are owning more land and the agricultural labourers are put to a lot of difficulty for want of land. I am not expounding a new theory if I say that all revolutions that took place in the world were the results of unsatisfactory land tenure systems. It is for land and living space that people fought battles after battles. As followers of Mahatma Gandhi, we have said in our election manifesto that we are going to abolish landlordism altogether. But we have not gone further and said that we are going to nationalize the whole land and distribute it among the poor. Under the system of adult franchise, a vote is given to every adult. The bulk of adults in this country are agriculturists and not industrial labourers or middle-classes. The majority of the votes belong to them. If they are class-conscious, if they open their eyes, they will elect their own men, men who would give them land, food and clothing.

"I quite agree with the remark made by some hon. Members that the present Ministry is composed of landed aristocracy. It is so. Otherwise we would have had a lot of reforms by this time. The future governments will be composed of agricultural and labouring classes. The have-nots are going to capture power. That day is very near. It is to them that we want to give power and we have framed our Constitution to benefit them. If my Friend, Sri Alluri Satyanarayana Raju, has really resigned from the Land Revenue Reforms Committee, he has done well, because this Committee will not do. As my hon. Friend, Sri T. Viswanatham, said, there have been so many committees and so many suggestions. The Committee is a mere eyewash. We know that during the British days and even now also, the most convenient way of shelving an issue is to appoint a committee to consider it. If the Government are really anxious for an early reform, they should have fixed a time-limit for the Committee to submit its report. Mere words will not get votes in the next elections. We cannot bamboozle the masses. The masses will rise against us if we do not pass legislation to benefit the common man. We have been able to capture the votes of the masses in the past because the voters were propertied people. Hereafter the labouring classes also have got votes. They will not give us their votes unless we do something for them and that too before the next general elections come up. I want the Government to consider this land tenure problem, nationalize the whole land and distribute it among the poor. The Government of Madras have taken the lead and earned the credit for being the first in the field of abolition of zamindaris. Let them also take the lead in abolishing absentee landlordism and the intermediaries in the land. Let there be a thorough change in the land tenures of our State. I am sure, Madam, that if the Hon. Minister for Revenue will

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take this little piece of advice and bring forward such a legislation, he himself will be returned to the Legislature at the next elections and then he can introduce the bigger legislation as regards land reform."

SRI P. KAKKAN:—“கனம் உதவி சபாநாயகி அவர்களே, கனம் ரெவின்யூ மந்திரி அவர்களால் சமர்ப்பிக்கப்பட்ட இந்த மான்ய கோரிக்கையை நான் முழுமனதுடன் ஆதரிக்கிறேன். இந்த சீர்திருத்த கமிட்டியின் சிலவிற்காக ரூ. 32 ஆயிரம், வேண்டுமென்று மாட்டுமல்லாமல் இன்னும் அதிகமாகக் கொடுத்தாலும் அதை வரவேற்க தயாராய் இருக்கிறேன். இந்த கமிட்டி என்றைக்கு ஏழை பாட்டாளி மக்களுக்கு ஒரு நல்ல காரியத்தைச் செய்யவேண்டுமென்று உட்கார்ந்தாரோ அன்றைக்கே இந்த நிலசுவாந்தரங்களுடைய வயிற்றில் இடி விழுந்திருக்கிறது என்பதை யாரும் மறக்க முடியாது. இந்தக் கமிட்டியை ஏற்படுத்திய பிறகு இந்த நில சுவாந்தரங்களுக்கு புத்தி வந்து உழைப்பாளிகளின் உழைப்பிற்கு ஏற்ற கூலியை நிர்ணயம் பண்ணி வருகின்றார்கள். பல கூட்டங்களும் போட்டு தீர்மானம் செய்திருக்கிறார்கள். ஆகவே இதை அரசாங்கம் துரிதமாக செய்து கமிட்டி அளிக்கும் தீர்்ப்பை துரிதமாக சட்டமாகக் கொண்டு வந்து நல்ல முறையில் செய்தால் நிச்சயமாக காங்கிரஸ் மகா சபை ஏழை பாட்டாளி மக்களுக்கு அளித்த வாக்குறுதியை நிறைவேற்றுவதாகும். இன்றைக்கிருக்கும் நிலைமையில் மற்ற எல்லா கட்சிக்காரர்களும் விவசாயிகளுக்கு ஏதோ பிரமாதமாக செய்து விடுவதாக சொல்லி வருகிறார்கள். கனங்களுக்கு அரசாங்கம் அவர்கள் சொல்வதைப் போல் சொல்லாமல் காங்கிரஸ் தன் லட்சியத்தில் ஏழை பாட்டாளி மக்களுக்கு என்னென்ன நல்ல காரியங்களை செய்யப் போகிறோம். அதாவது உண்ண உணவும், உடுக்க உடையும், இருக்க வீடும் கொடுப்போம் என்று சொன்னார்களோ அதைச் செய்து காட்டியே தீரும். மற்ற கட்சிக்காரர்கள் சொல்வதைப் போலல்லாமல் இந்தக் கமிட்டியின் தீர்ப்புப்படி இந்த அரசாங்கம் சீர்திருத்தம் செய்ய தால் காங்கிரஸ் நல்ல காரியத்தைச் செய்கிறார்களென்று ஜனங்கள் நிச்சயமாக நம்புவார்கள்.

“இன்றைக்கிருக்கும் குத்தகை, வாரம், கூலி என்ற முறையைப் பார்த்தால் மிகவும் விசித்திரமாக இருக்கிறது. அதற்குக் காரணம் என்னவென்றால் நில சுவாந்தரங்களுக்கு தன்னுடைய நிலத்தில் எவ்வளவு விளைகிறது என்றும் நிலத்தில் என்ன இருக்கிறது என்றும் தெரியாத நிலைமையிலிருக்கிறார்கள் ஆனால் ஏழை பாட்டாளி மக்கள் அந்த நிலங்களில் பயிரிடுவதால் அவர்கள் குத்தகை எடுத்திருக்கிறோம் என்ற ஒரே நோக்கத்துடன் உழைத்து வருகிறார்கள். ஆனால் அவர்களுடைய உழைப்பிற்குத் தகுந்த கூலி கிடைக்க வில்லை. ஆகவே அரசாங்கம் அவர்களுக்குக் கை தூக்கி விட்டு அவர்களுக்குள்ள கூலியைக் கொடுக்க வேண்டும். குறிப்பாக உண்ண மாகாணத்தில் அதிகமான நிலம் இருக்கின்றன. வேண்டிய ஆட்களிருக்கின்றார்கள். உழைப்பதற்கு வேண்டிய பலமும் சக்தியும் இருக்கின்றன. அதை நல்ல முறையில் பயன் படுத்திக் கொண்டு உழைப்பிற்குத் தகுந்த கூலியை அரசாங்கம் நிர்ணயம் செய்யும் படியான சட்டத்தைச் செய்யவேண்டும். குறிப்பாக எங்கு பார்த்தாலும் விவசாயிகள் அதிக வாரம்ப வேண்டும், குத்தகை வேண்டுமென்று சொல்லி வருகிறார்கள். இன்றைக்கு அரசாங்கத்தை கூலியை நிர்ணயம் செய்ய வேண்டுமென்று சொன்னால் அதற்கு வேண்டிய அதிகாரம் இல்லை, சட்டமில்லை என்று சொல்லி விடுகிறார்கள். அதனால் எங்கு பார்த்தாலும் குழப்பம் செய்யும்படியான காலம் வந்து விட்டது. ஆகவே அரசாங்கம் அடுத்த வருஷத்திற்குள்ளாகவாவது இந்த சட்டத்தைச் செய்து வாரம், குத்தகை முதலியவைகள் எப்படி இருக்கவேண்டுமென்று ஒரு முடிவு கட்டவேண்டும். அதன் பிறகுதான் நில சுவாந்தரங்கள் சரியானபடி குத்தகைக்கு விடுவார்கள். இப்பொழுது மதுரை, தஞ்சை ஜில்லாக்களில் மிகவும் குறைவான குத்தகைக்கு வாங்கி அதாவது ஏக்கருக்கு 25 கலம் என்று குத்தகைக்கு வாங்கி அதையே 30, 40 கலம் என்ற அதிகமான குத்தகைக்கு விடுகிறார்கள். இதனால் பாட்டாளி மக்களுக்கு ஒன்றும் சௌகரியம்

[Sri P. Kakkan]

[13th October 1950]

இல்லை. அவர்களுடைய உழைப்பிற்கு வைக்கோல் கிடைக்கிறதே யொழிய வேறு ஒன்றும் மிகுதலில்லை. இவ்விதம் பாடுபட்டு உழைப்பவர்களுக்கு ஒன்றுமில்லாமல் போகாதபடிக் காப்பாற்றுவது அரசாங்கத்தினுடைய கடமை. அரசாங்கம் ஏற்கனவே வாக்களித்த பிரகாரம் உழைப்பவர்களுக்குத் தான் நிலம் சொந்தம் நடுவிலி நக்கும் குத்தகைக்காரரான (Inter-mediaries) ஐ ஒழித்து விடவேண்டுமென்று வாக்களித்ததுபோல் இனிமேல் Intermediaries இருக்கக் கூடாது என்று ஒரு சட்டம் செய்யவேண்டும். இதை உத்தேசித்த நாம் ஜம்ந்தாரி சட்டத்தைக் கொண்டு வந்தோம். ஆகவே எந்த நோக்கத்துடன், இந்த மத்தியிலிருப்பவர்கள் இருக்கக்கூடாது என்று ஒழித்தோமோ அதே நோக்கத்துடன் அரசாங்கம் இந்த காரியத்தைச் செய்யவேண்டும். ஆகவே இந்த சீர்திருத்த ரிப்போர்ட்டை வெகு சீக்கிரத்தில் கொண்டு வந்து நல்ல காரியங்களைச் செய்யவேண்டுமென்று கேட்டுக்கொள்கிறேன்.

SRI R. V. SWAMINATHAN:—“Madam, Deputy Speaker, with regard to this question of the reform of land tenures, I may say that we have been very long delaying it and now at last the Government have come forward with the appointment of a committee to go into this question. Why should we have a committee at all to go into this question, I cannot understand. We know that the reform of land tenure is long overdue. We also know what the problem is, how tenants are suffering and what are the fair rents that could be fixed for the land and what should be done to improve the condition of the ryots. It is not as if this problem is new to us and we want to have a committee to go into this question and make recommendations. The Hon. Minister for Revenue himself can easily solve this problem by bringing forward a legislation, because he knows the problem in every detail and he also knows the solution for it. Why did he not himself bring forward such a legislation? Is he there simply to pass the files which are sent to him by the departments of the Secretariat? We expect, Madam, that our Revenue Minister must have some imagination as to what he should do for our people in the villages and what reforms he should effect, so far as the land system is concerned. Therefore, he must try to solve the problem himself without waiting for the recommendations of the Committee. We have got the powers and we are in a majority in the Assembly and, therefore, it should not be difficult for the Hon. Minister for Revenue to get the legislation through, if he is really anxious about it. My hon. Friend, Mr. Nagappa, made a hue and cry in this House about the urgent need for this reform and spoke with a great deal of vehemence. Some of the hon. Members were asking why Mr. Nagappa should speak like this. It is because of his long experience and of his intimate knowledge of the condition of tenants in the villages and of the sufferings and hardships they are undergoing under the present system, that he spoke in such a strain. ‘We can bring forward a land legislation here and now, if we want really to solve the problem.’ This is what he said.

“Madam, I have visited several places in Europe and have studied the land problems there and have seen the condition of the tenants myself. I have been to Scotland. It is a country

[Sri R. V. Swaminathan]

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which, for all practical purposes, is outside the control of the British Government. We do not see the sort of things there which are prevailing in countries under the Socialist Government. The British Government cannot decide things for Scotland, because it is merely a Labour Government. When I was in Scotland, I was taken by the department of the Scottish Government to a place where they have been working a land settlement scheme. There they have solved the very problems that we are now faced with in the different districts of our State, as for instance in Tanjore and Nellore. There in Scotland, they have taken a very big estate, which was under the ownership of a single person and divided it into several small holdings, with a minimum of six acres and a maximum of 60 acres and given them over to several farmers to do intensive cultivation by affording them all the facilities they required. They have built houses for the farmers and given them every convenience and facility. These pieces of land are given only to landless labourers and farmers. In that way they have been able to solve the land problem in that country. Why not we follow that example in this State also? We have got, on the one side landlords who have got vast extents of lands, which they are unable to look after themselves and carry out intensive cultivation, while on the other side, there are hundreds of thousands of landless people who have to work as farm-servants and field labourers. We can very easily follow what they are doing in Scotland and solve this problem in our State. We need not appoint a Committee for this purpose and await their recommendations. Even so far back as 1937, the Congress has stated in its election manifesto that its first duty after the assumption of office would be to solve the land problem once for all. Even during the last elections the same pledge was given by the Congress and it was on that election pledge that we were returned to this House. We promised that we would completely remove all the intermediaries between the landlord and the actual cultivator. We have not done so. Even for that, are we to have a committee to make recommendations? When I asked the Hon. Minister for Revenue what was the purpose of this Committee, he replied that the Committee would go into every question connected with land. What I want to urge upon the Government is, let this Committee submit its report very soon and let them introduce some legislation immediately to solve this problem.

“In western countries, they have got their own land legislation, which gives absolute security to the tenants without the least interference by the landlords. But what do we see here? Everywhere we hear of evictions and eviction proceedings and eviction notices. Eviction of tenants from land in those countries are unknown, because the tenants there are protected by their tenancy legislation. Why not we also have a similar legislation in this country? It is very easy for such a legislation to be introduced in this State also, because we are returned here in

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and land holdings that will be conducive to the welfare of the people of the State. (At this stage Mr. Speaker occupied the Chair.) Sir, a few hon. Members raised the question, 'Where is the need for a committee? This problem is simple and the Government could easily have passed an order and brought forward the legislation.' They treated the problem as though it was just nothing. I wish such of those hon. Members who have treated the matter so lightly had gone through the Government Order which was issued when constituting this committee. May I, with your permission bring to the notice of the House, that this Government Order was published? It was not merely published, but a Press Communiqué also was issued calling the attention not only of hon. Members of this House, but of the entire people of the State. The co-operation of the public was sought and they were asked to give advice and send in evidence. Questionnaires were issued and replies received not only from, as was stated by one hon. Member, landowners but from all sections of the people, right from those that hold what I may call extreme left views to those that hold near left views and also those people who hold Socialist views and other views. The committee has had the advantage of the replies to their questionnaire.

Another objection that was raised was that the Government wanted to delay implementing this reform and they have chosen this method of delay. Sir, I should like to call the attention of hon. Members to the Government Order that was issued. It said that the Committee must submit its report by 30th September 1950. But when the questionnaire was issued by the Committee there was a representation made by the public that the time for reply was short. It was a very important matter. I am glad that the entire House realizes the importance of the reform that is going to be brought forward as a result of the deliberations of the committee. In order to see that the public had an adequate opportunity of sending in their replies time was extended so that people may not complain that enough time was not given to the public to send their replies. After the replies were received, the Chairman and the Members of the Committee suggested that they would like to send an early report. I would like to dispel from the minds of the members of this House any idea that either the Committee or the Government are anxious to delay the matter. I can assure this House that the Committee has been very anxious to see to the speedy disposal of this work. I would take this occasion to tell the House that the Committee has been working very hard, collecting a lot of material and collating them. It has got everything ready. Then it was put to the Government whether it was necessary to take oral evidence at all. The Committee wanted the advice of the Government whether it was necessary. At that time a Cabinet decision was taken, because we wanted the Cabinet to consider whether it was necessary to take oral evidence or whether we might be satisfied with the replies received to the questionnaire. There was a certain feeling,

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as has been expressed by a few hon. Members, that particular interests, particular areas and particular regions were not represented on the Committee. Then it was felt that it might be useful to the Government and the Committee and ultimately to this House, to have oral evidence recorded. So it was on the advice of and after the decision of the Government that oral evidence should be taken, that the Committee selected representatives from the people who had kindly sent their memoranda and issued invitations to them to come and represent their views orally. The Committee have been going on with the taking of oral evidence. Some hon. Members said, 'Godspeed to the members of the Committee. They seem to want to go round and see some of the places.' I do not see anything wrong if members of the Committee feel it necessary to go and see a few places. It is not a joy ride to any one of them. It is hard work that they are doing. We should be thankful to them that they want to go and see a few places and examine witnesses, so that their report may be much more valuable to us.

Sir, another question was asked: 'How long will the labours of this Committee last?' That was Mr. Karanth's question. He asked when it would close its work. Sir, the Government wanted the Committee to send an interim report and a final report. The interim report would contain information on most of the points raised by Mr. Karanth and a few other Members. It is expected to be submitted to the Government by the end of November. The Committee was willing to submit the interim report by the end of September, but since the Government felt that it was necessary that every interest and every section of opinion in the State should be satisfied and that oral evidence should be taken, there is some delay. I may assure hon. Members that this delay of one or two months is going to be of immense advantage to the Committee and the Government and this House. The report will be very comprehensive in view of the fact that no interest could say that its views had not been heard and examined. I am sure this House will approve of the decision of the Government to have oral evidence taken and the interim report presented at the end of November and the final report three months later. So much with regard to the progress of the Committee's work and when it is expected to complete its report.

Sir, I think it was Mr. Viswanatham, if I remember right, who wanted to know the progress so far made by the Committee. He made a statement that what we want is a policy and not a Committee. Sir, I am indeed surprised at the statement of the hon. Member. I agree that we do want a policy, but policies that are enunciated after due examination by an expert committee,—I take it, Sir, he agrees with me—are more valuable than airy policies evolved by particular single individuals. That is how the Government feel about policies.

DEMAND IX—HEADS OF STATES, MINISTERS AND
HEADQUARTERS STAFF

[Sri H. Sitarama Reddi] [13th October 1950]

"I now come to the specific questions raised, namely, that there are large evictions in South Kanara. I know that, Sir, and I have been receiving representations about these evictions in South Kanara. Memoranda have been submitted to the Government. We have called for a report from the Collector of the district and we have some information about this matter. I can assure him that the Government are aware of the urgency of the problem, not only in South Kanara but in other places also. But it would be unfair to the Committee which has been constituted to take a decision without going into the whole question.

"Mr. Natesa Chettiyar asked, 'Why not include zamindaris in this enquiry?' Sir, there is no need to include zamindaris in this enquiry. I wish to remind him, Sir, that under the Zamindari (Abolition and Conversion into Ryotwari) Act which he was responsible to help in passing, all zamindari areas are going to become ryotwari areas. With regard to the ryotwari areas, it is not such an easy problem. I should like to mention for the information of the hon. Members of the House the number of small pattadars in the State. Hon. Members may know it, but it is good to refresh our memory occasionally about the conditions in our State. Pattadars paying one rupee and less number 24 per cent of the total number of pattadars in the State. Pattadars paying more than one rupee but less than ten rupees number 58 per cent of the total number of pattadars in the State. Those who pay more than ten rupees but less than thirty rupees number 12 per cent of the pattadars in the State. The total is 94 per cent. I want hon. Members to realize that the problem is not so simple as they want to make it out. I want the Committee to go into the question how best we can fix up the relations between the tenant and the landlord, the relations between the cultivating agriculturist and the landholder. I want to remind Mr. Nagappa who has been very vehement about the agricultural labourers that the Government are equally conscious about their duty to this class of people. It is part of the terms of reference to the Committee. I can assure him that their interests will be safeguarded and looked into by the Committee. (Interruption.) My friend is, as usual in haste about some matters. I shall counsel him patience. 'Haste makes waste' is a proverb which it is best to remember.

"Sir, another question was raised, 'Why not the Malabar Tenancy Bill be delayed till this Committee's report is received?' I would remind hon. Members that there has been a Special Committee so far as Malabar Tenancy is concerned. We have had the report of that Committee. There is, therefore, no point in delaying that particular thing for which there is material already. Then Mr. Nagappa would complain, 'Here you have got the report of a Committee. You want to delay. Why don't you take action?' It is difficult. In one breath we are told we are delaying and in another breath we are asked, 'Why not

DEMAND IX—HEADS OF STATES, MINISTERS AND
HEADQUARTERS STAFF

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hold up?'. The Government have to weigh the several problems and do what is best in the interests of the people of the State

MR. SPEAKER:—"Now as it is 5 o'clock, I am going to 5 p.m. guillotine all the Demands. The question is—

'That the Government be granted a further sum not exceeding Rs. 32,500 under Demand IX—Heads of States, Ministers and Headquarters Staff.' "

The Demand was carried and the Grant was made.

OTHER DEMANDS GUILLOTINED.

DEMAND X—LEGISLATIVE BODIES.

MR. SPEAKER:—"The question is—

'That the Government be granted a further sum not exceeding Rs. 15,000 under Demand X—Legislative Bodies.' "

The Demand was carried and the Grant was made.

DEMAND XI—DISTRICT ADMINISTRATION AND MISCELLANEOUS.

MR. SPEAKER:—"The question is—

'That the Government be granted a further sum not exceeding Rs. 200 under Demand XI—District Administration and Miscellaneous.' "

The Demand was carried and the Grant was made.

DEMAND XIV—POLICE.

MR. SPEAKER:—"The question is—

'That the Government be granted a further sum not exceeding Rs. 9,02,000 under Demand XIV—Police.' "

The Demand was carried and the Grant was made.

DEMAND XV—EDUCATION.

MR. SPEAKER:—"The question is—

'That the Government be granted a further sum not exceeding Rs. 100 under Demand XV—Education.' "

The Demand was carried and the Grant was made.

DEMAND XVI—MEDICAL.

MR. SPEAKER:—"The question is—

'That the Government be granted a further sum not exceeding Rs. 1,00,300 under Demand XVI—Medical.' "

The Demand was carried and the Grant was made.

[Sri R. V. Swaminathan] [13th October 1950]

the name of those people and we are here in thumping majority and with the attainment of complete independence, we are at perfect liberty to do what we want for the good of the people and for the good of the State."

DEPUTY SPEAKER:—"The hon. Member has already taken five minutes for his speech. He must finish his speech now."

SRI R. V. SWAMINATHAN:—"Madam, I cannot finish it so soon, because I have got a lot of things to say. But since you have asked me to stop, I shall do so."

SRI A. VEDARATNAM PILLAI:—"கனம் உப அக்கிராசனாதிபதி அவர்களே, கனம் ரெவினியூ மந்திரியவர்களால் கொண்டு வரப்பட்டிருக்கிற இந்த டிமாண்டை நான் முழு மனதுடன் ஆதரிக்கிறேன். இப்பொழுது நில சுவாந்தாரங்களுக்கும் விவசாயிகளுக்கும் ஏற்பட்டிருக்கிற மன கசப்பை தீர்ப்பதற்காக ஒரு வழியைக் காணவேண்டியது அரசாங்கத்தினுடைய முதல் கடமை. இதை அறிந்து அவர்கள் இந்த கார்டியை ஏற்படுத்தி அதன் மூலமாக இதை பரிசீலனை செய்ய முன் வந்ததை எல்லோரும் வரவேற்கத் தகுந்தது. இந்த முறையை எடுத்துக்கொண்டு, முயற்சி செய்வதில் அது சரியான வழியில் செல்லுகிறதா என்ற விஷயத்தில் சில அபிப்பிராய பேதங்களுக்கு இடமிருக்கிறது என்பதை இங்கு கனம் மந்திரி அவர்களுடைய கவனத்திற்குக் கொண்டு வர விரும்புகிறேன். விவசாயிகள் பால் கட்டி ஏற்பட்டிருக்கிறது என்ற விஷயத்தை யாரும் மறுப்பதற்கு இல்லை. விவசாயிகளுக்கு வேண்டிய ஊதியமும் கிடைக்கவில்லை. இருப்பதற்கு வீடும் இல்லை. அவர்களுக்கு விவசாயம் செய்து கொள்வதற்கு நிலையற்றதாகி மிகுந்த கஷ்டதொல்லைகளைச் சந்திப்பதும் நிமிஷமும் மறுப்பதற்கில்லை. ஆகவே அவர்களுக்கு எல்லாம் ஒரு சரியான பரிசீலனை தேடிக்கொடுக்க வேண்டியது அரசாங்கத்தினுடைய முதல் கடமை இவைகளைச் செய்வதற்கு இன்று அரசாங்கம் எடுத்துக் கொண்டிருக்கும் நடவடிக்கை சரியானதா என்பதை உணர்ந்து அதை புனராலோசனை செய்ய வேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்."

"நேற்றைய தினம் கேள்விக்கு பதிலளிக்கையில் தஞ்சை ஜில்லா பட்டுக் கோட்டை தாலுகாவில் காவேரி மேட்டூர் பாசனத்தில் சுமார் 44,000 ஏக்கர் நிலம் தரிசாகக் கிடக்கின்றனவென்று கனம் மந்திரியவர்களே ஒத்துக் கொண்டிருக்கிறார். ஆனால் அங்கே யிருக்கும் நிலைமை வேறு. தஞ்சை தாலுகாவில் மாத்திரம் 9,715 ஏக்கர் நிலமும், பாபநாசம் தாலுகாவில் 2,593 ஏக்கர் நிலமும், மன்னார்குடி தாலுகாவில் 11,139 ஏக்கர் நிலமும் திருத்தூரைப்பூண்டியில் 185 ஏக்கர் நிலமும், பட்டுக்கோட்டை தாலுகாவில் 66,610 ஏக்கர் நிலமும், அரந்தாங்கி தாலுகாவில் 5,223 ஏக்கர் நிலமும், மேட்டூர் பாசனத்தில் சாகுபடிக்கு லாயக்குவைகளாக இருப்பவை தரிசாகக் கிடக்கின்றன. தஞ்சை ஜில்லா C.M.P. area-விலுள்ள 328,131 ஏக்கர் நிலங்களில் சுமார் 94,465 ஏக்கர் நிலம் சாகுபடிக்கு லாயக்குள்ளவைகளாக இருந்தும் தரிசாகக் கிடக்கின்றன. இவைகளெல்லாம் காவேரி மேட்டூர் பாசனத்திலுள்ளவைகள், தஞ்சை ஜில்லா ஒரு பொன் விளையும் பூமி, சர்க்காருடைய புறம்போக்கு நிலம் இதன்னியில் 40 ஆயிரம் ஏக்கர் தரிசாக தஞ்சை ஜில்லாவிலிருக்கிறது என்பதை ஞாபக மூட்ட விரும்புகிறேன். என்னுடைய தாலுகாவாகிய திருத்தூரைப்பூண்டியிலுள்ள 10 ஆயிரம் ஏக்கர் நிலங்களில் சுமார் 7,666 ஏக்கர் நிலத்தை சாகுபடிக்கு லாயக்கானது தரிசு கிடப்பதை சர்க்கார் ஒத்துக் கொண்டிருக்கிறார்கள். ஆனால் இன்னும் எவ்வளவோ சர்க்காருடைய புறம்போக்கு நிலங்கள் சாகுபடிக்கு லாயக்குள்ளவைகள் தரிசாகக் கிடக்கின்றன என்பதை சுட்டிக்காட்ட விரும்புகிறேன். இவ்விஷயங்களை யெல்லாம் இக்கமிட்டி பரிசீலனை செய்ய வேண்டும். ஜமீந்த

13th October 1950] [Sri A. Vedaratnam Pillai]

தார்களிடத்தில் ஏராளமான நிலமிருக்கிறது. மிராசதார்களிடத்தில் ஏராளமான நிலங்களுக்கிறது. அவைகளில் பெரும்பாலானவை ஆயிரக் கணக்கான ஏக்கர் நிலங்கள் சரியானபடி சாகுபடி செய்யப்படாமல் வைத்துக் கொண்டு இருக்கிறார்கள் என்று கூறப்பட்டது. ஆனால் இப்பொழுது சர்க்கார் வைத்திருப்பதைப் பார்த்தால் ஜமீந்தார்களும் மிராசதார்களும் செய்த அநீதியையும், தவறைக் காட்டிலும் அதிகமாக இருக்கிறது என்பதைச் சுட்டிக் காட்டுவது என்னுடைய கடமையாக இருக்கிறது என்பதை ஞாபகமூட்ட விரும்புகிறேன்."

"இவ்விதமான நிலங்களை சாகுபடிக்குக் கொண்டு வருவதற்கு என்ன முயற்சி எடுத்துக் கொண்டிருக்கிறார்கள். அதற்கென்று ஏதாவது ஒரு கமிட்டியை நியமித்து பரிசீலனை செய்தார்களா? சாகுபடிக்கு லாயக்குள்ளவைகளை சாகுபடிக்குக் கொண்டு வருவதற்கு என்ன முயற்சி எடுத்துக் கொண்டார்கள்? ஆனால், ஏதோ பல பல யோசனைகளைச் செய்து கொண்டு இருப்பதாக சொல்லப்படுகிறது. ஆனால் ஒரு ஏக்கர் அல்லது ஒரு செண்டு நிலத்தையாவது சாகுபடிக்குக் கொண்டு வர எந்த முயற்சியும் எடுத்துக் கொள்ளாத விஷயத்தை சுட்டிக் காட்ட விரும்புகிறேன்."

"இந்த நிலைமையில் ஏதோ இருக்கும் நிலங்களை சாகுபடி செய்து கொண்டிருக்கிறார்களே யொழிய அவர்களால் சரியானபடி கூலி கொடுக்க முடியவில்லை. யுத்தம் ஆரம்பிப்பதற்கு முன்னால் தஞ்சை ஜில்லாவில் 24 பக்காப்படி கொண்ட ஒரு கலம் நெல் பதின்மூன்று அணுவிற்கு விற்கப் பட்டது என்பது கனம் மந்திரி அவர்களுக்கே தெரியும் அங்கே Commutation ரூ. 1-14-6 என்று விதித்து அதில் 50 சத விஷதம் வரியாகவும் விதித்திருக்கிறார்கள். அநேகம் தடனவகளில் விலை கிடைக்காமல் பாதி விலைக்குக் கூட கிரார்கள். இவ்வித நிலைமையிலிருக்கும் பொழுது அதிகம் நெல்லை விற்ப்பதற்குக் கொண்டு வர வேண்டுமென்று கேட்டால் எப்படி கொடுப்பார்கள் என்று கூலி கொடுக்க வேண்டுமென்று கேட்டால் எப்படி கொடுப்பார்கள் என்று கேட்கிறேன். ஆனால் கோவை ஜில்லாவில் 1942-ம் வருஷத்தில் நான்கு லட்சம் ரூபாய் மூலதனம் ஆரம்பத்தில் போட்டு தொழில் நடத்தி ஒரு வருஷத்தில் அறுபது லட்சம் ரூபாய் லாபம் கிடைத்தது என்று கூறப்படுகிறது. இந்த மாதிரியான லாபம் விவசாயிகளுக்குக் கூட்டிக் கொடுத்திருக்க வளவு கூலி வேண்டுமானாலும் விவசாயிகளுக்குக் கூட்டிக் கொடுத்திருக்க முடியும். இந்தக் காரணத்தோடல்லாமல் இப்பொழுது பருத்திக்கொட்டை மின் விளக்கு ஒன்றுக்கு ரூபா 25 என்று விற்கிறார்கள். நெல்லுக்கு மின் விளக்கு ஒன்றுக்கு ரூ. 7 தான் கொடுத்து வருகிறார்கள். இவ்விதம் ரூ. 25 மின் விளக்கு ஒன்றுக்கு ரூ. 7 தான் கொடுத்து வருகிறார்கள். இவ்விதம் விவசாயம் செய்ய முடியும் என்று கேட்கிறேன். இதனால் சிலர் நெல்லையே சாயம் செய்ய முடியும் என்று கேட்கிறேன். இவ்வித நிலைமையில் மிராசதார்களுக்கு மாட்டுக்கு தீனியாக வைக்கிறார்கள். இவ்வித நிலைமையில் மிராசதார்களுக்கு நெல் விலையில் கூட்டிக் கொடுக்க அரசாங்கம் முன் வரவில்லை. ஆனால் அதிக விலைக்கு உத்தரப் பிரதேசத்திலிருந்து அரிசியை வாங்கிக் கொடுக்க சர்க்கார் முன் வருகிறார்கள். இவ்வித நிலை இருக்கும் பொழுது அதில் பாதி விலையாவது அதிகப்படுத்தி கொடுத்தால் இந்தப் பிரச்சனை ஓரளவாவது தீரும் என்பதை கவனிக்க வேண்டும். இவ்விதம் விலையை அதிகப்படுத்திக் கொடுத்திருந்தால் இம்மாதிரி பங்கிட்டுக் கொடுப்பது என்றில்லாமல் எவ்வளவோ காலத்திற்கு முன்பாகவே இந்தப் பிரச்சனை அப்படியே தீர்ந்துபோயிருக்கும். இப்பொழுது கூட அதைத் தீர்த்துக் கொள்வதற்கு மார்க்கம் இருக்கிறது என்று சொல்லிக் கொண்டு இந்த டிமாண்டை முழு மனதுடன் ஆதரிக்கிறேன்."

THE HON. SRI H. SITARAMA REDDI:—"Madam, Deputy 4-45 Speaker, some of the hon. Members have raised the question p.m. about the need for a committee like this, some others have questioned the constitution of the committee, some others have questioned the competency of the members of this committee and a few others have questioned the sincerity of the Government in the constitution of this committee. I should first like to tell hon. Members that the Government are very sincere in their desire to see that this State has a reform of land revenue."

[13th October 1950]

DEMAND XVII—PUBLIC HEALTH.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 1,00,100 under Demand XVII—Public Health.'"
The Demand was carried and the Grant was made.

DEMAND XVIII—AGRICULTURE.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 400 under Demand XVIII—Agriculture.'"
The Demand was carried and the Grant was made.

DEMAND XXII—CINCHONA AND FISHERIES.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 1,00,000 under Demand XXII—Cinchona and Fisheries.'"
The Demand was carried and the Grant was made.

DEMAND XXIII—LABOUR INCLUDING FACTORIES AND HARIJAN UPLIFT.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 3,00,100 under Demand XXIII—Labour including Factories and Harijan Uplift.'"
The Demand was carried and the Grant was made.

DEMAND XXIV—MISCELLANEOUS DEPARTMENTS.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 100 under Demand XXIV—Miscellaneous Departments.'"
The Demand was carried and the Grant was made.

DEMAND XXV—CIVIL WORKS—WORKS.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 300 under Demand XXV—Civil Works—Works.'"
The Demand was carried and the Grant was made.

DEMAND XXVII—CIVIL WORKS—GRANTS-IN-AID.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 100 under Demand XXVII—Civil Works—Grants-in-aid.'"
The Demand was carried and the Grant was made.

[13th October 1950]

DEMAND XXXII—MISCELLANEOUS.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 100 under Demand XXXII—Miscellaneous.'"
The Demand was carried and the Grant was made.

DEMAND XXXV—CAPITAL OUTLAY ON IRRIGATION.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 1,500 under Demand XXXV—Capital Outlay on Irrigation.'"
The Demand was carried and the Grant was made.

DEMAND XXXVI—CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 200 under Demand XXXVI—Capital Outlay on Industrial Development.'"
The Demand was carried and the Grant was made.

DEMAND XXXVIII—CAPITAL OUTLAY ON ELECTRICITY SCHEMES.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 1,300 under Demand XXXVIII—Capital Outlay on Electricity Schemes.'"
The Demand was carried and the Grant was made.

DEMAND XLIII—LOANS AND ADVANCES BEARING INTEREST.

MR. SPEAKER:—"The question is—
'That the Government be granted a further sum not exceeding Rs. 100 under Demand XLIII—Loans and Advances Bearing Interest.'"
The Demand was carried and the Grant was made.

The House then adjourned to meet again at 11 o'clock on Saturday, the 14th October 1950.

[13th October 1950]

APPENDIX I.

[Vide answer to starred question No. 235 asked by Sri A. Vedaratnam Pillai at the meeting of the Legislative Assembly held on 13th October 1950, page 378 supra.]

(a) The percentage of alcohol has been examined in the case of all the preparations except Essence Orange and Essence Lemon. The percentage of proof spirit is given below :—

	PERCENT.
1 Spirit Aetheris Nitrosi B.P.	147 to 152.2
2 Tincture Capsici B.P.	99.8 to 105
3 Acqua Rosae B.P.C.	free from spirit.
4 Tincture Tolu B.P.	140 to 147
5 Tincture Cubebae B.P.C.	145.2 to 152.2
6 Acqua Rosae Concentrated B.P.C.	78.8
7 Acqua Auranti. Flor (Concentrated)	94.5
8 Spirit Rose	151.7
9 Extract Kamala Liq	105
10 Tincture Chiratae	94.5 to 101.5
11 Eau-de-cologne	140 to 145.2

(b) Acqua Rosae B.P.C. is free from spirit. Essence Lemon and Essence Orange have not been received by the Board of Revenue for test so far. Eau-de-cologne is a toilet preparation; and the question as to whether any and if so what restrictions should be imposed on its possession and sale, is under consideration. The other preparations are B.P., B.P.C., and I.P. preparations containing alcohol. At present preparations Nos. 1, 2, 4, 5, 6, 8, 9 and 10 referred to in answer to clause (a) above can only be sold under a licence in quantities not exceeding 2 ounces at a time. It has been suggested that all B.P., B.P.C., and I.P. preparations except Tincture iodine and Tincture Benzoin should not be sold to the general public in pure form and that they should be possessed only by chemists and druggists and Registered Medical Practitioners (including Registered L.I.Ms.) in quantities not exceeding 2 lb. of each preparation at a time. This suggestion is under consideration.

(c) Spirituous preparations are manufactured in the bonded laboratories of this State. They are also imported from outside. Extract Kamala is however not manufactured in this State but is imported from Calcutta.

(d) & (e) There has been a sudden increase in the manufacture of spirituous preparations in this State. It has therefore been decided not to increase the number of Pharmaceutical Laboratory licences in this State. The Board of Revenue is scrutinizing the statistics showing the quantity of spirituous preparations manufactured in order to regulate the manufacture of the preparations for bona fide purposes only.

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(f) & (g) No case of abnormal increase in the issue of liquor by doctors to their patients has been brought to the notice of the Government. It has however been brought to their notice that doctors are issuing bogus prescriptions for brandy. Orders have been issued recently amending the licence form for the possession and sale of brandy and medicated wines providing for the submission of a monthly return by the licensee showing the date of sale, the quantities sold, names of the medical practitioners, details of prescriptions and names of patients so that any abuse may be checked.

APPENDIX II.

[Vide answer to starred question No. 289 asked by Sri A. Vedaratnam Pillai (on behalf of Sri S. Nagaraja Manigar) at the meeting of the Legislative Assembly held on 13th October 1950, page 384 supra.]

Statement showing the steps taken by the Government in furtherance of the Development of Indigenous Medicine from April 1949.

I. *Administration.*—(1) The Administration of the Indigenous Medicine has been entrusted to an eminent physician, viz., Dr. M. R. Guruswami Mudaliar, B.A., M.D.

(2) A Lay Secretary and Treasurer has been appointed in the College and Hospital of Indigenous Medicine to be in charge of the non-technical administration.

II. *Medical education.*—(1) The Government have decided to confer on the students who successfully pass out of the College of Indigenous Medicine the title of G.C.I.M. (Graduate of the College of Indigenous Medicine).

(2) The number of admissions into the College of Indigenous Medicine has been increased from 50 to 60 during 1950.

(3) The teaching staff of the College and School of Indigenous Medicine has been considerably increased.

(4) The Government have approved the proposal to invite eminent practitioners of Indigenous Medicine from the City and the mufassal to give special lectures to the students of the College and School of Indigenous Medicine.

(5) The Government have approved the proposal to construct buildings for the College and Hospital of Indigenous Medicine at an estimated cost of Rs. 14,10,000.

(6) The Government have sanctioned the opening of a Herbarium for the College in a site measuring 14.14 acres in the Arambakkam village lying north of the Poonamallee High Road to enable the students to make a study of various plants and herbs.

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III. *Research*.—(1) In furtherance of the Scheme for Research into Indigenous Medicines with a view to their standardization a Research Institute in Indigenous Medicine with the necessary staff has been opened. Clinical Research was started in May 1949 and the claims of certain proprietary medicines as specific remedies for diseases is being investigated.

(2) The proposal of the Honorary Director of Indigenous Medicine to set apart certain cases of leprosy in the Lady Willingdon Leprosy Sanatorium, Tirumani, for treatment with remedies in Indigenous Medicine has been approved subject to certain conditions.

(3) The Government have sanctioned the collection and printing of manuscripts in Siddha system into five books so that they may be useful as text-books for the Siddha students of the College of Indigenous Medicine and be of use to the public.

IV. *Village Vaidya Scheme*.—The Government have sanctioned the opening of four training centres at Madras, Mangalore, Tanjore and Eluru for Village Vaidyas and already one batch of about 165 Village Vaidyas have been trained in these centres.

V. *Subsidies*.—(1) The Government have sanctioned the opening of four new subsidized rural dispensaries and payment of subsidies to seven rural medical practitioners and eight midwives in subsidized rural dispensaries during 1949-50. They have also sanctioned the opening of certain new dispensaries and payment of subsidies to twenty-four rural medical practitioners and twenty midwives during 1950-51.

(2) A half-grant not exceeding Rs. 4,865 has been sanctioned to the Chinglepet District Board towards the construction of a building for the Local Fund Ayurvedic Dispensary at Wallajabad.

(3) A maintenance grant of Rs. 1,500 per annum has been sanctioned to a private medical institution, viz., Sri Venkateswara Ayurveda Kalasala and Dharma Vidyasala Sangham, Vijayavada.

(4) A grant of Rs. 1,000 has been sanctioned to one Pandit M. Duraiswamy Ayyangar for publishing a Tamil edition of "Samangadhara Samhita".

(5) A form of application for grants has been prescribed for private institutions of Indigenous Medicine.

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APPENDIX III.

[Vide answer to starred question No. 290 asked by Sri K. Ishwara at the meeting of the Legislative Assembly held on 13th October 1950, page 385 supra.]

List of the names of political sufferers to whom lands have been granted in the South Kanara district.

Serial number and name of the person.

Serial number and name of the person.

- 1 K. Sanjiva Kamath, Coondapur.
- 2 B. Subbanna Shetty.
- 3 K. Nagesh Bhat, Coondapur.
- 4 P. Shankaran Nair, Kanhangad.
- 5 B. Shambu Shetty, Bombay (Mangalore).
- 6 M. P. Narasimha Holla Kota.
- 7 B. Kamalaksha Pai, Badiadka.
- 8 K. Vittal Pai, Coondapur.
- 9 K. V. Kannan.
- 10 H. Anappa Kamath, Mangalore.
- 11 A. G. Thirumaleshwara Bhat, Vittal.
- 12 A. C. Kannan Nair, Kanhangad.
- 13 K. Mahabala Shetty, Coondapur.
- 14 V. Krishna Aithal.
- 15 B. Vasudeva Baliga, Bombay.
- 16 S. Venkatesh Naik, Sithanadi.
- 17 K. Raghunath Nayak, Mangalore.
- 18 Sripathi Bhat, Kumpla.
- 19 K. Ramakudva, Puttur.
- 20 S. U. Ramachandra Nayak, Mangalore.
- 21 T. M. Narasullah, Thokur.
- 22 M. Vadiraja Kalkur, Karkal.
- 23 A. Narasinga Rao, Karkal.
- 24 Ammannanna Moili, Moodibidri.
- 25 G. Devadas Kamath, Bantwal.
- 26 Vedavyasa Bhat, Belthangadi.
- 27 Madhava Padiyar, Panemangalore.
- 28 P. Kunhiraman, Nileshwar.
- 29 Kotil Veetila Kumbhar, Nileshwar.
- 30 N. Keshava Kogga Kudva, Panemangalore.
- 31 K. Damodara Shenoy, Kanhangad.
- 32 M. Ramaraja Kini, Mangalore.
- 33 K. Padmanabha Kini, Gilliyar.
- 34 K. Achutha Shenoy, Kanhangad.
- 35 Kodoth Narayanan Nayar, Kanhangad.
- 36 M. Venkatraya Kamath, Mangalore.
- 37 A. Balappa.
- 38 T. Thimmappa Mally, Manjeshwar.
- 39 Sunanda Bai, Mangalore.
- 40 P. Achuthan, Kanhangad.
- 41 P. V. Keshavan, Kanhangad.
- 42 H. Vasudeva, Kanhangad.
- 43 M. Sridhara Nayak, Uppinangadi.
- 44 V. P. Krishna Nair, Hosdrug.
- 45 N. Upendra Naik, Panemangalore.
- 46 G. Madhava Prabhu, Mangalore.
- 47 M. Venkataramana Hegde, Mangalore.
- 48 Devaraya Shenoy, Karkal.
- 49 M. S. Kogga Nayak, Mangalore.
- 50 P. Ramadas Nayak, Panemangalore.
- 51 M. Krishnaya Shetty.
- 52 Palimar Shivashankar Pai, Puttur.
- 53 A. V. Luxmi Amma, Chavva.
- 54 K. Lohidas, Moodibidri.
- 55 Kamala Devi Chottapadyaya.

- 56 U. Srinivasa Mallya, Mangalore.
- 57 Dr. U. P. Mallya, Mangalore.
- 58 H. Ramaraya Mallya, Mangalore.
- 59 H. Narayana Rao, Mangalore.
- 60 G. Venkatraya Prabhu, Mangalore.
- 61 B. Sanjiva Shetty Sastan, Mangalore.
- 62 Dr. B. Keshavan Nambiar, Kasaragod.
- 63 Meloth Narayanan Nambiar, Kasaragod.
- 64 Datta S. Kanchan Mulki.
- 65 B. Soorappa Setty, Coondapur.
- 66 B. T. Rai, Puthige.
- 67 M. Balakrishna Kurup, Coorg.
- 68 M. Srinivasa Baliga, Mangalore.
- 69 A. V. Raman.
- 70 Varadaraya Shenoy, Hosdrug.
- 71 Kamala Putran, Mangalore.
- 72 K. V. Shekaran, Payyanur.
- 73 K. Janardhana Shenoy, Udipi.
- 74 K. P. Madhavan Nair, Hosdrug.
- 75 Ishwara Bhatta, Mangalore.
- 76 Kaviraja P. Manamohan Rao, Puttur.
- 77 K. Padmanabha Shenoy, Mangalore.
- 78 B. Thimmappa Hegde, Udipi.
- 79 K. Vishwanath Shetty, Shiriya.
- 80 T. Aithappa Mada, Mangalore.
- 81 K. Ramanna Shetty, Mangalore.
- 82 B. Govinda Bhendari, Mangalore.
- 83 T. Prabhakar Shet, Mangalore.
- 84 K. Padmanabha Alva, Gurpur.
- 85 A. K. Krishnan Nair, Payyanur.
- 86 K. M. Kunhambu.
- 87 V. P. Krishna Paduval, Payyanur.
- 88 V. P. Narayana Paduval, Payyanur.
- 89 A. K. Kunhirama Paduval, Payyanur.
- 90 A. Narayana Paduval, Payyanur.
- 91 A. Kunhunni, Payyanur.
- 92 P. Kunhikannan, Payyanur.
- 93 C. V. Kunhambu, Payyanur.
- 94 T. A. Ambu Paduval, Payyanur.
- 95 U. K. Kunhirama Paduval, Payyanur.
- 96 K. P. Kunhikannan Nair, Payyanur.
- 97 K. V. Narayanan, Payyanur.
- 98 K. K. P. Krishna Paduval, Payyanur.
- 99 E. Kannan Paduval, Payyanur.
- 100 Karnad Panduranga Rao, Mangalore.
- 101 P. Ramesh Pai, Panemangalore.
- 102 V. Venkatesha Bhat, Mangalore.
- 103 M. Bhojaraja Shetty, Bombay.
- 104 Doomanna Rai, Kasaragod.
- 105 Mahabala A. Shetty, Bombay.
- 106 K. Ganesh Rao, Bombay.
- 107 A. Vittal Kamath, Udipi.
- 108 Ramanna Shetty.
- 109 B. Vittaladas Shetty, Puttur.
- 110 K. G. Kamath, Karkal.
- 111 K. Annappa Karanth, Coondapur.

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Serial number and name of the person.

- 112 B. Seetharama Rao, Udipi.
- 113 B. M. Shenava, Buntwal.
- 114 Pokkan Krishnan, Nileshwar.
- 115 Madiraman.
- 116 Basa Aitha, Mangalore.
- 117 N. Poovappa, Mangalore.
- 118 B. P. Ganapathi, Mangalore.
- 119 K. Raman, N. Malabar.
- 120 Vasudeva Janardhana Kamath, Udipi.
- 121 K. N. Kunhikannan Nair, Palghat.
- 122 P. Sarvothama Prabhu, Udipi.
- 123 K. Koraga Shetty, Udipi.
- 124 Vittal Narayana Acharya, Mangalore.
- 125 K. Venkataraman Bhat, Udipi.
- 126 C. K. Kannan Paduval, Payyanur.
- 127 A. Somappa Bangra, Mangalore.
- 128 K. Monappa Manju, Karkal.
- 129 K. Damodara Bangera, Karkal.
- 130 T. Chandu, Payyanur.
- 131 K. V. Govinda Paduval, Payyanur.
- 132 V. P. Kunhiraman, Payyanur.
- 133 K. P. Kunhiraman, Payyanur.
- 134 V. M. Krishnan Nair, Kanhangad.
- 135 K. T. Shankar, Perdal.
- 136 V. P. K. Nayanar, Pilicode.
- 137 G. Shankerji, Kanhangad.
- 138 P. Rama Nayak, Puttur.
- 139 K. Annappa Bhandary.
- 140 Mahabala Shetty, Coondapur.
- 141 P. Anandaraya, Kasaragod.
- 142 K. Vasoji Rao, Madras.
- 143 K. Sheena Karkera, Mangalore.
- 144 H. Vaman, Bombay.
- 145 P. Narayanan Nair, Nileshwar.
- 146 C. P. Krishnan Nair, Pilicode.
- 147 Y. Sanjiva Shenoy, Puttur.
- 148 K. V. Prabhu, Mangalore.
- 149 C. Kunhikrishna Nair, Kanhangad.
- 150 Mahalinga Shetty, Mangalore.
- 151 N. Narayana Bhat, Kasaragod.
- 152 K. Venugopal Kamath, Kasaragod.
- 153 P. K. Saraswathi Amma, Panaje.
- 154 Beeru Shetty, Perdal.
- 155 N. Kunhambu Nambiar, Kanhangad.
- 156 P. V. Shankaranarayana Bhat, Kasaragod.
- 157 Siddu Sopaliga, Karkal.
- 158 M. V. Ambu Arya Vaidya, Kanhangad.
- 159 M. Giriya Bai, Udipi.
- 160 Somappa Bangera, Kanhangad.
- 161 N. A. Sheenappa Hegde, Polali.
- 162 B. Ramanna Shetty, Udipi.
- 163 H. Dasa Naik, Mangalore.
- 164 K. Padmanabha Rai, Puttur.
- 165 K. Ramayya Rai, Manjeshwar.
- 166 M. Shankaranarayana Samuka, Kodavoor.
- 167 Seetha Bai, Karkal.
- 168 K. A. Govinda Paduval, Payyanur.
- 169 M. Aithappa Shiriyar, Mangalore.
- 170 Poovappa Deva, Suvarna.
- 171 A. Venkappaya Coondapur.
- 172 Rama K. Thingalaya, Bombay.
- 173 Narantho Chathu Nambiar, Adhur.
- 174 K. Kunhiraman Nair, Payyanur.
- 175 B. Srinivasa Shenoy, Buntwal.
- 176 A. Ramakrishna Navada, Mangalore.
- 177 S. Gopalakrishna Bhat, Padre.
- 178 A. Krishna Nair.
- 179 A. Janardhana Pai, Udipi.
- 180 M. Narayana Shetty, Mudradi.
- 181 M. Sheena Kottari, Moodabidri.
- 182 K. Vaman Sharma, Karkal.

Serial number and name of the person.

- 183 Subba Rao Uppadyaya, Coondapur.
- 184 T. Parameshwaraya, Manjeshwar.
- 185 Subbanna Gupta, Coondapur.
- 186 K. Ramakrishna Karanth, Mangalore.
- 187 P. G. Kamath, Mangalore.
- 188 Laxmidevi Amma, Udipi.
- 189 Nagar Venugopal Nayak.
- 190 B. Krishnaya Hegde, Udipi.
- 191 B. Sadaahiva Hegde, Manipal.
- 192 P. Anantha Shenoy, Mangalore.
- 193 K. V. Karunakaran Nair, Karkal.
- 194 K. Sulochana Bai, Mulki.
- 195 H. K. Thingalaya, Mangalore.
- 196 G. Achutha Shenoy, Moodabidri.
- 197 U. Pundalike Nayak, Uppinangadi.
- 198 S. Mahabaleshwara Bhatta, Mangalore.
- 199 Dr. Kochanna Marla, Bellary.
- 200 K. V. Raman, Nileshwar.
- 201 Veerappa M. Sallian, Udipi.
- 202 P. Ananthaya Kamath, Udipi.
- 203 Gowramma, Udipi.
- 204 B. Subraya Pai, Perla.
- 205 P. Manjappa, Nittade.
- 206 Krishna Hengsu, Coondapur.
- 207 Ira, Coondapur.
- 208 Annappaya, Byndoor.
- 209 P. Janardhana, Madyasta.
- 210 Hakim Haji Hassan, Uppinangadi.
- 211 H. Laxminarayana Hande, Udipi.
- 212 A. Kunhirama Paduval, Payyanur.
- 213 H. Baba Sahib, Moodabidri.
- 214 J. A. Puthran, Bombay.
- 215 Kuppa Subba Malliya, Coondapur.
- 216 M. S. Venkatramana, Coondapur.
- 217 Dr. M. R. Bhat, Mangalore.
- 218 Laxminarayana Kini, Buntwal.
- 219 Babanna Kamath, Buntwal.
- 220 B. Seshagiri Baliga, Buntwal.
- 221 Kamalaksha Kini, Buntwal.
- 222 B. Vaman Bhandarkar.
- 223 Amba Bai.
- 224 B. Krishna Baliga.
- 225 G. Pundalika Kamath.
- 226 Pundalika Baliga.
- 227 B. Ramaraya Pai.
- 228 Gopala Baliga.
- 229 B. H. Ramesha Pai.
- 230 Raghavendra Rao, Melanta, Udipi.
- 231 M. Umeshia Rao, Kasaragod.
- 232 P. V. Kadambalithaya, Kasaragod.
- 233 K. Devadas Kamath, Kasaragod.
- 234 M. Rama Hegde, Kasaragod.
- 235 M. K. Rama, Kasaragod.
- 236 M. Ramamohan Rao, Kasaragod.
- 237 B. Kamalaksh Pai, Kasaragod.
- 238 K. Ramakrishna, Kasaragod.
- 239 B. Devappa Alva, Kasaragod.
- 240 B. Jagannatha Rai, Kasaragod.
- 241 Dr. P. S. Sastri, Kasaragod.
- 242 B. Madhava Pai, Manjeshwar.
- 243 N. S. Kille, Mangalore.
- 244 M. Janardhan Prabhu, Bantwal.
- 245 B. Keshava Balige, Bantwal.
- 246 B. Keshava Balige, Bantwal.
- 247 N. Vasudeva Shenoy, Bantwal.
- 248 N. Varadaraya Shenoy, Bantwal.
- 249 K. G. Kunder, Bombay.
- 250 Adkadakan Krishnan Nair, Bekal.
- 251 H. Sheenappa Shetty.
- 252 Marla, Coondapur.
- 253 Venkata, Coon

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Serial number and name of the person.

- 254 Masti.
- 255 Govinda.
- 256 Krishnaya Shetty.
- 257 K. Venkatramana Ranade, Mangalore.
- 258 B. Padmanabha.
- 259 S. Rama Bhat, Kasaragod.
- 260 Sunder Lokaya Shetty, Bombay.
- 261 Govinda, Coondapur.
- 262 Durga.
- 263 Manja.
- 264 Macha.
- 265 Govinda.
- 266 Machi.
- 267 Ganapa.
- 268 Parameshwari.
- 269 Masti.
- 270 N. Shamaraya Nayak, Karkal.
- 271 Somanatha Gokhale, Karkal.
- 272 M. Narayana Appa Shenoy.
- 273 M. Ramanatha Appaya Shenoy.
- 274 V. Gopala Kini.
- 275 G. Panduranga Nayak.
- 276 C. P. Krishnan Nair.
- 277 Chandu T. Pandith.
- 278 Srinivasa Shetty.
- 279 K. Sheena Shetty.
- 280 K. Ramanath Rao.
- 281 Vaman Srinivas Nayak.
- 282 P. Sarvatham Pai.
- 283 P. Hayavadan Rao.
- 284 Mahabala Hegde.
- 285 A. V. Srikanta Poduval.
- 286 Krishnaya Puttaya Shetty.
- 287 H. Mallappa Kanchan.
- 288 H. Sarvothama Pai.
- 289 H. Sarvothama Pai.
- 290 K. Manjunatha Nayak.
- 291 V. Vittal Shetty.
- 292 K. Vaman Pai.
- 293 K. Panduranga Pai.
- 294 K. Vishwanatha Hegde.
- 295 P. Narayana Pai.
- 296 Dr. N. Narayana Bhat.
- 297 Chinkra Ramanna Shetty.
- 298 Shankaranarayana Kannaraya.
- 299 Rukminidevi Baliga.
- 300 Bhami Raghunatha Shenoy.

Serial number and name of the person.

- 301 Bhami Upendra Shenoy.
- 302 P. C. K. Adiyodi.
- 303 M. Kunhiraman.
- 304 Agari Lakkappa Rai.
- 305 B. S. Soorappa Shetty.
- 306 K. Mundappa Rai.
- 307 Somappa Basappa Kotiyan.
- 308 M. P. Appu.
- 309 B. Krishna Hegde.
- 310 M. Hiranna Nair.
- 311 C. K. Raghavan Nambiar.
- 312 K. Nagesh V. Bhat.
- 313 B. Sankappa Rai.
- 314 T. M. Soans.
- 315 K. Kunhikannan.
- 316 P. Vasudevayya.
- 317 M. Thimmappa Senava.
- 318 G. Gopala Pai.
- 319 Dr. U. Narasimha Achar.
- 320 K. Govinda Marar.
- 321 K. N. V. Shetty.
- 322 Subbanna Gupta.
- 323 N. Keshava Kuduva.
- 324 N. L. Bantwalkar.
- 325 B. Kamalaksha Prabhu.
- 326 B. Narasimha Malliya.
- 327 Sheikh Muhammad Yusuf.
- 328 Ramesh Prabhu.
- 329 D. H. Ramanath Pai.
- 330 Basti Pundalika Shenoi.
- 331 N. K. Kunhikannan Nair.
- 332 C. P. Krishnan Nair.
- 333 Kepul Narasimha Nayak.
- 334 Vanian Kannan.
- 335 K. Kunhiraman.
- 336 H. Kunhappa Bangera.
- 337 Aithu Shetty.
- 338 N. Ramachandra Prabhu.
- 339 Sarvothama Prabhu.
- 340 D. Subbanna Shetty.
- 341 Venkatramana Hebbar.
- 342 Girija Bai.
- 343 T. M. Nasrullah.
- 344 K. Vittal Pai.
- 345 K. P. Madhavan Nair.
- 346 Ramanna Shetty.
- 347 C. P. Krishnan Nair.

APPENDIX IV.

[Vide answer to starred question No. 293 asked by Sri K. Shanmugam at the meeting of the Legislative Assembly held on 13th October 1950, page 387 supra.]

The number of Ayurveda, Siddha and Unani dispensaries in the State.

	(1)	Ayurveda. (2)	Siddha. (3)	Unani. (4)
1 State—Public		2	..	1
2 Local Fund regular dispensaries		158	15	2
3 Municipal regular dispensaries		50	16	12
4 Government subsidised rural dispensaries		230	82	3
5 Non-subsidised rural dispensaries		100	27	2
6 Private aided		4	..	1
Total		544	140	29

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APPENDIX V.

[Vide answer to starred question No. 294 asked by Sri G. Latchanna at the meeting of the Legislative Assembly held on 13th October 1950, page 387 supra.]

List of Works Committees constituted up to 30th June 1950.

- 1 Pragathi and Pictures (Madras), Limited, Madras.
- 2 B. S. T. Saw Mills, Kallai.
- 3 Modern Theatres, Limited, Salem.
- 4 The Star Tile Works, Kallai.
- 5 Messrs. Volkart Brothers, Tuticorin.
- 6 Madura Mills Company, Limited, Ginning and Pressing Factory, Tiruppur.
- 7 Madura Mills Company, Limited, Ginning and Pressing Factory, Dindigul.
- 8 Madura Mills Company, Limited, Ginning and Pressing Factory, Virudhunagar.
- 9 Madura Mills Company, Limited, Ginning and Pressing Factory, Sattur.
- 10 Madura Mills Company, Limited, Ginning and Pressing Factory, Nalainpattur.
- 11 Madura Mills Company, Limited, Ginning and Pressing Factory, Kadambur.
- 12 Madura Mills Company, Limited, Ginning and Pressing Factory, Tuticorin.
- 13 The Shoranur Tile Works, Shoranur.
- 14 Ford Motor Company of India, Limited, Madras Branch.
- 15 The Southern Roadways, Mathurai.
- 16 Sundaram Motors, Limited, Madras.
- 17 The Stoneware Pipes (Madras), Limited, Tiruvallur.
- 18 The Western India Plywood, Limited, Baliapatam.
- 19 The Volkart Brothers Agency, Guntakal.
- 20 Jeevanlal (1929), Limited, Madras.
- 21 The Indian Metal and Metallurgical Corporation, Mettur Dam.
- 22 Nazeeria Motor Service, Limited, Nellore.
- 23 Sri Rama Vilas Service, Limited, Kumbakonam.
- 24 T. V. Sundaram Iyengar & Sons, Limited, Mathurai.
- 25 The Ettikoppaka Co-operative Agriculture and Industrial Society, Limited, Ettikoppaka, Visakhapatnam district.
- 26 The Binny and Company (Madras), Limited, Beach Engineering Works, Madras.
- 27 Government Silk Filatures, Kollegal.
- 28 The Aaron Spinning and Weaving Mills, Limited, Pappinisseri.
- 29 The Baliapatam Tile Works, Limited, Pappinisseri.
- 30 The South India Saw Mills, Limited, Kallai.
- 31 Boorugalur Viswanadham Brothers, Guntur.
- 32 Messrs. Richardson & Cruddas, Limited, Madras.
- 33 The Brindhavan Properties, Limited, Coonoor.
- 34 The Malabar and Pioneer Hosiery, Kozhikode.
- 35 The Standard Furniture Company, Limited, Kallai.
- 36 Messrs. Peirce Leslie & Co., Ltd., British Cochin.
- 37 The Associated Cement Companies, Limited, Madukkarai Cement Works, Madukkarai.

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- 38 The Kistna Cement Works, Limited, Mangalagiri.
- 39 The Dalmia Cement, Limited, Dalmiapuram.
- 40 The Hindu (National Press), Madras.
- 41 The Commonwealth Tile Factory, Olavakkot.
- 42 The Commonwealth Weaving Factory, Kozhikode.
- 43 The Commonwealth Weaving Factory, Cannanore.
- 44 The Commonwealth Hosiery Factory, Mangalore.
- 45 The Commonwealth Tile Factory, Malpe.
- 46 The Standard Cotton and Silk Weaving Company, Limited, Kozhikode.
- 47 Sri Ramakrishna Venkateswara Ginning and Cotton Press Company, Kurnool.
- 48 Mohammad Mian Rowther Company, Limited, Tiruchirappalli.
- 49 U. B. Dutt & Co., Kallai.
- 50 Sujirkar's Tile Works, Limited, Kudroli, Mangalore.
- 51 Messrs. Rallis (India), Limited, Oil Expelling, Cotton Pressing Factory, Guntakal.
- 52 India Sugars and Refineries, Hospet.
- 53 M. D. Hussain and Brothers Motor Transport Fleet Owners, Cuddapah.
- 54 Jupiter Pictures, Lessees of Central Studios, Limited, Coimbatore.
- 55 Praga Industry, Coimbatore.
- 56 Ampura Coffee Works, Coimbatore.
- 57 Kodanad Estate, Kotagiri.
- 58 Korakunta Estate, Kilkumby.
- 59 Singara Estate, Coonoor.
- 60 Curzon Tea Estate, Kotagiri.
- 61 Parkside Estate, Coonoor.
- 62 Dunsdate Estate, Dunsdate.
- 63 Chamraj Estate, Kotagiri.
- 64 Lauruston Estate, Nadavattam.
- 65 Chellotte Estate, Chundale.
- 66 Pullangode Estate, Pullangode.
- 67 Kardoor Estate, Meppadi.
- 68 Achoor Estate, Meppadi.
- 69 National Tobacco Company, Biccavole.
- 70 Oriental Salt Company, Naupada.
- 71 Sri Ramakrishna Bus Service, Anakapalle.
- 72 Sri Lakshmi Silk Factory, Peddapuram.
- 73 Mysore Premier Metal Factory, Madras.
- 74 Messrs. Kutty & Rao (Engineers), Madras.
- 75 The Madras Glass Works, Madras.
- 76 The Gemini Studios, Madras.
- 77 The General Electric Company, Madras.
- 78 Messrs. Gopal Nayagar Foundry, Madras.
- 79 The Corporation General Workshop, Madras.
- 80 The Madras Type Foundry, Madras.
- 81 Messrs. Sayani Glass Works, Madras.
- 82 The Burma-Shell and Company, Madras.
- 83 Government Medical Stores, Madras.
- 84 Messrs. Union & Co., Madras.
- 85 Base Ordnance Depot, Madras.
- 86 Messrs. Sri Krishna Tiles and Potteries, Limited, Chingleput.
- 87 Balakrishna Mills, Mathurai.
- 88 G. N. Chakrapani Chetty & Sons, Mathurai.
- 89 Soudaraj Mills, Limited, Dindigul.
- 90 The South Indian Metal Company, Shoranur.
- 91 Messrs. Pierce Leslie & Co., Zillaparamba Factory.
- 92 Messrs. Pierce Leslie & Co., Karaparamba Factory.

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- 93 The Premier Hosiery Works, Kozhikode.
- 94 The Metal Industries, Limited, Shoranur.
- 95 The Calicut Tile Company, Feroke.
- 96 The Feroke Tile Works, Feroke.
- 97 The Cannanore Spinning and Weaving Mills, Cannanore.
- 98 S.M.R. Tile Works, Limited, Olavakkot.
- 99 U. K. Sankunni Saw Mills, Kallai.
- 100 Messrs. Pierce Leslie & Co., Ltd., Jeppo Factory, Mangalore.
- 101 Messrs. Pierce Leslie & Co., Ltd., Maidan Factory, Mangalore.
- 102 Messrs. Pierce Leslie & Co., Ltd., Kulshekar Works, Mangalore.
- 103 Rallis Brothers Cotton Ginning and Pressing Factory, Virudhunagar.
- 104 The Mettur Chemicals, Mettur Dam.
- 105 Jawahar Mills, Salem.
- 106 Kanara and Group Estates, Sheveroy Hills, Salem.
- 107 Messrs. East India Commercial Syndicate, Limited, Lessees Sri Krishna Jute Mills, Eluru.
- 108 Sri Satyanarayana Rice and Oil Mills (Indian Soap Works), Tadepalligudem.
- 109 The Andhra Scientific Company, Limited, Masulipatnam.
- 110 The K.C.P., Limited, Vuyyuru.
- 111 The Western India Match Company, Limited, Madras.
- 112 The East Asiatic Company (India), Limited, Madras.
- 113 The Caltex (India), Limited, Madras.
- 114 The Crompton Engineering Works, Limited, Madras.
- 115 The Madras Law Journal Press, Madras.
- 116 The Rallis (India), Limited, Madras.
- 117 The Mannarghat Union Motor Service, Mannarghat.
- 118 Messrs. Aspinwall & Co., Cochin.
- 119 Messrs. Aspinwall & Co., Limited, Coir Factory, Kozhikode.
- 120 The Thennalapuram Bus Transport, Limited, Palghat.
- 121 The St. Vincents Industries, Kozhikode.
- 122 The Western India Match Company, Dhannadam.
- 123 The Chundale Estate, Chundale P.O.
- 124 The Pootamulla Estate, Putumala P.O.
- 125 The Edavanna Estate, Nilambur P.O.
- 126 The Arthela Estate, Kerala Estate P.O.
- 127 The Vasanta Mills, Limited, Coimbatore.
- 128 The Vijayalakshmi Mills, Coimbatore.
- 129 The Coimbatore Cotton Mills, Limited, Coimbatore.
- 130 The Selaliparai Estate, Valparai P.O.
- 131 The Stanmore Estate, Valparai P.O.
- 132 The Iryiparai Estate, Valparai P.O.
- 133 The Monica Estate, Valparai P.O.
- 134 The Nailacattu Estate, Valparai P.O.
- 135 The Velore Estate, Valparai P.O.
- 136 The Valparai Estate, Valparai P.O.
- 137 The Olarikal Estate, Valparai P.O.
- 138 The Srikundra Estate, Valparai P.O.
- 139 The Sheikalmudri Estate, Hardipet P.O.
- 140 The Waterfalls Estate, Attakattu P.O.
- 141 The Thoni Mudi Estate, Mudis P.O.
- 142 The Anai Mudi Estate, Mudis P.O.
- 143 The Kadalaparai Estate, Mudis P.O.
- 144 The Lonur Sheikalmudi Estate, Hardipet Post.
- 145 The Pachamalai Estate, Valparai P.O.
- 146 The Upper Perali Estate, Iyerpadi P.O.
- 147 The Murugalli Estate, Pollachi.
- 148 The Nonsuch Estate, Coonoor P.O.

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- 149 The Sutton Estate, Kullakambi P.O.
- 150 The Craigmere Estate, Kullakambi P.O.
- 151 The Woodland Estate, Kullakambi P.O.
- 152 The Emerald Valley Estate, Ithlar P.O.
- 153 The Mount Stuart Estate, Attakatti P.O.
- 154 The Glenburn Estate, Kotagiri P.O.
- 155 The Monterey Estate, Coonoor P.O.
- 156 The Wentworth Estate, Chrambadi P.O.
- 157 The Salem Erode Electric Distribution Company, Limited, Salem.
- 158 The Cascades and Athiyur Estate, Yercaud P.O.
- 159 The Short Brothers (Stanmore Estate), Yercaud P.O.
- 160 The Southern Roadways, Tiruchirappalli.
- 161 The Trichirapalli Mills, Limited, Tiruchirappalli.
- 162 The Madura Knitting Company, Madurai.
- 163 The Rajapalayam Mills, Limited, Rajapalayam.
- 164 The Jayaram Mills, Limited, Rajapalayam.
- 165 The Janikaram Mills, Limited, Rajapalayam.
- 166 Sri Shanmughar Mills, Limited, Kovilpatti.
- 167 The Kadiria Match Factory, Sattur.
- 168 The Original Match Factory, Sivakasi.
- 169 The Kaleeswari Colour Match Works, Naupada.
- 170 The Gurunath Appa Rao Company, Limited, Naupada.
- 171 The Balacherruvu Salt Factory (Appana Venkatasubba Rao and Brothers), Visakhapatnam.
- 172 The Bimilipatam and Calingapatam Jute Baling Company, Limited, Bheemunipatnam.
- 173 The United Bus Service, Limited, Nellore.
- 174 Sri Bhajarang Jute Mills, Limited, Guntur.
- 175 The Jayanthi Ramachandrapa Setty Mills, Limited, Rayadrug.
- 176 The Rangaswami and Brothers Pressing, Ginning and Decortiating Factory, Adoni.
- 177 The Adoni Ginning Factory, Adoni.
- 178 Sri Ramachandra Spinning Mills, Pandalapaka.
- 179 The Andhra Cement Company, Limited, Vijayavada.
- 180 The National Chemicals, Limited, Masulipatanam.
- 181 The B. & C. Company, Tadpatri Press, Tadpatri.
- 182 Carolina Estate, Mangs range.
- 183 Perrengodu Estate, Vayitri P.O.
- 184 Gangam Mudi Estate, Mudis P.O.
- 185 Scot Fortu Estate, Salem P.O.
- 186 Kannalkutty Estate, Kotagiri P.O.
- 187 Katary Estate, Katary P.O.
- 188 Thiasola Estate, Kilkundali P.O.
- 189 Rockwood Estate, Nellakottah P.O.
- 190 Glen Morgan Estate, Glenmorgan.
- 191 Cauvery Peak Estate, Nagalur.
- 192 Mukkotu Mudi Estate, Mudis.
- 193 Adderley Estate, Coonoor.
- 194 Kerala Calicut Estate, Kozhikode.
- 195 Devarashola Estate, Devarashola.
- 196 Siruvani Estate, Coimbatore.
- 197 Varachinnally Estate, Coimbatore.
- 198 Thirumbadi Estate, Mukkam.
- 199 Honnametti Estate, Attikan Post.
- 200 Chilika Estate, Meppadi P.O.
- 201 Pannimade Estate, Hardipet.
- 202 Glenvans Estate, New Hope P.O.
- 203 High Forest Estate, Mudis.
- 204 Welberk Estate, Kotagiri.

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- 205 Carolina Estate, Coonoor.
- 206 Sholayar Estate, Sholayar.
- 207 Vaniyar Estate, Yercaud.
- 208 Neengudi Estate, Kotagiri.
- 209 Hope Estate, New Hope.
- 210 Deepdale Estate, Kotagiri.
- 211 Glendale Group Estate, Coonoor.
- 212 Robroy Tea Estate, Kotagiri P.O.
- 213 Marvabulla Estate, Kotagiri P.O.
- 214 Harukal Estate, Kotagiri P.O.
- 215 Horsdonmullai Estate, Devala.
- 216 Devon Estate, Devershola.
- 217 Guynad and Sandy Estate, Naduvattam.
- 218 Tatamala Estate, Talapoya.
- 219 Prospect Estate, Naduvattam.
- 220 Reddiar Estate, Kannivadi.
- 221 Iyerpadi Estate, Iyerpadi.
- 222 Vanguard Estate, Yercaud.
- 223 Hawthore Estate, Yercaud.
- 224 Mayfield Estate, Nellakotta.
- 225 Attikunna Estate, Mangs range.
- 226 Seaforth Estate, New Hope.
- 227 Touramaila Estate, Thonamalai P.O.
- 228 Associated Printers, Madras.
- 229 Simpson and Company, Madras.
- 230 P. Orr & Sons, Madras.
- 231 Mysore Vegetable Oil Products, Madras.
- 232 Water Works Department, Corporation of Madras.
- 233 George Oakes, Limited, Madras.
- 234 Newtown Studio, Madras.
- 235 Electric Department Workshop, Mettur.
- 236 Diocesan Press, Madras.
- 237 Beehive Engineering Works, Madras.
- 238 Malabar Spinning and Weaving Company, Limited, Kallai.
- 239 O. F. X. Saldana, Highland Coffee Works, Mangalore.
- 240 Annamalai Rope Ways Company, Limited, Attakatti P.O.
- 241 Mettupalayam-Coonoor Service, Mettupalayam.
- 242 United Coffee Supply Company, Coimbatore.
- 243 P.S.G. & Sons Charity Industrial Institute, Coimbatore.
- 244 Coimbatore Spinning and Weaving Company, Limited, Coimbatore.
- 245 Coimbatore Pioneer Mills, Limited, Coimbatore.
- 246 Rathakrishna Mills, Coimbatore.
- 247 Cambodia Mills, Coimbatore.
- 248 Mahalakshmi Textile Mills, Pasumalai, Madhurai.
- 249 Madura Mills Company, Limited, Ambasamundram.
- 250 Madura Mills and Pandyan Mills, Madhurai.
- 251 The India Cement, Limited, Talaiyuthu.
- 252 Bharpet Mohammad Haniff M. H. K. Hussain Ginning and Pressing Factory, Adoni.
- 253 Lower Parali Estate, Iyerpadi.
- 254 Pudutotam and Korangamudi Estate, Valparai P.O.
- 255 Nudumali Estate, Valparai P.O.
- 256 Thungabhadra Industries, Limited, Kurnool.
- 257 Majesty and Aka Tobacco Factory, Guntur.
- 258 Volkart Brothers Agency, Mangalore.
- 259 Pugalagiri Match Works, Dindigul.
- 260 Spencer Company, Limited, Dindigul.
- 261 Manantoddy Group Estates, Thalapoya Post.
- 262 Kilpatta Estate, Meppadi Post.

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- 263 Pierce Leslie and Company, Limited, Feroke.
- 264 Volkart Brothers, Tellicherry.
- 265 Sentinel Rock Estate, Vallarmalla.
- 266 Kuttiadi Estate, Kuttiadi Post.
- 267 Kerirbetta Estate, Kotagiri P.O.
- 268 Terrace Estate, Naduvattam P.O.
- 269 Silvercloud Estate, Dunsandle P.O.
- 270 Sunny Side Estate, Kotagiri P.O.
- 271 Erinkadu Estate, Kotagiri P.O.
- 272 Golden Tip Estate, Katary P.O.
- 273 Richmond Estate, Mangsrange.
- 274 Broklands Estate, Coonoor.
- 275 Red Hill Estate, Ithalar P.O.

APPENDIX VI.

[Vile answer to starred question No. 296 asked by Sri D. Dorairaja Pandian at the meeting of the Legislative Assembly held on 13th October 1950, pages 385-389 supra.]

COPY OF THE RULES OF ELIGIBILITY FRAMED BY THE MADRAS AND ANDHRA UNIVERSITIES.

ANDHRA UNIVERSITY CODE, VOLUME II.

Chapter XXXIII—Admission of S.S.L.C. holders to University courses of study.

Admission of holders of Secondary School-Leaving Certificates to University courses of study shall be made in accordance with the following regulations which shall apply in the case of those who have appeared for the qualifying Secondary School-Leaving Certificate Examination completing a course of instruction in the VI Form in one of the schools situated in the University area of affiliation, namely, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur and Nellore districts.

2. Only such holders of completed Secondary School-Leaving Certificates may be admitted to University courses of study and registered as Matriculates under section 1 of Chapter XXXVII (Andhra University Code) as (a) have completed not less than 15 years of age on the first day of the month in which the examination qualifying for such certificates is held unless specially exempted from the operation of this age-limit, and (b) have been declared eligible for such admission by the Syndicate.

3. A complete list of certificate holders declared eligible for admission to University courses of study will be published annually in the *Fort St. George Gazette* and a copy of this list will be furnished to the Principals of affiliated colleges. A certificate holder not included in one of those lists will not be entitled to registration as a Matriculate under section 1 of Chapter XXXVII mentioned above except as provided in paragraph 8 below.

4. (a) All Secondary School-Leaving Certificate holders whose certificates are issued under the authority of the Government of

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the case of pupils who are exempted by the Director of Public Instruction from the study of the Second Language) and 130 marks in the following four subjects taken together: (1) Elementary Mathematics, (2) Elementary Science, (3) Outlines of Modern History and History of India and Geography, and (4) one of the following subjects of Group C, viz., Algebra and Geometry, Physics, Chemistry, Botany, Physiology, Geography, History of India and Movements of History, A Third Language, Indian Music, Book-keeping, Commercial Practice, Shorthand, Typewriting, Domestic Science, Agriculture, House-keeping and Nursing, Needle-work, Dress-making and Embroidery, Lace-work and Crochet, Precise-writing and Indexing and Fisheries Technology: the marks being not less than 35 per cent in each of any two of these four subjects and not less than 25 per cent in each of the other two:

Provided that a certificate-holder who secures in the aggregate not less than 210 marks in the six subjects, or not less than 175 marks if he has been exempted from the study of the Second Language under Group A, but fails in not more than two subjects by a deficiency of not more than one mark in each subject, shall be declared eligible for admission to University courses of study.

There shall be a Moderation Board appointed by the Syndicate to consider hard cases.

(b) A candidate for admission to University courses of study who in any year fails to qualify by reason of deficiency in any subject or subjects in which he has undergone examination shall be required to appear again at the Public Examination in all the six (or five) subjects, and his eligibility shall be determined by the marks obtained by him at his last appearance.

(c) No holder of a certificate declared ineligible on a scrutiny shall be declared eligible on a re-scrutiny according to ordinances prescribed after the first scrutiny: provided, however, it shall be competent for the Syndicate to re-scrutinize the certificates of candidates who appeared for the S.S.L.C. Examination of 1925 or earlier, in accordance with the rules in force at the time (1926); and the certificates of candidates who would have been eligible had the subjects of Shorthand and Typewriting been included in the list of subjects in the year in which they appeared for the Examination under the S.S.L.C. Scheme of 1929 (i.e., from the S.S.L.C. Examination of 1932), on payment of the prescribed fee.

(d) A complete list of certificate holders declared eligible for admission to University courses of study shall be published in the Fort St. George Gazette and a copy of the list shall be furnished to each Principal of a constituent or an affiliated college.

THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, the 14th October 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.

Housing the new Legislative Assembly.

* 300 Q.—SRI P. R. KANDASWAMI GOUNDER: Will the Hon. the Chief Minister be pleased to state the concrete steps taken by the Government for housing the new Legislative Assembly from April or May next?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—“The attention of the hon. Member is invited to the answer to question No. 153 given at the meeting of the Assembly on 28th March 1950. It has since been decided to construct buildings at the Government House Estate, Mount Road, Madras, for temporarily accommodating the new Madras Legislative Assembly. Plans and an approximate estimate for seven lakhs of rupees submitted by the Chief Engineer, P.W.D. (General), in this behalf have been approved. The Superintending Engineer, Madras Circle, has already called for tenders. In order to have greater freedom in execution and split up the work, if necessary, and to keep down the cost, the Government have relaxed the provision in paragraph 150 of the P.W.D. Code specifying lump-sum contract for works exceeding Rs. 2,500 and have permitted the Chief Engineer to adopt P.W.D. K-2 Form (Agreement of piece-work). In order to reduce the cost, the question of placing at the disposal of the Chief Engineer half of any of the hangers which are available with the Transport department, is also under the consideration of the Government.”

JANAB M. V. HYDROSS:—“Sir, may I know whether the Government, in selecting the site, have taken into consideration the noise and the nasty smell likely to emanate from the vicinity of the site?”

THE HON. SRI B. GOPALA REDDI:—“I am afraid the hon. Member has not spotted the site correctly. There would not be any odour from the Cooum river.”

SRI K. R. KARANTH:—“May I know why the proposal was not placed before this House? I have seen the site where work is going on and it is more fit for a cinema house than for a Legislative Assembly hall.”

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Madras will be declared eligible for admission to University courses of study who qualify under the following regulations:—

(i) They should have presented at one time for the Secondary School-Leaving Certificate Examination (a) all the five subjects in Group A (subject to the condition that students who have been specially exempted by the Director of Public Instruction from the study of the Vernacular Composition and Translation need not sit for the examination in that subject) and (b) one subject under Group C.

(ii) Those who secure not less than 35 marks in English, not less than 35 marks in the selected Second Language, and not less than 105 marks in the remaining three subjects of Group A taken together, with at least 25 marks in each of these three subjects and not less than 30 per cent of the marks in the subject under Group C.

(iii) Those who secure not less than 35 marks in English, not less than 35 marks in the selected Second Language (except in the case of pupils who are exempted by the Director of Public Instruction from the study of the Second Language) and 135 marks in the remaining four subjects, including the C Group subjects, the marks being not less than 35 per cent in any two of these four subjects and not less than 25 per cent in each of the other two.

(b) The Principals of affiliated colleges will be permitted to admit for Mathematics in the Intermediate course only such eligible candidates as have presented Algebra and Geometry under Group C of the Secondary School-Leaving Certificate Examination:

Provided that the Syndicate, on the recommendation of a Principal of a college, shall have power to exempt from the operation of this regulation, a student who, in the opinion of the Syndicate, is likely to profit by the study of Mathematics in the Intermediate course.

(c) Notwithstanding anything contained in the foregoing regulation, a certificate holder who obtains in the aggregate not less than 60 per cent of the total marks (i.e., 300 in five or 360 in six subjects as the case may be) will be declared eligible for admission to University courses of study though he may fail to obtain qualifying marks in one or more subjects, provided that he shall secure at least 20 per cent in each subject except English in which it should be 30 per cent.

5. The Syndicate shall appoint a Moderation Board to consider and modify, if need be, the results of the examination before publication.

6. Any candidate for admission to University courses of study who in any year fails to qualify by reason of deficiency in any subject or subjects in which he has undergone examination will be required to appear again at the Public Examination in all the five subjects of Group A and one subject in Group C and his eligibility for admission will be determined according to the preceding rules by the marks obtained by him at the last examination.

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7. Certificates once scrutinized, the holders of which were found ineligible under the regulations in force at the time of scrutiny, will not be reconsidered.

8. Notwithstanding anything contained in the foregoing regulations, the Principals of colleges will be permitted to make admission at their discretion of (1) women holders of Secondary School-Leaving Certificates whether the names of such holders of certificates are included in the published list of certificate holders eligible for admission to University courses of study or not, provided such students appeared for the qualifying Secondary School-Leaving Certificate Examination after completing a course of instruction in the VI Form in one of the schools in the University area of affiliation, and provided that they secure not less than 30 per cent in English and 30 per cent in the Second Language, (2) women holders of Secondary School-Leaving Certificates whose parents or guardians are either domiciled or resident in the Andhra University area, and who, after having studied in an institution in Madras or in the Ceded districts or in Chittoor district, obtain marks qualifying for eligibility under the above regulations. Certificate holders so admitted to colleges will be registered as Matriculates under section 1 of Chapter XXXVII.

9. The lists published annually in the *Fort St. George Gazette* will contain the names of all certificate holders, except those whose cases may be considered under the preceding section found to be eligible for admission to University courses of study in affiliated colleges, under the regulations adopted from time to time. It is, however, to be clearly understood that inclusion in the list confers on no certificate holder the right of admission to any affiliated college. The Principals of colleges are not only at liberty to restrict admission to such applicants as they may select but are further required to confine admission to such eligible certificate holders, as judged by their certificates, may be expected to profit by the particular course of study upon which they propose to enter in the college selected.

UNIVERSITY OF MADRAS.

ADMISSION OF HOLDERS OF S.S.L.C. TO UNIVERSITY COURSES OF STUDY.

Ordinances framed under section 19 (p) of the Act— Secondary School-Leaving Certificates.

(a) Holders of completed Secondary School-Leaving Certificates may be admitted to University courses of study if they (b) shall have completed fourteen years and six months on the fifteenth day of July of the year in which they seek admission to courses of study, and (b) shall have secured at the Public Examination the marks prescribed below, and been declared eligible for admission by the Syndicate:—

In the case of certificates issued under the authority of the Government of Madras—

In Group A not less than 40 marks in English and not less than 35 marks in the selected Second Language (except in

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THE HON. SRI B. GOPALA REDDI :—“ After all, this is a temporary construction and what is good for a cinema hall may be good for an Assembly hall as well.”

JANAB M. V. HYDROSS :—“ May I know whether the Government are aware that there are a number of stables close by wherefrom bad odour emanates and that noise is created by the constant movement of traffic such as the trams and buses on the other side of the building? ”

THE HON. SRI B. GOPALA REDDI :—“ When the building is complete, we are sure there won't be any smell emanating from nearby places.”

JANAB M. S. ABDUL MAJID :—“ Does not this plan of putting up a cheap Parliamentary House indicate one of the short-sighted policies of this Government and will they consider the advisability of putting up a decent permanent Parliamentary House in conformity with the dignity of this State? ”

THE HON. SRI B. GOPALA REDDI :—“ We are having a very long range view of things. Therefore, we are making this temporary construction.”

JANAB MUHAMMAD RAZA KHAN :—“ Although the Hon. the Leader of the House has not made any efforts to provide amenities to the present Members of the Assembly, can he assure us that the Members of the coming Assembly will be fortunate enough to have at least a few of the amenities? ”

THE HON. SRI B. GOPALA REDDI :—“ When the permanent building is constructed, I can assure the hon. Members full amenities.”

SRI T. VISWANATHAM :—“ Will it not be possible for the Government to choose the site on the north-eastern side of the Government House compound rather than on the south-western side, so that the site may be more secluded from the din and noise of Mount Road and Wallajah Road? ”

THE HON. SRI B. GOPALA REDDI :—“ All the factors have been considered by the various experts and by the Ministers themselves and the present site has been chosen.”

SRI K. R. KARANTH :—“ Why was not the proposal placed before the House to enable this House to consider all these suggestions? ”

THE HON. SRI B. GOPALA REDDI :—“ If we had thought that it was necessary to consult this House, we would have done that earlier.”

SRI A. KALESWARA RAO :—“ May I know whether there will be any expansion also of the buildings of the Legislators' hostel near the new Legislative Assembly Hall? ”

THE HON. SRI B. GOPALA REDDI :—“ That has to be considered separately.”

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JANAB H. S. HUSSAIN :—“ May I know whether the site will be the same for the construction of the pucca permanent Legislative Assembly hall within the Government House Estate? ”

THE HON. SRI B. GOPALA REDDI :—“ It may not be the same place for the permanent building.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I know whether the plans have not been finalized and, if so, whether the Government propose to consult the Members of this House with a view to incorporate any new suggestion relating to the new building accommodation? ”

THE HON. SRI B. GOPALA REDDI :—“ After all, this is meant for the new Assembly and it is no use consulting the old, existing vacating Members.”

JANAB MOHAMED ABDUL SALAM :—“ May I know whether at least the Speaker of this Assembly had been consulted before the Government selected the site? ”

THE HON. SRI B. GOPALA REDDI :—“ A separate question might be put.”

SRI D. V. RAMASWAMI :—“ May I know whether in the building proposed to be constructed there is provision for the accommodation of the Hon. the Speaker and the Deputy Speaker? ”

THE HON. SRI B. GOPALA REDDI :—“ Certainly there is, Sir.”

SRI L. N. GOPALASWAMI :—“ May I ask what is meant by 'temporary'? Is the structure to be temporary or the location of that building in the Government House to be temporary? ”

THE HON. SRI B. GOPALA REDDI :—“ Both the structure and the site.”

JANAB MUHAMMAD RAZA KHAN :—“ Was it not obligatory on the part of the Government to consult particularly the Speaker and the Deputy Speaker in the matter of the construction of the future Legislative Assembly hall? ”

THE HON. SRI B. GOPALA REDDI :—“ I do not see any reason why the hon. Gentleman should presume that we have not consulted them already.”

SRI S. NAGAPPA :—“ In view of the fact that the Assembly hall that is going to be constructed is a temporary one, will the Government consider the desirability of converting the present Government House, especially, the Rajaji Hall into Assembly Hall and some other parts into the Legislators' hostel and Assembly Secretariat? ”

THE HON. SRI B. GOPALA REDDI :—“ If only the Rajaji Hall could accommodate 375 members, we would have certainly and gladly done that, but that would not accommodate so many members.”

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SRI T. VISWANATHAM :—" May I know the dimensions of the new hall proposed to be built by the 'old' Ministers for the 'new' Members? "

THE HON. SRI B. GOPALA REDDI :—" A separate question may be put."

JANAB M. S. ABDUL MAJID :—" We know that this Government is autocratic and so they need not consult us. At least will they be pleased to place before us the blue-print and the architectural design of this Parliamentary House? "

THE HON. SRI B. GOPALA REDDI :—" If the hon. Gentleman is so very interested, he may contact the Hon. Minister for Public Works who will show the blue-print to him."

JANAB M. V. HYDROSS :—" May I know whether the Government have any scheme of utilizing this building after it has outlived its necessity? "

THE HON. SRI B. GOPALA REDDI :—" Certainly we shall consider how best to utilize it for any other purpose."

Houses for Government servants.

* 301 Q.—SRI K. ISHWARA : Will the Hon. the Minister for Public Works be pleased to state—

- (a) whether it is a fact that there is a proposal at present before the Government to construct houses in the City for the Government servants who are coming from outside the City; and
- (b) if so, when the scheme will be taken up for execution?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) & (b) There is no proposal at present before the Government to construct houses in the City specifically for the Government servants who are coming from outside the City. The Government have however sanctioned a modest scheme for the construction of 50 clerks' quarters at Todhunternagar, Saidapet, and the work has been taken up for execution."

Revenue officials in Nellore district.

* 302 Q.—SRI K. SHANMUGAM : Will the Hon. the Minister for Land Revenue be pleased to state—

- (a) the number of Harijans and Christians that are working as Deputy Tahsildars and Tahsildars in the Nellore district and the proportion of those men in relation to other communities;
- (b) the number of appointments made by the Collector to the upper grade clerks since 1947 and the number of Harijans and Christians among them; and
- (c) whether the claims of deserving Harijans and Christians were considered when these appointments were made?

THE HON. SRI H. SITARAMA REDDI :—" (a) Number of Indian Christians working as Tahsildars and Deputy Tahsildars is 2 and 4 respectively. One Harijan is working as

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Tahsildar and there are no Harijans working as Deputy Tahsildars. The proportion of the Indian Christians in relation to the other communities in the category of Tahsildars and Deputy Tahsildars is 2 : 21 and 4 : 33 respectively. The proportion of the Harijans in relation to other communities in the category of Tahsildars and Deputy Tahsildars is 1 : 22 and nil, respectively. These figures relate only to persons now working in the district as Tahsildars and Deputy Tahsildars regularly.

" (b) Out of 56 upper division clerks appointed during 1947 and 1948, 3 were Christians. No Harijan was appointed during 1947 and 1948. The Collector of Nellore has reported that the lists of candidates for appointment as upper division clerks for 1949 and 1950 have not yet been approved.

" (c) The claims of all candidates irrespective of their community were considered when approving the lists of candidates for appointments as upper division clerks."

SRI K. SHANMUGAM :—" May I know whether any minimum qualification is fixed for promotion to the posts of Deputy Tahsildars and Tahsildars and, if so, what it is? "

THE HON. SRI H. SITARAMA REDDI :—" There are rules on the subject. I believe, as to who are qualified to be promoted as Deputy Tahsildars and Tahsildars, but in the case of Harijans and Backward Hindus, the Government have been a bit liberal in the matter of enforcement of these qualifications."

SRI V. I. MUNISWAMI PILLAY :—" Sir, in answer to clause (b), the Hon. Minister has said that the list has not yet been approved. May I know whether there are any Harijans in that list? "

THE HON. SRI H. SITARAMA REDDI :—" I could not say that now. The information that I have is that the list for 1949-50 has not yet been approved. The claims of those people who have not had a chance will be certainly considered."

SRI S. NAGAPPA :—" In view of the fact that there is not even a single Harijan working as Deputy Tahsildar in the whole of the Nellore district, may I ask whether there is any Harijan in the cadre of clerks fully qualified, i.e., having passed the Criminal Judicial Test, Account Test, etc., awaiting a chance? Why not the Government appoint them under 9 (a) even though they have not passed the tests? So many clerks are appointed under 9 (a) in so many other districts? "

THE HON. SRI H. SITARAMA REDDI :—" From the report received from the Collector, it is seen that there is no representation of Harijans in the category of Deputy Tahsildars promoted from the cadre of upper division clerks in the district. Only one person of this community is working as

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Tahsildar and he was transferred to this district from Anantapur. This is due to the fact that there are no candidates of this community available."

1-15 DR. M. J. SAMUEL :—" Arising out of the answer given by the Hon. Minister that there is a large disparity in the matter of promotion of Indian Christians to the cadre of Tahsildars and Deputy Tahsildars, may I ask the Government whether there are qualified candidates for promotion to these grades in the Nellore district? "

THE HON. SRI H. SITARAMA REDDI :—" I think the hon. Member would have understood that this community is over-represented in Nellore district."

SRI S. NAGAPPA :—" My point is that in so many other districts and especially in the Revenue Department whenever new posts were created many unqualified persons were appointed under rule 9 (a) (i). May I ask the Government why similar chances were not given to Harijans for being promoted as Tahsildars or Deputy Tahsildars from the cadre of clerks and upper division clerks? "

THE HON. SRI H. SITARAMA REDDI :—" I thought that I had made myself very clear in the matter. I said that from the report that I have with me, it is seen that there are no candidates of the hon. Member's community available for promotion as upper division clerks or as Deputy Tahsildars or Tahsildars and whenever they become available they will certainly have a chance."

Procurement of rice in Tanjore district.

* 303 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Food be pleased to—

(a) place on the table of the House a statement showing the total quantity of paddy and rice procured in Tanjore district and exported out of the district for the last three kharif years; and

(b) state (i) whether the Government have got any proposal to modify the procurement policy in this district, if so, what it is and when; and

(ii) if the answer to clause (i) is in the negative, whether the Government have considered the desirability of introducing the levy system in this district?

THE HON. SRI J. L. P. ROCHE VICTORIA :—" (a) The quantity of rice and paddy in terms of rice procured in Tanjore district and exported from that district during the kharif years 1946-47, 1947-48 and 1948-49 were as follows :—

	1946-47.	1947-48.	1948-49.
	RICE IN TONS.	RICE IN TONS.	RICE IN TONS.
1. Quantity procured	252,469	268,384	309,365
2. Quantity exported	199,224	214,878	256,708

"(b) (i) No.

(ii) No."

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SRI A. VEDARATNAM PILLAI :—" May I know whether the Government will consider the desirability of introducing zonal system in this State so that they can remove control and also reduce the expenditure of the Government? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" No proposal for the introduction of zonal system is now under consideration."

Permission to stage dramas in Krishna district.

* 304 Q.—SRI M. R. APPA RAO: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that, in the Krishna district, it is necessary to obtain the permission of concerned Government officers before the staging of dramas, every time they are staged; and

(b) if so, when the Government intend to remove this restriction?

THE HON. SRI K. MADHAVA MENON :—" (a) Section 10 of the Dramatic Performances Act, 1876, has been enforced in the Krishna district and no drama can be staged in a public place in the district without a licence from the Subdivisional Magistrate having jurisdiction.

"(b) The Government have no such intention at present."

SRI M. R. APPA RAO :—" In view of the improved law and order situation in the district, will the Government consider the desirability of removing this ban soon? "

THE HON. SRI K. MADHAVA MENON :—" We shall watch the situation and consider the matter."

SRI A. KALESWARA RAO :—" May I know why that obsolete Act should still be in force in any part of the State, when the Government could prohibit only proscribed dramas? When any particular drama is not proscribed, may I know why should the Government compel the people to go to the District Magistrate and Subdivisional Magistrate for getting permission every time? "

THE HON. SRI K. MADHAVA MENON :—" Dramas can be proscribed only if they are written dramas and available for scrutiny. In case of a particular association, they may be having a manuscript copy of the drama but it may not be available for examination. In such cases, if dramas were staged depicting subversive activities, then we have no other go except to resort to this Act even though it is obsolete."

JANAB M. S. ABDUL MAJID :—" If these dramas convey ideologies other than the ideologies pursued by the party in power, is it necessary to revive or resort to that dead Act just to prevent it? "

THE HON. SRI K. MADHAVA MENON :—" The Act is not dead, obviously for the reason that it has been effective. As for the question of ideology, it is not because of propagating

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particular ideology that the Act was put into force to prevent that; but because they were depicting some subversive activities which will be harmful to the hon. Members, myself as well as to everybody in the State."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask whether this Act is being enforced in any other district of our State and, if so, in which district?"

THE HON. SRI K. MADHAVA MENON:—"No, Sir. It is enforced only in the Krishna district."

JANAB MOHAMED ABDUL SALAM:—"Is the Hon. Minister for Education aware that there is an impression in the country that dramas, fine arts and other things are in charge of the Finance Minister and when such questions are put, is the Hon. Education Minister answering them in consultation with the Finance Minister?"

THE HON. SRI K. MADHAVA MENON:—"Certainly, I appreciate that he has a better knowledge of fine arts and dramas and music; but as the questions of proscription of books and prohibition of the staging of dramas, etc., are dealt with by the Chief Minister and myself, I am answering the question."

SRI D. V. RAMASWAMI:—"When the situation is rather troublesome in the neighbouring district of Guntur and when there is no such restriction in that district, may I know why should there be such a restriction in the case of Krishna district only?"

THE HON. SRI K. MADHAVA MENON:—"We have not yet heard any instance in the Guntur district regarding dramas as we had in Krishna."

Civil Assistant Surgeons.

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

(a) the number of Civil Assistant Surgeons, Class II, in a temporary capacity;

(b) how many of such surgeons' services have been regularized so far;

(c) how many are to be regularized yet; and

(d) the reasons for not regularizing the remaining so far?

THE HON. DR. T. S. S. RAJAN:—" (a) The number of temporary Civil Assistant Surgeons, Class II, appointed on a temporary basis is 157 (men) and 40 (women).

(b) & (c) The services of none of them have been regularized.

(d) These officers have not been selected by the Public Service Commission, Madras, for regular appointment as Civil Assistant Surgeons, Class II (men and women). Their temporary appointments will be continued only till candidates selected by the Commission for regular appointment have become available."

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SRI S. NAGAPPA:—"In view of the fact that in most villages there are so many dispensaries and hospitals without sufficient number of doctors, will the Government consider the desirability of regularizing these services as early as possible so that more doctors may be attracted to serve the Government in the rural areas especially?"

THE HON. DR. T. S. S. RAJAN:—"I am afraid the hon. Member will have to address another department altogether. In my answer I was referring to Class II Assistant Surgeons. Really, the answer cannot encompass all those questions which the hon. Member has raised."

SRI S. NAGAPPA:—"When I mentioned rural areas, I meant that there were a number of Government hospitals and dispensaries other than the district headquarters, taluk headquarters and firka headquarters, ones. In most of these hospitals and dispensaries, they are working without sufficient number of doctors or no doctors at all in some cases. Will the Government consider the desirability of appointing sufficient doctors to all these hospitals that have been started and make the posts of doctors in these places more attractive by regularizing their services so that they may join the Government service?"

THE HON. DR. T. S. S. RAJAN:—"The hon. Member has got his own definition of rural areas; but I am afraid the Government cannot accept that position."

The Krishna-Pennar Project.

* 306 Q.—SRI D. V. RAMASWAMI (on behalf of Sri V. Raghavayya): Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the total estimated cost of Krishna-Pennar Project is being reduced; and

(b) if so, on what account and in what items?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) & (b) In preparing the estimate for the Krishna-Pennar Project, every possible effort is being made to reduce the cost under all items, consistent with sound designing."

SRI V. M. RAMASWAMI MUDALIYAR:—"Will the Government inform the expert who is in charge of the preparation of estimates for this Project, to keep in mind the desirability of including Palar also within the ambit of the scheme?"

THE HON. SRI M. BHAKTAVATSALAM:—"I have already had a discussion with the Chief Engineer and am awaiting a report from him."

SRI A. KALESWARA RAO:—"May I know what is the cost at present decided by the Government?"

THE HON. SRI M. BHAKTAVATSALAM:—"I have no idea of the estimated costs, as I have not yet received the report from the Chief Engineer."

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SRI D. V. RAMASWAMI:—“ May I ask the Hon. Minister whether he has not given some sort of assurance that this will be taken up as early as possible next year? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ I have not given any such assurance that it will be taken up next year. Even if I had given such an assurance, it is worth nothing.”

SRI N. VENKATASUBBAYYA:—“ May I ask the Hon. Minister if the preliminary investigation has been completed? ”

THE HON. SRI M. BHAKTAVATSALAM:—“ I do not think the investigation has been completed. I have to get the report from the Chief Engineer.”

SRI K. BRAHMANANDAM REDDI:—“ In reply to a previous question, the Hon. Minister said that with regard to this Project even if he had given an assurance it is worth nothing. I think it is a very dangerous thing. We want to know from him what he means by that statement.”

THE HON. SRI M. BHAKTAVATSALAM:—“ I only meant that I am not capable of giving any such assurance and I am not so foolish as to give such an assurance to this House.”

* 307 Q.—

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

Supplementary S.S.L.C. course.

SRI D. DORAIRAJA PANDIYAN: Will the Hon. the Minister for Education be pleased to state whether it is a fact that the failed S.S.L.C. candidates cannot take a supplementary course in an institution under the new reorganized scheme?

THE HON. SRI K. MADHAVA MENON:—“ There is no such prohibition. Instructions have been issued permitting heads of schools to admit failed pupils for a supplementary course under the reorganized scheme of secondary education.”

Purchase of rice from Madhya Pradesh.

* 308 Q.—SRI M. A. EASWARAN: Will the Hon. the Minister for Food be pleased to state—

(a) at what price per maund, the Madhya Pradesh rice has been purchased from April 1950; and

(b) the number of maunds or tons purchased after April 1950 (the total quantity in the year 1950)?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“ (a) At Rs. 12-12-0 per maund f.o.r.

“ (b) 27,156 tons.

“ 27,302 tons of rice were purchased from Madhya Pradesh in 1950 (calendar year).”

SRI M. A. EASWARAN:—“ Will the Hon. Minister be pleased to state the difference in price per maund within the Madras State and the Madhya Pradesh? ”

[4th October 1950]

THE HON. SRI J. L. P. ROCHE VICTORIA:—“ The price per maund of Madhya Pradesh rice is Rs. 12-12-0 f.o.r. We have to add transportation and distribution charges, as they are sent to different destinations. Probably, it will be somewhere near the prices which we are now paying in this State.”

Lands to political sufferers.

* 309 Q.—SRI K. SHANMUGAM: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the extent of cultivable waste lands in Nellore district; (b) how much of this has been set apart for assignment to the political sufferers; and

(c) out of the total extent so set apart, the number of acres that have been actually assigned up to date?

THE HON. SRI H. SITARAMA REDDI:—“ (a) The extent is 98,455 acres.

“ (b) An extent of 1,119 acres has been earmarked for assignment to political sufferers. In addition it has been decided to set apart 500 acres for assignment to political sufferers and landless poor persons.

“ (c) An extent of 754.59 acres has been actually assigned so far to political sufferers.”

SRI K. SHANMUGAM:—“ May I know the number of political sufferers who have applied and out of them for how many political sufferers have lands been assigned to and how many are in possession of the land that has been assigned to them? ”

THE HON. SRI H. SITARAMA REDDI:—“ Notice, Sir.”

JANAB MUHAMMAD RAZA KHAN:—“ May I ask whether there is any time-limit with regard to the grant of lands to political sufferers and is it not necessary that the Government should fix extensive time-limits that lands will be given only up to such and such time and not afterwards? ”

THE HON. SRI H. SITARAMA REDDI:—“ I quite appreciate the anxiety of the hon. Member to see that lands are granted to political sufferers. I can assure him that we have fixed a time-limit and we have also directed that the grant of lands to the political sufferers should be expedited.”

SRI V. I. MUNISWAMI PILLAY:—“ Arising out of the answer to (b) that it has been decided to set apart 500 acres for assignment to political sufferers and landless poor persons, may I know how many acres have been assigned to Harijans out of these 500 acres.”

THE HON. SRI H. SITARAMA REDDI:—“ I cannot exactly say how much has been given to Harijans. But I know that in Nellore district many acres of lands have been allotted to landless poor people and some of them are Harijans.”

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SRI G. KUMARASWAMI:—“ May I know from the Hon. Minister whether he has received any representation from the Collectors of districts that they require some more time to dispose of the applications of political sufferers for assignment of lands? ”

THE HON. SRI H. SITARAMA REDDI:—“ I do remember having received some representations about extending the time for assignment of lands to political sufferers and that question is now being examined.”

11-30 SRI A. KALESWARA RAO:—“ May I know, Sir, whether, in view of the fact that many political sufferers have not received any lands as yet in any of the districts, the Government are prepared to consider an alternative scheme, viz., making of money grants? ”

MR. SPEAKER:—“ The question relates specifically to Nellore.”

SRI A. KALESWARA RAO:—“ I shall now confine my question to Nellore. If the political sufferers in Nellore have not been put into possession of lands up till now, will the Government consider the question of making money compensation to them? ”

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

SRI K. R. KARANTH:—“ May I know, Sir, whether, in respect of Nellore or elsewhere, one of the conditions of assignment of lands is that the grantee should be loyal to the Indian National Congress in future and that if he ceases to be so, the assignment already made will be cancelled? ”

THE HON. SRI H. SITARAMA REDDI:—“ From the question of the hon. Member I should think he has all the information in his possession. I have nothing to add to it.”
(Laughter.)

JANAB MOHAMED ABDUL SALAM:—“ Out of the very little extent of land already assigned, may I know, Sir, whether the Hon. the Minister has any idea as to what extent is cultivated? Is he aware that though lands have been assigned not even one per cent is under cultivation? ”

THE HON. SRI H. SITARAMA REDDI:—“ I am surprised that the hon. Member is in possession of such information. But my information is otherwise. Most of the lands assigned are being cultivated.”

SRI I. N. GOPALASWAMI:—“ May I know, Sir, whether the time-limit expressed by the Hon. the Minister refers to the date of application or assignment of land? ”

THE HON. SRI H. SITARAMA REDDI:—“ To both, Sir.”

SRI T. VISWANATHAM:—“ May I know, Sir, whether the Government are aware that the political sufferers have not got the capital to start agriculture and whether they would consider the question of giving them a good start just as they have done in the case of ex-service personnel? ”

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THE HON. SRI H. SITARAMA REDDI:—“ This Government have not given any special facilities to ex-service personnel except that they have given them some lands. The political sufferers are not treated in any way different from other people.”

SRI K. R. KARANTH:—“ With reference to my previous question, Sir, I was informed that there was such a condition as loyalty to the Indian National Congress and not to the Indian Union. I want to know whether the Government have really incorporated such a condition? ”

THE HON. SRI H. SITARAMA REDDI:—“ I would like to have notice.”

Rations by weight.

* 310 Q.—

MR. SPEAKER:—“ The hon. Member, Mr. B. S. Murthi, is not in his place. The answer will be printed in the proceedings.”

SRI B. S. MURTHI: Will the Hon. the Minister for Food be pleased to state—

(a) whether the system of rations by weight has been introduced in the City of Madras from 3rd September 1950; and

(b) if so, the reasons therefor?

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

“ (b) In view of the answer to clause (a) above, this question does not arise.”

Status of nurses.

* 311 Q.—

MR. SPEAKER:—“ The answer will be printed in the proceedings since the hon. Member is not in his place.”

SRI B. S. MURTHI: Will the Hon. the Minister for Health be pleased to state whether there is any proposal to raise the status of nurses and if the answer is in the affirmative, the reasons for the same?

THE HON. DR. T. S. S. RAJAN:—“ The answer is in the negative.”

Alleged death of Communist Sri K. Nagabhushanam.

* 312 Q.—SRI D. V. RAMASWAMI (on behalf of Sri V. Raghavayya): Will the Hon. the Chief Minister be pleased to state—

(a) whether one Sri K. Nagabhushanam, a Communist, was arrested by the Police on a warrant issued by the Kakinada District Magistrate;

(b) where he was kept in custody;

(c) whether he died on or about 25th of August 1950, and if so, under what circumstances; and

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(d) what happened to his associate, one Sri Koneti Mohan Rao, alleged to have been arrested along with Sri Nagabhushanam?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—“(a) Yes.

“(b) At Coringa Police Station.

“(c) On 26th August 1950 early in the morning, Nagabhushanam was taken out under escort to answer calls of nature; all of a sudden he attempted to escape by dashing through the thick bushes. There was no means of preventing his escape except by firing at him. The Police did so as a result of which he died.

“(d) Koneti Mohan Rao will take his trial in the specific cases pending against him in the Court of the Special Second-class Magistrate, Rajahmundry.”

SRI N. S. VARADACHARI:—“While I appreciate the anxiety of the Government to suppress lawless elements, do the Government accept the story as very probable in view of the fact that the number of policemen at the time this gentleman was taken to answer calls of nature must have been at least three or four? Is it, therefore, proper to shoot a person under such circumstances?”

THE HON. SRI K. MADHAVA MENON:—“Yes, Sir. The Government are satisfied that the shooting was absolutely necessary. This particular person was wanted in three murder cases and was arrested along with the other person Koneti Mohan Rao. In fact, he was chained in one hand and as the constable was leading him, he suddenly pulled out the chain and ran into the bushes. So, there was no other go than resorting to shooting.”

JANAB MOHAMED ABDUL SALAM:—“In view of the fact that there is an impression in the State that some Communists and certain other persons, who are not found in their homes, are supposed to have been killed by the Government (laughter), will the Government issue statements whenever they happen to kill persons though out of necessity?”

THE HON. SRI K. MADHAVA MENON:—“I am not aware of any such impression in the State. Perhaps the hon. Member wants to make it so.”

Nomination of assessors.

* 313 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Education be pleased to state the present procedure that is adopted for the nomination of assessors?

THE HON. SRI K. MADHAVA MENON:—“Sections 319 to 324 and 326, Criminal Procedure Code, regulate the procedure to be adopted in choosing assessors for Sessions trials.”

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Extra rations to manual labourers.

* 314 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Food be pleased to state the number of 4-oz. extra ration cards issued to the manual labourers in Kurnool and Nandyal Municipalities respectively during this year?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The number of supplemental ration cards issued to the heavy manual labourers in Nandyal Municipal Town is 225. No such cards have been issued in Kurnool Town, as no applications have been received so far in spite of the fact that wide publicity had been given to the concession regarding the grant of 4 oz. of extra ration to heavy manual labourers.”

SRI S. NAGAPPA:—“Is it not a fact, Sir, that to get these 4 oz. the manual labourers have to undergo a good deal of suffering in having to observe the official procedure laid down which they are ignorant of? Will the Government consider the desirability of instructing the Rationing authorities to enquire of them, when they issue ration cards, to what profession they belong and if they are satisfied that the applicants belong to the class of manual labourers, such as masons, carpenters, etc., the extra ration may straightway be sanctioned?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“Sufficient publicity was given to the grant of this concession, including by the beat of tom-tom. Every step was taken to see that the concession was availed of by all the manual labourers. If, however, there is further publicity needed, it will be considered.”

JANAB M. S. ABDUL MAJID:—“May I know, Sir, whether hand-loom weavers are included in the list of manual labourers and extra rations issued to them?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“No, Sir, because they are not considered heavy manual labourers.”

SRI A. KALESWARA RAO:—“May I know, Sir, what is the difficulty in appointing Government agencies for purposes of going from house to house in the villages as well as in towns and ascertaining the names of manual labourers who deserve this concession?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“That will involve a good deal of labour. We can do only more publicity and going from house to house to find out who is a manual labourer is a very difficult job since for the whole village there may not be more than a few manual labourers.”

SRI S. NAGAPPA:—“When the staff can go from house to house to collect data for the issue of ration cards, I want to know how it is difficult to go from house to house to find out who is a manual labourer and who is a ‘mental’ labourer?” (Laughter.)

THE HON. SRI J. L. P. ROCHE VICTORIA:—“This difficulty has not arisen in other places. We shall see what more can be done by way of publicity to make the concession known to all the manual labourers.”

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SRI L. N. GOPALASWAMI :—“ May I know the difference between a ‘ manual labourer ’ and a ‘ heavy manual labourer ’ ? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ A heavy manual labourer is one whose work involves greater physical or bodily exertion than in the case of the other.”

“ *East India Distilleries and Sugar Factories, Limited.* ”

* 315 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 Government have ordered the prosecution of the management of the “ *East India Distilleries and Sugar Factories, Limited* ” (Parry and Company);

(b) if so, for what reasons;

(c) whether it is a fact that this prosecution has been withdrawn subsequently;

(d) if so, for what reasons; and

(e) whether it is a fact that the management has not chosen to implement the award of the Industrial Tribunal in the above dispute?

THE HON. SRI H. SITARAMA REDDI :—“ (a) & (b) In March 1948 the dispute between the workers and management of the *East India Distilleries and Sugar Factories, Limited*, Ranipet, was referred for adjudication and lock-out in the factory was prohibited. The management refused to take back 12 workers who had been dismissed by them before the reference for adjudication was made. They also discharged six clerks during the pendency of adjudication proceedings without the permission of the Industrial Tribunal. These acts of the management constituted offences under sections 26 (2) and 33 respectively of the Industrial Disputes Act. The District Magistrate was accordingly asked to prosecute the management.

“(c) & (d) Subsequent to the issue of instructions to the District Magistrate, the management took back the six clerks discharged during the pendency of adjudication proceedings. As regards the 12 workers dismissed earlier, their reinstatement was one of the issues for adjudication. Pending the Tribunal’s finding on this issue, the management agreed to pay them wages in full. In the circumstances, the District Magistrate was asked not to proceed with the prosecutions.

“(e) No, Sir. The Commissioner of Labour has reported that the management has implemented the award in full.”

JANAB MOHAMED ABDUL SALAM :—“ When a management refuses to accept the Government’s proposals, it constitutes an offence. If subsequently the management agrees to implement the proposals, does it empower the Government to withdraw the prosecution? Is it the proper procedure to be observed? ”

THE HON. SRI H. SITARAMA REDDI :—“ The hon. Member takes a view which may not be quite correct. He seems to think that there was a charge-sheet framed against the

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management and the case was being proceeded with when it was withdrawn. But the whole point here is when the Government issued a notice to the management, it agreed to do what I have said in reply to clauses (c) and (d). The whole object is to help the workers to get back to duty. It is not a question of taking some sort of punitive action unless the particular person concerned is found to be recalcitrant.”

JANAB MOHAMED ABDUL SALAM :—“ May I know, Sir, at what stage the prosecution was when the Government ordered withdrawal? ”

THE HON. SRI H. SITARAMA REDDI :—“ I would like to have notice.”

JANAB MOHAMED ABDUL SALAM :—“ In addition to taking back the labourers, is not the management bound to pay about Rs. 50,000 to the labourers to fulfil the requirements of the award? ”

THE HON. SRI H. SITARAMA REDDI :—“ I have already said that the Commissioner of Labour has reported that the management has already implemented the award in full.”

Government Arts Colleges.

* 316 Q.—SRI N. S. VARADACHARI : Will the Hon. the Minister for Education be pleased to state the number of persons that were re-employed in the Government Arts Colleges during the period 1947—50 and on what grounds?

THE HON. SRI K. MADHAVA MENON :—“ Eighteen persons were re-employed, 11 in gazetted and the rest in non-gazetted posts.

“ They were re-employed in the exigencies of service and in pursuance of the policy of the Government that as far as it is expedient members of the staff of Government colleges should not be retired in the middle of the academic year.”

SRI S. NAGAPPA :—“ May I know the age of each officer so re-employed and also whether they are physically fit to be continued in service? ”

THE HON. SRI K. MADHAVA MENON :—“ They must have been at least 55 years when they were re-employed and the re-employment was only for the rest of the year so that there cannot be any physical disqualification.”

Well Subsidy Scheme.

* 317 Q.—SRI S. PARAMANANDA RAYAR : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of wells for which subsidy has been granted so far under the Well Subsidy Scheme and the total amount of subsidy granted for the South Arcot district;

(b) the number of wells that have actually been sunk and the number that is being completed;

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(c) the number of wells now with water for irrigation and the total acreage they irrigate; and

(d) what steps the Government propose to take to hasten up the completion of partly sunk wells and to prevent the misuse of grant?

THE HON. SRI H. SITARAMA REDDI :— (a) & (b).

South Arcot district.

Name of the scheme.	Number of wells for which subsidy has been granted so far under the Wells Subsidy Scheme and the total amount of subsidy granted.		Number of wells that have actually	
	Number of wells.	Amount.	Been sunk.	Been completed.
		RS.		
Accelerated scheme—				
New wells	3,811	11,14,660	3,375	—
Old wells	348	1,21,020	764	..
New Well Subsidy Scheme—				
1947-48	3,508	10,33,950	2,677	120
1948-49	2,714	12,74,600	916	1,578
1949-50	1,861	10,14,450	246	1,001
1950-51	1,054	5,55,300	27	362

(c) No statistics are available as to the number of wells now with water for irrigation.

(d) (1) Under the Accelerated Well Subsidy Scheme the last date for completion of repairs to old wells was 30th June 1948 and that of new wells was 30th June 1949. In cases where the well works remained incomplete on the final dates, recovery of subsidy has been resorted to. However, in individual cases, where the construction has been completed after the final date and where recovery may cause hardship the delay in completion is condoned and recovery of subsidy is waived. Under the New Wells Subsidy Scheme, 1947-48, the final date for completion was 30th June 1950. In cases where the well works remained incomplete on that date recovery of subsidy would have been ordered. In cases where the work done is nothing or negligible, recovery will be summary and in cases where the well work on 30th June 1950 is substantial, recovery will be in five annual instalments. The last date for completion of wells under the 1948-49 scheme was 30th June 1950. The question of further extension of time is under consideration. The last date for completion of wells under the 1949-50 and 1950-51 schemes are 30th September 1950 and 30th June 1951 respectively.

(2) To hasten the completion of incomplete wells, the Government have been issuing warnings to the grantees, goading

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them to complete the wells within the specified time and granting extension of time to facilitate completion. To prevent the misuse of grant, grant of subsidies to old wells has been discontinued since 1946, the well site is inspected and approved by the granting authority prior to the grant, in order to see that no old well is passed on as a new one and that the construction of the well will help in more food being grown. The well is inspected periodically to see whether the amount is being spent for the purpose for which it was granted and the subsidy recovered whenever it is misused."

JANAB M. S. ABDUL MAJID :—" May I know, Sir, whether the figures indicated by the Hon. Minister in his answer include the amount spent on the artesian wells? "

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

Self-sufficiency in food.

* 318 Q.—SRI N. GOVINDASWAMI NAYUDU: Will the Hon. the Minister for Food be pleased to state the steps that have been taken by the Government in the matter of self-sufficiency in food?

THE HON. SRI J. L. P. ROCHE VICTORIA :—" The answer^a is laid on the table of the House, Sir."

JANAB M. V. HYDROSS :—" May I know, Sir, whether there is any scheme of co-ordination between the efforts of this Government and those of the Central Government in the matter of self-sufficiency of food? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, Sir, since we are getting the grant for all things, we always work in co-operation with the Central Government."

SRI K. LINGA RAJU :—" From the answer placed on the table of the House, I find there is a scheme for the appointment of honorary propaganda officers for food production. Sir, will the Government take this House into confidence and give an opportunity to the House to discuss the scheme in full? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" On a previous occasion, this point has been answered in this House. It is only a few honorary propagandists that have been selected in each district to do propaganda and to show the practical effect of the improved methods in their own lands. They are only paid Rs. 50 as a sort of honorarium."

SRI L. N. GOPALASWAMI :—" May I ask, Sir, whether the figure given in the break up for 1949-50, namely, two lakhs and eight thousand and odd tons have been got by the Government? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" I should like to know what exactly the hon. Member wants to know."

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SRI L. N. GOPALASWAMI :—" In the break up figure on page 2 against 1949-50 the total tonnage has been fixed at 208,797 as the target of excess production under the Grow More Food Scheme for 1949-50. May I ask, Sir, whether the Government were able to achieve this target during the year 1949-50? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" No, Sir, not to the extent as is mentioned there. But it has been achieved to a large extent."

JANAB M. S. ABDUL MAJID :—" May I know, Sir, whether the time limit fixed by the Prime Minister of India, namely, that we must reach the stage of self-sufficiency in 1951 still stands good? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, Sir. It stands good and we are working towards that end."

JANAB M. V. HYDROSS :—" May I know, Sir, whether apart from the officers and men appointed by the State, there are men, officers or machinery of the Central Government working in this State with regard to the food efforts? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" No, Sir."

SRI M. R. APPA RAO :—" Will the Government consider, Sir, the inclusion of Budameru project under the intensive schemes that are to be executed in 1951-52? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" A separate question may be put to Hon. Minister concerned."

SRI V. I. MUNISWAMI PILLAY :—" The note placed on the table of the House says that 27 propagandists have been appointed. May I know, Sir, what is the area covered by each propagandist; it is a village, firka or a town? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" It is for a district, Sir."

SRI T. VISWANATHAM :—" May I know, Sir, what is the propaganda which the honorary propagandists are likely to make in a country where food production is well known? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" When the scheme is not generally known to the people, the ordinary ryots, with a view to help them and bring before them all facilities offered by the Government, their services are necessary."

JANAB M. S. ABDUL MAJID :—" May I know, Sir, if you don't reach the stage of self-sufficiency in 1951, does it necessarily follow that the Government will not import rice from other countries? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" That is not the fact, Sir. Even this year the Government of India exceeded the limit which they set before themselves and they are importing more grain than what they originally proposed."

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SRI V. I. MUNISWAMI PILLAY :—" Arising out of the answer, Sir, that the area covered by the propagandist is a district, may I know, whether it will be possible for an honorary propagandist to do real work with Rs. 50 as honorarium? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" There are two or three in a district, Sir."

SRI T. VISWANATHAM :—" May I know, Sir, whether the Government have realised that the decrease in the rations is directly proportional to the increase in the number of steps they take in the interest of Grow More Food Campaign? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Well, Sir, the hon. Member knows for what reasons the decrease happened. It has nothing to do with the utmost efforts being made for increased production."

JANAB MAHBOOB ALI BAIG :—" May I know, Sir, whether the Hon. Minister is assured by the Central Government that if on the date fixed for attaining self-sufficiency in India, the Madras State require importation of rice, the Central Government, the Union of India, would import rice into this State? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" As I have already said, if it is necessary, they will import."

SRI N. S. VARADACHARI :—" The availability of agricultural implements is very important to step up food production. Would Government investigate the fact whether all the steel quotas now being made available to various fabricators and others are being utilised at all for this purpose and if they find as a result of investigation large quotas are taken by people and sold in the city without being moved to the mufassal, would Government cancel all such licences and see that agricultural implements are made available throughout the State? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" We shall go into the matter and take necessary steps."

JANAB MUHAMMAD RAZA KHAN :—" The time limit for attaining self-sufficiency in food is fixed as 1951. May I ask, Sir, whether it cannot be extended year after year? I mean the time limit for self-sufficiency? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Not at this stage, Sir. We must go on working to reach the target. Time has to be extended only in untoward circumstances."

SRI V. M. RAMASWAMI MUDALIYAR :—" From the progress made under the self-sufficiency scheme so far as this State is concerned, may I know, Sir, whether the Government is confident of fulfilling the self-sufficiency programme within the target date fixed by the Government of India, if not, may I know, Sir, whether it is not our duty to apprise the Central Government how far our deficiency will be? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" We can only speak for our own State and the target fixed for our

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own State is before us. We are trying our level best to reach the target. In regard to the Government of India reaching the target it is their work, Sir."

SRI M. R. APPA RAO :—" May I know, Sir, how many tractors the Government have supplied to the Andhra districts? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" I want notice, Sir."

JANAB MAHBOOB ALI BAIG :—" I want to know, Sir, whether the Government of India has assured this Government that in the event of this State not being able to attain self-sufficiency, the Government of India has assured that the deficit will be made up by the Government of India? Has the State any assurance from the Government of India? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Sir, the Government of India is also jointly responsible with this Government with regard to supply of food. So though there is no definite assurance, it is implied that they must see to it that we are supplied with foodgrains when we fall short of it."

SRI L. N. GOPALASWAMI :—" If the Government have not been able to attain the target for 1949-50, may I ask, Sir, whether they hope to attain the target for 1950-51 which is nearly twice or thrice the target fixed for 1949-50? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, Sir, if the seasonal conditions improve."

SRI R. RAGHAVA MENON :—" Taking all the factors into consideration, will the Hon. Minister be pleased to state when we hope to have self-sufficiency within our State as regards food? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" It is not possible to say that, at the present moment."

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JANAB MAHBOOB ALI BAIG :—" I want to know whether the Government have asked the Central Government for an assurance of the kind that I have suggested namely, to make good the deficit in the event of this State not being able to produce sufficient food to maintain the supplies needed."

THE HON. SRI J. L. P. ROCHE VICTORIA :—" It is not necessary to ask for an assurance like that. It is implied there, Sir. We are jointly working to reach the target. Naturally we try to do our best and they will also do their best to come to our help."

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

II.—POINT OF ORDER—IMPUTING MOTIVES.

JANAB MOHAMED ABDUL SALAM :—" Sir, I wish to rise on a point of order. You may remember that when Question No. 312 was taken up, I asked a supplementary question whether there was an impression in the country that if persons are missing

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from the villages, they would have been shot dead by the Government. It was open to the Government to have answered 'Yes' or 'No'. But the Hon. Minister for Law imputed motives to me and insinuated against me and said that there was no such impression and that I was only creating that impression. If I have really created that impression, it is for the Hon. Speaker to say . . ."

MR. SPEAKER :—" The hon. Member should have brought it to my notice then and there."

JANAB MOHAMED ABDUL SALAM :—" If such things are allowed when you are presiding, I may also say a hundred things. It is for you to say whether I am creating such an impression or not and ask me to withdraw what I have said. It is not open to the Hon. Minister under the cover of answering a question to say that there was no such impression and that I was only creating such an impression. It is a matter for you to decide, Sir, and not for the Hon. Minister. It is not proper for the Hon. Minister to say that, Sir, and I request you to give a ruling on the point."

MR. SPEAKER :—" I cannot give a ruling now. The hon. Member must know my difficulties also. He cannot take up something which happened half an hour ago and ask me to give a ruling now. He should have brought it to my notice then and there."

JANAB MOHAMED ABDUL SALAM :—" Can it be taken up tomorrow, Sir? The official report of the speeches also may be looked into."

MR. SPEAKER :—" No. If I have time, I shall see what can be done. I shall see whether I can take it up tomorrow or not."

III.—MESSAGE FROM THE COUNCIL.

MR. SPEAKER :—" I have to announce to the House that I have received the following message from the Hon. Chairman of the Madras Legislative Council, dated the 13th October 1950 :—

'I transmit a copy of the Madras City Improvement Trust Bill, 1950 (L.A. Bill No. 11 of 1950), as passed by the Council with the amendment set out in the Annexure and signed by me for the concurrence of the Assembly.

ANNEXURE.

In clause 86, sub-clause (2) add the following at the end :—

"subject to the prior payment of land revenue, if any, due to the Government on such land."

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IV.—GOVERNMENT BILL.

THE MALABAR TENANCY (AMENDMENT) BILL, 1950.

THE HON. SRI K. MADHAVA MENON :—“ Sir, I beg to introduce the Malabar Tenancy (Amendment) Bill, 1950, and move—

‘That the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both Houses consisting of 30 members to consider the Bill (20 members from the Assembly and 10 members from the Council).’

“ I shall give the names of the members later on, Sir. I have changed the number of Members as given in the motion on the agenda from 24 to 30.

“ Sir, the amendments that are sought to be made to the Malabar Tenancy Act and the purpose of the amendments have been given in detail in the Statement of Objects and Reasons that is appended to the Bill.

“ The first legislation relating to landlords and tenants in the district of Malabar, viz., the Malabar Compensation for Tenants Improvements Act, was passed in 1887. It was amended and re-enacted in 1900, as the Malabar Compensation for Tenants Improvements Act, 1899. The Act ensured to the tenants, on eviction, adequate compensation for the improvements effected by them, but it did not have the desired effect of checking arbitrary evictions and rack-renting. The Government therefore found it necessary to undertake legislation of a more comprehensive character, and the result was the enactment of the Malabar Tenancy Act, 1929.

“ The Malabar Tenancy Act, 1929, has conferred a qualified fixity of tenure on cultivating verumpattamdars and the right to demand a renewal of their leases on kanamdars, kuzhikanamdars and customary verumpattamdars.

“ Sir, these expressions may be strange to those who are not very familiar with Malabar land tenures. The landlord is called the janmi. The actual cultivator is called the verumpattamdar. The kanamdar may be a cultivator or he may not be a cultivator. In many cases he is an intermediary between the landlord, janmi and the cultivator. There is a very large percentage of actual cultivating kanamdars also. Kanam is supposed to be the amount of money which the tenant pays to the landlord as a sort of security for his tenure. It is a very wrong definition to say that it is a mortgage. You will find that in the majority of the kanams of Malabar, the kanam amount is very, very low and it ranges from annas 8 to the considerably big sums of Rs. 500 or Rs. 1,000. It cannot be said that a big landlord owning lakhs and lakhs of acres of land was in difficulties for half a rupee and so he took half a rupee from his tenant and gave possession of his land for 12 years. Whatever might have been the origin of this kanam, that right was considered and is still considered in Malabar as one

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of the best rights in land. The proverb goes there that you should sell even your kanam and have a good meal on the Onam day, which is supposed to be the only festive day for the Malayalee. An hon. Member : ‘ Why only ? ’ In fact it is practically the most important festive day. The proverb goes : *Kanam Vittu Onam Unnanum*. Even by selling your kanam you must have a good meal on the Onam day. So we can understand the value at which that particular tenure was held. I have dilated upon this simply because these terms—janmi, verumpattamdar, kanamdar, etc., will be coming up so often that I thought I had better explain what exactly they are.

“ These tenure holders can be evicted from their holdings only if they wilfully deny their landlord’s title or commit acts of waste or collusively allow strangers to encroach on the holding or if the landlord requires the holding bona fide for cultivation or for building purposes. Cultivating verumpattamdars can also be evicted if they fail to pay rent or to furnish security for the due payment of rent and kanamdars, kuzhikanamdars, and customary verumpattamdars, if they fail to obtain a renewal of their tenancy. As far as tenants of kudiyruppus (homesteads) are concerned, the Act has given them the right to purchase their holdings, when sued in eviction, if they have been in continuous occupation for not less than ten years. The Act has also prescribed the rates of fair rent in respect of wet, garden and dry lands and provided for the determination of such rent by the Court in respect of the holdings of cultivating verumpattamdars and cultivating kuzhikanamdars.

“ The Malabar Tenancy Act, 1929, however proved to be defective in certain respects. In 1938 therefore the Government gave notice of a Bill to amend that Act. But the Bill was not actually proceeded with. In July 1939, the Government appointed a Committee (the Malabar Tenancy Committee with Sri K. Kutti Krishna Menon, the present Advocate-General as Chairman) to study the nature and effects of the land tenures prevailing in the Malabar district and in the adjacent areas where similar tenures are prevalent, and to suggest the necessary legislative measures for the regulation of tenancies and similar relations in those areas. The Committee submitted its report in 1940. The Government obtained the remarks of the Board of Revenue, the High Court and certain other Heads of Departments on the Committee’s report, but further consideration of the report was postponed owing to the War. In 1946, the Government again took up the report and asked the Special Officer for Land Tenure Systems, who was then functioning, to examine the recommendations of the Committee. The Special Officer made his report in 1947. The Government then examined the two reports in detail, in fresh consultation with the Board of Revenue and formulated certain proposals as to the lines on which the Malabar Tenancy Act was to be amended. These proposals were discussed at two conferences of legislators from Malabar and certain others including representatives of the landed interests, convened by the Government at Kozhikode in December 1948, and at Madras early in July 1950, and have been

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years of the passing of this Act and after five years there should not be any eviction at all. That is one of the provisions that is made in the amending Bill.

Again, Sir, if a tenant has been in possession for more than 12 years at the time of the passing of this Act, eviction can be sought for, so that the total extent of the land in occupation of the tenant is not reduced to less than five acres. These are the limitations we have imposed on eviction even for *bona fide* purposes of cultivation. It may perhaps be argued on behalf of the landlord or even intermediaries that this is a very great hardship and that if they want to cultivate the land for their own purposes, should they not be allowed to do so. That argument may be plausible. But, there is a person who has been cultivating the land already, probably for generations and the landlord suddenly makes up his mind and says he wants to cultivate it. The whole question is, somebody should go in for new land and of course, every man can go in for new land, but why should the person who has been cultivating the land go in favour of the person who has not been cultivating till now and proposes to cultivate it only hereafter? It is on that basis we have restricted the power of eviction to these terms.

"Then, Sir, the most important amendment we have proposed is in relation to the fair rent. As I said, under the present Act, excluding cultivation expenses, it is put at a very low figure and that is, two-thirds goes to the landlord and one-third to the tenant. I should think it is very inequitable. As I said, in Malabar the landlord does not spend anything on the land. By some circumstances or accident of birth or in some cases on account of profuse wealth, people have come into possession of lot of land. Whatever it may be, the tenant takes the seed, spends his own money for labour, for fertiliser, manure, etc., and produces, and the result is, he gets only one-third and the landlord gets two-thirds of the produce. In actual practice, the tenant gets nothing except a little of straw. (Sri K. R. Karanth: 'Straw which unfortunately he has not yet begun to eat.') Yes, unfortunately he has not begun to eat straw yet and even straw is hardly sufficient to maintain the little cattle he has to plough the soil with. The fertility of the land generally in Malabar is low. So, the most important of the main amendments we have proposed is, you may call it fair rent or anything, equitable share of the produce to the tenant. Since there is the problem of intermediaries in Malabar, we thought we should first fix the share of the actual cultivator and after the share of the actual cultivator is fixed, whatever balance remains, let anybody who is entitled to it share it. So that, what we have considered regarding fixation of rent is what should be the seed and cultivation expenses, which we have on the basis of the evidence gathered from various sources, put at 22 Palghat paras of paddy per acre, which will be about 200 Madras measures. Taking these and the harvesting expenses, half of the net produce must be the share of the cultivator and the other half has to go to the landlord or the intermediary, whatever the case may be. So,

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what we have attempted to do here is, when we once give permanency or security of tenure to the cultivator, we are also securing that the cultivator will have an interest to cultivate the land, because we are giving him a further interest by giving him his proper share. Of course, I do not say that half is the proper share; perhaps he may get more, but what we propose now is half to the cultivator and half to the landlord because the landlord does not contribute anything to the land, except as I said by some accident or circumstances of birth, that he is the owner of the land under the notions we have now. Other than that, he has not done anything for production. That is why we have provided in the Bill that he can get half the net produce. In regard to the assessment on the land, it should be divided in equal moieties between the landlord and the cultivator. (Sri M. G. Natesa Chettiyar: 'Whether the land is cultivated or not?') If the land is not cultivated, he may not have to pay and he cannot pay. We have, however, provided for that also. If for any reason the land is not cultivated and the revenue of the land is remitted by the Government because of non-cultivation, a proportionate reduction should be given and it has been provided in the Bill.

"Then, Sir, another important amendment we have proposed is in relation to homesteads. Eviction from homestead is not a common thing. Under this Bill a sort of permanent security regarding homesteads is given and homesteads can be purchased by the tenant. The question of security of tenure will also apply to homesteads and we have made that security more real than what was before. We have also given a sort of security of tenure to what are called *ulkudis* and *kudikadappus* in Malabar. These terms may be strange. There are particularly two taluks in Malabar where there are a large number of tenants or cultivators or workmen, who have their homesteads in large coconut gardens. For instance, there may be coconut gardens acres in extent. A typical instance of it will be the Cochin Port. It is an area of one square mile with a population of fifty thousand, forty thousand of whom are perhaps living in what are called *ulkudis* or *kudikadappus*. That is, they have built small houses in coconut gardens where they do the work of watchmen for the landlords. In fact, they are watchmen or themselves and most of the men are doing work in shipyards or other factories and they are also doing work as watchmen in their homesteads. So, we have given them also permanency in their homesteads, provided they pay a little rent to the landlord. And, if the landlord wants to remove the man from his homestead, the condition is that the landlord must give him another homestead in the same village if he wants to evict him. That is another provision we have made.

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modified suitably in the light of the criticisms and suggestions made at these conferences. The present Bill is intended to implement the proposals as so modified. It also makes certain consequential amendments in the Malabar Land Registration Act, 1895, the Malabar Compensation for Tenants Improvements Act, 1899, the Gudalur Compensation for Tenants' Improvements Act, 1931, the Madras Marumakkattayam Act, 1932, and the Madras Abhyasantana Act, 1949.

Under the Act of 1929, permanency of tenure was given, but provision was made that the landlord could evict the tenant if he required the land for his own bonafide cultivation. The courts interpreted the section in such a way that eviction became very easy. The High Court held that the landlord need not prove his necessity and that if the landlord alleges that he wants the land for his purposes, that must be taken as correct and eviction ordered. The High Court said that the section as it stood could be interpreted like that. This decision was given in 1942. There was such a large number of evictions on the ground of the landlord wanting the land for his own purposes that the Advisers' Government in 1945 made an amendment to that section saying that the landlord must not only allege but also prove his necessity that he required the land for his own cultivation or for that of the members of his family. I am only reminding the House of that because the security of tenure that was given under the 1929 Act was found even by the Advisers' Government to be illusory and they had to amend the Act.

Sir, the main points in the amendments that are proposed in the Bill are three or four. Of course the amendments may be large in number, but the principles are only three or four. The changes that we have proposed in these amendments relate first of all to the renewal fee. The ordinary period for a lease in Malabar—customary verumpattam or kanam or kuzhikanam—is 12 years. At the end of 12 years, the tenant is entitled to get renewal on certain terms. The landlord is entitled to a renewal fee. Under the Act of 1929, this renewal fee has been the greatest source of misery to the tenant. The renewal fee calculated according to the 1929 Act is about $2\frac{1}{2}$ times the rent for a year. It will come to a little more than $2\frac{1}{2}$ times the rent which itself is so very high as two-thirds of the net produce. This renewal fee has ruined many a family in Malabar because, from what they get during the 12 years they are not able to save, for the obvious reason that they do not get much, and it is not possible to have a lump sum amount at the end of 12 years to pay as renewal fee, which though fixed at $2\frac{1}{2}$ times the rent under the Act, is really much more as the tenant has to pay various other perquisites also along with the renewal fee. So practically the tenant has to go and mortgage his land to somebody else and get the money to pay the renewal fee. Instead of losing the land by eviction by the landlord, he loses it by mortgaging it to somebody else for the payment 12-15 of a renewal fee. So, Sir, the reason for the perpetual agitation p.m. in Malabar all through has been that this renewal fee has been

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iniquitous and that it should go. One of the proposals that we have made in the Bill is that there should be no renewal fee at all.

The other proposal we have made practically nullifies the provision for renewal fee, because we are conferring fixity of tenure on the tenant and so there is no question of renewal and for 12 years the tenant cannot be evicted.

The next main amendment that is sought to be made in the Bill is in respect of the actual cultivator, the verumpattamdar, as he is called. If he wants fixity of tenure, he must give security of one year's rent. As I said now, the present position of rent in Malabar, ordinarily—of course, there may be exceptions—is that the actual cultivator gets very little from the land. In Malabar, the landlord does not bear anything by way of seed or cultivation expenses, for fertiliser or manure, but the seed and the entire cost of cultivation is borne by the tenant and so the tenant gets practically nothing, but perhaps in some cases he may get some straw. That is supposed to be the verumpattam rent now. In the Act it is mentioned 'two-thirds for the landlord and one-third for the man who produces.' Anyhow, he has nothing to pay as security. So, the question of demanding security from the tenant of one year's rent is practically nullified, or, as I said, making the provision of non-eviction illusory. Therefore, we propose that there should be no security demanded from the tenant for such a privilege of not being evicted from the land.

Then, Sir, the third important provision is we have tried to tighten the provision about eviction. Under the existing Act, there are certain conditions mentioned where the landlord could evict the tenant, for instance, denying the landlord's title by collusive means. Those provisions have been a little bit tightened, but we have still provided that the landlord has a right to evict the tenant from the holding when it is needed by the landlord for his bona fide cultivation or building purposes. We have also provided that such evictions cannot be made in the case of tenants of temples, churches or mosques having properties, because in Malabar the sthanis of these religious endowments are very big landlords and considerable portions of the land are janmi property or the landlords are the temples themselves. So, the temples cannot evict the tenants for their own purposes. Then, how can a temple evict the tenant for its own purposes? So also there are big mosques which are landlords and similarly churches. Therefore, the right of evicting the tenants from the lands belonging to churches, mosques and temples, has been limited to the extent that they can evict tenants only for the purpose of extending the premises of the particular institutions concerned and not for the purpose of cultivation for their own purposes. It is obvious that these institutions do not want to cultivate for their own purposes, and God cannot eat anything except the 'naivedyam' that is offered in a particular way and so there is no interest for them to cultivate. Again, in the case of eviction, what is provided under the present Act is, even if the landlord wants to evict a tenant for his own bona fide purposes, he must use that option within five

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in the case of 36 villages there is no doubt about the tenure; originally we included in the schedule 46 plus 6, that is, 52 villages. You will probably be hearing about this from hon. Mr. Karanth and hon. Mr. Schamnad and so I do not want to say anything more about the question, because they belong to that constituency, but in the case of 36 villages there is no doubt at all, whereas in the case of the other 16 villages, the opinion of the Revenue authorities is that the tenancy is almost the same, or in a slightly modified form, as that of the tenure in Malabar. We have provided that in the case of the villages specified in the schedule the provisions of the Bill will be made applicable to such of the villages as can be benefited by the provisions of this Bill.

12-30 p.m. "These are the main provisions of the Bill, and the remaining provisions are more or less consequential to these provisions. The proposal of the Government is to set up one settlement authority to fix the fair rent; his jurisdiction will extend to the whole area of Malabar, so that there will be no difficulty felt in fixing it and in knowing what the fair rent is. I have seen the various criticisms regarding this Bill published in the newspapers and sometimes made by Members of this House. The tenure, to those who understand it, is not so complex as it appears on the face of it. It is said that the effect of this Bill is far-reaching. Certainly it is so, in the sense that it affects those who want to get a good portion of the results of labour of others. I know those who are not engaged in actual cultivation will stand to suffer. I know it affects the interest of the non-cultivating kanamdar, who is only an intermediary between the landlord and the cultivator. I know he suffers by this Bill. For, he has been all along getting much more from the cultivator than what is allowed to him under this Bill. Hereafter he will not get two-thirds of the produce; he will get only half the produce. Here I have to utter a word of caution to Members. I do not want the Members to commit the mistake that all kanamdars are like that. Most of them, or rather fifty per cent of the kanamdars are cultivating kanamdars. Only the non-cultivating kanamdar will suffer, as he is only an intermediary. Sir, it was represented to me by my friends that I will be wiping out by this measure practically, what is called, the middle classes in Malabar, if this Bill were to be passed. It was particularly taunted at me, that I would be wiping out the class to which I belong. I do not know whether I would lose. But it is true that I belong to what is called 'the middle class'. They will suffer in the sense that they will be getting nothing without doing anything."

SRI M. G. NATESA CHETTIYAR :—" But their tenure also is convertible, I suppose."

THE HON. SRI K. MADHAVA MENON :—" Yes, if they pay up their superior landlord. But they will hardly be able to pay so, if this Bill were to be passed. So, they will have to relinquish their holding. These are the main features of this Bill. I wish to refer this Bill to a joint select committee of both Houses. Enough material has been collected by various interests under this Bill, and they all can be discussed there. Still appeals and representations are being received asking us that we must take further evidence in

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this matter. Whatever it may be, it is for the joint select committee to consider it. So I commend this Bill to the House and I request it may be referred to a joint select committee of both Houses."

* SRI M. G. NATESA CHETTIYAR :—" May I request the Hon. Minister to give us the definition of 'garden land' under this Bill? For, there seems to be some difference between the definition in the original Bill and in the present Bill. It is only certain trees while standing on certain kind of land."

MR. SPEAKER :—" The hon. Member is making a speech. I shall allow him, if he wants to speak on this Bill."

SRI M. G. NATESA CHETTIYAR :—" I am only asking for some information I require in connexion with the Bill."

MR. SPEAKER :—" Even that he may ask, when I allowed him to speak."

THE HON. SRI K. MADHAVA MENON :—" I do not know what exactly the hon. Member wants. If he wants the definition of the term 'garden land', I can give it. In the original Act, 'garden land' is defined as : "'Garden land' means any land used principally for growing fruit-bearing trees." But in the amendment proposed, it is defined as follows : "'Garden land' means any land used principally for growing coconut trees or areca trees or both." That is the change which has been made."

SRI T. VISWANATHAM :—" Sir, some friends have represented to me that the conditions of this tenure are also included in the terms of inquiry of the Land Revenue Reforms Inquiry Committee. May I know if it is so?"

THE HON. SRI K. MADHAVA MENON :—" It is not so. It is specifically mentioned in its terms of reference that the scope of the inquiry will not be applicable to Malabar except perhaps to the extent that it will not be covered by cases governed by the Malabar Tenancy Law. For instance, I shall give an example. The question of limit of possession of land by a particular person, whether by a landlord or by a tenant, has not been fixed. Suppose the Land Revenue Reforms Inquiry Committee fixes the limit of possession of land by a mirasdar at twenty acres, and nothing more than that; that will be applicable to Malabar; because it is a thing not mentioned in this Bill."

MR. SPEAKER :—" The motion is—

"That the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both the Houses consisting of 30 members to consider the Malabar Tenancy (Amendment) Bill, 1950 (20 members from the Assembly and 10 members from the Council)."

The names of the Members will be given by the Hon. Minister afterwards."

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* SRI M. G. NATESA CHETTIYAR :—“ Sir, I just want to know from the Hon. Minister whether in respect of other matters like fixity of rent, assessment of land revenue and other things, whether garden lands are defined different from fixing fair rent to the landholder.”

THE HON. SRI K. MADHAVA MENON :—“ If the Committee will give a lead to the rest of this State, we shall be only too glad to consider it.”

MR. SPEAKER :—“ Sri K. T. Kunhi Kammaran Nambiar will now speak. He is making his maiden speech, and so I hope the House will give him the full indulgence he is entitled to.”

* SRI K. T. KUNHI KAMMARAN NAMBIYAR :—“ Mr. Speaker, Sir, the Hon. the Law Minister who introduced the Malabar Tenancy (Amendment) Bill knows full well that Malabar Land Tenure is ryotwari with only this difference that while the lands in other districts of the State are owned by Government, the lands in Malabar are owned by the landholders who are styled as janmis. For the sin of owning the proprietary right of the soil the janmis have been grouped differently by the Government and have been oppressed with several legislations from time to time. Unhappily for Malabar, the country is under two systems of inheritance, Marumakkattayam and Nambudiri, which two systems of inheritance, however good they may have been in other days have so degenerated now, that the gentleman who becomes the head of the family cares very little for the interests of his successors. It is very often in the interests of the head of the family who is styled as karnavan that for getting some pecuniary considerations known as renewal fee with which he can benefit his own children, who have no share in the tarwad or illam of his family, he can reduce considerably the rents of his family estate. If the several cases that are filed in Courts for the removal of karnavans and partition of taravads and Nambudiri illams are examined, anyone can see innumerable instances of such wanton reductions of rent to nominal sums. Though the Courts have redressed several such cases the present legislators call even such low rents as rack-rents. The percentage of the landholders' share to the gross income from a land in Malabar is much lower than the percentage of the landholders' share to the gross income from a similar holding in other districts as is seen from a table prepared by the late Chief Minister of Madras, Mr. O. P. Ramaswami Reddiyar. Instances can be shown in any number that in leasing lands to their tenants even in these days of high price of agricultural products, there are karnavans in Malabar who require only four annas per acre for their cultivable lands. The Hon. the Law Minister has taken care to see that such rents are made permanent even when his fair rate is much higher.

“ It is the object of the Congress Government to see that there is a common tenure throughout the State if not, throughout the Indian Union. Now that the zamindari system is abolished and there is only a ryotwari tenure throughout the State, I do not know what it is that induces our State Government to rush on with a Bill

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that affects only Malabar. When we the people of Malabar have agreed to be in the same State with our Tamil friends, it is not fair that we should be penalized with a separate legislation and kept apart from them. Steps are being taken to see that our inheritance system is abolished and we enjoy the benefits of the Hindu Code. There is also now a Land Revenue Reforms Enquiry Committee working, which will decide the nature of the tenure to be adopted, the share to be given to the landholder and several other questions affecting the ryotwari tenure. When such a Committee is working and when its report is to be published within a few months, the idea of giving a cruel discriminatory treatment to Malabar alone, is not politic—to use the mildest term. Even now it is not too late to ask the Land Reforms or Subramaniam Committee to include Malabar also in its enquiry. I may add that the Malayalee member of that Committee Mr. G. Sankaran Nair who has been a tenants' advocate all through his life is decidedly of opinion that the Malabar Tenancy (Amendment) Bill should not be rushed through hastily before that report is published.

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

“ The Malabar Tenancy Act, 1929, describes the janmi as a person entitled to the absolute proprietorship of land. In other districts since the State owns the land there is nothing wrong in describing the landlord as an intermediary. To say that a janmi of Malabar whose ownership in the land has not been questioned from time immemorial is only an intermediary is quite against fact. So far as Malabar is concerned, the term intermediary can very well be applied to Government, for if one goes back to history it can be observed that land taxes were not paid by the janmis to the Government existing before Muhammadan invasion of Malabar. Even now the landlords have not to pay in Malabar, taxes for the lands that are not being cultivated, that belong to them.

“ Excluding the janmi whom I am not prepared to call as an intermediary, there are a good number of intermediaries existing between the actual tiller and the proprietor of the soil whose removal is desirable in the interests of the country. If the theory that the zamindar is an individual who, because he is asked to collect the revenue; by paying a definite sum to the Government has enriched himself by increasing the rent is true; the inamdars, the kuzhikanamdars and the customary verumpattamdars who have subleased their lands to cultivators, have also tried to increase their incomes to an extent which cannot always be described as fair. The intermediaries created by the janmis are not expected to be rack-renting, as the janmis themselves have set off a good amount out of their low income to cover the interest for the money advanced to them. In the case of other intermediaries, the tenants, while obtaining leases for the lands they have mortgaged or transferred to the intermediaries, have agreed to pay them rents which are high. In whatever way the intermediary has occupied a place between the proprietor of the soil and the tenant, I think there is nothing inequitable in seeing that he is removed. His interest in the land is only

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money interest and if the proprietor of the soil or the actual cultivator, whoever has introduced him in their midst, is prepared to pay him back the money advanced by him, he should be made to sever his connection with the land.

"Curiously enough, the Hon. the Law Minister wants to retain these intermediaries. If the intermediary loses his income, he is allowed to make up his loss from the janmi whose income, even if it is very lower than the admittedly low fair rent, should be proportionately reduced. The janmi should always be content with his present nominal income or even less, even if the prices of land have become high, the values of agricultural produce have soared up and the taxes of the Government have increased several fold.

"I have already said that the landlord in Malabar who is very often the karnavan of a tarwad or of a Namhoodiri illom is interested not in increasing the rent of his estate but in getting something for himself which is called renewal fee. The renewal fee strictly speaking is only a small portion of the difference between the fair rent a landlord is entitled to get and the exceedingly low rent which he is now getting out of his land. This fact has been recognized and acknowledged by all people who have studied the land tenure of Malabar, by the Raghavayya Committee, by the Kuttikrishna Menon Committee and even by some of the Kisan Organizations in Malabar. Not one of them has said that it is unfair for the janmi to get a small portion of the fair rent he is entitled to get when the existing rent is very low. The name renewal fee may make people who are unacquainted with the tenure in Malabar believe that it is an unnecessary exaction made by the landlords periodically. I do not mind the renewal fee being abolished totally, and the fair rent being fixed by the Rent Settlement Authority, provided the landlord is enabled to get a fair rent out of his land after deducting the interest he has to pay to the intermediary on the sum advanced by him, if any. The Hon. Law Minister by a stroke of his pen wants the janmies to be satisfied for ever with the pittance of a rent that they are now getting, even if the lease periods of such lands have expired. The ex-President of the Kerala Provincial Congress Committee Mr. K. Kelappan the most ardent advocate of the peasants in Malabar has the fairness to say that the janmi in Malabar should get fair rent if his renewal fee is to be abolished. But in the eyes of the Hon. the Law Minister the janmis are a class of people to be penalized for ever, for they and their ancestors have been committing the heinous crime of thinking that land is the best investment for their savings.

"The present conditions in Malabar are different from the conditions that were existing in the country a decade back. Owing to the Marunakkathayam and Nambudiri Acts, partitions of families have taken place and we have in Malabar now only a few families who own big estates. Every member who formerly belonged to a prosperous undivided family now holds only three or four acres which are leased out to tenants from whom he gets only a very limited income as rent. Unless he directly cultivates such lands, he cannot meet his expenses. The feeling that he is the

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owner of the land without the privilege of getting it back for his own cultivation makes him discontented. The result is that a good portion of the Communists in Malabar are recruited from the ranks of janmis who have no lands to cultivate or houses to live in. The existing Tenancy Act has provisions, though they are suspended now, which enable the landlords to evict their tenants when they need lands for their own cultivation or for constructing houses to live in, the bona fides of which they have to satisfy a court. The present amendment Bill has added further restrictions which will have the effect of having no evictions at all. In my view, it is better not to have these concessions as proposed in the Bill than have them; for both have the same effect, namely, that no landlord will hereafter get back his land.

"I do not want to go into the details of the Bill at this stage. I am myself of opinion that some legislation is needed in the interests of the actual cultivators in Malabar. But the landlords in Malabar alone should not be penalized while the landlords in the adjoining districts are getting much higher rents. My request is that Malabar landlords should not be singled out for the confiscation of their rights.

"I shall close my speech with the recent remarks of Pandit Nehru who said that the quick introduction of land reform brought about a major change which upset matters rather than helped in producing more food."

JANAB M. V. HYDROSS :—"Madam Deputy Speaker, I agree with the spirit of the Bill and the Leader of my Party has given a mandate to the Members that we should generally support this Bill. It has been said by the speaker who preceded me that there is a Committee enquiring into the general land tenure system and that we should await the completion of that enquiry. The tenancy in Malabar is one of the most ancient and scientific forms of tenancy and such a tenancy has not obtained in any other land or country so far. Therefore I may at once say that it is absolutely unnecessary to wait for the report of that Committee which may give us some idea about the nature of the general land tenure system that should prevail hereafter. The argument advanced is quite irrelevant. As we have already delayed the introduction of this long overdue legislation, I request the Government to expedite its passage into law as much as possible.

"The amending Bill has to be completely overhauled with respect to the arrangement. A number of sections of the existing Act are repealed and new clauses are introduced which do not fit in with the scheme of the existing Act. Therefore I request this House to consider the possibility of repealing the entire existing Act and introducing a fresh Act in its place.

"Even the existing Act does not provide for the needs of a large section of cultivating tenants in Malabar. For example, under this Bill the provisions of the 1929 Act relating to renewal have been taken away altogether. At the same time, the Bill does not say

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that there shall be no renewal hereafter. The only provision is that no tenant can be evicted from his holding on the ground that he has not taken a renewal. In section 3 (1) (5), it is said :

' Kanam includes the liability of the transferee to pay a renewal fee to the transferor, if the transferee is permitted to enjoy the said property for a further period after the termination of the original period.'

In section 3 (ii) (2) it is said :

' Kuzhikanam means and includes the liability of the transferee to pay a renewal fee to the transferor, if the transferee is permitted to enjoy the said lands for a further period after the termination of the original period.'

In section 3 (i) renewal fee is defined. All these provisions are retained and I cannot understand why they are retained. From the retention of these provisions, it looks as if renewal is not altogether prohibited. In cases where a tenant wants a renewal of the property, the landlord can dictate his own terms and if the terms are not complied with, he may refuse to grant renewal. The necessity for renewal arises on more than one occasion. When a kanam amount is divided between two persons and one share is transferred and the holder of the other share wants to take a renewal and have an independent holding, he will have to approach the landlord and get a fresh document executed. Otherwise he will have to suffer for the failure of the other party to pay the rent, because he also is liable for the payment of the entire rent of the holding. In his own interest and for his own safety and security, it is advisable for him to have a fresh document executed. Specific provision must be made to see that the landlords do not terrorize the tenants when the latter want to get a fresh document executed.

" There is another set of tenants whose case is not at all considered in this Bill. There has been a system in Malabar under which if a landlord, who has leased his property, wants to raise some more money, he executes what is called a othi deed. In some places, othi means mortgage. According to the customary tenure in Malabar, othi is considered to be a device safer and more secure than kanam. Sometimes a janmi, instead of executing a sale deed, executes what is called a othi deed and retains the proprietary right for himself to keep up his prestige. Very recently decisions have been given by our High Court that othi is kanam and that the landlord is entitled to evict the othidar. I respectfully submit that provisions relating to othidars also should be included in the Bill.

" Another point I wish to urge is this. It has been said that the janmi is the real proprietor of the land unlike in other districts of the State. After all the janmi gives to the kanamdar or kuzhikanamdar as the case may be. It has been said that the landlord should be given the right to evict the tenant if the land is required for his own needs or maintenance. I submit that this remedy may be confined only to the janmi and not to the kanamdar, kuzhikanamdar, othidar or any other intermediary. This will fit in with the ultimate scheme of things if the opinion of a large section of the public is conceded that the intermediary is an unnecessary person in the land tenure in Malabar.

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" The Bill provides for the appointment of a Rent Settlement Authority. In this respect I do not entirely agree with the Hon. Minister for Law. The whole purpose of the Act will be defeated if the authority appointed is a person who will not be suitable for the purpose of settlement. It will be said that proper and efficient persons will be appointed. The Courts of Law should be the final authority as intricate problems of law and fact are involved.

" It has been said that renewals are to be abolished. It is all good. But I submit that there may be some provision for having fresh documents executed. There may be a prohibition to a landlord or janmi taking any renewal fee. For the safety and security of the tenant, it is absolutely necessary that he should have a renewal document every twelve years. Suppose a tenant or landlord dies or transfers his interest to a third party. It will be highly impossible for the tenant or landlord to find out the person to whom he has to pay or from whom he has to collect the rent. It is said that a record of rights can be maintained. The provisions relating to record of rights as we find in the Estates Land Act are not workable consistent with the conditions in Malabar where the land is split up into small holdings. Therefore I submit that there should be actual documents defining the boundaries, extent, survey number and subdivision of the various holdings. Then only there will be safety for the tenants.

" Madam, there are many other things that I want to say on 1 p.m. this Bill, but I shall not detain the House by going into all of them at this stage. There is one section of opinion which thinks that this Bill is expropriatory in character and that it seeks to take away the rights to property of certain people, which are guaranteed by the Constitution and that this Legislature has no right to legislate on such matters whatsoever. These things are put up by certain interested propagandists in order to achieve their purposes and aims and they want to stand in the way of conferring some special benefits to the actual tiller of the soil. Such opposition should not deflect the Government from carrying out their duty to the tenants and of doing justice to people who have been suffering all these years. I therefore, Madam, wholeheartedly support the principles of this Bill and the motion moved by the Hon. Minister for Law in referring it to a Joint Select Committee."

SRI R. RAGHAVA MENON :—" Madam Deputy Speaker, this Malabar Tenancy Amendment Bill is a Bill which is certainly necessary and I am not prepared to say that it is not time enough for bringing in this legislation, or that we shall have to wait for some other Committee to report. But at the same time, the scheme of this Bill is not what it ought to be. There are certain points where we have no quarrel with this amending legislation. For instance, some of the concessions sought to be given to the janmis under this Bill are quite welcome and the majority of the tenants under them will not be sorry if provision is made for paying a small michavaram to the janmis on the land which they cultivate. It is now fixed at 2½ times the net yield for a year. But let it be half-an-year's income. That will be more

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equitable. There are a number of janmis who have nothing else to feed themselves with. Their cases will also have to be taken into consideration by the Government, because this is a land legislation, where we are not expected to wipe off one section of people, whatever may be our reasons for effecting land reforms. There may be reasons, political, economic or otherwise, which might tempt the Government to introduce measures of reform, but because they are dealing with land, which is limited in extent, the Government must be considerate to both the classes of people who live on the land, namely, the landlords and the tenants, and any legislation which they bring about should not seek to deprive one set of persons of their entire rights to the benefit of the other, because both of them are depending upon the land and from the income therefrom. Nearly 80 per cent of the people in our country live on agriculture and agricultural incomes, and in Malabar also, most of the people live on the income from the land, whether they actually cultivate it or not. So, a legislation which is meant to be progressive, just and uniform, must be such as not to wipe off any one class of people and drive them to starvation. It is no argument to say, 'suppose I allow eviction of tenants from their land, what would they do for their livelihood?' It is not in all cases we are asking for the eviction of the tenants. After all, whom are we seeking to evict and for what purpose? It is not a stranger whom we are seeking to evict, as if, immediately he is evicted, he would die of starvation. It is not such kind of people we want to be evicted. It is only in cases where the members of the janmi family themselves want to cultivate the lands for their own living, that we want that there should be provision in this Bill for the eviction of tenants. To say that if a janmi had once been tempted to lease out his land, he or the members of his family should be content with the rent from the tenant, and that he should not get back his land even for purposes of personal cultivation and for the support of his family, is a thing which is neither just nor proper. That is what this piece of legislation is seeking to do.

"Now, Madam, coming to the question of renewal, I have only a few remarks to offer. I want to put it simply, that the renewal should not be a pressing burden on the tenant. I shall leave it at that. Some of the conditions imposed with regard to renewals are rather very rigid and should be relaxed. I do not want to go into a detailed examination of the various provisions in the Bill regarding renewals, because any suggestion that I might make at this stage may be misunderstood. But what I want is that the Government should take a sympathetic view of the plight of small janmis, who may get nothing from the land, and who simply exist in name, and do justice to them. I may be a tenant and have no janmam land at all, but still the lands in my possession and the income therefrom would be many times more than what perhaps a janmi could get by way of rent. And therefore, as I have already said, any legislation which is brought forward for the reform of land, which is only limited in extent, must be so well-balanced, that no class, whether it be janmi or kanamdar or any intermediary, should be wiped off altogether, unless the

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Government are prepared to settle those people who are dispossessed of their right. If they could do that, then perhaps, there would be some justification for a measure of this kind. We should not simply wipe off one class of landholders and proclaim ourselves as champions of the other class. A Government professing to be a democratic one, should not attempt to legislate in that manner. That is all I want to say so far as the general principles regarding eviction and renewal are concerned.

"Now, Madam, let me say a few words regarding security. That of course, is not a major point, so far as the Malabar district is concerned, because 99 per cent of the tenants in Malabar have not been offered any security and they have not been imperilled for want of that. There is a good understanding between the landlord and tenant, and except perhaps in a few cases, there is not likely to be any trouble with regard to security of tenure. But on that score, I do not say that the relationship between the landlord and the tenant is quite all right or that it leaves nothing to be desired. The majority of those tenants who are in possession of extensive properties and carrying on cultivation for a long time under the landlords have not had any difficulty with regard to security and therefore the abolition of the renewal fee by this Bill is not anything material.

"The most important point, as I have already mentioned, is only with reference to eviction. There is a great deal of confusion on this question of eviction, and I want this Assembly not to be carried away by the belief that all the tenants in Malabar are very poor, that they are very much oppressed by the janmis, or that they are rack-rented and that they are in need of some immediate relief. It is nothing of that sort. For instance, if you take my own taluk of Palghat or Valluvanad which is next to mine,—and these are some of the bigger taluks in the Malabar district—there you will find that there are a number of landlords who are very poor, sometimes poorer than even the tenants of other districts. The same is the case in most other taluks. There are tenants in my taluk who are hundred times and sometimes thousand times richer than their landlords. There are landlords who own only one or two acres of land. They cannot be called janmis by any means, but still there are such people. It is a misnomer to call them janmis. Therefore, let it not be thought by the House that a janmi is a very rich person. Let it not be understood that he is parallel to a zamindar holding thousands of acres of land. There are only less than ten janmis like that in North Malabar and one or two in South Malabar, who own vast property. The other janmis are only very small land owners, holding between 10 and 50 acres, and because of the fact that the Marumakkattayam law does not allow partition or division of properties among the heirs and decedents, there are at least some like that. The question now is, to whom shall we give fixity of tenure. There is a poor landlord who, for various reasons, has not been able to cultivate his lands himself. His ancestors might have leased out their lands to the tenants, when the properties had not been divided. Now, there are families consisting of five

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to ten members who might be having only 3 or 4 acres of land, from which they will be getting a rent which will not be enough to maintain the family. Perhaps, the land might also have been mortgaged and interest might have to be paid on it, or perhaps the family might wish to redeem the mortgage. If in such cases, you legislate for providing fixity of tenure to the tenant, all that the family is entitled to is the rent from the land, and it will not be enough to pay even the interest on the mortgage. Then, what should the family do for its livelihood? Would it be just and proper, even in such cases, not to allow the members of the family to cultivate their lands themselves and earn something more in order to maintain the family? It is not a case where they have other lands to cultivate, so that, you may tell them, 'Be satisfied with the rent, because you have other lands also.' As I said just now, about 90 per cent of the families of janmis have only less than 5 acres or between 5 and 10 acres. The Hon. Minister for Law is well aware of this fact. He says, 'Why should I allow the landlord to take back his lands to cultivate? He has already leased it and is getting rent. He must be satisfied with the rent.' I submit, Madam, that for various reasons, their lands had been leased out, not by themselves, but by their ancestors and now the rent that they get is not enough to maintain their family and therefore they want them back to cultivate themselves to make out a living. Why should this be refused? That is why, in the Advisers' regime, they wisely introduced a provision in the law, saying that if a person proves his bona fides he could cultivate the lands himself by evicting the tenant. But this Bill says that the right to evict the tenant from a holding, when it is needed by the landlord bona fide for cultivation or building purposes, will be available only during the next five years and that too only in cases where the tenant or members of his family have not been in continuous occupation of the holding for 12 years, and provided further that the eviction will not reduce the total extent of land in their occupation to less than 5 acres. I ask, why should so many conditions be hemmed in and so many restrictions imposed in the cases I have mentioned?

'Now let us take the case of tenants. Many of these tenants are not cultivating the lands themselves. They simply employ other people and ask them to cultivate the lands for them. They are more or less intermediaries. Originally when this system was introduced, their ancestors were actually cultivating the lands themselves and they had enough lands and they were able to get on very well. That generation has passed away and there are now only the womenfolk and ladies left in the families, because the men had gone away to other places to make a living. Only in certain places the tenants are cultivating the lands themselves. Why not in such cases, the janmis be allowed to get back possession for purpose of cultivation? If the Government want to introduce any land legislation, they must have the necessary data and the necessary statistics in regard to the various classes of lands, the various kinds of holdings and the various classes of people engaged in those holdings. Have they taken any such statistics and have they determined what extent is necessary for a family

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of five or ten members in order to feed and maintain themselves? Let the Government first fix a minimum holding for an individual and his family. The Kuttikrishna Menon Committee thought that 5 acres was necessary for a family. I say that it is enough even if three acres of land is fixed as an economic holding and provision made for the landlords to cultivate these three acres by getting back possession from the tenant. There are families which can easily maintain themselves by cultivating these three acres, but there is no such provision in this Bill. We have no quarrel with the provision in the Act which says that a landlord has no right to evict the tenant, if he does not cultivate it himself. But there is no corresponding provision in the Bill which allows a landlord, who wants to cultivate his lands to get back possession from the tenant by evicting him.

'Madam, there is one other point that I want to mention in this connexion. There are tenants, as I have said already, in whose hands large extents of lands have been concentrated by some means or other. They are not able to cultivate their entire holdings themselves, and so they employ others to cultivate. They cannot be called tillers of the soil by any means. They do not handle the plough, nor put any physical labour personally. But they go by the name of tenants, although they are richer than their landlords themselves. There are such tenants in Palghat and in some other taluks also. They have purchased janmi lands not only from their landlords, but from their neighbouring ryots also. This Bill proposes to give fixity of tenure to such people also. I ask, is it just or proper to give such fixity to these so-called tenants, who are richer than their janmi landlords, many of whom are starving with no other means except the rents that they receive from the tenants? Is this a just legislation? Can you call this a Congress legislation?

'Madam, the Hon. Minister was pleased to observe in his opening speech, 'Why should a landlord who had given away his lands to the tenant and was content with the rent all along now want back the lands and ask the tenant to migrate to some other place? Why should I ask the tenant to go elsewhere and cultivate lands?' My reply to this is this. I do not want that all the tenants should be evicted and asked to migrate to other places. But there are tenants who are cultivating 100 and 150 acres, while there are janmis who have not even 2 or 3 acres. Could they not be allowed to cultivate these two or three acres, if they want? Why not the excess of cultivable lands from big tenants be resumed and distributed to those tenants whom I want to be evicted in order to provide poor janmis with lands for maintaining themselves? That is the only request we make of the Hon. Minister. The provisions of the present Bill seek to give more advantage to one class of people at the expense of the other. Any measure intended for the reform of the land, as I have already pointed out, must be equitable to both the landlord and tenant—because everybody wants to have some land, and there are not enough lands to distribute to all—and neither of them should be penalised for the sake of the other. Otherwise production will

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suffer. We have already seen that the grow-more-food campaign is going at a snail space. Are the Government going to say to the jannmis who are willing to cultivate their land, 'You should not cultivate, because you or your ancestors have once decided to let it out.' There are women and children in the families of those jannmis who are prepared to cultivate, because starvation is not such a pleasant thing as cultivation.

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"They prefer to cultivate the lands. Should not the Government give them a chance? The Kerala Provincial Congress Committee gave that option to the landlord. The Kerala Provincial Congress Committee is strongly influenced by the kisan ideas and other radical ideas. That committee was prepared to accept that option must be given to the poor landholder at least to the extent to which he wants to cultivate lands.

"Madam, Deputy Speaker, in our district except a few instances of cultivators, no one is disturbed from his tenancy. It is said there is no provision for remission. But the minimum remission that the landlord gives is 40 per cent in first crop. There are so many things between the landlords and tenants. If it is 30 per cent rent, 20 per cent reduction is given. All these things have been going on without any security. That is why all these landlords and tenants have been getting on without any difficulty. Remissions have been given by landlords to the tenants according to the circumstances. Only when the case goes to the Court, there is trouble. My Hon. Friend, the Minister was saying: 'I want to help the tenant.' I ask him why he should not help the landlord also? If it is an impartial Government, they must help the landlords also. I am not pleading for the landlords, and I have no quarrel with this Bill. This does not affect me, but still we cannot allow a class of people to be destroyed as a result of reform, and especially a land reform. The Kuma-rappa Committee which went into the question of land tenures resuming cultivation himself. Is it a preposterous suggestion or a reasonable proposition?

"The Hon. Minister spoke about 12 years. If 12 years protection is given to the tenants, then I am sure that there will be no evictions at all, because all tenants are tenants for more than 12 years. For the last four or five years there have been no evictions at all. The Tenants and Ryots Protection Act is there. So, the period of 12 years and minimum holding of 5 acres will mean that no evictions are possible. The poor landlord's family themselves will have only 3 acres, but the tenant, under this Bill, must be allowed 5 acres. What is this logic, I cannot understand. All the tenants are old tenants and they are all there for more than 12 years. Except 0.005 per cent, all the tenants are all there for more than 12 years. In Palghat taluk it will be seen that tenancy comes from grandfather to father and from father to son. Still it is going on, however, rich the tenant may be. That is the actual position. So, these two safeguards, 12 years period and minimum holding 5 acres, are practically useless for the poor landlords.

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"Coming to fair rent, Madam, it is stated that only small expenses are allowed. It is not correct to say that 22 paras of paddy is allowed as expenses for one cultivation. In North Malabar the land will not yield 22 paras. Perhaps in South Malabar we can think of this yield. If 22 paras for the first crop and 22 paras for the second crop are allowed, there will be practically nothing left for the landlord. I think the Kuttikrishna Menon Committee put the expenses at 18 paras and the courts decided on 15 paras. So, let this be something like 18 paras. This will be reasonable. There are, of course, rich lands in Walluvanad taluk where this 22 paras may not be hard. In North Malabar it may not be so worse, but in Palghat it will be not possible to allow 22 paras.

"With these reduced rents, all the poor middle class families, who depend entirely on land, will not be in a position to maintain themselves. They will starve or they will mortgage their lands, or they will sell away their holding and go away. Who is to look after them then? Why should they be placed in that position, I ask. This point I wish to press on the Hon. the Minister, for consideration.

"One remark made by the Hon. the Minister was that the landlord did not spend anything on land. What has the tenant spent on the lands? He has got his buffaloes or bulls which he can sell at any time. What is the capital that he has invested on the land? It is nothing. But to say that the landlord is taking away all the yield, and that the tenant is getting only straw is incorrect. And this statement of my Hon. Friend the Minister, I cannot allow to go unchallenged. How is it that the tenants have become rich? Have they gone out for looting, and then became rich? Has the Hon. the Minister taken into consideration how this Tenancy Bill will affect the landlords and tenants? What is the percentage of the poor landlords and what is the percentage of the tenants? How did the tenants as a class become rich? What was their capital? What is the position of the landlord and the tenant? A comparative study of all these points, before this Bill is introduced here, would have been much better. I say that the tenants are not getting only straw. Some of the tenants have become very rich. But how did they become rich? There are no industries to go by. There is only cultivation of the land. The Hon. the Minister, I hope, will be pleased to see that reasonable rent is given to the landlords. If the cultivator's family wants something more, the Government must provide for it by other means. The Government cannot say that the landlord must starve. Cottage industries must be provided for so that these cultivating classes may be enabled to supplement their income. The landlords should not be affected only to help the tenants. The Government will not be justified in saying to the tenant 'why should you go; you'll better squat on the land, and let the landlord class die'. Madam, I am not pleading for the landlords. But a legislation like this will be unjust. It is not a legislation to be brought forward by the Congress which treats the rich and the poor alike. The Congress Government is meant for all. All people should be treated equally in this country. There should be no partiality.

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"It is stated that the share of the cultivating tenant should be one-half of the net produce. My Hon. Friend the Minister was saying that tenants were getting only straw. Madam, I may point out that straw is costly to-day. A man can easily make his fortune by selling straw. Regarding this Bill one is tempted to think 'why not the landlords cultivate and give the fair rent to the tenant'. That is a very good idea. The landlords will cultivate the lands and then they will pay the tenants half the share. That will be a better arrangement."

THE HON. SRI K. MADHAVA MENON :—"If the landlords will agree to that, Madam, the House also will agree to it."

SRI R. RAGHAVA MENON :—"Madam, I only stated that one was tempted to think 'would it not be better, in view of the conditions put forward, for the landlords to become cultivators and pay half the share to the tenants'. Madam, the fair rent provision is a dangerous one. It is difficult to fix the fair rent. In Malabar there is the system of procurement. We have got the lowest estimates of the Menons. With the lowest estimates of the Menons, the Government officials will go there and fix the fair rent. The result will be that the landlord will get nothing. From the records of the years 1944 to 1950 it will be seen that the yield from the land is very low. Whatever may be the reason for that, the estimates are low. What will the Settlement Officer do, and how will he fix the fair rent? This fair rent provision is a dangerous provision. I would say that the matter should be left to the local Munsif or the Sub-Judge to settle. Because, it will be seen from the Act (which this Bill now proposes to amend) that any tenant can have the fair rent fixed by the Court. From the year 1942 to 1950 there have not been more than half a dozen cases of objections from the tenants to fixation of rents. In one petition the Court found that the rent fixed was far lower than the fair rent. That is the position. Therefore, the courts may be allowed to go into the question of fair rent. This fair rent is not so easy to be fixed as the Hon. the Minister and the Government feel. It is a very difficult question. Unless responsible persons go into that question and examine it completely, there will be great danger and the lower middle classes, with this share of half and half, would greatly suffer."

"Then, Madam, as regards the point that 58 per cent of the kanamdars are not cultivating and that only 42 per cent are actually cultivating, I would say that even among the tenants the actually cultivating tenants number far less. A good many of the tenants who are rich do not do anything themselves. They hire labour and cultivate. The tiller of the soil, that is, the agricultural labourer, is not affected by this Bill. We can understand if the agricultural labourer is given some share of the produce. That will benefit him. But he is not at all affected in any manner. He still continues to be the agricultural labourer with no interest in the land. The tenants to whom fixity of tenure is given are all rich tenants who do not work but who have the right of transferring their rights to others. But the poor landholders who

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want to cultivate themselves, are not given that right. The result of this reform will be the wiping out of the middle class in Malabar, especially in South Malabar. The Government have got ample powers, and they have got the authority to bring in legislation. This Bill will be voted upon and it will be passed. They will have the great satisfaction of having destroyed the middle class in Malabar. As a Congress Government they could as well avoid this step. But if they should adopt this attitude of wiping out the middle class, I have nothing to say. Otherwise, the Hon. the Minister must himself give the necessary protection under this Bill in such a way that the poor landlord class, who want to cultivate the lands, are given the right of eviction and cultivation. With regard to the properties of the rich landlords or rich tenants who cultivate 100 acres or 120 acres, we are all with the Government. But the Government should not allow the poor landlord's family to starve and gradually become extinct by this legislation. That is all my request. I hope the Government will take note of this."

DEPUTY SPEAKER :—"The House will now rise and meet again at half past two."

The House then adjourned for lunch.

(After lunch—2-30 p.m.)

(Mr. Speaker was in the Chair.)

* SRI M. P. GOVINDA MENON :—"Mr. Speaker, Sir, I feel immensely pleased to-day to take part in this debate. I am also very happy with the motion made by the Hon. Minister in charge of this Bill. After four years of my life as legislator in this House, I feel that this august body is doing something really good to my district. (Janab Abdul Hameed Khan : 'Only now!') I would say that our district has been neglected by this Government for a long time. I must thank the Hon. Sri Bhaktavatsalam for having for the first time introduced an irrigation scheme in Malabar. For the last 200 years not a pie was spent with regard to irrigation worth mentioning in the Malabar district. For the first time in the history of the State, we have started the irrigation scheme in Malabar. But there is no use of any irrigation or other facilities unless the actual tillers of the soil are in a position to take advantage of those facilities. The history of Malabar Tenancy Legislation is a long one. For a long time the poor tenants of Malabar have been crying for some sort of protection in the matter of the rents which they have to pay to the landlords and for fixity of tenure. For the first time in 1929 the then Madras Legislative Council came to the help of the poor tenants in Malabar by passing the Malabar Tenancy Act of 1929. I see before me hon. Janab Abdul Hameed Khan who was a member of that body. There are also other Members of this House who were members of the Madras Legislative Council then and who took part in enacting that measure. Hon. Sri Kaleswara Rao and hon. Sri Koti Reddi were then occupying seats in the Legislative Council of this State at

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that time and they took a prominent part in enacting the Malabar Tenancy Act that year. But that Act by itself was not sufficient to give protection to the Malabar tenants. So, as soon as that Act was passed, there was again agitation to get it amended. When the first Congress Ministry was formed in 1937, there was agitation in Malabar for this purpose. As a matter of fact, the then Ministry gave notice of a Bill but unfortunately it could not be pursued. In 1939 what is known as the Kuttikrishna Menon Committee was appointed to go into the question of Malabar land tenure. The then Members of the Legislature representing Malabar and some other prominent persons representing both the landlords and tenants of Malabar were members of that Committee. That Committee toured throughout the Malabar district, questioned witnesses, took evidence and formulated proposals which were placed before the then Government. Unfortunately for us, nothing could be done in pursuance of that Committee's report, because the Congress Ministry went out of office. Then for a certain period there was no Popular Ministry in the State. During that time, there was trouble for the tenants because there was a decision of the Madras High Court that the landlords must be given back the lands if they asked for them for their own cultivation. On the basis of this decision, many poor tenants were evicted from the lands. Even the Advisers' Government came to the rescue of the tenants of Malabar by making the necessary changes under which the landlords could not get the lands for cultivation by their mere asking; they must go to the Court and prove to the satisfaction of the Court that they and their families could not get on without raising the crops on the land. Then ever since the Popular Ministry came into office in 1946, agitation again started. There was an universal agitation in Malabar for making amendments to the Malabar Tenancy Act. Sir, you are aware of the famous K.P.C.C. report on this question. Under the leadership of my eminent leader Sri Kelappan, the Kerala Congress Committee appointed a Committee to go into this question. That Committee published a report making suggestions to amend the Malabar Tenancy Act. That report was accepted by the people of Malabar from many platforms; all parties stood by that report. I want to tell this House that, as far as the Malabar Tenancy question is concerned, there is no difference of opinion among us. There may be many things in which I may not agree with the Hon. Minister. But on this question, I am entirely with him; I stand by him and I support him. As far as the Congress in Malabar is concerned, we are unanimous in demanding this Bill. Not only the Congress Party but also the Muslim League Party supported the K.P.C.C. report. The Socialist Party began to support this measure. Even the Communists underground were vociferous in supporting the K.P.C.C. Report. The present proposals were more or less based upon that Report. The Government have taken pains to understand the position correctly. The then Revenue Minister Sri Kala Venkata Rao with the Hon. Sri Madhava Menon came to Malabar and held a conference at Calicut with the legislators of Malabar and other prominent persons in the year 1948. The Government placed their proposals before us: we had a lengthy di-

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After discussion, the matter was left at that. There was since then pressure on the Hon. Minister and the Treasury Bench for bringing forward this amendment. My own doubt was that the Hon. Minister was deliberately keeping back this legislation. So, we were pressing him with the request that it should be brought forward very early. In 1950, another conference was called for in Madras which the legislators of Malabar and some other gentlemen representing the landlords' interests attended. There was a threadbare discussion. We had also hon. Sri Karanth in that conference. Although he was invited to the Calicut conference, he could not be present. So, we were very happy to have hon. Sri Karanth at the Madras second conference. We had sufficient opportunity to discuss the matter. This was before the public of Malabar also for a long time. So, I would request that we must expedite the passing of this Bill. Of course, this must be referred to a Select Committee. There are various proposals and they have to be carefully gone into. I do not want hasty legislation to be passed. But I would request the Select Committee to make its report early. If any section of Malabar wants to give evidence before the Committee, it may be given an opportunity to do so. We do not want to shut out any interest.

Now, this Bill is not a revolutionary Bill. It is very conservative and modest. This does not fulfil the great promises made in the Congress election manifesto in 1946. It was promised by the Congress that there would be no intermediary between the tiller of the soil and the Government. But the intermediaries are retained in this Bill. So, we say that this Bill is not satisfactory; it does not satisfy the demands of the tenants in Malabar sufficiently. But taking into account, the present position of the district and that of the whole country, we do not want to go further. If we are drafting a Bill as per the promises made in the Congress election manifesto, there should be no intermediary at all. Coming to the word 'intermediary', there is a mistaken impression abroad. We mean, the Malabar people mean, only the kanamdar. But according to the election manifesto, the word 'intermediary' includes jennmis, kanamdars and everybody who has any interest in the land and stands between the tiller of the soil and the Government. We are not eliminating any classes of persons from the land. Kanamdar is retained. There is no liquidation of any class as per the proposals made in 1946. The important proposal of this Bill is to help the poor cultivator. The important proposal of this Bill is to give protection to the cultivating tenants. Sir, the man who works hard day and night and keeps watch over his crops and protects his crops from wild animals. Both men and women are the members of the family work hard. What is the share of the poor cultivating tenant? Under the 1929 Act it will be seen that one-third of the net produce is the share of the tenant. That one-third is not sufficient for him as is amply proved by the present ration rules. I am bold enough to say that. I have been associated with the tenants and I sympathize with their position. After giving the rent at the present rate to the landlords, they are not in a position to meet the food expenses for more than

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three months in a year. For the remaining nine months of the year, they have to purchase their food from the ration shops. The man who raises the crops, who labours hard to give others food, who with his family is spending their wholetime in the paddy fields has to go to the ration shops. We are sitting quiet at home in the easy chair. We are enjoying because of the labour of the poor tenant. We are not preaching communism; we are not giving lands free to the peasants. Of course, peasant proprietorship is the only remedy to put down communism. In South East Asia big persons are engaged in finding out a way to put down communism. China has fallen a victim to communism. If you want to escape from communism, the only method is the Gandhian method. Mahatma Gandhi wanted to create peasant proprietorship in this country. What does this Bill do? It is not doing it. We are only giving some sort of help to the poor cultivating tenant. The proposal is after the harvesting of crops, we deduct the cultivation expenses incurred by the tenant and divide the net income between the landlord and the tenant. There is ample provision in the Bill to make variations in the cultivation expenses according to the conditions prevailing in the locality concerned.

2-45 p.m. "That is the main feature of the Bill. The cultivating tenant is given certain advantages and benefits. After deducting the cultivation expenses and after giving something to the landlord and after sharing half of the revenue he is allowed to take the rest of the produce. That will really not be very much, and it will only be a small pittance. I want to make an appeal to the landlords, big janmis and kanamdars who do not cultivate the lands themselves that they should not grudge to give the small pittance to these poor cultivating tenants who work for you day and night, who labour for you and who raise all the paddy for you. If you are unwilling to give this small pittance now, I am sorry the consequences later will be rather severe. Mr. Speaker, we are going to have adult franchise shortly. We do not know what will be the position and where we will stand. After the first elections under adult franchise, the representatives of the people who may be in the Legislature may not at all be satisfied with such a modest measure as this. So, at least in their own self-interest the landlords of Malabar should come forward to help the poor cultivating ryots. It is hightime that the landlords take mercy on the poor hardworking ryots. The Hon. Minister was saying that in Malabar these poor ryots were not able to get even straw. It is a fact, Sir. In many places, we do not have any straw. In my taluk this year, the whole of the first crop has gone and the second crop is in danger of being affected with pests. I am afraid it will be completely destroyed. However, the landlord is getting his rent. The poor ryot who is not able to get anything from the land, not even straw, has to pay the landlord the rent that is fixed. Although the ryot could not raise any parry for his use and living, he has necessarily to pay the rent to the landlord. That is the position and that is the difficulty in which the majority of the tenants are being subjected. It is only to remove such difficulties that we are seeking to pass this legislation. There may be instances where the landlord

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will be poor and the tenant will be rich. Hon. Mr. Raghava Menon was very vehement this morning and he attacked some portions of the Bill. There may be cases where the cultivating tenants may be rich and the landlords may be poor. There may be cases where the tenants may cultivate extensive lands and have all the modern facilities, and the landlords may be very poor. In such cases, we can certainly make necessary and suitable amendments. The Bill will go before the Select Committee and such questions can be considered by the Committee and suitable amendments may be moved there. Of course, we want to help only the poor cultivating tenants, and not the rich tenants.

"Again, fair rent has to be fixed, and some machinery has to do it. Hon. Mr. Raghava Menon asked, 'why not leave this matter to the Courts?' I am a practising lawyer and I have much experience of these matters for the last 20 years or so. I know something of the Commissioners and also what they have done regarding the 1929 Act. I have seen their reports. I do not mean any reflection on the Hon. Judges of Courts. Sir, most of the people there are from the middle classes. So I honestly feel that one cannot get real protection through Courts and I am afraid it is not easy too. Therefore, we want to establish a suitable machinery for fixing fair rents. I want that in all the places, for every piece of land, fair rent must be fixed. There must be some suitable machinery to do this job. It may be that the present set of officers who are entrusted with this job may not be very helpful in the matter. In this connexion, I want to mention another fact. By the appointment of a suitable machinery for fixing fair rent, it is only the landlords who will be benefited. They can easily influence the officers of this machinery. When ever a dispute arises between a landlord and tenant, do you mean to say that the officer will be inclined to support the tenant? Our experience is that such machinery will be more useful to the landlords than to the tenants. By whatever name you may call the agency—and I do not very much mind about the manner in which it is constituted—I sincerely feel that there must be some machinery to undertake this job of fixing fair rent for all lands. Otherwise many complications will be raised at a later stage which we must try to avoid.

"I now come to another important matter in connexion with this Bill. I refer to the renewal fee that a kanamdar has to pay every 12th year to his janmi. Once I was told by no less a person than Mr. Ramalingam Chettiar that he was not able to understand the land tenure in Malabar. He had some lands in Palghat which is close to Coimbatore. He told me once, 'What is your land tenure system? I cannot understand it. My agent who looks after these lands in your place gives me some thing and takes back something saying that it is renewal fee that a kanamdar has to pay to the janmi. So I am going to sell away the lands'. That is what he said and he actually sold away his lands. That is the position with regard to the renewal fee. This thing is unheard of in any other part of the world. Can you point out one country where such a state of affairs exists? I think you cannot. Nowhere such a fee is collected in addition

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to the usual rent that the landlord gets. I think this is the remnant of the old barbarous system. We must somehow or other get rid of such a system at the earliest possible time.

Sir, It is rather difficult to understand our land tenure system and all the terms kanams, kuzhikanams, kanaundars, etc. The hon. Members will find that there is vast difference in the customs and manners in our place and those in other parts of the State. Our district is considered to be on the other side of the Western Ghats. Though to Malabar it is the Eastern Ghats we are compelled to be called as being situated on the Western side. The ghats are really on the eastern side of Malabar.

I said, our customs and manners are different and it would be rather difficult to make others understand and define what is meant by kanamdar, verumpattamdar and kuzhikanamdar and the like. It will be a very difficult task. But you may take it from me that there is a united opinion on this question in our district, especially with regard to reduction of rent and abolition of renewal fee. This renewal fee has really made many kanamdars paupers. If they have to pay this fee every 12th year, they cannot do so by any other means than by mortgaging their properties. As a lawyer, it has been my painful experience that many kanamdars have executed mortgage deeds only for the purpose of paying the renewal fee every 12th year. One by one, all their properties have begun to disappear. One of the important proposals in the amending legislation is in respect of this. There are other matters like fixity of home-steads, etc., which are small matters. There may be differences of opinion. But these can be considered by the Select Committee. I appeal to the whole House to accept the principle underlying the reference of this Bill to a Select Committee. I think, experienced persons like hon. Mr. Karanth will be in the Select Committee. There may be some minor details. For example, hon. Mr. Karanth was not very happy about the inclusion of certain villages under the operation of this Bill. Though these villages are in South Kanara, they are not only Malayalam-speaking villages but also are having Malayalam land tenure. Of course I have not examined the cases of the villages concerned. There may be some villages on this side and some on the other side. I hope the Select Committee, in which hon. Mr. Karanth may also be a member, will go into these details. However, I think we can accept the main important features of the Bill and refer the Bill to the Select Committee. Once more I urge upon the hon. Members to help the poor tenants of Malabar who are really in bad need of help. It is not an artificial agitation. I speak here on behalf of the tenants. I have been engaged in public work for the last 20 or 30 years. I know the feeling of these poor tenants of my district. There is a real agitation and a real feeling that they should be helped. In these circumstances, I earnestly request this august body to come and help the poor cultivating ryots by referring this Bill to the Select Committee in the first instance and later on to pass this legislation as early as possible."

* SRI K. R. KARANTH :—" Mr. Speaker, Sir, I agree with many of the speakers who spoke previously on this subject. But

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when the previous speaker, hon. Mr. Govinda Menon, says that the district of Malabar has been neglected, I respectfully disagree with him. Sir, I have been in this very hall from the year 1926. It was at that time there was agitation for this Malabar Tenancy Act. The late Mr. Krishnan Nair was himself the prime mover. He became the Law Member and it was he who caused the passing of the Act of 1929 in the Select Committee of which I was also one of the members. To-day, in the ryotwari areas of the rest of the State, no legislation has been brought forward though we have been clamouring for the same. My grievance with the Government is that they are speaking with two voices, two faces and two bodies. My Hon. Friend Mr. Madhava Menon is going on with this Bill for Malabar; but my Hon. Friend Mr. Sitarama Reddi is not willing to go on with similar legislation so far as the other areas are concerned. We have been clamouring for this and this subject has been dangling before us for many years past. Now a Committee is appointed to consider this matter in respect of other districts. I want to stress that the need for this reform is all the greater in other areas. Anyway I do not stand in the way of Malabar. I have suggested long ago to the Government that it would have been the happiest of things and it would have been most advantageous to all if a general Land Reforms Act could have been passed for all the ryotwari areas. After all, what are the fundamentals? They are very few, not more than three or four. Firstly, what should be the fair rent and which is the agency to fix it. Secondly, there should be fixity of tenure—whether it should be for a fixed period as in England or should it be for all time. Thirdly, whether any option should be given to the landholders to resume cultivation of the land whenever they want to take to cultivation. Fourthly, limitation of holdings. So, these are the four fundamental issues to be decided in the case of all areas. This applies to every place all the world over. There is a great deal of literature on the subject. In the last 30 years, America, Finland and many other countries have done wonderful things. In about 1937 an Act called Bank-Head Jones Act was passed in America. There, millions of dollars have been spent in giving loans to creating small holdings and rehabilitating farmers on them. My regret is that not after four years of Congress Government, but after 13 years of Congress Governments we have done precious little for the ryotwari areas of this State. I have got the election manifesto of 1936-37. I have also got the relevant page with me but I do not want to burden the House with reading that portion. There it is stated that there will be a substantial reduction in the rents and there will be fixity of tenure. Those were the two important things mentioned in the manifesto of those days. The 1946 manifesto went still further. I have got a copy of that also with me. It went much further in the sense that it said that we shall remove all intermediaries between the cultivator and the State. I do not ask for that. I ask for much simpler things. I have been asking this Government to carry out one small piece of legislation. Now hundreds of evictions are going on in view of the impending legislation. Please protect those poor tenants. I cannot understand how one

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Government with a united responsibility is able to give something to Malabar and deny the same thing to all the other areas. It is difficult to understand this and it passes my comprehension.

"Sir, this Malabar Tenancy question, if I may say so, is like the proverbial elephant and the blind men. This problem has been there ever since 1927. We have read in the text-books where it is said that when one blind man touched the leg of the elephant he began to describe the elephant like the leg and when another blind man touched the trunk, he began to describe it as such. So that is the position. Here I must point out that conditions in different parts vary.

3 p.m. "The conditions in North Malabar are not the same as in Kozhikode. What the conditions are in my own constituency—Kasaragod taluk—are not the same in North Malabar. Therefore, when the hon. Gentleman, Mr. Hydross, says that the Malabar land tenure system is a very scientific system, I can only disagree with him. If there is anything unscientific, it is the land tenure system that obtains in Malabar. I wish that some science had been brought into our land tenure system in a general way, making due provision to suit the peculiarities that exist in certain areas. But that is not to be. I know there is a Committee sitting to examine the existing land revenue system—the Subramaniam Committee—and even there I have a little grievance. The Committee has a member from Malabar—Mr. G. Sankaran Nair—and its terms of reference included originally the Malabar Tenancy also. Later on, however, this subject was taken away from the terms of reference and the Committee has been asked to go on with the other areas. I do not know why. I am fully alive to the fact that there is a great deal of agitation—a just agitation—going on in Malabar, not only by individual tenants but by political parties also. I have, therefore, the greatest sympathy for the Hon. the Minister for Law and I admit there is every justification for bringing in this measure. It is not fair to accuse him as is being done in some quarters that he is taking sides with the jenmis and therefore he has been delaying this legislation. However, I must point out, as the previous speaker has said, this is not a revolutionary piece of legislation at all. It is only to build a superstructure on an old edifice. It may suffice in certain respects and may not in some others. On the whole it does not touch even the fringe of the problem, as I shall try to prove later on.

"Taking up the question of fixity of tenure first, I have two or three points to make. There is one grievance with regard to the right of the landholder to cultivate. If I remember aright, it is stated that if lands are required by the landholder he must ask for them within five years. People are perturbed over this provision because it will involve a great deal of hardship in the case of small landholders. Sir, there is justification for every view-point presented before the House by hon. Members and there is a good deal of substance in what my hon. Friend Mr. Raghava Menon has said. We must evolve a just formula to cover the

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interests of both the landlord and the tenant. In the Bombay Act, they have provided for what is called 'Protected tenants'. We must do some such thing here also. Where a family, for example, may not find it possible to take up cultivation within five years as children may be studying in schools or colleges or for any other valid reason, they may foresee a time—say after ten years—when they will be requiring the lands for cultivation. But under the provisions of this Bill they must say in one or two years after the Bill is passed, 'We want the land for cultivation now'. This is indeed impossible and, therefore, not just. The time need not be limited whereas the Bill provides that within five years the landlord must evict the tenant and take the land for *bona fide* cultivation.

"Then there is the question of the small holders referred to by my hon. Friend Sri Raghava Menon. He rightly felt that they demanded better sympathy from us than 'tenants' who are richer than landlords. I hope the Select Committee will certainly try to see that small landholders and families are not sent to the wall but are allowed to exist. In the Tamil Nad also, during my little experience of office I gathered, there is this system of intermediaries. For instance the temple lands used to be auctioned year after year—perhaps it is due to the wrong policy pursued by the Hindu Religious Endowments Board—and these would be let out to the highest bidder—a man who never cultivates but only sub-lets—so that an intermediary class has grown. This is a class which ought to be wiped out in any legislation. These people were never there in the picture before and as such have no right to the land. So, the Select Committee must do something in this regard also.

"The next point I would like to take up is the one relating to garden lands. My hon. Friend, Mr. Natesa Chettiar, wanted to know something about the garden lands. 'Garden land' under the existing Act means any land used principally for growing fruit-bearing trees. The new provision seeks to make it 'land used principally for growing coconut trees or areca trees or both'. The implication is if in a garden jack trees or mango trees are grown they would be ignored and the fair rent applicable to that garden would be that which applies to dry lands. Sir, in our anxiety to make laws we should not forget certain interests which will be badly affected by such laws. Suppose five acres of land on which graft mangoes can be grown are let out to a tenant. The effect of the new legislation will be since it ceases to be a garden land as defined in the Bill, the tenant will have to pay only three times of the annual assessment by way of rent unlike in the case of lands on which are grown coconut or areca which are sought to be placed in a separate category, viz., 'garden land'. The assessment may be one or two rupees per acre and three times this amount will form the fair rent payable to the landlord. But how much he will get by growing graft mangoes? It will be hundred rupees and more per acre. This at any rate takes place in my district and that is why I say the Government do things without knowing what is happening in the areas which are affected. This Bill applies to my district also. People there

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own mango and cashew groves and have been making money for the last twenty years and more and yet the Government do not know what takes place there and seek to discriminate between coconut gardens and mango gardens. That is why I said that the Government were doing things just as in the story of the elephant and the blind men. This definition of 'garden land' will hit certain classes very hard.

"Again, let us take the Palghat taluk. There people grow groundnuts and cotton and we are told that they make a hundred rupees or so by way of rent per acre. If the definition of 'dry land' should apply there, then it means the tenants who make hundred and two hundred rupees will have to pay only about five or six rupees by way of fair rent. If the landowner's income should be suddenly brought down to six rupees and seven rupees it is not fair. However enthusiastic the Government may be for bringing in new legislation they should not ignore the provisions of the new Constitution which confers certain rights on the property owners. Of course it is always open to the people to go to the Court and say that certain rights are guaranteed and get redress but it does not mean legislation should be brought ignoring such rights. The Constitution says that no one should be deprived of his right to his property—whether it is under the guise of reducing rents or otherwise—without adequate compensation. I do not stand in the way of anybody's enthusiasm for new legislation. But we cannot certainly under the guise of fixing fair rents reduce a man's income from two hundred rupees to three rupees and four rupees. This is a matter which will hit many interests and I have no doubt that the Select Committee will look into this matter carefully.

"I shall then take up the question of the apportionment of produce in wet lands. Sir, according to the existing Act net produce is the gross produce minus cultivation expenses. I was present in 1928-29 when the cost of cultivation was fixed last. There was a lot of higgling whether it should be two times or three times the seed and ultimately it was fixed at two and a half times. It will be seen that this is only nominal. No one can imagine that two and a half times the seed can make up the cultivation expenses. And what is the present proposal? The Government have put it now at 22 Palghat paras per acre. I feel that a different formula would be more equitable which I suggested at an earlier stage and at another place, viz., one-third of the gross produce, which has been adopted in the Bombay Act of the year 1938 or 1939. There are places I know of where the estimated cost of production, viz., 22 paras will eat up the whole of the income of the landlord and he may get nothing. There may be good cultivators and bad cultivators. If we adopt the formula of 1/3rd the gross produce then he may take interest and work hard. In the case of bad cultivator a standard gross income will meet the requirements.

"Coming to the renewal fee, Sir, I feel that the matter is not so simple as was suggested by certain hon. Members. I am of course subject to correction. There are different

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The kanams are generally for a period of twelve years. Therefore, if a man is a good landlord, what he used to do in former times was that he would take a nominal renewal fee and fix a proper rent. But generally such people when they become managers of big families are very old. Usually they depart from this world (laughter) within a short time after they take up the management of the lands, as they would rarely be below sixty or seventy years of age. So naturally they take a large amount by way of renewal fee with a small amount of rent. It is quite possible, Sir, there is no charm in the word 'renewal', but all the same it has been there and the fee intended therefor used to be coupled with a nominal rent. In this connexion, I may inform my hon. Friend Mr. Govinda Menon that his reference to Mr. Ramalingam Chettiar's case in defence of the proposal to take away renewal fee altogether is not at all convincing. I wonder if Mr. Ramalingam Chettiar had ever closely looked into the accounts maintained by his assistant and if he had he would not have had to sell his property. To give a concrete instance, let us suppose that the annual rent per acre is fixed as annas eight. If the renewal fee that may be charged in respect of that land is Rs. 500 or in another case the renewal fee may be Rs. 100 but the annual rent may be Rs. 50. According to the formula which we are devising under the Bill, the rent should be fair and there will be no renewal fee. That is, the tenant can say, 'I take advantage of the old rent or the new fair rent whichever is less and I will not pay the renewal fee also'. Therefore, what I say is that the Government should so determine the fair rent that it is equitable to both the landlord and the tenant. It must be open to both the parties to go before the tribunal and no one party should be allowed to take undue advantage of the provisions of the Bill. Previously, the position, as I have already said, was that there would be a low renewal fee plus a high rent or a high renewal fee plus a low rent. I must make myself clear that I am for no renewal fee at all. But what I suggest is—and I believe that is correct also—the rent should be so fixed as to help the landlord also and not favour the tenant alone.

"Sir, the question of intermediaries has always been there and this ought to have been taken up when the present legislation was being examined by the Government. It should have been tackled long ago. But it is regrettable that it has not been dealt with seriously so far and I feel that even now it is not too late for us to consider the question. The Select Committee that is to go into this Bill should pay pointed attention to this problem of intermediaries and suggest effective steps to reduce them. It is one of the curses of the Malabar tenancy system that there are such a large number of intermediaries.

"From the lowest rank to the highest, between the kanamdar and the jenmi and the tiller of the soil there are any number of layers which, by course of history, have come in. One takes the kanam, another takes another sort of right and nobody is to blame. We are in the year 1950. We are making legislation

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for so many other things. We should at least now attempt to make a legislation to remedy this evil. In other parts, they have done it already. In Bombay in the year 1948 they modified and amended the Act of 1939. Excepting an extent of 50 acres for a branch of the family up to a maximum of 200 acres (they are mostly dry lands in these areas) which are reserved for. Subject to that the tenants are enabled, by paying a certain multiple of the fair rent or tax under the Act, to buy off the land. I say, Sir, some such step ought to be taken. We cannot go on keeping all the crudity of the old system. We must try as far as possible to remove the intermediaries.

The next point I want to refer to is the continual conversion of wet lands that is going on in Malabar. I must make an emphatic protest against it. It is true that coconut gardens yield very much more than paddy lands but it is also true that in Malabar, as it is to-day, the district cannot feed itself for more than three months in the year. Therefore I am asking, is it just and proper, when we are dealing with this land problem, to allow people to go on converting the wet lands into garden lands? Every time I pass through Malabar I see that wet lands are being converted into coconut gardens and all the time the rest of the State must go on feeding Malabar. I ask them, is it fair? The same thing is going on in other districts also. In my district, for instance, area gardens are increasing. Naturally we cannot blame those people. The gardens are giving more profit to-day. Similarly the cultivation of commercial crops is increasing. Whilst all that is true, from the point of view of the food problem, some provision is necessary to prevent the conversion of wet land into gardens.

Another thing on which I feel there is not sufficient attention paid is the disposal of the extensive waste lands in Malabar. They are in the hands of the big jennus. In Malabar the problem is acute. There is a large population. They want work. The only work that many of them now do is, having political party offices, Socialist or Communist and shout slogans from morning till night. I do not blame them. It is the State that should give work and employment to them. There are large extents of waste lands. Whatever else one may do in other parts, here the waste lands must be taken by the State in one form or another, by leasing and otherwise given over and distributed to all people who have no land, the landless people of Malabar. This problem must be tackled seriously. There is no use saying there is the Wynaad colonization scheme. Some time back I worked out the cost of the project which was nearly Rs. 4,500 for each settler. If the result of the colonization is to be awaited and this problem of land in Malabar is to be tackled on its lines we shall never reach a solution of the problem. Here and now we must do something. I can quite understand that the Government cannot invest crores of rupees in buying land. They can take them on lease and distribute the land to the lakhs of people in Malabar, nearly 42 or 45 lakhs who live in that land having

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no food of their own and no employment. That is why Communism thrives so much in that area. That is the real reason. Therefore this waste land problem should be tackled here and now.

Now, Sir, I come to the last question, the inclusion of certain areas of my district into this Bill. There are many arguments why this legislation should be confined to Malabar, very valid arguments. Now what has happened is this. People who are absolutely starving, having not even six ounces of rice, who are from birth pure vegetarians like me, have dangled before them something which is prohibited, and which they cannot eat. They have either to die by starvation or choose the one which you offer them a piece of flesh. That is what is being done to the areas in my district. There is an incessant cry for land tenure legislation. Eviction is going on by the hundreds. The Land Holders Association which knows its interests and which I may say is fairly conservative, in its memorandum given to the Government in the year 1946 and again recently to the Subrahmanyam Committee of which I have copies, have said: 'We have no objection whatever to reasonable legislation giving occupancy rights to the tenants'. They have said so in writing. And yet people are being ousted from the land, this legislation is being dangled before us. Will you have Malabar Tenancy Act or face the result of eviction? The areas proposed to be included from my district are 52 villages. Originally in the Kuttikrishna Menon's report, they were 46. Most of them were south of the well-known Chandra-giri river situated to the south of the Kasaragod town. Even for these areas there are very valid arguments why this Bill should not be extended at all. I am only enumerating two or three of them because it may not interest the House to go into the details. The system of assessment in my district is altogether different from that of Malabar. Our rates are higher. For instance, we pay dry assessment in all the years whereas in Malabar only in the year of cultivation. Then we have got what is called 'Kumki right'—that is a cultivator has certain rights in a belt area of 100 yards of Government land. They have certain other concessions in my district. Again there are hundreds and thousands of acres of Government lands which are available for 'dharkast'. At the same time in certain of the areas to which I say I have no objection, there are also 'kanams' and kuzhikanams. There are as many reasons for as against. But more than all, the prevailing voice of the cultivators is that they are covered by the Tenancy Bill. I agree to that. Whatever may be said in the Bill, one of the prominent representatives of that area said in the conference called by the Government sometime ago 'We want legislation against eviction whether we get it exactly in the form of the Malabar Tenancy Bill or not we don't mind'. That is the feeling. There is also the feeling that the majority of the population are Malayalam speaking people and therefore that they should join Malabar. In a memorandum submitted by me to Government a year and nine months ago I said that I had no objection to including 33 villages. But with regard to the other 13 villages which

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I have named in the memorandum, about the details of which I shall not tire the House, the tenures are absolutely non-Malayalam and are part and parcel of the tenure of South Kanara. There are Malayalam speaking population also in this area but the population is mixed and a good proportion, nearly 40 per cent are Mappillas. I may tell my Friends, Mappilla friends from Malabar, that their desire is not to become part of Malabar because their relations, their friends, their kith and kin would like to continue there in close affinity with northern areas. If my hon. Friend the Law Minister in the guise of the Bill, says 'We want you. We want to take you away from there and establish a future Kerala Province', then I say, Sir, he is not doing the right thing by this Bill. When we have been agitating for the linguistic provinces, Kerala, Karnataka and so on, we were told, by our leaders 'This is not the time. Keep quiet whatever be the previous pledges and promises given a few years ago'. In the year 1939 I headed a deputation of Karnatak people and went to Wardha. Mr. Subhas Chandra Bose was there, the President of the Congress at the time. Then they heard four deputations, one from Kerala, one from Maharashtra, one from Karnatak and another from Andhra. By then in the Legislatures, you may remember, Sir, in 1937-38, this Legislature along with Bombay passed resolutions for formation of linguistic Provinces. They said: 'We have heard your deputation. The resolutions that have been passed in the Legislatures of Madras and Bombay have been passed at our instance. But the achievement of Swaraj is absolutely necessary now. We recognize your demand as just and reasonable. The moment India gets freedom and we get the power to frame the Constitution of our country, we shall give you linguistic provinces'. Having made that promise, to-day under one excuse or another, I would call it nothing but excuse, they have not given the linguistic provinces. Many of the troubles of to-day are due to mixing up of the Andhras and Tamils and other areas in one conglomerate province. I bear all of them love. But there are troubles, every where there are troubles and the troubles will be all the more when we shall have the new Legislature of 375 Members comprising people from all parts. Many of them may not know English. It is not their fault. It is foolish of them still to speak English after Swaraj is attained. So instead of forming the Andhra province, the Tamil province and the Karnataka province and allow people to manage their own affairs in their own way troubles and difficulties are cited as excuses. Let us not be bothered by details as to whether Madras should be here or there, whether the river Cooum should be the boundary or not. These are details. We should not quarrel over them. But the essentials we must have. In provincial matters we must be able to manage our own future and in our own way build up our culture and strengthen the united State of this country. It is the soundest proposition and I am yet to hear any man, big or small, who can refute these arguments. It is no argument to say that the Kashmir war is there. There is Korea, and one or other trouble for the country. Hereafter our troubles are going to increase. They are not going to decrease. I find in framing this new Constitution they have

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done a grievous injury to all of us by not having the linguistic provinces. In the meanwhile what is happening. Everywhere encroachment is going on. This enactment is an instance of that encroachment as I have pointed out. The tenures in the disputed areas are non-Malayalam. The people do not want the Bill and yet the Government want to drag them into this Bill. Therefore the tenure can be the only test of extending the Act for this area. If it is a linguistic question, alright divide the area by entrusting the work to an independent tribunal. I have not the least objection. I can give a thousand documents to show that these are non-Malayalam in tenure and should have no place at all in this legislation. As if this was not enough, six more villages have been added, forty-six plus six, including the Kasaragod town. I wish the Hon. Minister will go and see and hear them. I have no objection. Take a plebiscite on the question if you respect the feelings of the people. Let them decide. I have not the least objection. But let him not do things over the heads of the people there. I hope that this matter will be looked into by the Select Committee and justice would be done. Lastly I want to say one thing. The Hon. the Law Minister said 'We have stated these villages in the schedule and later on by means of a notification say which of those villages that are to be included'. I have no trust in all these notifications. We know what they are. One fine morning the notification can issue. I want that this House must decide whether the tenure is the same or not and villages which ought not to have been included in the Act should be deleted.

"Having said this much, I say that subject to the above, the Bill is acceptable and is desired by a great many people in Malabar and therefore it deserves our support."

JANAB M. V. HYDROSS :—"Sir, I rise on a matter of personal explanation. The hon. Member Mr. Karanth referred to the remark made in the course of my speech that the tenancy system in Malabar is a scientific system. Sir, if we only see the differences in the tenures in Palghat and Calicut and those in North Malabar, we would only be seeing the various parts of a big elephant. But if we view the tenures as a whole, it will be evident that the tenancy system is a scientific system."

* JANAB MAHIN SCHAMNAD :—"Mr. Speaker, Sir, this Bill to amend the Malabar Tenancy Act, 1929, is extended to 52 villages in the southern portion of the Kasaragod taluk of South Kanara district. I belong to Kasaragod taluk in South Kanara and I am living in one of these villages. Some of the villages belong to the Hosdrug sub-taluk and the other villages belong to the Kasaragod main taluk. Some of the villages in the Hosdrug sub-taluk are Malayalam villages and the remaining villages are Kannada villages. Of course there are Malayalees also in the Kannada villages. I am one of the Malayalees. We have got all our records and accounts maintained in Kannada. The documents relating to the properties in these Kannada villages are in Kannada. They are registered in the Sub-Registrar's office, Kasaragod. There the documents are registered only in Kannada and not in Malayalam. The documents relating to the properties in the Malayalam villages are registered

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in the Hosdrug Sub-Registrar's office, where the documents are registered both in Malayalam and Kannada. These documents are in Malayalam. Sir, the people of these Kannada villages protest against the extension of the Malabar Tenancy Act to their villages. They have sent memoranda to the Government from all the villages. In these Kannada villages, we do not find any of the land tenure systems similar to that of Malabar. We do not find in the Kannada documents anything about verumpattamdar, customary verumpattamdar, cultivating kanamdar, kuzhikanamdar, kanartham, michavaram, melcharth, othi, melkanam, etc. We do not also find anything about kudiyruppu, ulkudis kudikadappu, etc. All these expressions are unknown in the Kannada villages of Kasaragod taluk. In these Kannada villages we find a separate system of tenure which is similar to that of those villages in the north in South Kanara district, such as chalageni, vaidhegeni, moolageni, aruvara, hidarvara, bogi adhi. The system of tenure in these Kannada villages has no comparison with that of Malabar. The provisions in this Bill relate to the collection of advances from the verumpattamdar and the demanding of labour from him. There is no such system in these above villages. There is no necessity to collect advance from the tenants, because the tenants in our villages in South Kanara district are petty landholders and it is unfair to demand labour from them. The provisions in the Bill relate to the renewal system and renewal fees. There is no such system in the Kannada villages in South Kanara district. We do not lease the lands for 12 years and do not renew the lease after 12 years. The main object of this Bill is to abolish the collection of advance from the verumpattamdar and demanding labour from the tenants and the system of renewal and renewal fees, which are called *manasam*. The main object of collecting this *manasam* is for erecting buildings for the children and for duping the members of the tarwad, as the people in North Malabar follow the marumakkattayam system. There is no necessity for collecting *manasam* in our villages as most of the villages follow makkattayam. Therefore there is no necessity to extend this Malabar Tenancy Act to the Kannada villages in South Kanara district.

"Sir, the provisions of this Bill also relate to intermediaries for the collection of rent from the tenants. There is no such system of intermediaries between the janmis and the tenants in our villages. It is dangerous to have a third man between the janmi and the tenant. In our villages, there is no necessity to have intermediaries because the janmis in our villages are only petty landholders possessing a few acres of land. There is no complication in the system of tenure in the Kannada villages of South Kanara district. If this Bill is extended to those villages it will create troubles and complications and also quarrels between the tenants and the janmis. The friendly relationship between the tenants and the janmis will be wiped out. Sir, the waste lands in Malabar belong to the janmis, but the waste lands in South Kanara belong to the State. There the janmis have got the right of cultivating the waste lands adjacent to their own holdings on kumri rights. Nothing has been mentioned in the Bill about kumri cultivation. Clause 8 says that it does not apply to South Kanara villages where there

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s kumri cultivation. Nothing has been said about kumri cultivation in South Kanara district. For all reasons this Bill is meant only for Malabar district and also for some of the villages in Kasaragod taluk where the system of tenure is similar to that of Malabar. It is not at all meant for the Kannada villages in South Kanara district where the system of tenure is quite different from that of Malabar and is similar to that of those villages in the north of South Kanara district. Therefore I appeal to the Government to exclude at least the 19 villages out of the 52 villages mentioned in the schedule to the Bill and include them among the villages to the north in South Kanara district. We may have a separate tenancy bill for the whole of South Kanara district for the protection of the tenants and for maintaining friendly relations between the janmis and the tenants. Our forefathers and ancient leaders have put the Chittari river as the boundary for makkattayam and marumakkattayam among the Muslims. The people to the north of Chittari river follow makkattayam and the people to the south of the Chittari river follow marumakkattayam. The present Government and our present leaders also may fix the same river as the boundary for the Malabar Tenancy Act and the South Kanara Tenancy Act.

"Now coming to the clauses of the Bill, I have to mention only two points. According to this Bill tenants cannot be ousted from their holdings by the landlords if the tenants have not got more than 5 acres of land."

THE HON. SRI K. MADHAVA MENON:—"May I know from the hon. Member whether he wants the villages to the north of the Chittari river to be excluded from the Bill and the villages to the south of the Chittari river to be included in the Bill?"

JANAB MAHIN SCHAMNAD:—"Villages to the north of Chittari river may be excluded and villages to the south of Chittari river may be included."

"Sir, even though the landlord has not got any property, not even one acre of land, he cannot oust the tenant from the land if he has not got more than 5 acres. A janmi may lease his land to a tenant when he has no children. Then he may marry and have grown-up children. He may want land for cultivation by his children but he will not get any property for his children; while his property will be enjoyed by his tenants, his children would have to go abegging. Of course, if the janmi has big property, and if he has five acres of land for each one of the members of his family, he should not oust the tenant from the land."

"Then I want to say something about paying rent in kind or cash. In our place we prepare the rice in own houses by hand-pounding the paddy. The rice prepared to-day is cooked to-morrow. That is our custom. If we do not get paddy from the tenants we must go and purchase Burma rice to which we are not accustomed. It has a bad smell also. We have also got to pay more than what we get from the tenants. Sometimes it is more than

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double. Of course if the janmi has got sufficient land for self-cultivation, and if he has got sufficient paddy for his consumption for the whole year, he need not get his rent in kind from his tenants. But if the janmi has not got lands under his own cultivation and if he has not got paddy, why should he not consume the paddy grown in his own field? If a man cannot consume the paddy grown in his own lands, the lands given to him by his ancestors, what will be the fate of the man?"

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m. * SRI M. G. NATESA CHETTIYAR:—"Mr. Speaker, Sir, I am concerned with the Bill more in its general aspects than with any particular provisions dealing with Malabar. I was a little bit disturbed about giving fixity of tenure to the intermediary, while according to the Zamindari Abolition Act they have done away with the intermediaries.

"Again, in respect of the fair rent that has been proposed I do not think the principle on which it has been done is reasonable. If we take into account the terms of reference of the Land Reforms Committee that has been set up to go into the question of tenure and fixation of rent in the State, I believe we have to differ very much from the provisions of this Bill relating to fair rent. Then again, Sir, the choice that is given to the cultivating tenant to give his rent to the landlord either in cash or kind, is also wrong and unreasonable. As the hon. Gentleman, Mr. Schamnad has just now pointed out, it is a matter of right for the landlord to get his rent from the tenant in paddy or any other kind for his consumption. If that is denied to him, it is very wrong and I cannot understand with what motive such a provision has been made in this Bill.

"Coming to the question of dry lands, I was a little bit surprised. For instance, dry lands in Malabar are not at all different from dry lands in other districts of the State. It is said that the extent of dry land in Malabar is about 11 lakhs of acres and wet lands about 5 lakhs of acres. So far as dry lands are concerned, they are not under any contract between the landlord and the tenant and they were left to the choice of the janmis to cultivate time after time and season after season, or once in three or four years as they liked. Now, if it is proposed to fix the rent for these dry lands as proposed in the Bill, I am afraid all these 11 lakhs of acres will go without being exploited. (Janab M. V. Hydross: "Why?") Because the janmi is the owner of the land and he will not allow his land to be given for cultivation as he has been doing now. He may either refuse to give the land for cultivation to any tenant or he may himself take to cultivation once in a way to please the Government and it may not also be possible for the Government to cultivate or make arrangements to cultivate those dry lands. If the Government do so, I am afraid they will be doing so at very great risk to themselves and if at all they try it they will only burn their fingers. I think, the present order of things is really very convenient and the land is being cultivated because the janmi lets the land to the tenant on contract. According to the present Bill, the fair rent in respect of groundnut and pepper is one-sixth of the gross produce, while in respect of gingelly,

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banana, tapioca, etc., it is three times the assessment for dry land. The rate of assessment for dry land in Malabar is from 5 annas to Rs. 2-4-0 per acre. So, will there be any janmi who will let his land for Rs. 6-12-0 per acre for lease? (Sri K. R. Karanth: "It is less than even Re. 1 per acre.") I am happy to hear that. Probably he may not let the land now, for fear he may be losing even that land. (The Hon. Sri K. Madhava Menon: "There is provision for such a contingency also.") The Hon. Minister says that there is provision for that also.

"Again, Sir, it is proposed to include the Gudalur taluk of the Nilgiris under the provisions of this Bill. Because most of this taluk is forest land, the lands will go without exploitation, and the janmi or the landlord will not allow that land to be cultivated. So, the loss as a result of this Bill will be very considerable. In regard to wet land, the fair rent that is proposed under the Bill is 50 per cent of the net produce. The Hon. Minister said that there was no such system as renewal fee anywhere in this country. Though I am not in a position or qualified to speak on the matter, I may tell him that it is very familiar in zamindari areas. In the zamindari areas the tenant may advance money to the landlord and pay lesser rent. As my hon. Friend, Mr. Karanth says, if the advance is made, there will be a corresponding reduction in payment of rent. I want to know whether there is any such thing as net produce anywhere in this State, whether in the zamindari areas or anywhere else. So, how have the Government come to the conclusion in fixing 50 per cent of the net produce as fair rent? I say, Sir, there is no such system anywhere.

"Now again, Sir, the tenant is given the option of paying his rent in cash or in kind, particularly in paddy. (The Hon. Sri K. Madhava Menon: "It is only in the case of wet lands.") If the tenant chooses to pay in cash what is the landlord to do for getting food from him and his family. Is he to await for "B" card for his ration?

"In respect of garden lands, what is the definition that is given to garden lands in the Bill for the purpose of fixing the assessment and for the purpose of fixing fair rent? For the purpose of fixing the revenue assessment, the definition is different and for the purpose of fixing fair rent the definition is mutilated. Garden land is defined as land on which coconuts and arecanuts are grown, but for the purpose of assessment, garden land includes also mango and other gardens. I ask, Sir, why such a difference should be made, one definition for the purpose of settlement, and another for the fixing of fair rent.

"Then, Sir, with regard to ulkudis and kudikadappus, these people are not real tenants and they are employed only as watchmen and if you want to evict them you have to find them alternative accommodation in the same revenue division. Supposing such things happen in Cochin. What is the cost of one cent of land there? For instance, if a watchman becomes a fifth columnist and pries into my affairs, I have got a right to send him away. He is merely a watchman and not a cultivating tenant. He is not

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ay whole-time servant. He watches by night and earns his livelihood elsewhere during the day. What is the meaning of saying that I must find another place for him in the same revenue division and give him 'tamboolam' or a send-off? Is this the way you are going to develop agriculture; is this the sort of tenure you are going to have in order to encourage the agricultural industry, is this the way you are going to economize agricultural industry in the country and is this the sort of tenure you have promised to the country at large? The Government of India are still considering the tenure problem. There is the Kumarappa Committee report and there is the other committee which has been set up by the Government at a cost of Rs. 32,500 or so—V. V. Subrahmanyam Committee—and there are other committees to come up also. These committees have no principles and you are going on in a haphazard way. You have not got any intentions. (Interruption by Sri R. V. Swaminathan.) The present Bill seems to be more a vote-catching device than dealing with mere actualities. I know who the vote-catchers are. I am not a vote-catcher. I am only representing facts in existence because this is not a Bill affecting Malabar alone, but affects all the districts in the State. I may tell you, Sir, the real poison is administered in this Bill in the matter of assessment of fair rent, fixation of fair rent, and the fixation of the quantum of the produce to be given to the landlord. You may adduce the reason later on saying that 'we have introduced this system in Malabar and you should not quarrel if the same system is introduced in other parts of the State' and so on. That may probably be the attitude which this Government or any other future Government may take up. So, I request you to deal with this Bill as it pertains only to the district of Malabar, but it is more or less in general terms. I therefore want hon. Members and the Government to consider this matter on that level and not at the Malabar level."

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, I am no doubt an outsider so far as Malabar is concerned, in the ordinary sense of the term; but I am one who looks on any tenancy legislation with great care. The problem of land is the most important problem of our country. And so, any tenancy legislation introduced in any part of our State must have its immediate reactions on the rest of the State. Since hon. Friends from Malabar have said that it is a very urgent legislation and since the public of Malabar have demanded it in no uncertain terms, I certainly agree with the Bill in general. I would also like to say that it is wrong to wait too long for any tenancy legislation. But whatever we do we must do with the utmost amount of deliberation and care. The problem in Malabar is perhaps more complicated than in the rest of our State, for two reasons. The pressure of population on land is the heaviest in Malabar; and the yield of land in Malabar, except perhaps in small portions of Palghat taluk, is exceptionally poor. The soil is porous, the heavy rainfall is not helpful for that reason, as it would have been otherwise, and the ground sometimes is inhospitable and obstructive so

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far as attempts at extension of cultivation or reclamation are concerned. That is why, I am glad, taking all these things into account, the doctrine of straightway abolishing all intermediaries on land is not accepted in the Bill. It only tries to adjust, and find out what is equitable as between the various intermediaries from the landlord down to the bottom cultivator. The expression used in Malayalam need not frighten us very much. They seem to be simple terms. A kanamdar is a person who is something between a lessee and a mortgagee. The tenure is renewable at the end of twelve years by payment of what is called 'mudavaram', which is also a Tamil word, meaning deferred payment, if I may reproduce it in English. The verumpattamdar is not a kanamdar. He is a mere 'summa' (laughter) as we call in Tamil, lessee just like a pattadar, who owns land, and does not cultivate it but asks others to cultivate it for him. Perhaps there are other intermediaries also; and the last man is the cultivator, who like all cultivators in other parts of the State, is struggling to maintain himself all his lifetime. Then, there is the productive character of the soil which has to be noted. In Malabar, if you put a bag of seed in land, you cannot take out from it forty bags of grain, which is the average yield in Tanjore, the Godavari and even in Chittoor. I understand you would get something between fifteen and sixteen times the seed only. Sometimes it is only six to eight times in North Malabar. Now, taking all these things into account, I am glad, the Bill does not disturb the existing order of things, it maintains the order of things and attempts to be more equitable in the present context of things.

"Now, there are only three things in the Bill to which I wish to refer. I come first to the fixity of tenure. I like it; but I like it in one sense; it must be associated in some way or other—even any general land revenue legislation—with national productivity. If a tenant under-produces or if an owner-cultivator under-produces, or if he does not produce at all, I say, he has no right to a fixity of tenure. That must be the condition that must be imposed in all tenancy or ownership legislation. The same condition should apply to the owner as well as the tenant; for I do not distinguish between owner-cultivator and kanam cultivator and tenant cultivator. What I want is, if the maximum amount of production is to be had from land, even in spite of the limitations of the soil, there should be some stipulation like this. Whoever it is, the owner, or kanamdar or tenant, he should be told that he would not be allowed to continue in possession of his land, if he showed neglect in the cultivation of his land, or if he showed neglect of incidental expenditure on land, then certainly, if he under-produced or did not produce at all, he should not be entitled to fixity of tenure. In this way, the fixity of tenure should be clubbed with the maximum production from land. Now, this is all by way of general terms.

"The British Government for instance have fixed a term of years for fixity of tenure. I think it is a very good solution. For

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I think, at the end of the term of years there will be an examination by a competent authority whether the land under the then cultivator produces enough, and the renewal will be determined in favour of the tenant or landlord who does cultivate well.

The second thing I want to say is regarding the return of the owner to the land. I want to be assured that small owners, who may not be big property owners, should be allowed to return to land and allowed to cultivate. That is one solution for the pressure on land. You may call him janmi or by any appellation but he wants to settle on his land for no other reason than he has no other occupation except this. As hon. Mr. Karanth pointed out, otherwise he and those of his ilk would lead an agitation for want of a better occupation. So such persons should be allowed to settle on land, if they so choose. But there is one provision here, in the Bill, which says that you cannot evict a tenant, even if the period of tenancy is only for some years. And then, there is the further limitation that the total acreage of land that a tenant would hold should not exceed five acres. When I say this, I think, I have understood the provisions in the proper way. So I request the Hon. Minister should find out, when the Bill goes to the Joint Select Committee, whether a poor janmi who wishes to go to his land and wants to settle as a general farmer should not be given facilities to do so.

Then there is my third point. Government have dragged in the big question of fair rent. I agree that what was fair rent in 1929 might not be fair rent in 1950, for the circumstances might have changed. So, considering the conditions in Malabar, considering the position of the intermediaries and considering the low productivity of the soil, is it right to fix a fair rent statutorily under this Bill, for that is what it tantamounts to when we pass this Bill. The legislature constitutes itself into a rent court when it makes it statutorily obligatory that such and such shall be the fair rent, and when that is done under this Bill, and when this Bill is passed and becomes operative, from that date itself, this fair rent would come into force without waiting for it to be fixed by any rent court. So we have to examine things more carefully in the Joint Select Committee and find out that the fair rent does not give anything by way of benefit to one section of the people to the disadvantage of another section of the people. Further what is calculated as net produce may vary from taluk to taluk. So, would it not be better to calculate it on the gross produce; or, would it not be better to determine net produce by deducting so much from the gross produce. In so doing we should determine what would be the cultivation expenses, what would be the seed required, what would be the increased allowance to be made in the cost of agricultural operations and so on. So this point has to be examined closely with the aid of statistics to see how much sacrifice it involves from each of the intermediaries. That is all I plead for here.

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Then, the next point I wish to refer is the question of renewal fee. It has been argued that this is the result of an ancient custom, and we are not justified in tampering with it. Whatever that may be, it is a deferred payment. There may be cases as hon. Mr. Karanth pointed out of a low rent with a high deferred payment or a low deferred payment with a high rent. It is just possible we may have all the data in regard to this in the Joint Select Committee. So we can decide there, whether there is a case for renewal fee at all, or whether we cannot have a low renewal fee. When we consider the question of rent, we shall have to consider the question of renewal fee also. So one reacts on the other, and they have to be mutually considered. All these things are required to be considered carefully in the Joint Select Committee.

Then another point I would like to deal with here is about dry lands. It is sought to reduce the present high figure of rent for dry lands in the Bill. I think the fair rent for dry lands is put at three times the assessment in some cases or one-sixth of the total produce. Now, what is the effect, for instance, of this on land cultivated with groundnut just on the other side of Palghat taluk, in Pollachi taluk in the Coimbatore district. All these things have to be considered. For any legislation which we may make for Malabar, or for the matter of that, with respect to any particular area, will immediately reflect on the other areas of the State, and the reaction will be no doubt felt there. So I request the Hon. Minister to consider this matter in the Joint Select Committee with the closest attention that it deserves. Sir, I generally support the Bill."

* SRI V. T. MUNISWAMI PILLAY:—"Mr. Speaker, Sir, there has been a serious agitation in Malabar in respect of evictions of agricultural labourers, and I thought, when the Hon. Minister who thought fit to bring in a good piece of legislation like the present one, would make it comprehensive by giving some facility to agricultural labourers, as it had been demanded by the father of the nation and also by the Congress Agrarian Reforms Committee. Sir, I fail to see any suitable provision in this Bill to give fixity of homesteads for the agricultural labourers. Sir, it has been urged on all sides that the intermediary must vanish. But the tenure system obtaining in Malabar is such that it may not be possible at the present moment to do away with these tenants; and as such, everyone in this House will be inclined to support the main provisions of this Bill. The Hon. Minister has made clear in his opening speech what the important portions of the Bill are. He has assured this House that the tenants will not be evicted from their habitation if they pay fair rent. Clause 13 says that the occupier of land serving as watchman shall pay such rent for the hut as the Rent Settlement Authority may determine. I welcome this provision. Hitherto the landlord could collect any amount of rent from the poor people for the huts they were occupying. Hereafter the Government take up the responsibility of fixing the fair rent and they will appoint an officer to determine the fair rent."

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"The Bill provides for the extension of the Malabar Tenancy Act to the Gudalur taluk of the Nilgiris district. There are large plantations in the Gudalur taluk and the tenure prevailing there has been found by the people to be most harassing. This legislation will greatly improve matters.

"The Hon. Minister also told us about the renewal fee payable once in twelve years. My hon. Friend Mr. Govinda Menon has made it clear that such a system does not exist in any other part of the world. A man, who is not conversant with Malabar and its tenure, may not understand the hardship caused by this renewal fee. I think it is high time that the system of renewal fee is done away with. My hon. Friend Sri M. S. Varadachari doubted whether it would be advisable to give it up completely. As one coming from a district in a part of which a similar land tenure prevails, I feel that the system must go.

"The whole land tenure system is one which ought to receive the utmost consideration of the Government. I know, as a matter of fact, that the Government are not lacking in their efforts and that they are endeavouring their very best to see that a uniform tenure is introduced throughout the State. They have set up a committee to examine how the land tenure system could be reformed. As a member of that committee, I say that it is not easy to come to decisions immediately. So many factors have to be considered before coming to a decision. Since the Government have already moved in the matter, I am sure it will not be very long before they find a satisfactory solution.

"About the cultivating tenant's share of the produce, I feel that the proportion that is adumbrated in the Bill is a fair one.

"Since the Bill is going to be referred to a Select Committee, we can offer our final remarks on the Bill as it emerges from the Select Committee. I support the introduction of this Bill."

* **SRI T. VISWANATHAM** :—"Mr. Speaker, Sir, I am glad to be able to support in the main Bill which is now under discussion. One remark which the Hon. Minister made has induced me to speak. He said that there was a criticism that some of the kanamdars, some of the small landholders, might not be able to pay the rent if the provisions of this Bill were enforced. That has set me thinking about the poor people in this State. Somehow or other an atmosphere has been created within the last three years that there are poor men only among the people who are called tenants and that everybody who is not called a tenant is a very rich man. It is on the basis of that slogan that nearly 25 lakhs of inamdars have been wiped out by this Government under the estates abolition legislation and nearly 1,500 petty persons who unfortunately are called zamindars because they own some lands which came under the Permanent Settlement have also been wiped out. When the Hon. Minister says it, there must be great truth in it. If what hon. Sri Raghava Menon said is true, there

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must be still greater truth in it. It was admitted by hon. Sri Govinda Menon also that very poor people would be affected by this Bill. I only plead on their behalf.

"I want to clear a misapprehension that, if we want to do benefit to two people, we may sacrifice a third man. It is a wrong theory. All the three must live. All the three people belong to the same country and the blood of our blood, kith of our kith and kin of our kin. It may be that by an accident a man may be called a tenant or a landlord. I see from the figures that the total area under cultivation in Malabar district is about 15 lakhs of acres and the number of pattadars is 449,000. From this you will be able to see that the land is absolutely insufficient indeed. It is not correct to say that there are very many rich people. The figures given in the Settlement Report show that there are only 600 or 650 persons in the district of Malabar who pay to the Government an assessment of more than one thousand rupees annually. In fact, the position is similar in the whole State. Although we have been raising slogans, the people who are actually very rich are very few and the poor are many in this State and that is one of our major problems. Therefore in dealing with the land tenure system, it should not be taken for granted that all those who are called landlords are very rich and all those who are called tenants are poor men. I submit that the question must be looked at more from the economic point of view than from the point of view of language or politics. I understand that about 98 per cent of the janmis are just as rich or as poor as most of those inamdars who were sacrificed and nothing more or nothing less. But the argument will always be and I certainly agree with that argument that we must look at the question from the point of view of the tenant. It is true that we must look after the tenant who is in need of being looked after. We have always been saying that there must be a comprehensive legislation, whether it is called zamindari legislation, codification of rwtwari tenure or reform of Malabar land tenure. If we look at the question from the economic point of view, the whole thing will have to be reorganized on an entirely different basis. Hon. Mr. Hydross, who hails from Malabar, said that Malabar tenure was the most scientific system. I have no quarrel with him at this stage if he claims it to be very scientific. I only wish that the Committee, which is now looking into the various land tenures of this State, take the hint from him and see how far the Malabar tenure is a scientific system. The Hon. Minister for Law smiles. Apparently he does not agree that it is very scientific. If he agrees with me that it is not scientific, I will not pursue the matter.

"What is it that we are doing actually to the tiller of the soil about whom we shed tears in season and out of season? Is there truth in the criticism that while trying to help a few of these tillers, the Government are actually helping middlemen? If the criticism is true, I submit that the Hon. Minister and the Select Committee must go into the matter more thoroughly than what

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has been done so far. When I heard my hon. Friend Sri Govinda Menon I thought that there was absolutely no need at all for this Bill to go to a Select Committee. He said that the principles were so clear. When hon. Sri Govinda Menon speaks, he speaks naturally, puts things nicely, clearly and in a simple and straightforward manner. After all under this Bill everybody is retained—the janmi, kanamdar, kuzhikananidar, verumpattamdar, cultivating verumpattamdar and customary verumpattamdar. Therefore I thought that there was no harm. In the working of the Act, we must see that those who are retained are not retained in an illusory way or that their life is not made an illusory life. In fact, one of the elementary principles of justice is that in the interpretation of the provisions or in the working of any Act, we should be careful to see that what we do to benefit somebody does not do avoidable harm to others. It is often thought that it is a very correct principle that some people must be sacrificed so that the other people may benefit. It is asked why two per cent should not be sacrificed for the benefit of 98 per cent. I submit that it is a wrong theory. In my opinion even one man should not be sacrificed. If it becomes necessary, let the Government acquire the interests of the two per cent for the benefit of the 98 per cent. There must be some compensation to the man whose property or vested rights are taken away. Let the Government show some new way of life to the 2 per cent, for they are the limbs of the same organism to which we belong. I hope the Select Committee will look at the Bill from this point of view. At the time of considering the zamindari abolition legislation, I was always pleading that the small people should not be crushed in the name of reform. Did we not pass a legislation recently that even to attain Heaven we ought not to kill a small bird or animal in a temple? If so, I submit it is wrong to crush out or eliminate a certain class of people altogether on the supposition that thereby we will be helping others. That is my plea with the Hon. Minister for Law and the Select Committee and that is what we should have as a measuring rod always before us whenever we pass any legislation for economic or agrarian reform.

"I do not propose to go into the details of the Bill, as indeed I am not very well conversant with the implications for the present."

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I am glad that there is general agreement regarding the main principles of the Bill. Of course, it is not possible to have agreement on all the details. I must say, as hon. Sri K. R. Karanth put it, that the Members who spoke on this Bill including hon. Sri Karanth were like the blind men who saw the elephant. Malabar tenure may seem complicated to some of us. As hon. Sri N. S. Varadachari correctly put it, if it is understood it is not far different from the tenure of other places. Each person perhaps has known or experienced a particular portion of it. The zamindar in him came out when hon. Sri M. M. Natesa Chettiyar was speaking with some undigested notion about some portions of the Bill.

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"Sir, even the landholders representatives from Malabar in this House, hon. Mr. Nambiar did not find fault with the provision in the Bill relating to the sharing of produce between the landlord and the tenant because he thought that the landlords were given a fair share. I want the House to remember that even in regard to the renewal fee the Malabar karnavan or janmi or landlord cannot give the tarwad property to his children and cannot perpetually bind the tenant to pay the renewal fee even to his children, but all that he can do is that he can only sell his lands to the tenant or renew the lease by taking the renewal fee and give it to his children. The argument that has been adduced to characterise it as a sort of deferred payment of rent or as my hon. Friend Sri Karanth said that in some of the places it is collected as an advance payment for something, etc., are not correct, because no Malabar karnavan can reduce the rent or partition the property or sell it to the tenant or do anything of the sort unless there is some family necessity. The renewal fee is not and is never meant to be an advance or lump-sum payment or any inducement to the Malabar karnavan to reduce the michavaram or rent, nor is it demanded as a condition to reduce rent by the landlord. It is not correct to call it an advance payment or a deferred payment or a premium for some obligation and it has been nightmare to the tenants of Malabar. It is an optional payment by the kanamdar to the janmi. It is known as the avakasam or manusham in the verumpattam tenure and it is a sort of customary payment by the verumpattamdar at the time of the renewal of the lease for another twelve years, after the expiry of the present lease. There is therefore no justification for this renewal fee being exacted by the karnavan and that is why we have abolished it. But then it may be asked why was it provided for in the 1929 Act? In those days the conception of things was very different, the idea about the relation between the landlord and the tenant was different, and the notions about the rights of the respective parties were different and even the right to demand a fixity of tenure which every cultivator now claims as a matter of right, was unknown and unheard of, and so during those days, the cultivators thought that even the renewal of lease by itself was a very big thing and a very great favour shown by the landlord. They were then prepared to pay any exorbitant payment to the landlords, provided the lease was renewed for another twelve years. Sir, even to this day, I remember very well the arguments put forward in this very Council by even the tenants' representatives in those days that they were prepared to pay any price or any premium or any amount of fees for renewal, provided there was fixity of tenure to the tenants. They said, 'Let us not at least be evicted and let us know what is the amount of the renewal fee and we are prepared to pay it. Let at least that concession be shown to us.' That was what they pleaded in this very House in those days, and therefore it is a sort of price paid by the tenants for non-eviction from their holdings. That was the situation in those days and that is how this renewal fee came to be in vogue. But to-day we feel that it is a fundamental right although it is not put down in the Constitution that there should not be any eviction of the tenant by the landlord.

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Let us therefore give up the impression that renewal fee is something like an advance payment or a deferred payment of rent or something that is given for reduction of rent and so on. It is a sort of premium or inducement given to the landlord to continue the lease to the same tenant. Sir, at the same time, I want the House fully to understand that though the renewal fee was fixed at such a high amount in 1929, the actual renewal fee that is usually collected now-a-days is much less and many tenants have been feeling within themselves and sometimes they have also given expression to it openly, 'Let not the renewal fee be so high; we are prepared to pay what we used to do before.'

"Sir, my hon. Friend Sri T. Viswanatham was correct when he said that it is a wrong thing to believe that there are no poor men among the landlords. It is quite true, Sir. There are as many poor men among landlords as there are among tenants. I know several landlords who were once rich, but who are now actually begging in the streets. I would give an instance of at least three persons whom I know, who pay an assessment of over Rs. 1,000 on their lands, but who are actually begging in the streets. Only when there is some election for any constituency where postal votes are required from them, that they get some money and that is all their income that they can boast of for the lands that they possess, because such possession only qualifies them for the vote, and nothing more, because actually they get nothing from the lands. Even the assessment, somebody else will be paying, but only their names will be in the assessment list. It is because their ancestors have mortgaged the tarwad without any consideration or foresight and this is the penalty that these people are now paying. There may be many such hard cases, but we are not for the present concerned with such people, so far as this Bill is concerned. What we are primarily concerned here is this. When we think of land we immediately think that the person who actually cultivates the land must have some right and must have some interest in the land. A cultivator, only if he has an interest in the land and only if he knows that he has got security of tenure and only if he is assured a lion's share of the produce, will be prepared to put his maximum effort in the land and improve cultivation and increase production. That is the primary object of any land legislation and that is what is being attempted in this Bill. We want that the intermediaries who have rightly or wrongly entered into the picture should not stand in the way of our giving some fixity of tenure and a proper share to the cultivator. That is the main principle of this Bill.

"Sir, my hon. Friend Sri P. Govinda Menon said that this is a revolutionary piece of legislation and that it is going to bring about a millinium to the tenants and so on. But, Sir, what we have provided for in this Bill is the barest minimum for the tenant, and that is half the share of the net produce, although he wanted that we must fix it at something more.

"Sir, my hon. Friend Sri T. Viswanatham said that the landlords should not be sacrificed just as the inamdars have been

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sacrificed. I do not know, Sir, whether the inamdars have been actually sacrificed. Whatever that be, Sir, we must remember, that when the production from the land is of a fixed and limited quantity and when the person who produces from the land is to be given his proper share, it stands to reason that he should be given something more than what he is now getting, from something that is produced, by deducting something from the other person who has been getting something more all these years. You cannot have it both ways. If 100 measures of paddy are produced in a piece of land and if the cultivator was given only 40 measures hitherto and the landlord was taking away the remaining 60 measures, and if we propose to give 50 measures now to the cultivator, then naturally the 10 measures must be taken from the landlord's share and given to the cultivator. It is simple arithmetic and it is not as if we want to deprive one person of his livelihood and give the other more than what is due to him. I entirely agree with what some of my hon. Friends said, that if a harm is to be done, it must be done with as little inconvenience as possible to the parties concerned, and that it has to be minimised to the maximum extent. Sir, that is the attempt that is being made in this Bill.

"Sir, my hon. Friend Sri Raghava Menon spoke about the plight of the poor landlords who are even poorer than the tenants. I have already said that there may be hard cases like that, but in making a legislation like this, we have to choose a path which will do the least harm and cause the minimum inconvenience to the parties affected. Some friends referred to Kashmir and what has been done there with regard to the distribution of land. Sir, conditions differ from place to place and from State to State and we cannot possibly adopt all that has been done in some other State. As long as there is this belief and this conception in the minds of the people that the land belongs to a particular person, that he is the owner of that piece of land and that he is entitled to do whatever he likes with it, we will have to proceed slowly and cautiously in the direction of any land reform, and we cannot simply by a stroke of the pen do what Kashmir or some other States have done. It has been argued that the landlord has always the right to take away the lands from one tenant and give them to another cultivator. Arguments have also been advanced that families might have been divided and their properties partitioned, and people who were not cultivating before now want to cultivate and that the five years' period that has been fixed in the Bill creates all difficulties. Sir, we have also facts and figures with us to show how many landlords and janmis were actually cultivating before partition had taken place, what the extent of properties they had before partition, and how many families have been partitioned now and how many landlords are cultivating after partition and things like that. We have records to show that in most of these properties it is only the old tenants and their families who have been in possession of lands for over 200 years who are looking after cultivation now. What is the justification for us to turn them out of the land now, because to-day after 200 years somebody or some members of the landlord's family or some ladies in

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their household want to cultivate the lands? They have been getting along all these years with the rent that the tenant was paying and why not they continue to do so even now? That kind of argument is also possible and reasonable. There are hard cases on both sides, and that is the reason why we have put down the five years' period and the five acres limit in order to provide for such hard cases of landlords who want really to cultivate. Perhaps there may be practical difficulties in working out this provision, but we must examine and thrash it out in the Select Committee and we must try to get over those difficulties and see that the hardships wherever they are are minimised as far as possible.

"Sir, my hon. Friend Sri Karanth urged that the smaller landlords should not be driven to the wall and my hon. Friend Sri Raghava Menon also said the same thing and wanted that even the middlemen should not be wiped off. Sir, in my opening speech, I said that it was possible that as a result of this measure many people who were non-cultivators and people who were there merely as intermediaries might not get all that they were getting before, because they were living only on the labour of other people and therefore they must take to some other occupation. This has provoked my hon. Friend Sri Viswanatham to make his speech. He asked, 'Are they to be driven out to the wall? What will they do if they are wiped off? What is the remedy or the alternative you have provided in such cases?' Sir, in such cases we have provided that they must relinquish their right and their holdings on payment of some compensation. I may tell the House that if this Amending Bill is passed by the House, it is not the landlord or the rich or the poor janmi or the tenant who would stand to lose so much as the persons who were there as intermediaries in between the landlord and the actual cultivator. That is the object of this Bill.

"Sir, some very good advocacy has been made for the groundnut landlords of Malabar. This found sympathisers in certain other hon. Members of the House also. It is true, Sir, that groundnut cultivation in Malabar is more profitable than paddy cultivation, but such cultivation is carried on only in a very few places. Only in some portions of Palghat and in a little portion of the borders of the Malabar district are groundnut and cotton cultivated as an alternative crop because of the high price they fetch and of the easiness of cultivation.

4-45 p.m. "If the paddy tenant is entitled to relief, the groundnut tenant is entitled to as much relief as is given to the paddy tenant. Because of the change in tenancy between Coimbatore and Malabar, why should we not give the same relief to the groundnut tenant whose tenancy is the same as paddy tenancy? Why should he not get that benefit? It may be that the groundnut tenant is getting 200 per cent more than the paddy tenant. But that is no justification to continue to give the landlord that 200 per cent. Comparisons are odious in some respects. This is what I say to hon. Members who attempted to make the groundnut cultivator a different person from other cultivators in Malabar.

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"The hon. Member Sri Muniswami Pillay mentioned that agricultural labourer was not helped by this Bill, and that he had to be provided for. I say, Sir, that similar protection is to be given to any other labourer. Here we are thinking of the person who has an interest in the land and not the person who is a daily wage worker. As a matter of fact, hon. Mr. Muniswami Pillay will see that the kudiyruppus, ulkudis and kudikadappus are all given fixity of tenure under this Bill. Agricultural labourers, such, in Malabar will be greatly benefited by this provision. Ulkudis are all Harijans and they will be benefited. They are the agricultural labourers doing work in gardens, and they stay in the ulkudis. They get permanency and security under this Bill. In the case of kudiyruppus every agricultural labourer has got his own *chala*, and he now gets permanency under this Bill. The agricultural labourer gets this benefit under this tenancy reform.

"Then, Sir, there is the question of including Gudalur taluk of the Nilgiris and portions of South Kanara. The entire Gudalur taluk of the Nilgiris district belongs to two janmis. About 90 per cent of the Gudalur taluk is the janmam property of the Raja Nilambur and 10 per cent the Rani of Nelliyalam. The entire area Gudalur taluk is janmam area, and the Malabar Compensation and Tenants Improvements Act even now applies to Gudalur. Regarding South Kanara, hon. Mr. Karanth and hon. Mr. Schamr raised objections to the inclusion of 33 villages in the proposed reform. Sir, originally it was 46 villages. When the Kuttikrishna Menon Committee was taking evidence in Kasaragod, the law practising in Kasaragod gave a list of 46 villages. This list was practically confirmed by the revenue authorities as having the land tenures of Malabar. I must inform hon. Mr. Karanth that I have absolutely no idea of having a sort of thin end of the wedge to portions of Karnataka into the Kerala Province. Whatever be the tenancy reform, the question of its being under Malabar land tenures will not be the criterion to decide whether it belongs to Kerala Province or Karnataka Province, when the question of linguistic Provinces comes up. I was only guided by the Committee constituted for going into the land tenures in Malabar. Originally, before the Kuttikrishna Menon Committee 46 villages were included. That committee reported that 46 villages of South Kanara had the same land tenures as Malabar. But subsequently at a meeting of the legislators and others interested in land, certain people from Kasaragod desired that six more villages be included, and then the number was increased to 52. I asked the Board of Revenue and the Collector of South Kanara to report whether they should be included. We had not rather clear reports. There were some doubts though those villages were Malayalam-speaking areas. In some cases it was not clear whether those villages adopted the same land tenures as in Malabar. Sir, I declare and I give an assurance here that I want only those villages to be affected where the tenures are the same as in Malabar and not any other village because there is no meaning in applying these provisions to areas where the tenures are not the same. Since the position was not definite at the time when the Bill was

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published, all the 52 villages were included. I shall certainly agree to delete such of the villages where the tenures are different from those of Malabar. That is all I have to say to hon. Mr. Karanth and hon. Mr. Schamnad.

"Hon. Mr. Natesa Chettiar was speaking about the disposal of waste lands. There is provision in the proposed clause 52-B by which the State Government or such officer as they may authorize can require the landlord of any waste land to lease it to such person as they may specify, and where the landlord fails to lease the land, they may execute a lease deed on behalf of the landlord in favour of that person, and give the fair rent to the land owner for the portion cultivated.

"As already stated, this is not a perfect Bill. It does not come up to the expectations of all of us in the sense that there should be no intermediaries between the cultivator and the Government. But still it will considerably alleviate the hardship of the cultivators in Malabar. This will induce him to have an interest in the land so that he may cultivate it more profitably and increase the production of the land. Sir, the Members of the Joint Select Committee are—

The Hon. Sri H. Sitarama Reddi.
Sri K. R. Karanth.
Sri C. K. Govindan Nayar.
Sri M. P. Govinda Menon.
Janab K. M. Seethi.
Sri R. Raghava Menon.
Srimathi A. V. Kuttimalu Amma.
Sri P. Govindan Nayar.
Sri M. P. Damodaran.
Sri K. T. Kunhi Kammaran Nambiar.
Janab M. V. Hydross.
Janab P. K. Moideen Kutty.
Janab A. K. Kader Kutty.
Janab H. S. Hussain.
Janab Mahin Schamnad.
Sri K. Brahmananda Reddi.
Sri K. Sankaran.
Sri L. S. Karayalar.
Sri B. Anantachar.
Sri K. Rajaram Naidu.

Sir, I have been a little bit partial in taking more Members from Malabar. The obvious reason is that they happen to know more about the tenures, conditions and difficulties. I can say each one of the Malabar Members represents a particular interest, kanamdar or verumpattamdar or kuzhikanamdar. Hon. Mr. Kader Kutty

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is one of the biggest landholders of Malabar. At the same time, I am told that the very house he lives in, is kanam property from another landlord. Whether his interest is that of a landlord or a tenant, one cannot say. Hon. Mr. Hydross is a big landholder by himself, but he is the advocate of so many tenants. Hon. Mr. Moideen Kutty is a typical example of kanamdars. Hon. Mr. Govinda Menon, who supported me very warmly, is one of the biggest kanamdars. If anybody is to be affected by this legislation, he stands to lose much. I have taken more Members from Malabar because each one of them represents a particular interest, and that is the reason for my partiality."

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 30 members to consider the Malabar Tenancy (Amendment) Bill, 1950 (20 members from the Assembly and 10 members from the Council) and

2. the following members of the Assembly be nominated as members of the Joint Select Committee:—

The Hon. Sri H. Sitarama Reddi.
Sri K. R. Karanth.
Sri C. K. Govindan Nayar.
Sri M. P. Govinda Menon.
Janab K. M. Seethi.
Sri R. Raghava Menon.
Srimathi A. V. Kuttimalu Amma.
Sri P. Govindan Nayar.
Sri M. P. Damodaran.
Sri K. T. Kunhi Kammaran Nambiar.
Janab M. V. Hydross.
Janab P. K. Moideen Kutty.
Janab A. K. Kader Kutty.
Janab H. S. Hussain.
Janab Mahin Schamnad.
Sri K. Brahmananda Reddi.
Sri K. Sankaran.
Sri L. S. Karayalar.
Sri B. Anantachar.
Sri K. Rajaram Naidu."

The motion was carried.

THE HON. SRI K. MADHAVA MENON:—"Sir, I move—
That under rule 85 of the Madras Assembly Rules read with rule 116 (6) thereof, the leave of the House be granted to the Joint Select Committee appointed to consider the

[Sri K. Madhava Menon] [14th October 1950]

Malabar Tenancy (Amendment) Bill, 1950, to hold its sittings outside Madras whenever the Committee thinks it necessary to do so.

Sir, it is certainly not the idea of going to Ootacamund. My personal view is that there is no need to take evidence. Evidences have already been taken, and any number of committees have been constituted. Evidence and other materials are already available. But certain representations were made to the Government in general and to the Chief Minister in particular that some landholders wanted to let in evidence before the Members of the Joint Select Committee. We thought, in case we had to take evidence, whether it would not be better for the committee to go to some place in Malabar. The Joint Select Committee will consider this, and, if necessary, they may hold their sittings outside Madras City, but in a place in Malabar. That is the idea with which I move this motion."

MR. SPEAKER:—"The motion is—

"That under rule 85 of the Madras Assembly Rules read with rule 116 (6) thereof, the leave of the House be granted to the Joint Select Committee appointed to consider the Malabar Tenancy (Amendment) Bill, 1950, to hold its sittings outside Madras whenever the Committee thinks it necessary to do so."

SRI V. I. MUNISWAMI PILLAY:—"Sir, I support the motion moved by the Hon. Minister. But I do not see the reason why the committee should not sit in the Nilgiris. Part of the Nilgiris (Gudalur taluk) is included in the proposed reform."

THE HON. SRI K. MADHAVA MENON:—"Sir, I was not saying anything against going to Ootacamund. I simply stated that it was not the idea of the Committee going to Ootacamund for which this motion was made. We may certainly go to Gudalur if it is so necessary."

The motion was carried.

MR. SPEAKER:—"I adjourn the House till 11 a.m. on Monday, the 16th October 1950."

The House then adjourned to meet again at 11 a.m. on Monday, the 16th October 1950.

14th October 1950]

APPENDIX I.

[Vide answer to starred question No. 318 asked by Sri N. Govindaswami Nayudu at the meeting of the Legislative Assembly held on 14th October 1950, page 471 supra.]

The State of Madras has always been deficit in foodgrains. Even before World War II, about five lakhs of tons of foodgrains were being imported every year. With the decision of the Government of India to stop all imports of foodgrains after the end of 1951, this Government have re-oriented their food production plans and reorganized the machinery required for it. The Commissioner of Civil Supplies who is a member of the Board of Revenue has been appointed as the Commissioner of Food Production. A Director of Civil Supplies has also been appointed in order to give relief to the Commissioner of Food Production and to enable him to devote more attention to his duties as Commissioner of Food Production. The Commissioner of Food Production has since been made an Ex-Officio Secretary to Government and he is the Secretary of the Cabinet Committee for Food Production. The Madras Government have also sanctioned a scheme of village co-operatives in seven selected districts, to begin with, with a view to associating the cultivating ryots with the food production efforts of the Government and for the more efficient fulfilment of the present plan for achieving self-sufficiency in foodgrains. The village co-operatives will also be responsible (1) for the efficient distribution of chemical fertilisers, manures, improved seeds, agricultural implements and iron and steel; (2) for listing out cultivable waste and fallow lands and making arrangements to bring them under cultivation; (3) for launching a special drive for increasing the output of compost manure in villages; (4) for assessing the results of the various measures adopted towards increasing food production; and (5) for making available the additional yield of foodgrains for the purpose of procurement. A Cabinet Committee for Food Production has been constituted with the Hon. Chief Minister as Chairman and the Hon. Ministers in charge of Food Production schemes in the different departments as well as Hon. Minister for Finance as Members. This Committee sanctions Food Production schemes expeditiously and reviews the progress of execution of the schemes from time to time. A publicity officer for Food Production has also been appointed to do propaganda work. With a view to carrying the latest scientific knowledge about agriculture to the door of the cultivator and to educate him in better cultural practices, the Government are also considering a proposal to appoint 27 Honorary Propagandists to form an "Extension Service" in this State. These Honorary Propagandists will be paid an honorarium of Rs. 50 per mensem to cover their travelling expenses. The Honorary Propagandists will be charged with the responsibility of organizing a certain number of demonstration plots in cultivator's own holdings. It will be the further duty of the Honorary Propagandists to organize

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age agricultural associations, conduct exhibitions and all other es of agricultural demonstrations in co-ordination with the local agricultural demonstrators.

The Government have fixed a definite target of additional production to be reached by the end of 1951-52 and they have formulated a Three-Year Plan of Intensive Cultivation schemes formerly known as 'Grow More Food schemes) operative during the years 1949-50, 1950-51, 1951-52. The target of additional production to be reached by 1951-52 by means of the Intensive Cultivation schemes relating to all departments is 7.27 lakhs tons of foodgrains (rice and millets). This additional production if realized will offset the normal pre-war imports of this State. The break up of the above target is furnished below :—

	1949-50. TONS.	1950-51. TONS.	1951-52.* TONS.
1 Agricultural schemes	164,582	454,154	548,015
2 Public Works Department schemes	18,015	36,418	63,621
3 Revenue department schemes (the Well Subsidy scheme and the Tank Improvement scheme).	26,200	68,810	115,850
Total ..	208,797	559,382	727,486

* On the assumption that 134,000 tons of sulphate of ammonium and 33,900 tons of phosphatic fertilisers will be available for distribution during 1951-52.

The main agricultural schemes are—

- (1) Distribution of oil engines and electric motor pumpsets for purposes of lift irrigation either at concessional rates of hire or on hire-purchase system or direct sale to ryots by authorized dealers under the recommendation of the Agricultural department.
- (2) tractor reclamation,
- (3) distribution of phosphatic fertilisers at half rates and ammonium sulphate at cost price,
- (4) distribution of urban and rural compost, and
- (5) distribution of improved paddy and millets seeds and green manure seeds.

For the year 1949-50 the total actual number of units of work achieved and the supplies (quantities of fertilisers, manures and seeds in tons) distributed up to 31st March 1950 were expected to benefit a total extent of 3,276,767 acres, resulting in an estimated additional production of 182,080 tons of foodgrains. The total acreage actually benefited based on the progress reports received from the Collectors up to 30th June 1950 was 2,635,796 acres and an additional production of 95,702 tons has been verified against the units achieved up to 31st March 1950.

In addition to the above measures several schemes aiming to make available additional quantities of fish for human consumption have been sanctioned recently by the Government. The new schemes for 1950-51 are expected to result in an additional quantity of over 90,000 tons of fish (both fresh and salt cured) for human consumption.

THE MADRAS LEGISLATIVE ASSEMBLY.

Monday, the 16th October 1950.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Communist atrocities in Nellore district.

* 313 Q.—SRI D. V. RAMASWAMI (on behalf of Sri V. Raghavayya): Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that the karnam of Neredupalli, Kanigiri taluk, Nellore district, sent reports to police that he was aimed at by the Communists of his village;

(b) whether he was recommended for punishment for sending vexatious reports;

(c) what action was taken against him; and

(d) whether it is a fact that his house was attacked by Communists?

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

“(b) & (c) Do not arise.

“(d) Yes. The house of the karnam was raided by a batch of Communists on the night of the 9th August 1950. The karnam was away at the time and property worth Rs. 100 was looted.”

SRI D. V. RAMASWAMI:—“May I know the value of the property that was looted?”

THE HON. SRI K. MADHAVA MENON:—“I said that the property looted was worth Rs. 100.”

320 Q.—

MR. SPEAKER:—“This question will be taken up later.”

Separation of the Judiciary from the Executive.

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

(a) the number and names of districts in which Judiciary was separated from the Executive since Legislative Council question No. 17 was answered on 20th March 1950;

* Vide page 547 infra.

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(b) whether the Government have received any deputation from the districts where the Scheme for the Separation of the Judiciary from the Executive has been introduced, as regards the dislocation and inconvenience caused to the public of those areas as regards the changed jurisdiction of the courts; and

(c) if so, what action has been taken to meet the demand of the deputationists?

THE HON. SRI K. MADHAVA MENON:—“(a) Subsequent to 20th March 1950, the Scheme for the Separation of the Judiciary from the Executive has been extended to six more districts, namely, South Arcot, Cuddapah, Kurnool, Ramanathapuram, Srikakulam and Visakhapatnam.

“(b) & (c) Two deputations were received, one from Devakottai Bar Association (Ramanathapuram district) and the other from the residents of Bheemunipatnam (Visakhapatnam district).

“Devakottai Bar Association requested that the Court of the District Magistrate for Ramanathapuram district may be located at Devakottai instead of at Sivaganga; Government granted this request on being convinced of the need and desirability of the change.

“The deputationists from Bheemunipatnam wanted the facility of a Magistrate's Court at Bheemunipatnam. Government could not grant this request as there was no case for the establishment of a separate Magistrate's Court for Bheemunipatnam taluk and it was not also possible to invest the Deputy Tahsildar at that station with magisterial powers. The deputationists were informed that if the need for a separate Magistrate's Court at Bheemunipatnam arose in the future, it would be considered on merits.”

SRI P. VENKATASUBBAYYA:—“Are the Government aware that great inconvenience is being felt by the people of Banganapalle because of the abolition of the existing Munsif Court there and tacking it on to Dhone which is far off from that place? May I request the Government to locate a Court at Banganapalle?”

THE HON. SRI K. MADHAVA MENON:—“Whether there is real inconvenience or not can be realized only after working it for sometime. It has been our experience that though people anticipated inconvenience, later they felt them more convenient, because they could find a Magistrate at a particular place at a particular time instead of going after a Magistrate in every Travellers' Bungalow.”

SRI B. VENKATACHALAM PILLAI:—“May I know when the scheme will be completed in this State and when it will be introduced in the Tiruchirappalli district?”

THE HON. SRI K. MADHAVA MENON:—“I cannot say that now. It is our attempt to complete it as quickly as possible.”

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Firka Supply Officers.

* 322 Q.—SRI G. SANYASI RAO: Will the Hon. the Minister for Food be pleased to state the reasons for the delay in abolishing the posts of Firka Supply Officers in the Visakhapatnam district where the separation of the Judiciary from the Executive was introduced?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The scheme for the replacement of Firka Supply Officers by Assistant Taluk Supply Officers could not be introduced in the Visakhapatnam district so far owing to the bifurcation of that district with effect from 15th August 1950 which necessitated the revision of the proposals submitted earlier by the Collector of Visakhapatnam. Proposals for the abolition of the Firka Supply Officers in the new Visakhapatnam district have since been received and they are under consideration.”

SRI G. SANYASI RAO:—“Is it not necessary to appoint regular people, wherever necessary, in the place of temporary people who are greatly responsible for corruption and black-marketing?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“This proposal will have the same effect of replacing the temporary people by permanent hands.”

SRI G. KUMARASWAMI:—“May I know from the Hon. Minister for Food if all experienced and tried Firka Supply Officers who have put in a lot of service, though under rule 9 (a), will be absorbed in the regular Departments?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“As I have already said, the Firka Supply Officers who are now employed are most of them temporary hands. Wherever the Judiciary is separated from the Executive, the hands who are initially thrown out of employment of the grade of Deputy Tahsildars are employed as Assistant Taluk Supply Officers.”

Government Press.

* 323 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Education be pleased to state—

(a) whether service registers are opened for all workers of the Government Press, and maintained properly and verified then and there;

(b) whether promotions are made according to seniority and if not, why not; and

(c) whether the increments earned by many workers and due to them are denied at the time of granting them and if so, the reasons therefor?

THE HON. SRI K. MADHAVA MENON:—“(a) For the majority of the workers service books have been opened and are maintained and verified periodically. The work of opening service books for the workers for whom these books have yet to be opened is proceeding quickly and will be completed ere long. Special attention is being paid to the matter.

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"(b) Promotions are made according to seniority in cases in which seniority is the criterion under the rules. In respect of certain posts in the Mechanical section such as fitter, maistri, head general mechanic, senior mechanic, fitter, turner and blacksmith, ability to discharge duties attached to these posts efficiently is considered necessary and suitable persons are preferred on grounds of merit and ability.

"(c) Increments due for all the workers are sanctioned according to rules. The Government are not aware of instances in which increments are denied."

Anti-profiteering Ordinance.

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

(a) whether it is a fact that the Central Government have forwarded the text of the Anti-profiteering Ordinance in the month of August 1950 for comment; and

(b) if so, what the comments made by our State Government are?

THE HON. SRI H. SITARAMA REDDI (on behalf of Hon. Minister for Industries):—“(a) No Sir.

“(b) Does not arise.”

SRI S. NAGAPPA:—“May I know whether the Government are adopting any measures in order to put down blackmarketing and profiteering?”

THE HON. SRI H. SITARAMA REDDI:—“Sir, the Anti-profiteering Ordinance that has been promulgated applies to this State as much as to other States.”

SRI S. NAGAPPA:—“May I ask, by the enforcement of this Ordinance how many blackmarketers the Government have been able to book and whether the Government are satisfied with the working of this Ordinance and whether they are satisfied that there is no blackmarketing in this State?”

THE HON. SRI H. SITARAMA REDDI:—“I cannot say that there has been no blackmarketing in this State. It is bound to be there in some cases. But as I said, the provisions of this Ordinance which have been enforced in this State give the necessary powers to the Government to put down blackmarketing.”

District Magistrates.

* 325 Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Advocate-General and the Honorary Secretary of the Advocates' Association, Madras, have made any representation to the Government in the matter of direct recruitment of District Magistrates; and

(b) if so, what action the Government propose to take in the matter?

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THE HON. SRI K. MADHAVA MENON:—“(a) Representations were received from the Advocates' Association, Madras.

“(b) After a careful consideration of the matter, Government decided that there was no need to alter the decision already taken, viz., to fill up the posts of District Magistrates by promotion of senior and competent Sub Judges.”

Sweet toddy.

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

(a) the names of the districts where permission to tap sweet toddy has been granted; and

(b) whether any misuse has been reported?

THE HON. SRI N. SANJEEVA REDDI:—“(a) Permission to tap trees for sweet toddy is granted in the following places:—

(1) Palmyra trees—the whole of this State, except Arantapur, Bellary, Kurnool, Cuddapah, Chittoor and the Nilgiris districts.

(2) Coconut trees—selected areas in Malabar, South Kanara and Coimbatore districts.

(3) Date trees—North Arcot district and selected centres in the Guntur district.

(4) Sago trees—Certain taluks in the Malabar district.

“(b) Misuse of this privilege has been reported in certain places and centres like the Rayalaseema area, Madras City and Chingleput district; suitable action has been taken in such cases.”

SRI S. NAGAPPA:—“In answer to clause (b), the Hon. Minister stated that ‘suitable action has been taken’. May I know what that ‘suitable action’ is?”

THE HON. SRI N. SANJEEVA REDDI:—“Where the defect cannot be rectified, we have cancelled the licences issued to them.”

SRI S. NAGAPPA:—“If the Government have considered the desirability of granting permission to tap sweet toddy in certain districts, may I know what prompted the Government to exclude those districts which the Hon. Minister mentioned?”

THE HON. SRI N. SANJEEVA REDDI:—“Where the Government felt that the scheme would succeed, they extended it and in cases where they felt some doubt they could not extend it.”

SRI K. LINGA RAJU:—“May I enquire whether the Government have received in general complaints from all districts that this privilege is being abused and whether they are convinced they should altogether abolish tapping of sweet toddy?”

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THE HON. SRI N. SANJEEVA REDDI:—“We have a number of complaints from Andhra districts particularly but not from all districts. In Tirunelveli, Ramanathapuram and other places, the scheme is working satisfactorily. The question with reference to the Andhra districts is being examined and after I see the report, I may, like the Rayachota districts, cancel the societies there also.”

SRI G. SANYASI RAO:—“May I know whether the Government are aware of the failure of the prohibition scheme in the districts where permission to tap sweet toddy has been granted?”

THE HON. SRI N. SANJEEVA REDDI:—“I cannot certainly accept the sweeping general remark that it is a failure. As I said, in certain districts it is not working satisfactorily. In a good number of places it is working very satisfactorily.”

Supervision of ration shops.

* 327 Q.—SRI D. DURAIRAJA PANDIAN: Will the Hon. the Minister for Food be pleased to state whether it is a fact that Committees have been constituted for the purpose of supervising ration shops in villages in certain districts in this State?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“No Committees have been constituted for the purpose of supervising ration shops in villages. The Collectors of all Districts have, however, been instructed to appoint two or three leading men of the locality to keep a close watch over the functioning of ration shops in the informally rationed areas and retail agencies in non-rationed areas and to report to the authorities concerned any irregularities noticed in the distribution by the ration shop keepers or any delay on the part of the local authorities to enquire into such irregularities. The Collectors have been specifically informed that care should be taken to see that the persons so appointed are men of local standing and of unselfish interest in public welfare and that their assistance should be enlisted purely on an honorary basis.”

SRI D. DURAIRAJA PANDIAN:—“Will the Government consider the desirability of constituting Committees in every village for supervising the ration shops?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The matter is left to the Collectors to do as circumstances warrant.”

SRI M. G. NATESA CHETTIYAR:—“May I know whether honorary Supervisors are eligible to look into the irregularities that are being done by the officials?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“As I said any delay on the part of the local authorities to enquire into such irregularities will also be reported by these gentlemen.”

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SRI D. V. RAMASWAMI:—“May I know whether such a committee has been constituted for the Visakhapatnam district? If so, who the members are?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“No intimation so far, Sir.”

SRI V. M. RAMASWAMI MUDALIYAR:—“May I take it at the appointment of these non-officials is in addition to the duty cast upon the Members of this Hon. House to enquire into complaints and bring to the notice of authorities any irregularities in the working of these shops both in the statutory areas as well as non-statutory areas?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The hon. Members are always free to go into and enquire the irregularities and report to the authorities. That is not being prevented by the constitution of these Committees.”

SRI N. S. VARADACHARI:—“May I ask the Hon. Minister whether this method of appointing committees to supervise ration shops will be worked very carefully and whether he will see that these Committees, if and when constituted, will have only general powers and not powers wide enough which might result in harassment of a particular ration shop-keeper?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“That point has been taken note of and necessary instructions have been sent to Collectors specifically mentioning this point and I believe they will act accordingly.”

SRI N. VENKATASUBBAYYA:—“In the matter of constituting these Committees, instead of leaving the discretion to the Collectors, may I know why the Government themselves should not issue a mandatory order for their constitution?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The Government thought that in some areas the arrangement may be slightly different. We do not want to make a uniform arrangement for all the areas. That is why the constitution of these committees is left to the Collectors according to their own difficulties and according to the circumstances in their areas.”

SRI A. KALESWARA RAO:—“May I know whether the Government would give powers to the Taluk Food Committees with regard to the selection of shop-keepers for the retail shops?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“Though that does not arise out of this question, I may state that it is a matter left to the Collectors or other local official authorities.”

SRI M. G. NATESA CHETTIYAR:—“May I know whether the power of these committees is in respect of retail shops alone and not wholesalers?”

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THE HON. SRI J. L. P. ROCHE VICTORIA:—"As will be found from the answer these committees concern only retail shops and ration shops."

SRI S. NAGAPPA:—"May I know whether the Government have taken care to issue necessary instructions to the Collectors to see that at least leading members belonging to the landless poor labourer class will be either appointed or nominated to hold membership in these committees in order to supervise these shops?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"If really a useful member is found in this class of people, certainly the Collector will consult him and put him in the Committee."

SRI D. DURAIRAJA PANDIAN:—"Will the Government issue specific instructions to the Collectors to appoint persons to supervise every ration shop throughout the districts?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is not necessary. I think the present orders are sufficient to meet the situation."

SRI S. C. BALAKRISHNAN:—"Apart from the constitution of these committees, may I ask if it will not be more useful if C.I.D. officers are posted to watch over the ration shops and officials in all areas?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"C.I.D.s. will come in only when there is a real complaint made after some investigation. But, these are matters concerning day-to-day supervision which do not require the services of C.I.D."

SRI M. G. NATESA CHETTIYAR:—"May I know whether there is any such arrangement in regard to procurement from wholesalers and the various wholesale shops?"

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

Cloth for Government use.

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

(a) the value and the quantity of cloth, the Government are purchasing every year; and

(b) out of this quantity, how much khaddar they purchase?

THE HON. SRI K. MADHAVA MENON:—" (a) The quantity of cloth purchased through the Stationery Department by Government during 1949-50 was 122,700 yards at a cost of Rs. 1,89,000. This does not include the cloth purchased by the heads of departments like Police, Jail, Medical, etc. As the figures for the past years are not available, the figure for 1949-50 only is given."

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"(b) Out of this quantity, 100,700 yards of khadi cloth were purchased during 1949-50 (at a cost of Rs. 1,71,500)."

SRI A. VEDARATNAM PILLAI:—"May I know whether the Government have got any proposal to purchase khadar for all their use and if it is not found suitable whether the Government will consider the desirability of arranging to produce the type of khadar suitable for them and purchase all their needs?"

THE HON. SRI K. MADHAVA MENON:—"We have tried to purchase as much khadar as possible. Hon. Members will find from the answer that out of the 122,700 yards of cloth purchased, 100,700 yards were khadar. So, we are trying our best to purchase khadar as much as possible for all Government requirements. But, as I said in the case of certain departments like Police, Jail and Medical, we are not able to do it completely."

SRI V. M. RAMASWAMI MUDALIYAR:—"Is the Hon. Minister aware that the requirements of cloth for the Police, Medical and Jail departments are much more and probably three or four times greater than what is being purchased at present, viz., about one lakh and odd yards and such being the case, may I know whether there is any chance of getting the Police and other departments to purchase khadar products?"

THE HON. SRI K. MADHAVA MENON:—"For the time being the major portion of the cloth purchases for the Police and other departments are from the Coimbatore Jail. I think about four lakhs of yards of cloth are manufactured from the Coimbatore Jail. So as long as the manufacture of cloth goes on in the jail, I think, it is only right and proper that we exhaust that stock before we purchase anything else."

SRI M. G. NATESA CHETTIYAR:—"May I know whether the Government are aware that due to the purchase of large quantities of khadar by the Government, there is a shortage of khadar supply to the local people?"

THE HON. SRI K. MADHAVA MENON:—"If that is the case, the supply will certainly increase. If there is such a great demand for khadar, it is surely a matter on which we should congratulate ourselves."

SRI A. KALESWARA RAO:—"May I know whether the Government propose to increase production of khadar even in jails by the introduction of hand-spinning and hand-weaving?"

MR. SPEAKER:—"I think a separate question can be put."

'Rice Distribution Pool'

* 329 Q.—SRI S. NAGAPPA (on behalf of Sri B. S. Murthi): Will the Hon. the Minister for Food be pleased to state—

(a) the definition of 'Rice Distribution Pool';

(b) when this system has come into existence;

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(c) the places where it is in operation; and

(d) the benefits, if any, to the consumers by this system?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“(a) The Rice Distribution Pool is an association of retail dealers formed for the purpose of securing from the mills, rice of good quality and at correct price for distribution to consumers.

“(b) This system came into force unofficially in October 1949 in the Vijayavada town. The pool system was recognized by the Board of Revenue (Civil Supplies) in March 1950.

“(c) The pool system is in operation in the towns of Rajahmundry and Nakinada in East Godavari district, Dammavaram and Murn towns in West Godavari district and Vijayavada, Gudivada and Masulipatnam towns in Krishna district. Orders have also been issued recently allowing the pool system of distribution of rice to function in Guntur district.

“(d) The pool system eliminates the direct contact between the millers and the retailers and the consequent malpractices resorted to by both. It has the advantage of enforcing a fair and uniform price for all the consumers in each town of the surplus districts where this system is functioning. It also ensures effective control over the distribution of rice by restricting the number of dealers in the area. It is an effective method of improving the quality and reducing the price of rice in surplus districts. Generally speaking, there is also a slight reduction in the consumers' price. The co-operation it secures from the population of the surplus districts has a beneficial effect on procurement.”

SRI S. NAGAPPA:—“In view of the fact that this system will be beneficial, may I ask whether the Government will introduce that system to other districts like Tanjore?”

MR. SPEAKER:—“The Hon. Minister said that it is a voluntary organization and the question of introduction does not arise.”

SRI S. NAGAPPA:—“That is why I am asking the Hon. Minister whether instead of having a voluntary organization, will the Government consider the desirability of organising such a system wherever rice production is in abundance?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“Wherever organizations approach the Government, this matter will be considered.”

SRI K. LINGA RAJU:—“May I know whether the Government have received any reports that the representatives of the pool were denied stock by the millers and if so whether suitable action has been taken in this matter?”

MR. SPEAKER:—“That has got nothing to do with the question. A separate question may be put.”

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SRI V. M. RAMASWAMI MUDALIYAR:—“If this pool system has resulted in beneficial effects and reduced the price to the consumers, may I ask why this system should not be tried in several surplus districts in Tamilnad?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The system requires a regular organization and as I have already stated, wherever such an organization comes into existence and takes up the matter with the Government, it will be considered.”

SRI D. V. RAMASWAMI:—“May I ask whether in the coming Conference of Collectors called by the Ministry of Food on the 24th and 25th of this month, this question will be placed on the agenda and discussed?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“I have no information, Sir.”

SRI G. NARASIMHA RAO:—“In the case of the pool system that has been adopted in Vijayavada, is it not the case that the pool people are to be paid Rs. 1-2-0 whereas the wholesaler's price is only 12 annas, and the railway and carting charges from the mills to the pool godowns is exorbitantly high; and may I ask whether in such circumstances the pool system will really serve the public by the reduction of prices or whether it is only a paper propaganda?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“From reports received by the Government from Vijayavada, we find that there is no difficulty with regard to the working of this system. That is why the Government took into consideration the extension of this scheme to Guntur. If there are any difficulties, representations may be made and they will be considered.”

SRI N. S. VARADACHARI:—“Is it not the object, Sir, of the pool system to eliminate wholesalers in the surplus districts, to reduce the price at the consumer's end and, at the same time, to ensure supply of good quality rice?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“That is the idea, Sir.”

SRI G. NARASIMHA RAO:—“May I know, Sir, whether any complaints have been received from the people—especially from the retailers themselves—about the working of the pool system and if so, whether the Government will make a thorough enquiry as to (1) whether such pools have been really established in all places mentioned by the Hon. the Minister, (2) whether they are working profitably and (3) what amount of profit, both concealed and open, the merchants make through this pool system?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“Whenever complaints are received they are being enquired into.”

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Madras City Civil Court.

* 330 Q.—JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM (on behalf of Janab Muhammad Raza Khan): Will the Hon. the Minister for Education be pleased to state—

(a) the present vacancies in the Madras City Civil Court and Court of Small Causes; and

(b) if there are vacancies, the reasons for the delay in filling up those vacancies?

THE HON. SRI K. MADHAVA MENON:—“(a) There are no vacancies at present in the City Civil Court and the Court of Small Causes, Madras.

“(b) The question does not arise.”

Communist trouble in Kurnool district.

* 331 Q.—SRI S. NAGAPPA: Will the Hon. the Chief Minister be pleased to state—

(a) whether there was any Communist trouble in Kurnool district recently;

(b) if so, in what places and when; and

(c) the damages caused by such Communist trouble and the precautionary methods the Government are taking to provide safety and security to the people of the district from the Communist menace?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—“(a) & (b) Nearly three months back, there was one incident of violence by Communists. On the night of 1st July 1950 a gang of about 60 to 80 persons raided the Police station at Pullalacheruvu. Apart from this, the district has been comparatively free from Communist trouble.

“(c) The Government are taking all possible measures to put down lawlessness. It is not in the public interest to disclose the details of the measures undertaken, or the details of the raid at Pullalacheruvu.”

SRI S. NAGAPPA:—“May I know, Sir, whether the Government are aware that the people of the locality are not sure of their safety and security and if so whether they will take much more stringent measures in order to ensure their safety from the raids of the Communists?”

THE HON. SRI K. MADHAVA MENON:—“The information of the hon. Member is just the reverse of what I have. The people of the area are perfectly satisfied with the arrangements made for their safety.”

SRI N. VENKATASUBBAYYA:—“Is it a fact that the raid referred to by the Hon. the Minister was made by the Communists from outside the district and if so, may I ask the Hon. the Minister to give details of the raid?”

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THE HON. SRI K. MADHAVA MENON:—“There was a question on this subject answered about a week ago when I said that the details of the raid at Pullalacheruvu could not be given in public interests. The raid was by Communists who came from the Hyderabad State.”

E.S.L.C. Examination.

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

(a) whether the Government have received any representations regarding the English text-book for the S.S.L.C. examination for the current year, and if so, what it is and what action the Government have taken in this matter;

(b) the English text-book the Government have prescribed for the E.S.L.C. standard and where it was published; and

(c) whether the Government have got any proposal to modify the text-book in the near future and if so, what the modification is?

THE HON. SRI K. MADHAVA MENON:—“(a) Representations were received pointing out that the lessons included in the book were difficult for the pupils who begin English in Standard VII as at present and requesting either to change the text-book or reduce the number of lessons to be studied for the examination. The representations were duly considered by the T.S.L.C. and E.S.L.C. Examination Boards who recommended that there was no need for a change in the text-book.

“(b) The English book entitled “Nelson's Third English Reader for Indian Schools” by Messrs. C. S. Milford and E. M. Milford and published by Thomas Nelson & Sons, Ltd., London (Local Agents—Messrs. Essco, Ltd., Mount Road, Madras—Price 15 annas per copy) which was prescribed as a text-book for English (Optional) for the VIII Standard Public Examination has been continued for the year 1951, with some lessons omitted.

“(c) It is not proposed to reduce the number of lessons in the book prescribed for the examination for 1951. It has been decided to prepare and publish departmentally the text-book for the Examination in 1952.”

SRI A. VEDARATNAM PILLAI:—“May I know, Sir, whether any text-books in English published in India suitable to our schools are not available and if not, why the Government have prescribed this book which is published in England and not available here?”

THE HON. SRI K. MADHAVA MENON:—“The work of prescribing text-books is not of the Government. It is the duty of the Text-book Committee to prescribe books. In view of the contingency such as is anticipated by the

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hon. Member, viz., non-availability of text-books, it has been decided to publish the text-books departmentally from next year."

SRI V. M. RAMASWAMI MUDALIYAR:—"If certain chapters in the book have been omitted on the ground that they are above standard for the examinations this year, may I know why the same thing cannot be continued for the next year's examination also?"

THE HON. SRI K. MADHAVA MENON:—"The hon. Member has not followed my answer. Certain lessons have been omitted from the text-book for the examination in 1951 and a further reduction in the number of lessons is not possible."

SRI V. M. RAMASWAMI MUDALIYAR:—"Am I to take it, Sir, that the candidates for the E.S.L.C. Examination, 1951, need not have to study those lessons—those very difficult lessons that I understand they are—which have been omitted?"

THE HON. SRI K. MADHAVA MENON:—"Yes, Sir. They need only study those lessons which are prescribed for the examination, 1951."

Food-ration

* 333 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Food be pleased to state—the scales and composition of the food-ration to card-holders in all statutorily and informally rationed areas from 2nd July 1950?

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The following was the scale and composition of rations for the card-holders in all statutory and informally rationed areas from 2nd July 1950 to 13th August 1950:—

Rice eaters.—Seven ounces of rice, wheat, millets and/or semolina plus 2 ounces of semolina plus 3 ounces of wheat, semolina and/or millets according to availability.

Mixed diet eaters.—Four ounces of rice, wheat, millets and/or semolina plus 2 ounces of semolina plus 6 ounces of wheat, semolina and/or millets according to availability.

Millet eaters.—Two ounces of rice, wheat, millets and/or semolina plus 2 ounces of semolina plus 8 ounces of wheat, semolina and/or millets according to availability.

"The following scale and composition of ration are in force from 13th August 1950:—

Rice eaters.—Six ounces of rice, wheat, millets and/or semolina plus 2 ounces of semolina or wheat if semolina is not available plus 4 ounces of wheat, semolina and/or millets according to availability.

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Mixed diet eaters.—Three ounces of rice, wheat, millets and/or semolina plus 2 ounces of semolina or wheat if semolina is not available plus 7 ounces of wheat, semolina and/or millets according to availability.

Millet eaters.—One ounce of rice, wheat, millets and/or semolina plus 2 ounces of semolina or wheat, if semolina is not available plus 9 ounces of wheat, semolina and/or millets, according to availability.

"With effect from 17th September 1950, the cardholders in Madras City are given 2 ounces of maida in lieu of wheat owing to the low stock position of wheat.

"If the cardholders so chooses, bread tickets may be drawn against the rice and non-rice portions of the ration except against the 2 ounces of semolina portion. If, however, semolina is not available, bread tickets may be drawn against the semolina portion as well."

SRI S. NAGAPPA:—"In view of the fact, Sir, that the answer given by the Hon. the Minister for Food contains a good lot of figures, may I request you to have the answer circulated to all the Members so that we may be able to put supplementary questions to-morrow?"

MR. SPEAKER:—"Yes, that will be done."

SRI S. NAGAPPA:—"One more question, Sir, . . ."

MR. SPEAKER:—"The hon. Member cannot put any more questions to-day since he will be allowed to put supplementary to-morrow."

"The hon. Member, Mr. V. M. Ramaswami Mudaliyar, came a little late and regretted his inability to be in time in the House to put question No. 320 standing in his name. He requested permission to have the question taken up now. So we shall take up question No. 320 now."

Kist collection in North Arcot district.

* 320 Q.—SRI V. M. RAMASWAMI MUDALIYAR: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government are aware of the failure of monsoon in North Arcot district and if so, to what extent;

(b) the steps the Government are taking to make good loss to the ryot; and

(c) whether all kist has been collected in the Vellore taluk and what the extent thereof is and what the remission given is

THE HON. SRI H. SITARAMA REDDI:—" (a) Yes. The entire district has been treated as drought affected."

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(b) The Government sanctioned the grant of Land Revenue remissions on a liberal scale for fasli 1359. They also opened many departmental works, like major irrigation works, minor irrigation works, District Board and Highways works, Food Production works and Rural Welfare Works, in order to provide employment to agricultural labourers affected by the adverse seasonal conditions.

(c) The total Land Revenue demand of Vellore taluk for fasli 1359 was Rs. 2,86,666, out of which a sum of Rs. 49,440 was remitted and the balance collected."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I ask, Sir, whether the Government are aware that not a single tank in Vellore taluk has got water in it and that the first-crop seedling has completely failed causing irreparable loss to the poor ryots of the taluk?"

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

SRI V. M. RAMASWAMI MUDALIYAR:—" If so, Sir, may I tell him that sticking to the wooden rules framed by the Board of Revenue will not help the people very much who are in need of very liberal concessions, especially the small pattadars of the Vellore taluk?"

THE HON. SRI H. SITARAMA REDDI:—" I have already said, Sir, that we do take a very liberal view of the matter. Now in respect of the information furnished by the hon. Member, I can assure him that the Government would take immediate action in the matter."

SRI B. S. MURTHI:—" If the Board's Standing Orders are old and antediluvian in regard to remission, etc., will the Government be pleased to take action in order to bring them in conformity with the existing conditions?"

THE HON. SRI H. SITARAMA REDDI:—" I may inform the hon. Member that one of the questions which the present Land Revenue Reforms Committee is dealing with is that of remission. I may meanwhile assure the hon. Member that whatever the existing orders are, they are interpreted very liberally by the Government for the benefit of the public."

SRI M. G. NATESA CHETTIYAR:—" Among the works mentioned by the Hon. the Minister, may I know, Sir, whether any rural communication work has been taken up and completed?"

THE HON. SRI H. SITARAMA REDDI:—" As I have said, Sir, the works are of various types—minor and major irrigations works, district board works and so on—and it is not quite possible to say what are the types of works taken up."

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SRI G. KUMARASWAMI:—" May I know, Sir, from what other districts representations have been received in the matter of remission?"

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

SRI D. V. RAMASWAMI:—" May I know, Sir, whether the Government will consider the question of postponing the collection of kist in the districts where there has been failure of monsoons—including North Arcot?"

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

SRI N. VENKATASUBBAYYA:—" May I know the scale on which remission is granted?"

THE HON. SRI H. SITARAMA REDDI:—" If I remember aright, this question was answered more than once on the floor of this House and it will take a long time to repeat what has already been said."

SRI N. S. VARADACHARI:—" May I ask the Government whether, once a work is started on the declaration of famine conditions—whether it is major or minor irrigation or communication—it will be stopped immediately the famine conditions cease to exist or it will be continued to enable the workers to earn something to put by for use in abnormal times?"

THE HON. SRI H. SITARAMA REDDI:—" I know that in several districts works have been taken up to relieve unemployment. There are cases where such works have been stopped even before completion. In such cases it has been the practice that the district board or the municipality concerned or the Government will take up the work and complete it."

SRI A. KALESWARA RAO:—" May I know, Sir, whether the Government has ordered the remission of dry rates also for dry lands in such areas?"

THE HON. SRI H. SITARAMA REDDI:—" Yes, Sir."

[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 that I have received the following message from His Excellency the Governor of Madras:—

"In pursuance of Article 207, clause (1) read with Article 199 (1) (d) of the Constitution of India, I, Krishna Kumarsinhji Bhavasinghji, Governor of Madras, hereby give my recommendation to the introduction in the Madras Legislative Assembly of the Madras Appropriation (No. 2) Bill, 1950, and in pursuance of clause (3) of Article 207, I also recommend to that Assembly the consideration of the said Bill."

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III.—GOVERNMENT BILL.

THE MADRAS APPROPRIATION (NO. 2) BILL, 1950:

THE HON. SRI B. GOPALA REDDI:—“ Sir, I beg to introduce the Madras Appropriation (No. 2) Bill, 1950 and move—
‘That the Bill be taken into consideration at once.’”

MR. SPEAKER:—“ Motion moved—

‘That the Madras Appropriation (No. 2) Bill, 1950, be taken into consideration at once.’”

* SRI T. VISWANATHAM:—“ Sir, we found at the time of the discussion of the Supplementary demands, as a result of which this has come before the House, there was practically no time to go through all the demands. The time allotted for general discussion was very little and during the discussion on the demands only two were actually discussed on the floor of the House. May I suggest, Sir, when the Government comes before the House with Supplementary demands, they give more time for the discussion of these demands? ”

MR. SPEAKER:—“ This might be considered.”

* SRI L. N. GOPALASWAMI:—“ Mr. Speaker, Sir, I only want to make a few observations on the Supplementary demands that have been granted by this House. As my hon. Friend, Mr. Viswanatham, observed, there was no time for us to discuss many of the demands in detail nor was there time even to point out or get some information from the Hon. the Finance Minister who presented these demands. Some doubts came to my mind as I went through the Supplementary demands. I am now placing them before the House so that the Hon. Minister may clarify them in his reply. I will only deal with three items and will not take much of the time of the House.

“ The first item is under ‘District Administration’. They have proposed to open six new centres for Firka Development. All these centres are to be given into the hands of the non-official agencies each getting nearly a quarter of a lakh of rupees. In the details furnished, it has not been stated to whom these things are to be entrusted, in what districts are they to be started and which are the firkas, that are to be so administered. It is only stated that the Collectors are going to be given these things who in turn will give them to the non-official agencies and these agencies will be asked to select one firka for the development work. In the Budget speech itself I had occasion to point out that while firkas that have been chosen for firka work in a particular district have always been attended to, nothing has been done for village development or rural uplift in other parts of the district. Persons who were influential have been able to get all the concentration of work in this particular firka where everything has been done. They got all the benefits conferred on that particular firka. I want Government

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to bear in mind when they choose at least these new firkas, they may be chosen in some other places in the same district so that the benefit may be conferred on some other places other than the taluk in which the particular firka has been chosen.

“ Another point is, if the amount is to be administered by private agencies, the Government must be able to tell us who those agencies are and why they have chosen them in preference to others. It is not as if there not persons who will be able to do the work. When the Government chooses persons they must do it without any altruistic motives and with regard to past rural welfare work done by the particular person or agency. It may not be handed over to persons who have been doing the work not in the way in which the rural development work has to be carried out, nor in the way in which Government want it to be done. All these things the Government must bear in mind when they extend the Firka Development scheme on which they are going to spend nearly 2 lakhs.

“ I now come to item 23, ‘Labour including Harijan welfare’. When I went through the Budget, I found that a sum of Rs. 3 lakhs has been provided against Harijan uplift but when I went into details, I found that a sum of Rs. 73,000 has already been provided for establishment for acquiring house-sites for Harijans and another 4 lakhs has been allotted for acquisition of house-sites in Tanjore district for Harijans. A special mention has been made in the Explanatory Note that a sum of Rs. 3 lakhs has been set apart for providing house-sites to other than Harijans in that budget but the amount of Rs. 3 lakhs, I find, has been noted against Harijan uplift. I do not know why the sum that is specifically to be spent for non-Harijan purposes is to be included in the budget under Harijan uplift. Perhaps this is to be taken out of the one crore fund. It is not stated so. All the same why the sum that is definitely set apart for providing house-sites for persons other than Harijans, be they landless, should be included in a Harijan Uplift scheme, is a thing I am not able to understand. As I said earlier, I had no opportunity to bring these matters to the notice of the Government.

“ The third point I want to bring to the notice of the Government is the unique method they have chosen to advance loans to labourers who struck work in the Meenakshi Mills. The labourers struck work for reasons which were not made clear and there were many doubts about its reasonableness or otherwise. The Government have come forward to help the labourers in this one particular instance only. Nearly a lakh of rupees have been distributed to these labourers as advances. In the scheme explaining the advances, it is stated that these advances are to be recovered within one month of the re-opening of the Mills. But it is now more than three or four months since the Mills were re-opened. There is no mention whether the loans were returned to the Government or whether they are still outstanding. Being a unique example and likely to be misused not only by this Government but by some other Governments that may come, I feel there is no need for this Government to help all these people with such loans and advances. Apart

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from the question of the Government being able to recover the advances, how the Government will be able to meet all the demands that may arise in the future, is a thing which I cannot understand. I do not want to take much time of the House beyond pointing out these facts which struck me. I hope the Hon. Minister will be able to explain them to this House at length as to why and how they have been made."

* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, the fact that only two of the supplementary demands could be discussed on the floor of the House and the rest had to be guillotined adds strength to our demand for the constitution of a standing Finance Committee of the Legislature. The Hon. Minister in his reply stated that no useful purpose would be served by constituting such a committee. I differ from him for such a committee would serve a very useful purpose inasmuch as it would try to devise ways and means of curtailing Government expenditure. The present Government are having a top heavy administration, which is quite out of proportion to the resources of the State and the means of the tax-payers who are overburdened with heavy imposts. It is imperative that the cost of the administration should be cut down considerably in this State and in this country. The Government cannot go on creating new posts as they are persistently doing. During the British regime the Congress used to cry hoarse against the cost of administration. To-day it is much heavier and it continues to rise, so much so, that this country is heading towards a disaster. Therefore I feel that the Standing Finance Committee would render useful service by devising ways and means of curtailing Government expenditure. Sir, you would have read in the papers that the Economic Adviser to the Reserve Bank of India has expressed the view that the State Governments should cut down their expenditure considerably. The cry all over the country is 'Reduce the cost of the administration.' But the State Governments and the Central Government pay no heed to this and instead are creating new posts and making the administration of this land even more top heavy than it was at the time of the British regime. You are aware, Sir, that Japan attained the highest state of efficiency in the pre-war years so much so that it was able to cope successfully even with the advanced powers of the West. The reason for this was that Japan had kept down the cost of its administration and was utilizing its revenues more on nation building activities. In this country, however, the reverse is the case. After the Congress assumed office, those who are at the helm of affairs are spending public money recklessly without any restraint. This squandering mania must cease if this country is to be saved from a financial collapse. Those in authority must realise their responsibility in this regard and curb their unbridled expenditure. I once again request the Hon. Minister and the Government to give due consideration to my suggestion for the constitution of a Standing Finance Committee of this House.

"In the past it was the procedure adopted by Government to complete the revised budget spend money on items not sanctioned

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by Legislature and come before the House with demands for supplementary grants on new schemes. A check has been put to that tendency by the Constitution Act which provides that the Government should not incur expenditure in anticipation of the sanction of the House. But the Government are still inclined to incur fresh expenditure and draw from the contingency fund that has been created. I wish to urge upon the Government the desirability of desisting from this procedure as well for the contingency fund of rupees one crore that has been created is for the purpose of meeting emergent expenditure and not for all and sundry items. It is also wrong on the part of the Government to appropriate the savings in certain items of expenditure and spend that amount on certain other items. If there was any saving on the sum voted, that saving should go back to the consolidated fund and the Government has no right to re-appropriate the amount. The tendency on the part of the Government to spend money freely without the sanction of the Legislature should be curbed for the crying need of the hour is retrenchment in the cost of the administration. I hope the Hon. Minister will bear these points in mind when he comes forward with the next budget. It is not certain as to whether he will be in a position to present the next budget or not. If he does so I urge upon him to bear all these points in mind and take steps to reduce the cost of administration. Otherwise, I am afraid, the country will be heading towards disaster."

* SRI B. S. MURTHI:—"Mr. Speaker, Sir, we are very 12 willing to allow the Hon. Finance Minister to draw from the Consolidated Fund. But, as one speaker pointed out this morning, the Government seem to be reckless in incurring expenditure on things which are not conducive for public welfare. At every budget session, Sir, you are aware, that every hon. Member pointed out that the top-heavy expenditure of the Government must be reduced so that the people will not be more burdened than they have been. But the Government seem to be launching upon plans and schemes which are proved to be futile and sometimes they also bring discredit to the department or to the Government. For instance, let me take the Police. Now, we are asked to give Rs. 9.00 lakhs to the Police Department."

MR. SPEAKER:—"This is given in the explanatory note of the budget."

SRI K. BHASHYAM:—"He does not accept the explanation."

MR. SPEAKER:—"The purpose for which the demand is asked is given on page 11 of the explanatory note."

SRI B. S. MURTHI:—"Sir, my point is that the purpose for which it is sanctioned is not being fulfilled by the Police. Sir, generally speaking, the Police should be a friend of the people. In this country, Sir, after this Ministry came, the Police instead of becoming a friend has become the foe of the villager. Sir, I shall give you one or two instances to substantiate my statement.

[Sri B. S. Murthi]

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In the East Godavari district, in Razole taluk and in Antervedipalem firka, a Harijan, aged 60 years, has been arrested for no fault of his and for more than 1½ months he has been put in unlawful custody of a gentleman of the village at the instance of the Police. I want the Hon. Finance Minister to enquire and see whether my statement is false or otherwise. In another place, in East Godavari district, one Mr. Ganti Kamayya has been unnecessarily involved. He has been arrested and has been released, after being kept in custody for more than a week, and after extracting a promise that he will support in the next election one gentleman who is very powerful in the area. And, yet, Sir, in Mothada, a village 12 miles from Guntur, the Reserve Police and the Malabar Police have gone there, opened fire as a result of which two people were wounded and are kept in the hospital. I hope the Hon. Finance Minister will have time to peruse the daily press which is full with the reports of atrocities of this department. Yet, my hon. Friend Sri Nagappa wants me to cite certain instances here. Well, Sir, I do not want to take the precious time of the House. I want the Hon. Ministers to be humane and be realistic in their approach to the conditions prevailing in the villages. If we shut our eyes, they will spell disaster not only to the Ministry, but also to the people who have brought freedom into this country. What I am anxious is this. I am not against giving more money. I am willing to give more money, if necessary more than this, Rs. 9-90 lakhs or Rs. 9-0 crores for the Police. Because we would like to have protection, in these days of subversive activities by people anti-social in their attempt and outlook. I will give you one or two instances here from the statements given in the press. The hon. Member Sri V. Kurmayya, ex-Minister and a colleague of those friends who are now sitting in the Treasury Benches, has submitted a memorial to the Hon. Chief Minister. In that, he has narrated how the Police have been brought by some pretext by Sri Veerayya, a Caste Hindu of the place. The Police have come, searched the houses of some Harijans and found nothing incriminating. But, Mr. Veerayya goes back to the Police and brings them back and then he makes them run amock. Every time the Police were going only to the Harijan cheri and ransacking the people and all this is happening under the very nose of this stalwart young Minister. I may say, Sir, that hon. Members on the Treasury Benches are sitting on the top of volcano and any day there may be an eruption or disaster more disastrous than the disaster that has overtaken Assam. Well, Sir, we are told that a cobra will not leave a man for six months and will be hunting after the man simply because he has gone near it. How many times have the Harijans not been going to this Hon. Minister and that Hon. Minister, and yet, Sir, they have no time to hear them. Sir, I am giving only one-millionth of what I have in my mind. If I have to-day, Sir, power in my hands, I can control the Communists in one minute (Hear, hear). Not by using the Police to go and rape the Harijan women, by breaking Harijan heads and by searching their houses, but by going from place to place and appealing to them how best they can protect themselves.

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both against the Communists and against the Police. But, these Hon. Ministers won't go to villages. They go only to towns, open some shows, attend dinners and get back. They will not see the sufferings of the people in the district, but will be sitting in the travellers bungalows. Sir, this will not do. I am anxious that some of the Hon. Ministers who have been protectors of liberties, should get back to their old mood and leave this borrowed mood of power politics. As the hon. Member Sri L. N. Gopalaswami has already pointed out, this Harijan Welfare is receiving step-motherly treatment from Hon. Sri B. Gopala Reddi, a friend of Harijans. He was and has been a good friend of Harijans. But, now, he is not. Whenever Harijan cause is discussed here it was only through some report or speech of an Hon. Minister, or in the speech of His Excellency the Governor or in the speeches delivered in this House. The Hon. Chief Minister has never delivered a speech here.

"Sir, when we go to the districts, we find that very little is done and the maximum amount goes to Harijan hostels. I have been asking the Government, Sir, that most of these hostels must be taken over by the Government. If the Government are not willing to incur more expenditure, at least they must make provision that some of these hostels are better supervised than they are to-day. They appoint a Welfare Officer in the district and he is given one or two clerks, and one or two supervisors and ask him to manage the whole show. The District Welfare Officer is to-day treated as an untouchable because he is appointed, for the welfare of untouchable. Some of these Officers are not given accommodation in the Collector's office. They occupy a veranda or a motor-shed and that is their office from which they have to cater to the needs of the district Harijans. Another thing, Sir, the District Welfare Officers ask for jeeps. The jeep will cost Rs. 3,000 or Rs. 4,000 and the Government are not willing to give them jeeps whereas they are given to all other officers. I am thankful to the Hon. Finance Minister for nodding his head which I take it means that some Officers are being supplied with jeep. Well, Sir, another thing I want to mention is that the District Welfare Officer is not given sufficient staff nor is he given any assistant or even a good stenographer to help him. All these, Sir, must be borne in mind and the Government must try to find out ways and means to curtail their expenditure. I know that Hon. Sri B. Gopala Reddi has a soft corner for Harijans. But, what I am anxious is that before they come to this House with the budget proposals the top heavy expenditure of the State must be specially reduced and suitable relief given to the tenant who is the main-spring of our resources. Thank you, Sir."

SRI K. R. KARANTH:—"Sir, if I once again rise to protest against the method of the Ministry of getting funds from this House like this it is because I feel that it is the one right of this House which should not be taken away or trifled with. I have not the least objection to Government spending money for purposes which could not be foreseen and which are urgent. I hope

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the House will remember what the Hon. Finance Minister said in answering my last speech on the Supplemental Estimate, viz., 'It is so very inconvenient to go to this House every now and then.' The whole principle of good budgeting is that the items of expenditure must be sorted out and placed before the House for sanction. If further items of expenditure are proposed, they must come before the House, and they should not incur expenditure without the sanction of the House. It seems to me that continuously this House is being flouted, and it is to enter my protest against this undemocratic procedure, I wish to speak on this Bill. Sir, I shall not be a party to passing these items of expenditure. I shall give one instance. Three or four days back I asked a question about the new Assembly Buildings. It is an institution which will last for sometime and is not to be pulled down in four or five or ten years. In an important item such as this, I was surprised to hear the Hon. the Finance Minister saying 'the present Members of the House need not be consulted'. I do not know who then is going to be consulted. I live in that compound and I know that locality. Can there be any reason why that estimate has not been brought before this House till now? The work is going on. The site selected, from my point of view, is a most unsuitable one. On both sides there are residential and office buildings. Near the road opposite there is a slum. Within 50 yards there is a cinema house with all its noise on the narrow road, in front called the Wallajah road. I only say that the democratic Government must come forward with a demand for grant and say 'We want to build a House, what are your views?' Every one of us would have given our suggestions. I do not say that this House should enter to the details of the matter. But before the actual expenditure is incurred the sanction of the House must be taken. It is an expenditure involving Rs. 7 lakhs. To say that we have nothing to do and we have no voice in the matter is not correct. Any one of us might have suggested a better site with ample elbow-room.

"Similarly, Sir, in this budget there are many other items with which one cannot honestly agree. My hon. Friend Sri B. S. Murthi stated 'we are ready to supply you any amount of money for the Police'. I differ from him. I think the limit has already been reached for the expenditure on Police. Our resources cannot permit more expenditure on Police. Merely because there is the Communists menace, which began three or four years ago, it does not mean that the Government can go ahead spending lakhs and lakhs of rupees. It is not proper and it is not necessary. You are aware, Sir, that in 1946 when the Congress took over the administration the expenditure on Police was about Rs. 250 lakhs per annum. I am saying this from memory. (Interruption.) In April 1946 it would not have been more than Rs. 300 lakhs at the outside."

THE HON. SRI B. GOPALA REDDI:—"In 1946-47 the expenditure was Rs. 3½ crores on Police."

SRI K. R. KARANTH:—"I do not exactly remember the figure now. After the first year it was about Rs. 400 lakhs. That

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was because of the general revision of the salaries of the subordinate officials. Then it came to Rs. 500 lakhs, then Rs. 550 lakhs and now it is about Rs. 600 lakhs and more. In the course of three or four years the expenditure has become more than double. We cannot always be depending upon the Police for the preservation of peace in this State. We have to depend more upon the goodwill of the people. Therefore what I submit is that it is too much to go on spending money on Police. In regard to this estimate so many items have been actually expended. We are now confronted with the position 'either put out the Government or simply agree to their demands'.

"Sir, my hon. Friend Mr. Gopalaswami stated that five individual institutions were going to be entrusted with the firka development work and they would be entrusted with the money. We do not know who they are. It is one of the principles of budget in any democratic country that to the last pie and to the last detail everything must be known. We must know who will spend the money and on what works it will be spent. They cannot go on spending money as they like. But that is exactly what is happening now. It is not at all proper that a lakh and odd rupees on firka development should be given to individual bodies, whose names we do not know. Similar is the question of giving assistance to some labourers on strike. I wholly agree with my hon. Friend that it should never have been given. No Government in the past has given. (Interruption.) It may be a lockout. I can tell hon. Members here that in my district, when a strike took place at the same time I know how labour there was treated. In spite of the fact that I took trouble along with my hon. Friend Dr. Mallayya to bring about the end of the strike, for the last four or five months and till about a month ago, more than 100 strikers were put up before the Courts contrary to the agreement, and then made to dance up and down the Court dozens of times losing their pay all the time the prosecution saying that they would withdraw the cases. Simply because in another place a certain individual, friendly with the Government, interceded, Government money was spent to help the strikers. In my place it was a different matter. On principle it is very wrong to spend State funds upon the strikers.

"Sir, in spite of my objections, we have not yet been told in what way the budget has been revised. We do not know, after the Appropriation Bill was passed by this House, in what way the budget has been revised by the Government. The Cabinet and the Government have changed the whole of the budget, and several items which were included in the budget, have now been deleted. We are not aware of what they are. The Government say that they are making savings out of them, and propose to spend the savings on other items. I must protest against this sort of procedure. I say finally that no money should be spent by the Government, and that this House should not be a party to vote upon any expenditure already incurred unless it be an urgent one. Even in the old days of 1926-27, when the British Government was administering this State, they used to place the proposals before the

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legislature. I was a Member of a Standing Finance Committee for some time. Then the Government used to place the proposals before the House, take their sanction, and then only incur the expenditure. Before that they would not incur a pie of expenditure. The present Government no doubt have the necessary support in the House, and they will carry out the proposals and schemes. But it gives no opportunity to the House to know the items of expenditure. The very essence for which every country fought for democracy was that no money should be spent unless it was sanctioned by the legislature. It should not be spent unless it is a very urgent measure. I see that for the last four years this procedure of coming before the legislature after incurring the expenditure is being adopted. But I must protest against this procedure. They should not say: 'We are doing what we like. We are incurring that expenditure; either go out of the party or vote with us'. This is not correct. Without consulting this House public moneys are being spent. Therefore, I say that we shall not be a party to this expenditure and on this scale made by the Government from time to time without consulting and taking the sanction of the House before incurring the expenditure."

* SRI G. KUMARASWAMI:—"Mr. Speaker, Sir, the Bill in question seeks to provide that an amount of Rs. 15,54,500 should be set apart to meet the expenses of supplementary grants recently passed by the Assembly. I personally hold the view that nobody should have any objection whatever to pass the Bill, because the items of expenditure include many development schemes such as the fiska development in select firkas of the State. Then in response to an appeal from the Central Board of Irrigation there is the demand for a grant of Rs. 50,000. In our country the fourth Plenary Session of the International Congress on large dams, a sectional meeting of the World 'Power' Conference and a meeting of the International Association of Hydraulic Structures Research will be held in January 1951. Every citizen of the country feels himself enobled in a way that this Conference is going to be held in our country, and that our State is going to participate in that conference. They are all conferences of far-reaching consequences and many beneficial results will accrue therefrom. I am sure out of these Conferences will come forth the great Vamsadhara project of my district which was discussed several times during the last four years in this House. This project which can irrigate an acreage of two lakhs and fifty thousand in the Srikakulam district can solve to a great extent the acute food position in our State."

"Then, Sir, there is the question of rural welfare and development which is included under the Demand 'District Administration'. It is to inculcate an ardent and an intelligent desire in the minds of the villagers to make themselves self-reliant and self-supporting and of course self-confidence also—the scheme has been introduced. It has been working already very satisfactorily; very good results have already been produced and to see that there is a sort of healthy competition between official and non-official

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agencies, five non-official agencies have been constituted in the whole State under the rural welfare schemes. It remains to be seen whether the expenditure incurred will be fruitful and the experiments made will be successful.

"Then comes the question of the constitution of the Srikakulam district. A recurring amount of Rs. 33,120 per annum is involved in the bifurcation of the Visakhapatnam district into Srikakulam and Visakhapatnam districts. Of course this is a new item and a token grant of Rs. 200 has been asked for. Regarding the recurring expenditure I am only that some hon. Members gave notice of cut motion saying that this expenditure was superfluous and hence a waste. I do not quite agree with them. I hold the view that even a single pie spent in this direction is no waste but usefully spent."

"I congratulate the Madras Government for having constituted the Srikakulam district. It is but proper that a district with a population of 2,206,900 should be constituted into a separate district."

"Hitherto the Collector of Visakhapatnam was finding it difficult to tour the vast area of 9,107 square miles. Then the Collector was not able to visit Srikakulam even twice a month. Now he is able to do twice a month. He is able to take any amount of interest in the development schemes and welfare of Srikakulam district. Administrative efficiency and other interests required that the Visakhapatnam should be bifurcated. In this connexion not only the Andhra Ministers, but the Chief Minister, the Revenue Minister, and the Hon. Mr. Bhaktavatsalam, Public Works Minister, have all our congratulations. They do deserve our congratulations. The sweet words uttered by the Hon. Mr. Bhaktavatsalam at Ichchapur on the 1st November 1946 are still ringing in my ears. Sweet words that the Madras Government will do its best to get back the preponderatingly Andhra areas which was unjustly and cruelly included in Orissa when Orissa Province was formed in 1936. I hope the day will come when the Madras Government will do their level best that these areas are brought back to this State."

"Sir, I was anxiously searching for the item of locating a second grade college in Srikakulam district under the Demand 'Education'. The entire district of Srikakulam with a population of 2,206,900 has no college. That is the only one district in the whole of Madras State which has not even a second grade college. The Government will do well to see that a second grade college is located at Srikakulam without any further delay. If not in this budget at least in the next budget, the Government will do well to include the location of a second grade college in Srikakulam."

"Sir, I spoke about District Administration and Miscellaneous development schemes, and then the irrigation schemes. One thing more I have to say. Some hon. Members have been remarking on the floor of the House that poor Harijans are being deprived of their lands in certain districts because the Government want to

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1-30 give those lands to political sufferers who applied for lands. If
 2.m. such political sufferers are given preference, I think the Govern-
 ment will do well to call for reports from the Collectors and see
 that the landless poor Harijans are given back their lands. The
 Assistant Collector of Srikakulam was recently telling me that a
 political sufferer was given land in a certain village in preference
 to a Harijan. If that is the case, the Hon. the Revenue Minister
 will do well to immediately call for a report from the Collector of
 the district and see that the land is restored to the Harijan.

"Thanking you, Sir, for giving me an opportunity to make a
 few observations, I resume my seat."

SRI V. M. RAMASWAMI MUDALIYAR:—"Mr. Speaker,
 Sir, I rise just to draw the attention of the Government to the very
 urgent necessity of having a settled policy with regard to land
 revenue collection. I see in the supplementary budget and in the
 Appropriation Bill an item towards the expenditure for a Com-
 mittee which has been set up to examine this question. I am aware
 that the incidence of land taxation here is one of the highest taxa-
 tions in the world. The successive drought for three or four years
 has brought to light the fact that the position of the agriculturist
 is none too good. We have no plan of crop insurance in our coun-
 try; we have no form of unemployment relief to the agricultural
 labourers in this country. The result is that in our State which
 depends mainly upon agriculture, other industries being few and
 far between, particularly in some districts known as the dry
 districts like the North Arcot district, we are faced with a situa-
 tion where 90 or 90 per cent of the population are in a very helpless
 condition, and the very great urgency of the Government making
 up its mind with regard to the policy of land taxation is brought
 to the forefront. This morning in answer to a question regarding
 North Arcot, the Hon. the Revenue Minister was pleased to say
 that famine conditions were prevailing in that district, though no
 part of North Arcot had still been declared to be famine-stricken.
 The revenue collection work is still going on. To give one instance,
 in the Vellore taluk out of two lakhs and odd being the demand
 of the land kist, only less than 25 per cent has been remitted;
 more than 75 per cent has been collected, in spite of the fact that
 conditions akin to famine conditions are prevalent. I am giving
 this one instance to show the urgent necessity of formulating a
 settled policy. The House took upon itself the introduction of the
 abolition of zamindaris. But so far as this question of putting
 land taxation upon a proper, rational and scientific basis is con-
 cerned, the Government have still not come to any conclusion and
 are awaiting the report of the Committee. I urge upon the Govern-
 ment at least before the budget session to come to some conclusion
 which will be acceptable to this hon. House.

"Then, Sir, I want to make one or two observations with
 regard to certain facilities which should be afforded to the agricul-
 turist. I find in the supplementary demand on page 20 an
 explanatory note stating that one district (South Arcot) has been
 selected for the purpose of sinking 101 artesian wells, and a sum

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of about six lakhs of rupees is required for expenditure during the
 current year 1950-51. If this House had been consulted before the
 Government embarked upon this scheme, we would have suggested
 several places where the money could be usefully spent which
 would be beneficial not only to the agriculturists but also to the
 State. I know very many places where water is good and where
 wells akin to artesian wells could have been dug. In this connec-
 tion, I am reminded of the very useful work done in Uttar Pradesh
 where I understand that over 702 wells have been dug in the last
 one or two years and vast areas have been brought under irrigation.
 If the Government want the benefit of my advice in this matter,
 I can give them one or two instances where such digging of wells
 will bring prosperity to the State and also come to the aid of the
 agriculturist. On both the banks of the Palar Basin, the water
 is good and the Government may usefully embark upon sinking
 tube-wells. I only want to impress upon the Government the neces-
 sity of taking a wider outlook on this question and not merely
 confine their scheme to one district only.

"Then, I come to the question of rural electrification. I see
 the Government have sanctioned the extension of supply of electri-
 city from Kodhikode to Tirur and Ponnani and the en route vil-
 lages. I know that several areas are ready to receive electricity,
 and electricity is available very near, within a radius of three or
 four miles. The ryots are very anxious, especially in view of the
 high prices of cattle, to get the benefit of electricity supply so that
 they can carry on with their sugar mills and other things also.
 But although electricity is available at stone's throw from the
 homestead, for some reason or other, it is not supplied to them.
 I can give instances in Vellore taluk. In Velavai village
 5 miles away from Vellore, 60 people are willing to take electric
 pumpsets and they have requested the Government to provide them
 electricity. But for four or five years nothing has been done. In
 Madhanoor lands have been irrigated through electric motor. So,
 it is for the benefit of the agriculturists as well as of the whole
 State. I know there are a number of areas from where petitions
 have been sent to Government asking for supply of electricity. I
 want the Government to take up this scheme of rural electrification
 where electricity is near at hand. If they are not prepared to
 undertake this work for some reason or other, I want to know
 whether they will entrust it to a private agency, say a group of
 villagers, who will undertake the extension themselves.

"Then, I come to the firka development scheme of the Govern-
 ment. The Hon. Minister in charge of that Department is here.
 When this scheme was initiated some four years ago, it was the
 intention of the Government that the benefit of this firka develop-
 ment work should be extended to the whole district gradually. As
 a first step, one firka was taken up. We thought that in the course
 of five years the scheme would be extended to five revenue divisions.
 Now that policy has been thoroughly changed. The result is only
 one revenue division, two or three firkas, get the benefit of this
 intensive development. In view of the disappointment of very

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many other revenue divisions in a district, I hope that at least in the coming years this firka development work will be extended to the other divisions. (At this stage, Deputy Speaker occupied the Chair.)

With regard to the provision of a floor in the Connemara Public Library, a grant of about one lakh of rupees is taken from the supplementary budget and the Appropriation Bill. We also see that the Government propose to use teakwood imported from Rangoon. I hope that they will stop importing teakwood. The Madras Commerce Department has been advising the public to use the timbers produced in our forests. If these timbers are properly treated, chemically treated, they will stand the attack of white ants. I want that this amount of one lakh of rupees may be spent for the timber from our forests instead of importing timber from Burma.

"There is another matter with regard to the contract of the Baluchistan Construction Syndicate and the half grant to the Madras Corporation. It is a very sorry episode. The acceptance of tenders of the Baluchistan Construction Syndicate for the construction of a Second Conduit from Red Hills to Kilpauk is a very bad story. I want to know whether the Government had any hand in the scrutiny of these tenders. Did the Government take any step to see that these contractors fulfilled their contracts? I think the Baluchistan Construction Syndicate found it unremunerative within a short time after acceptance of the contract. The result is that the constructional cost has gone up by over 26 lakhs of rupees. The Madras Government is consequently asked to pay an enhanced amount. When the Government have to give a substantial grant as in this case, I want that they should have a hand in the acceptance of the tenders. They should select proper tenderers who would be able to complete the contract, fulfil the terms of the contract, and not give it up in the course of five or six months owing to the unremunerative nature of the business. Security deposits must be taken for the proper fulfilment of the contract, so that the Government and the Corporation may be indemnified and may not be called upon to bear extra charge, as in this case. The Corporation only pleads that the Baluchistan Construction Syndicate has failed to fulfil its contract. This should not happen. Government should have proper control in accepting tenders."

12-45 * SRI A. KALESWARA RAO:—"Madam Deputy Speaker, I do not want to go into long details. I wish only to touch three or four points.

"The Hon. Minister for Public Works and Irrigation obtained a lump sum grant of Rs. 60 lakhs in the last regular budget, for being spent for certain minor schemes which would be estimated and planned later during the year. I pressed upon the need of taking up the Budameru scheme. That scheme is a most important question affecting a large part of the Krishna district. The Budameru river annually destroys crops in thousands of acres on

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both sides of its banks. The Hon. Public Works Minister asked me on the floor of the House, why I was not pressing about this in 1937 when the first Congress Government was in office. I must tell him that it was not so bad then. Somehow, it is becoming a greater and greater menace during the last decade or so. It is now one of the worst menaces to the ryots of the Krishna district. Last year, the whole misery of the Krishna district was due to the fact that the Budameru got heavy floods and it reacted on the waters of the Koleru and then there were deaths to the extent of 60 persons besides thousands of cattle in that district. Madam, Krishna district has all along been a surplus district. Now it has been reduced into a deficit district by the Government's exporting as much as 97,000 tons of rice from that district. Of course, it is an erroneous way. They thought that there was much there, that is, much quantity of rice was available in the district. I must say they cut theadder resulting in the Government's struggling to maintain the people of the Krishna district for two months now. They are now trying to get some food from here, there and everywhere in a most unsatisfactory way. So two aspects have got to be considered in respect of this Budameru. One is the raising of strong flood banks on both sides which would cost a few lakhs. Then, the construction of a reservoir extending irrigation under it and also taking this straight to the Koleru lake and then to other areas and finally leading the surplus water to the sea. I am very much disappointed and the people of my parts are very much disappointed that this important scheme promised by the Public Works Minister at the time of the budget has not yet been taken up. I hope at least in the next budget all the necessary funds would be provided and the scheme would be taken up in right earnest.

"The second point that I want to touch upon is the slow manner, I should say the snail's pace, with which the house-sites scheme for the Harijan people has been taken up by the Government. It is a matter of great urgency. Harijans are everywhere including those who have become Christians. They are all houseless in many districts, particularly in areas like Vijayavada. They are merely squatting on the ryots' lands, Government vacant sites and other places. The karnam or the Revenue Inspector from the Revenue Department comes with some notice asking them to quit the lands. Even in these rainy days they are being asked to quit. Where could these poor people go? Nobody knows that. That is the plight of these Harijans everywhere and the Government has been sending some orders to select sites, etc. But sites have never been selected, plans and estimates have never been prepared and Harijans have not been assigned any lands. I have been observing this state of affairs all these years in my district. Now I am glad that a few items are being taken up in Tanjore. In other districts nothing has been done. Though house schemes for middle-class and rich people are being taken up on co-operative lines, in the name of some prominent members of the Cabinet or other persons, nothing has been done for the

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poor people. These poor people are sadly neglected. I draw the attention of the Government to this matter and appeal to them to prepare a regular Harijan settlement scheme. The condition of the Harijans is very miserable. So the Government should provide suitable house-sites to these poor people. Nobody has taken care to plan and do things in a systematic way. I agree with my hon. Friend Mr. B. S. Murthi when he said that the Harijan Welfare Department is one of the most neglected departments. I have also had the same experience. When I was talking to the Harijan Welfare Officer in the Krishna district he was telling me that he did not have adequate establishment. He had very few people working under him and, therefore, he was not able to do anything except to plod and plod. This is an urgent problem and I hope the Government will be sympathetic towards these poor people and pay due attention to them.

"The third point which I would like to touch upon is about the sanction of Rs. 9 lakhs for the additional police in Vijayavada and roundabouts for putting down the communist menace. Madam, communist menace has got to be put down and I support all the methods adopted by the Police in my district for suppressing the communists. The Police have been vigilant and dutiful in the discharge of their duties and now the communist menace has been much less than what it was before, owing to their heavy work. Communists have become like wild beasts and they are enemies of society. Therefore, the shooting of some of these dangerous communists became necessary and the Police have been successful in their efforts to the extent of driving them far away from the Krishna district. But unfortunately they have gone to other districts. These are the revelations found from some of the documents seized from the communists. So the communists have left Krishna temporarily or perhaps permanently. But I believe that it cannot be permanently as it has become an international menace in these days. So they have gone to Guntur. There with the help of the Hyderabad communists they are creating a havoc in the district. Therefore, I wholeheartedly support the demand as it is very necessary. But one thing I want to know in this connexion. I want to know whether they have taken up the advice of any Finance Committee before coming to the Legislature. I wish they had come with the sanction before they executed all these things. I do not know whether all these nine lakhs are necessary or not. I cannot myself understand it. Of course, I have to blindly support the Demand, and so I support the Government as they demand the grant. In this connexion, I would also like to refer to another kind of lawlessness that is going on in our parts. It is increasing in places like Vijayavada. It is not actually communist lawlessness but other type of lawlessness. Some of the people who have no other occupation are taking to rowdyism and they have become a great menace. In some places, elections to the Provincial Congress Committee from a certain ward could not be held because of this menace. These people have exhibited the worst type of violence in many places including Nuzvid. The Police have to suppress these people

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also. The Police do not seem to care for all these things, which have been going on for some time past in Vijayavada. The Police think that so long as they deal with the communist menace and try to put down the menace, they will be considered as excellent people and so on. I say that this sort of lawlessness has got to be discouraged at any cost. While suppressing the communists, Police Raj should not be established. The Police should be polite and gentle towards the general public. They should not be rude and should not handle people as they like. Madam, that is the complaint everywhere and, therefore, Government should see that the Police act properly.

"There is one other matter on which I would like to say a few words and that is about the electrification of rural areas, and bringing electricity to the rural areas in my district. Of course there is a thermal station which is a powerful one in Vijayavada; but electricity is not supplied to not even all the parts of Vijayavada town and people are feeling the great necessity of electricity there. They are applying, but the Government raise all sorts of objections, namely, priority list and all that. Sanctions are not given in time. In that way, even people in Vijayavada town are suffering, not to speak of industrial concerns that are to be encouraged by the Government and so on. Besides, the western area which is now backward, viz., Nandigama taluk and Kondapalle, etc., have to be developed. They are not delta areas but most of them are deficit areas. If electricity is given to these people, they are ready and willing to take it up and dig wells and raise gardens and also grow foodcrops. It has been a neglected area in the past. People have been applying for electricity. I know many applications have been sent from Nandigama. I appeal to the Government to see that electricity is supplied to this area without much further delay so that these people may take to the cultivation of food crops. I am sure this will be very necessary especially in view of the present food shortage facing the country."

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—1 p.m.
"Madam, Deputy Speaker, in connection with the Motion before the House, I would like to make a few general observations as it may not be possible to deal with every item. The time is short and it will also be difficult physically to cover all the points.

"Madam there is a Tamil proverb which says: சொறெல்லம் முறைபாடு இருக்கும்பொழுது கல் எங்கு பெறுகிறது. Everything is done in a topsy-turvy fashion by the Government. As you are aware, finance is the most indispensable thing for achieving anything. The Government are there to collect taxes and do good to the people and they are not there to collect taxes and kill the taxpayers without giving food. In the Cabinet the most important figurehead is the Finance Minister (laughter). (The Hon. Sri B. Gopala Reddi: 'Figure-head!'). I am sorry, Madam, the most important figure is the Finance Minister and our Finance Minister, the Hon. Mr. Gopala Reddi, seems to be a gentleman with a peculiar character (laughter). I do not mean any offence

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to him. I mean he is never-changing man in an ever-changing world (laughter). He runs the administration not practically but mechanically (laughter). His administration can be compared to a railway engine which runs mechanically on the rails. He must understand that the administration should be run in such a way as to benefit the people. Madam, he first came before us with the Budget Estimates and later on with Supplementary Demands. Now he is before us with this Bill which seeks authorization of certain expenditure. There is a Tamil proverb கொழுக்கட்டை தின்ன புனைக்கு குருணிமோர் தட்சியை. The Hon. Minister for Finance has already expended a lot of money. He has already squandered a huge amount and has now come before us with a Bill which involved a good deal of expenditure. While we do things we must take into account the existing state of things. While I support the measure my anxiety is that the Government should not do anything that will add to the difficulties of the people. I saw in the newspapers an item of news which said that the Government were going to enhance the Sales Tax. I do not know how far it is true. If it is true this is one of the instances wherein the Government do not take into account the existing state of affairs in the State. There must be a certain limit to taxation. As was pointed out by the hon. Lady Member Begum Amiruddin, the Government are burdened with a top-heavy administration. The Hon. the Minister for Finance should see that retrenchment is effected wherever possible. Because the administration is top-heavy, sales tax

DEPUTY SPEAKER:—“Does the hon. Member speak about sales tax?”

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—“No. I am anxious that with the additional grants made now, the Government should be able to satisfy to tax-payer. But the present Finance Minister is a man who would come before the House again next month with a Bill to enhance the Sales Tax. Therefore, I say . . .”

DEPUTY SPEAKER:—“The hon. Member will have ample opportunities to speak them on that Bill.”

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—“If the Hon. the Minister for Finance gives an undertaking that he will not come before the House next month with a measure to enhance the Sales Tax then I shall not talk about it . . .”

THE HON. SRI B. GOPALA REDDI:—“I shall not come with a Bill next month.” (Laughter.)

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—“If it does not come next month, it will come the month after next.

“Then, Madam I would like to say a word about the working of the Firka Development Department. As was pointed out

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by hon. Members, it is very bad policy to entrust private non-official men with funds connected with the administration of the affairs of the Firka Development Department. It would not, be in the best interests of the Government themselves. It will save them from many scandals and it will place them above suspicion, if the funds cease to be entrusted to the charge of private men. Here also, there is a Tamil proverb கல்யாணமாகத் தினம் பெண்ணை பெண்கூதியை சாகக் கொடுத்தவனிடத்தில் பந்தோபஸத்திற்கு வைத்தது போல்.”

DEPUTY SPEAKER:—“The hon. Member will speak either in Tamil or in English.”

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—“Madam, you should allow some margin or concession to make use of Tamil proverbs.”

DEPUTY SPEAKER:—“But the hon. Member does not make proper use of the concession. (Laughter.) He should speak in pure English.”

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—“I am doing it, Madam. (Laughter.) But it has been the convention . . .”

DEPUTY SPEAKER:—“The hon. Member will not argue. I do not want him to say one thing in Tamil and then translate it into English. He will straight put it in English so that so much time of the House need not be wasted.”

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—“I should be permitted to make use of certain Tamil proverbs here and there. It has been the convention even for speakers in Tamil to quote English proverbs . . .”

DEPUTY SPEAKER:—“If the hon. Member persists in making use of Tamil proverbs in his English speech and then translating them into English I shall not allow him to proceed with his speech. Without commenting on my ruling he will proceed. I do not want him to tell me about conventions.”

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—“I submit to your ruling, Madam. It was pointed out by certain hon. Members that expenditure on Police, irrigation and certain other capital works is mounting up. As far as Police is concerned, I agree that the expenditure is increasing. Nevertheless, we do not see any improvement in the law and order situation in the State, as was pointed out by the hon. Member, Mr. Kaleswara Rao. Communist menace is increasing. There is trouble everywhere. It is not only in Krishna that there is disturbance of the peace. It is everywhere in the State. All that I want the Government to do is to keep a watch on the situation in order to find out if any non-Communists are also responsible for such atrocious activities and bring them to book. It is not the Communists alone that interfere with the maintenance of law and order.

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"Then, Madam, I shall take up the question of labour and Harijan welfare. So far we have had many laws designed to improve the social and economic lot of the Harijans. We have had legislation to put an end to untouchability. We have had many other pieces of legislation calculated to this end. Yet what we find is wherever we go to the Harijans are kept aloof. In the towns as well as in the villages there are quarters built for the Hindus, Muslims and others. When it comes to a question of building quarters for Harijans a secluded place is chosen for it. They are housed separately. Why not we, I ask, make him live in our midst so that we may mingle with them and make them live with equal dignity and status like ourselves.

"As regards labour, Madam, we have got strikes and lock-outs often. You may take it from me that whenever the labourers strike, it is not to create trouble or to get shot that they do so. It is due to poverty that they strike. Let us not imagine that most of the labour troubles in our parts are due to the Communists. It is a struggle between the haves and the have-nots. This must always be borne in mind and the Government must do everything in their power to raise the standard of living.

"With these few words I support the motion."

SRI R. V. SWAMINATHAN:—"Madam, Deputy Speaker, while replying to the speeches on the Cut Motion to the second demand placed before us a few days ago, the Hon. the Minister for Land Revenue Reforms said that he had constituted a Committee—the Land Revenue Reforms Committee—which would go into the question of land tenures and allied matters. While the Committee is considering this question I want to say one or two words about the lot of the agricultural labourers. Our agricultural labourers are suffering from want of facilities like, fixation of minimum wages, employment during off-season, housing accommodation and so on. These are some of the main problems that confront them. During my visit recently to some of the Western countries, I saw that the agricultural labourers were provided with all the facilities needed by them. They are treated in the matter of provision of facilities on a par with the industrial labourers. I hope the hon. the Minister for Land Revenue will listen to me. (The Hon. Sri H. Sitarama Reddi: 'I am listening. You carry on.') In England, Sir, an industrial labourer is getting £5 per week. The same amount is paid to the agricultural labourer also. I do not mean that here we should pay our agricultural labourer £5 per week but that should be paid at least that amount which we pay to the industrial labourer here. The agricultural labourer there enjoys all sorts of protection by means of legislation passed to that effect. They receive maternity benefits; they are provided with housing accommodation; they enjoy fixity of tenure. I have seen many agricultural labourers live in houses constructed on big estates made over to them. But here in our country we hear so much about evictions by land owners. However, we have got a very able

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person as Minister for Land Revenue. I know if he takes it into his mind to bring in legislation to protect the interests of the tenants, he can do it and he will do it. He is a man of great vision.

"If the Hon. Minister wants he can do it. If he is an incompetent man, I would not have myself talked about these things. As Minister in charge of Revenue he can come before the House with a legislation and say: 'Well, I have got this proposal to solve the agrarian problem, this is my proposal to solve the trouble of the agricultural labourers, this my proposal to solve the tenancy problem. Please accept them.' If the House is not prepared, if the people are not prepared and the country is not prepared to accept them, well, he can throw away the portfolio. I hope the Hon. Minister does not care for this Minister's job. I know what he is. Therefore I feel the Hon. Minister must come before the House with definite proposals. Why should we go into the Committee. I do not think the Committee is going to deliver the goods. It will create more confusion. We are already confused about these things. By going into the Committee we will be creating more confusions in the minds of the Hon. Minister and others.

"Another point on which I wish to speak is this. The Hon. Minister for Public Works is not here. The Hon. Minister wanted some projects to be sanctioned under the demand 'Irrigation'. But what has he done to have certain big schemes executed to afford irrigation facilities. Government say they want money to execute bigger irrigation projects. In Mathurai we have got a scheme called 'Kallar' Scheme. If that scheme is taken up immediately the Government can provide irrigation facilities for Ramanathapuram district and for certain taluks in Mathurai district. Of course the scheme may cost some crores, ten crores or so. The Government must find out how much money would be required and how the money could be obtained. The other day, the Hon. Minister said that they must have the consent of the Travancore Government before they take up the scheme. Well, Travancore is now a part of the Indian Union. We can put our proposals before the Union Government and ask them to bring down the Travancore Government to agree. (Interruption: Is it still under investigation? The Government might well take up this scheme and provide the much needed irrigation facilities for Ramanathapuram and certain taluks of the Mathurai district. This is a big and beneficial scheme that has been neglected for a long time. Unless the Government take up the scheme they cannot satisfy the people."

SRI K. SANKARAN:—"ബഹുമാനപ്പെട്ട അഗ്രികൾച്ചറൽ മിനിസ്റ്റർ, ഏതൊരു ബഹുമാനപ്പെട്ട ഗവണ്മെന്റ് കൊല്ലംതോറും ഹരിജന നോഡാരണത്തിനുവേണ്ടി കണക്കിലെക്കെ പണം ചിലവാക്കുന്നതിലും, അതിനും പുറമെ ചിറ്റന്നയും ഹരിജനോഡാരണത്തിനുവേണ്ടി സ്കൂളിങ്ങുകളിനെയും പണം നീക്കിവെക്കുന്നതിലും ഞാൻ

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എന്റെ ഗവണ്മെന്റിനെ അനുമാനിക്കുന്നു, അഭിനന്ദിക്കുന്നു. പക്ഷെ ഇത്രയും പണം ചിലവഴിക്കുന്നുണ്ടെങ്കിലും അതിന്റെ ഫലം സംസ്ഥാനത്തിൽ എവിടെയും പ്രത്യേകിച്ചു മലബാറിലും ഹരിജനങ്ങൾക്കു കിട്ടുകയാണെന്നതിൽ നിന്നും അറിയാത്ത പ്രസ്ഥാനം. മലബാറിലെ ഹരിജനങ്ങൾക്കു വിദ്യാഭ്യാസം ചെയ്യുവാൻ കഴിവില്ലാത്തതിനാലും പാലക്കാട് പരമേശ്വരൻ ഇല്ലത്തുനിന്നും, കടിക്കുവാൻ വെള്ളമില്ലാത്തതിനാലും വളരെ അധികം കഷ്ടപ്പാടും അനുഭവിച്ചുവരുന്നുണ്ട് എന്നുള്ളതു വളരെ പരാമർശം. "ഭയ്യയ്യക്കൊണ്ട്" പ്രമേധം പ്രാദേശികവുമായ മാറ്റങ്ങളിലൂടെ ഹരിജനങ്ങൾക്കു അനുവദിക്കാവുന്നതിന് കിട്ടാത്ത പണ ചിലവഴിക്കുവാൻ ഗവണ്മെന്റ് ശ്രദ്ധപെടുകയാണെന്നിൽ അത് ഹരിജനങ്ങൾക്കു പുരോഗതിക്കു കരകയ്ക്കു മലയാളത്തിൽ.

മലബാറിലെ ഹരിജനങ്ങൾക്കു പുരോഗതിക്കു മാറ്റങ്ങളെ കണ്ടു പ്പിച്ച് പ്രവൃത്തിക്കുവാൻ മലബാറിൽ ഒരു ഡിപ്പാർട്ട്മെന്റും ഒരു ഡിസ്ട്രിക്ട് ഹരിജൻ വെൽഫെയർ കമ്മിറ്റിയും ഉണ്ട്. ഞാനും ആ കമ്മിറ്റിയിൽ ഒരു ചെയർമാനും. എന്നാൽ മേപ്പടി കമ്മിറ്റിയിൽ ഹരിജനങ്ങൾക്കു പുരോഗതിയെ ലക്ഷക്കി എന്തു പ്രമേധങ്ങൾ പാലക്കാട് നാട്ടുകാർക്കു കിട്ടിയിട്ടില്ലാത്തതിനാൽ മേപ്പടിയിൽ ഇപ്പോൾ അനുഭവപ്പെട്ട കാര്യങ്ങളിൽ പ്രസംഗം ഇല്ലായ്കയുണ്ട്.

മലബാറിൽ ഇന്നത്തെ പരിതസ്ഥിതിക്ക് ഒരു റവന്യൂ ഡിവിഷനും ഓഫീസുകളുടെ തന്ത്രികയിലുള്ള ഒരു ഉയർന്ന ഉദ്യോഗസ്ഥന്റെ ഓഫീസ് ഉൾപ്പെടെ ഓഫീസായി നിശ്ചയിച്ചിട്ടുള്ളതു തികച്ചും ആവശ്യപ്പെടുന്നുണ്ട്. പാലക്കാട്, കരണം മലബാറിൽ ഹരിജനങ്ങൾക്കു ആവശ്യമായ കിണറുകൾ കഴിപ്പിക്കുന്നില്ല, പട്ടണങ്ങൾ സ്ഥാപിക്കുകയും ചെയ്തിട്ടുണ്ടെന്നില്ല. പാലക്കാട് സെക്ഷൻ ഓഫീസും ഡാങ്ങി പാലക്കാട് ഓഫീസും ഇവ 43 ഹരിജൻ വെൽഫെയർ സെക്ഷൻ നടത്തുന്നുണ്ടെന്നുള്ളതു പല പരാമർശം വാങ്ങിയ ഗുണരമായ പ്രവർത്തനങ്ങളും ഇന്നു മലബാറിൽ പൂർണ്ണമായിട്ടു മേപ്പടിയിൽ തരത്തിലുള്ള ഒരു ഓഫീസുകളുടെ അഭാവം ഇന്നു ഇല്ലാത്തതല്ല പാലക്കാട്യിൽ നിന്നും.

"നമ്മുടെ പിതാവിനെ മോശമായിട്ടു മലനിയ ആകാശം ഉൾക്കൊള്ളി" പാലക്കാട് പ്രാധാന്യമുള്ള കുന്നാണല്ലോ 'ഹരിജനോദ്ധാരണം'.

[16th October 1950] [Sri K. Sankaran]

രണം. ആ അടിസ്ഥാനത്തിൽ ആണല്ലോ സർവ്വതും, അവ ണ്ടും ഒരു പ്രത്യേകപ്പെടുത്തപ്പെടുന്നു. ഒരേ ഒരു വർഗ്ഗമാണെന്നും ഉള്ള ധാരണയിൽ കൊണ്ടുവരുന്നതിനാണല്ലോ 'ഹരിജൻ കിണം' എന്ന മഹത്വമുള്ള ഒരു വിഷയം. ഇതുവഴി ഉള്ളത്. എന്നാൽ ഇവിടെയും ഗുണഗണങ്ങളെ 'പാലക്കാട്' പരമേശ്വരൻ ഓഫീസിലെ കിടപ്പുകാരെക്കുറിച്ചും കൂടുതൽ സർവ്വതും, അറബിനും പക്ഷെപ്പോലെയോ മിശ്രിതമാണെന്നും തെറ്റാക്കുകയോ ചെയ്യുന്നുണ്ടെന്നും മലയാളം നിർവ്വഹിച്ചിട്ടു. അതുവെറും ഒരു പ്രമേധം എന്നു മാത്രമേ പറയാൻ കഴിയൂ. ഈ സാഹിത്യം എന്റെ ഗവണ്മെന്റ് ഒരു പ്രത്യേക ശ്രദ്ധവെച്ചു നന്നായിരുന്നു.

SRI A. VEDARATNAM PILLAI:—"Is there any Malayalam reporter?"

DEPUTY SPEAKER:—"There is no Malayalam Reporter. The sense of it will be printed in the proceedings."

JANAB MAHBOOB ALI BAIG:—"Madam, Deputy Speaker, I was wondering whether all the items with regard to which supplementary demands were being asked are such that they could not have been anticipated at the time of the Budget. The only justification for the Government to bring in supplementary demands are cases where the original grant was not estimated correctly and there was a necessity for additional expenditure or it was due to new undertakings which has suddenly come upon the Government and whose execution is a necessity and cannot wait till the new Budget is prepared. There are many items in the supplementary demand which could have easily been anticipated and provided for or at least could have waited till the next Budget. It is a very wrong procedure and practice for the Government to come before this House for an expenditure in addition to that granted by this House unless it is said there is ample justification for it. I might invite the attention of this House through you, Madam Deputy Speaker, to one or two items in the supplementary demand. For instance the items of expenditure proposed under the head 'Capital Expenditure under irrigation' there are several items. The question is whether all these items have cropped up suddenly, and under circumstances beyond the control of the Hon. Minister in charge. Any Member who looks at the items could easily see that these, at least some of them, could have been anticipated at the time of the presentation of the Budget and some of them could have waited till the next budget. And then with regard to the police demand also my observation is this as far as Krishna district is concerned. The menace of the Communists has been there for a long time, two years I think. We heard that even before the year's budget was presented there was going to be an increase in the armed forces.

[Janab Mahboob Ali Baig] [16th October 1950]

At the time when the Budget was presented to us in March 1950 we were told that the amount was sufficient. What is it that has happened in between that date and the present for the Government to justify a demand of this kind. I am not saying that the amount is not necessary. On the other hand from the cut motion I have given it will be seen that I am of the opinion that there should be more armed forces. No doubt the Police has done its duty very well, I should think. They would have done better were there more armed forces. From the information I could gather from the district authorities the delay in putting down Communist menace was due to the Government and that there were not sufficient armed forces. The proposals of the Department, I was told, were there even before the passing of the Budget. But why did not the Government propose for this additional grant even at the time of the presentation of the Budget, I mean greater grant for additional armed forces. We must confine such supplementary demands only to such cases which have suddenly arisen and under circumstances which are beyond the control of the Government. If the rule is not observed what happens is, the department would not make their estimates properly. They won't budget the expenditure and make a demand correctly, thinking they can always go to the House with demands for additional grants. Under some cover or other they might do it. So speaking generally on these demands I am supposed to think that although most of these are really legitimate, the practice of coming to the House for additional and supplementary grant is not justified strictly according to rules. This is an unwholesome thing which ought to be discontinued. Another thing I want to submit is this. I was very much disappointed when the demand under Grant XXXV

DEPUTY SPEAKER:—"The hon. Member can continue after lunch."

JANAB MAHBOOB ALI BAIG:—"I will finish in two more minutes, Madam."

1-30
p.m.

"Sir, I was very much disappointed to see the Demand under Grant XXXV—Capital Outlay on Irrigation. The hon. Gentleman from Vijayavada, Sri A. Kaleswara Rao has pointed out at the time of the Budget Session and the Hon. Minister for Irrigation has clearly made a promise that a provision for arresting the havoc that is created in the Andhra country will be made during the course of the year and it will be made under Grow More Food item or some other item. He has not chosen to do so. It is unnecessary, Madam, for me to reiterate what the hon. Gentleman Sri A. Kaleswara Rao has said and what everybody knows. The last year's havoc was mainly due to this turbulent stream Budameru which was uncontrollable and I remember when the Ex-Revenue Minister visited the Krishna district, the people there told him that Government have not taken any steps to bring it under control. Not only thousands of cattle, but men also died. Acute misery prevailed in this part of the district.

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Therefore, Madam, I do not know why the Hon. Minister for Irrigation has made no provision for this and has given priority to other matters. I think this has much more justification for being provided than others."

The House then rose for lunch.

(After lunch—2-30 p.m.)

(Mr. Speaker in the Chair.)

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, since all the demands have not been considered in detail, and many of them were guillotined, I wish to cover a little ground in the debate on this Appropriation Bill. The very first point I would like to consider is the general question of procedure. Instead of calling it a Standing Finance Committee of the House to scrutinize expenditure I would prefer to call it an Estimates Committee. The Estimates Committee functions in Parliament. I do not know the position in the other State Legislatures. But I think it would save much of criticism if an Estimate Committee were immediately constituted, and the details of expenditure made known to that Committee, and their advice taken, irrespective of whether or not the Government act up to that advice."

MR. SPEAKER:—"Punjab has an Estimates Committee, and the Centre also has got one."

SRI N. S. VARADACHARI:—"I am glad, Mr. Speaker, that you have told us that the Punjab Legislature has an Estimates Committee. It is a great convenience to have such a Committee. It is a great convenience to the Finance Minister. He should not take it that it is in order to embarrass his work such a Committee is asked for in this House. In fact criticisms of Government should be well-informed and should be helpful. They should not err on the side of scurrility or being pointless. In regard to four or five items, I would like to make a few remarks. The first is about the Police expenditure. I suggested during the general discussion that we might have a maximum limit set upon, to which the Hon. the Finance Minister replied that it was not possible to do so. Even during the general discussion, I stated that we should take into account the needs of law and order and our capacity for raising fresh finance. Then, we should put a limit taking all these into consideration. The limit is not intended to adversely affect the work of the Police. I am not one of those who believe that a reduction in the Police force can be effected somehow. It is not so; I would point out that whenever extra money is asked for for the Police, it has never been the practice of the Department at least to cover a part of that expenditure (when it is asked as a supplementary demand) by savings effected from within the Department. It has never been a question of saving in the Police Department. It has always been a question of adding to the expenditure. To-day the total expenditure on Police looks very nearly Rs. 8 crores out of a total revenue

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of Rs. 50 crores. (The Hon. Sri B. Gopala Reddi: It is Rs. 9 crores and odd.) It was Rs. 4½ crores at the time we took up office. It is now about Rs. 7 crores. What I would suggest is that we should set a limit. That will enable the Police Department to discover sources of savings from within the allotments given to that Department, and then, if necessary, re-allot the expenditure to fresh contingencies which may arise. That is how we should train each department to look after itself. This is all that I wish to say about Police.

"The second point which I wish to say and which was raised even during the general discussion to which the Hon. the Minister has yet to give a reply, is the unfortunate question of half grants. It becomes the responsibility of Government for enhancing the grants after it is established that particular companies, which offered to do work for local bodies, had failed to do the work according to the stipulated terms of the tender or their work had been so unsatisfactory that they had to be sent out and replaced by other efficient and more capable contractors. I am not referring to any one particular company. (Interruption.) This Baluchistan company may be a company of refugees; I do not know. But I am only pointing out the general principles. Suppose we agree to half grants either to the Madras Corporation or the Mathurai Municipality or any other municipality, and it has a large contract which is urgent and important, I say that even in the first instance, before agreeing to the half grant, the Government must go through the tenders and see that estimates are not generally departed from except for small errors, say, up to five per cent. Errors cannot go up to 33½ per cent. Then it means that there is something defective in the initial stages. It may be that the local body either did not look into the tenders closely or they were so hurrying up the things that they gave the work to unsatisfactory agencies for execution. In order that they may enforce proper responsibility on local bodies, I insist that the procedure should be that when a half-grant is given or one-third grant is given, the Government should go thoroughly into the question and have a hand in fixing the responsibility for the execution of the contract though it may be a contract of the local body or of the district board.

"Then, Sir, I wish to point out that hon. Mr. Gopalaswami was wrong in saying that we were taking away money from Harijan fund for non-Harijan expenditure. I think it is merely the budget demand. The demand says 'Labour including Factories and Harijan Uplift'. Perhaps, it is money from that demand that goes to labour. I do not think any mistake was committed in that respect. But I would point out at the same time that if money is to be used for an absolutely new purpose, as for instance, the lock-out in Mathurai, the Government are perfectly justified in coming forward with a demand if they are satisfied that the lock-out was unjust. This is totally a new kind of service unheard of in the history of the Madras Legislature up to now. I suggested even during the general discussion (this

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was the only point I mentioned besides that of grants to the local boards) that we should devise ways and means, whenever occasion arises for such advances (and such advances should be made only in exceptional cases) of recovering the advances either by making it a charge on the mill itself when it later on re-opens and the workmen are once more admitted into the mill for work, or we should find out some other method of taking over, for instance, the mill entirely under Government control at least up to the point the advance is completely recovered. This is an advance paid to the labourers. I do not say labour should be allowed to drift. That is a wrong policy. I do not mean to speak of the Minakshi Mills' lock-out. But whenever there is an unjust lock-out and thousands of people are forced to live on doles from outside, it is better that the Government step in and give some assistance to these workmen before their case is put up before a tribunal and final decision obtained, which will be agreeable to both parties, and the mills re-open and the workmen re-enter. This is what I would say about this lump sum. Here too the Government have to look closely into the question and frame rules or devise some procedure by which this can be regularized and applied only to exceptional cases. I wish to say one thing more and with that I would close. There is no doubt an advantage in fixing the time-table in such a manner that all the demands can be gone through and not allowed to be guillotined. That will depend on the Members themselves. The Hon. Speaker has little to do in this matter. With the co-operation of everybody, every demand can be discussed or we can arrive at an agreement by which only important demands will be taken up. Then the Leader of the House can tell us on what demands there will be discussion in detail and on what there will not be. Then hon. Members would be able to concentrate better on even the supplementary estimates. I must confess that I am not one of those who will ask for expenditure to be cut down irrespective of what the services rendered by the State are. In fact, we must have an employment programme. To put people to unemployment by unnecessary retrenchment in this time of crisis is, I think, a grave mistake. It is not correct to save a number of posts. It ought to be our aim to employ as many people as possible and to serve the State by calculated expenditure which can be incurred. There is the organisation to warrant the whole of that being put into the budget estimates. I have always been complaining that our organisation for spending is far more important than the organisation even for earning revenues. We may be able to earn. Taxation is like the golden tree of Virgil, where even if one branch is cut off, new branches will spring up. I think I am only quoting one of the famous passages of Disraeli on taxation. Even if it is argued that one tax is bad, at once it will be seen that the tree has life in itself and it springs up with new branches which bring in additional taxation and additional revenue. It is not taxation, but it may be an earning scheme, so that on either side there need not be large room for fear. There may be room for deliberation but there need not be room for fear. On the side of expenditure there is always this danger.

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If we insist that expenditure should be less and less, there may be throwing away of important programmes or there may not be incentive enough in the departments to build up the organisation necessary for spending purposes on just, proper and well-thought-out schemes beneficial to the State. It is one of the first essentials in a welfare State to build up a proper spending organisation. The more the Government are able to spend the more they will be able to serve the people and the more they will be able to employ people. That must be the principle that ought to guide us. In administration we must not become stingy, miserly and niggardly. That is not the policy which a Government should adopt. On the other hand there should be well-thought-out plans for expenditure. There should be an organisation capable of keeping pace with the plan and at the end of the year the Government should be able to say 'Yes; our spending organization is so good that we have kept pace with the demands we have made'. We have no artificial savings of any kind. To-day I claim that the Hon. the Minister has over Rs. 3 crores savings not by way of retrenchment, but it is because he has not got the organisation ready to spend money on schemes which are well-thought-out and for which sanction was obtained from this House. That should not be the case any longer. Supplementary estimates after all cannot be avoided. We cannot anticipate all the expenditure in a year. There may be some urgent things to be taken up, specially capital schemes like Electricity, Irrigation, etc. These cannot be foreseen. Unforeseen supplies may arrive. For instance, in a particular month in the middle of the year supplies like cables or machinery may come from foreign countries. Transformers or other machinery helpful to instal a power station may arrive. You cannot say that we have not sanctioned the amounts; they must be included in the new schemes. I can understand 15 lakhs and odd being spent this year though the schemes themselves may cost 110 lakhs in the aggregate. It is not a very extraordinarily heavy sum to be spent out of the Consolidated Fund. The Consolidated Fund of one crore of rupees is intended to meet such expenditure as is not easily foreseeable, or even if foreseeable, for expenditure on schemes for which plans and estimates have not been ready in the previous Budget year. I do not want to say anything more. I wish the Hon. Minister would take note of the points which I have raised and give a detailed reply."

SRI L. N. GOPALASWAMI:—"On a point of personal explanation, Sir, I would draw the attention of my hon. Friend Sri Varadachariar to the fact that I am not wrong in my statement. Under the specific head 'Harijan Uplift' there is a provision of three lakhs of rupees. Under a separate head 'Labour' there is a provision of Rs. 100. Both together for the Budget estimate of three lakhs and one hundred. Therefore, I want to tell him that I have not confounded. The expenditure is shown under two different categories."

SRI P. KAKKAN:—"கனம் சபாநாயகர் அவர்களே! சென்னை அரசாங்கத்தார் அவர்களால் சமர்ப்பிக்கப்பட்டிருக்கும் இந்த appropriation Bill-ஐ நான் மனப்பூர்வமாக ஆதரிக்கிறேன்."

[Sri P. Kakkan] 16th October 1950]

"Demand 23-ல் ஏழை பாட்டாளி மக்களுக்காக குறிப்பாக விவசாய மக்களாகிய ஹரிஜனங்களுடைய நன்மையைக் குறித்து அவர்கள் செய்ய இருக்கும் வேலைகளை நான் அரசாங்கத்தை மிகவும் பாராட்டுகிறேன். குறிப்பாக ஹரிஜன மந்திரியையும், அதற்கு பக்கத் துணையாக நிலத்தை அளந்து கொடுக்கப்பட்ட சனம் ரெவின்யூ மந்திரி அவர்களையும் இவர்களுக்கு வேண்டிய பணத்தைக் கொடுக்கும் கனம் நிதி மந்திரி அவர்களையும் ஹரிஜனங்களுடைய முன்னெற்றத்திற்காக எடுத்துக்கொண்டிருக்கும் வேலைகளைக் குறித்து நான் பாராட்டுகிறேன். இந்த மூன்று பேரும் மனது வைத்தால் தான் ஹரிஜனங்களுடைய நிலைமை உயர் நிலைமைக்கு வரும் என்பது என் இடைய திடமான நம்பிக்கை."

"இப்பொழுது தஞ்சை ஜில்லாவிலே உள்ள ஹரிஜனங்களுக்கு குடியிருப்பு வசதிக்காக மூன்று லட்சம் ரூபாய் ஒதுக்கப்பட்டிருப்பதை நான் வரவேற்கிறேன். இப்பொழுது தஞ்சை ஜில்லாவிலே உள்ள ஹரிஜனங்களின் நிலைமை என்னவென்றால் தங்க இடமின்றி தவிக்கின்றார்கள். பாடுபட்டு உழைக்கின்ற அவர்களுக்கு குடியிருக்க முச்ச இல்லை. குச்ச இருந்தாலும் அது தனக்குச் சொந்தமில்லாமல் வேறு ஒரு நிலச்சுவாந்தாருக்கு சொந்தமாக இருக்கின்ற காரணத்தினாலே இவர்களுடைய நிலைமை மிக மோசமானதாக இருக்கின்றது. ஆகையினாலே ஹரிஜன மக்களும், விவசாயத் தொழிலாளரும் குடியிருப்பு இடங்களை பரிசீலனை செய்ய தனிப்பட்ட ஓர் கமிட்டியை ஏற்படுத்தி இருப்பதை நான் மனப்பூர்வமாகப் பாராட்டுகிறேன். அந்த வேலை இப்பொழுது துரிதமாக்கப்படுவதையும் நான் வரவேற்கிறேன்."

"ஆனால் இவ்விஷயத்தில் கனம் ரெவின்யூ மந்திரி அவர்கள் ஒன்றை கவனிக்கவேண்டும். இன்றைக்கு, 5 வருடங்களில், 10 வருடங்களில், சந்ததி சந்ததியாக, பூரப்பரையாக, ஏழை ஹரிஜனங்களை இப்பொழுது அங்கே குடிசை யிருந்து வருகிறார்கள். ஒரு வீட்டில் இரண்டு வீட்டில், 50, 100 வீடுகளின் மீது ஒருவருக்கு இடங்களை இடுகின்றன. அந்த இடத்தைச் சுற்றி தோப் ஒவ்வொரு இடங்களிலும் இருக்கின்றன. அந்த இடத்தைச் சுற்றி தோப் பும், மூங்கில் சோலைகளும் இருக்கின்றன. இப்பொழுது அவர்களை நீங்கள் பும், மூங்கில் சோலைகளும் இருக்கின்றன. இப்பொழுது அவர்களை நீங்கள் அந்த இடத்தைக் காலி செய்யுங்கள். உங்களுக்கு வேறு இடம் இருக்கும் என்று கூறுகிறார்கள். ஆகையால் அவர்களை வேறு இடங்களுக்குப் போகும் படி ஜில்லா அதிகாரிகளும், நிலச் சுவாந்தாரர்களும் சொன்னால் அரசாங்கத் தார் அதை கேட்கக்கூடாது. ஒரு வீடு, இரண்டு வீடாக இருக்கும் இடங்களி லிருந்து ஹரிஜனங்களை அப்படிப்படுத்தினால் அதை நான் ஆசைப்பிக்கமாட் டேன். ஒரு வீடு, இரண்டு வீடாக இருக்கும் இடங்களில் அந்த வீட்டு நிலச் சுவாந்தாருக்கு அந்த ஹரிஜனன் அடிமையாக இருப்பதை நான் மனப்பூர்வமாக வாழ் அவர்களுக்கு தனி இடம் கொடுப்பதை நான் இடங்களையெல் லாம் ஒன்று சேர்த்து பெரிய காலனிகளாக ஏற்படுத்துவது மெய்யும் நல்ல காரியம். ஆனால் 100, 200 வீடுகளேன சேர்ந்து வாழும் இடங்களிலிருந்து ஹரிஜனங்களை வேறிடங்களுக்கு வெளியேற்ற அனுமதிக்கக்கூடாது. "உங் களுக்குத்தான் அரசாங்கத்தார் நிலம் தருகின்றார்களே! நீங்கள் அந்த இடங் களுக்குப் போங்கள். இந்த இடத்தை உடனே காலி செய்யுங்கள்" எனக் களுக்குப் போங்கள். இந்த இடத்தைத் தொந்தரவும் கொடுத்து வருகிறார் சொல்லி தற்போது ஹரிஜனனுக்கு வெளியேற்றியும் வருகிறார்கள். ஆகை கள். சில இடங்களில் அவ்வாறு வெளியேற்றியும் வருகிறார்கள். ஆகையால் கனம் மந்திரி அவர்கள் இதில் போதிய கவனம் செலுத்தி அங்கங்கே சந்ததி, சந்ததியாக வாழின்ற அவர்கள் வசிக்கும் இடங்களையெல்லாம் அவர்களுக்கே ஜாரி செய்யத்தக்க ஏற்பாடு செய்யுமாறு மிகவும் தாழ்மையாகக் கேட்டுக்கொள்ளுகிறேன்."

"அடுத்தபடியாக அன்றே பேசினேன். ஏழை விவசாயிகளுக்கு கூலி நிர்ணயிக்கும் விஷயமாக சுப்பிரமணியம் கமிட்டியை நியமித்திருப்பதை நான் வரவேற்கிறேன். பாடுபட்டு உழைக்கும் பாட்டாளி மக்களுக்கு எப்படி குடியிருக்க வசதி செய்து கொடுத்து அவர்கள் வாழ்வை ஸ்திரப் படுத்துகிறோமோ, அதைப்போல அவர்கள் உழைப்புக்குத் தகுந்த கூலியைக் கொடுக்கவேண்டும், அதை துரிதப்படுத்தி அவர்களின் நியாயமான கூலியை சீக்கிரமாக நிர்ணயிக்க ஏற்பாடு செய்யவேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்."

[Sri P. Kakkan]

[16th October 1950]

“அன்றோ நான் ஒரு விஷயத்தைச் சொல்ல முன் வந்தேன். இன்று விஷயங்களுடைய பரிமாணம் முக்கியமானது. இன்று சொஷலிஸ்டுகளும், கம்யூனிஸ்டுகளும் விவசாயிகளுடைய குறைந்ததுகளை அமைதியான வழித்தகைய குறைக்கப் பார்க்கிறார்கள். ஆனால், துன்று மட்டுமே நிச்சயம். சாங்கிரஸ் அரசாங்கம் ஏதாவது பட்டியலி மக்களுடைய ஸ்தாபனம். அந்த ஸ்தாபனம் ஏதாவது மக்களுக்குச் செய்யக்கூடிய நன்மையைக் கட்டித் தரும் வேறு எது ஒன்றிலுமே செய்கிறது. ஆகையால், விவசாயிகளுடைய முக்கியமான குறைகளை அரசாங்கம் உடனே நிவர்த்திக்க முன் வரவேண்டும்.”

“இந்த வருஷம் ஒருபுறம் நான் நினைக்கக் குத்தகைக்கு விட்டிருந்தால், அந்த நிலச் சலாந்தர் உடுத்த வருஷம் அந்தக் குத்தகைக்காரரிடமிருந்து நிலத்தை மாற்றிவிடுகிறார். ஒப்படி வருஷம் வருஷம் நிலத்தை மாற்றிக்கொண்டேயிருப்பதால் அந்த விவசாயி நிலத்திற்கு உரம் போட முடியாது. அந்த நிலத்திலும் தான் தன் தனம் கையை விட்டுப் போய்விடும். மேலும் உரம் தருவதற்கு நான் குறைந்து விடும் விளைச்சலும் குறைந்து விடுகிறது. ஆகையால் குறைந்தபடியும் 10 வருஷத்திற்கோ, 15 வருஷத்திற்கோ உரம் தருவதற்கு நினைத்த மாதிரிவிடக்கூடாது என்று உத்தரவு போட்டு நல்ல விளைச்சலையும் அதிகப்படுத்துவார்கள். அதனால் இந்த திட்டிலிருந்து உராவும் பஞ்சத்தைப் போக்க முடியும். இது போன்ற பல நல்ல சாரியங்களைச் செய்யவேண்டுமென்று கேட்டுக்கொண்டு நான் முடித்துக்கொள்கிறேன்.”

SRI K. BHASHYAM:—Mr. Speaker, Sir, the Bill before you is a Bill for sanctioning amounts to be taken out of the Consolidated Fund. The budgetary provisions under the new Constitution are quite different from what they were before. All the moneys received by way of loans, by way of taxes and in any other manner, are all put into the Consolidated Fund and unless the amounts are sanctioned for withdrawal from the same, no amount can be withdrawn. Therefore, unless this House is in a position to say that such and such an amount is necessary for the purpose of executing certain works, the Government cannot sanction withdrawal of any amount. What has happened in the present supplementary budget is that the Government have merely asked for token grants which make it appear that only 15 lakhs of rupees are necessary whereas if we look at the total of the estimated expenditure of the various items under 'Capital Outlay', it will come to nearly two crores. I think I am right that it will certainly be more than a crore. The supplementary budget or the Appropriation Bill which says that the Government require only fifteen lakhs and no more, is innocent in its look but certainly vast in proportion in that it authorizes the Government to incur expenditure to the extent of nearly one and a half crores of rupees. Therefore, this Bill is somewhat misleading and it does not place before the House the vast amount of money that is being sanctioned under this Bill. But I think as a question of procedure also this is wrong. As I said before, only such amounts as are sanctioned by the House can be withdrawn from the Consolidated Fund. Under Article 204 (3) of the Constitution, no money shall be withdrawn from the Consolidated Fund of the State except under appropriation made by law passed in accordance with the provisions of that article. Therefore, if in a particular case, the Government say that it is only hundred rupees that they want, because it is only token grant, I

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do not see how they can take more than hundred rupees out of the Consolidated Fund. If they do it and if the Auditor-General does not object to it, he is certainly to blame for allowing such expenditure to pass unnoticed.

Moreover, one other circumstance I would like to point out in the present connexion is that at every stage in the explanatory note it is stated that the expenditure will be met from the savings anticipated under the grant as a result of the special economy drive. I do not see how they can do it, because when once an appropriation is made for a certain definite purpose under the Appropriation Bill already passed, what power is there for the Government to take that appropriated amount to another head of expenditure altogether? For the purpose of persuading the House to agree to the supplementary estimates, the Government say that they will meet the expenditure out of the savings anticipated from the other heads. That would also be illegal. When once the amount has been appropriated for a definite purpose, you cannot take it and use it under a different head. I submit that in cases where the amount remains unexpended, it becomes part of the Consolidated Fund. Unless another Bill is passed which permits the taking of the amount out of it for a definite purpose, they cannot do it. If they do it, it is illegal; they could be surcharged if the Auditor-General cares to notice the irregularity committed by the Government. Therefore, under the new Budgetary procedure, I beg to submit for the consideration of the Finance Minister that these token grants are impossible of being placed before the House at all. I should like you, Sir, also to consider whether we should pass this Bill in the form in which it is put before you. I find now 13 heads are clubbed together and the expenditure under all the 13 heads comes to about 27 lakhs of rupees. But they want only Rs. 1,300. In that case, can they spend more than Rs. 1,300 under those heads? I do not see how that can be done at all. Therefore, I submit that so far as the present provisions of the Constitution stand, the Government cannot really ask for Rs. 100 as a sort of token grant and spend lakhs of rupees under that head. I request the Hon. the Finance Minister will see hereafter at least whether he is right in asking the House to vote hundred rupees as token grant.

“Those are the points for the consideration of the Hon. Speaker. Can he allow the Bill to be passed in the form in which it is placed before us now? Or, can he allow it to be passed with a caution that they cannot spend more than hundred rupees under each of the various heads?”

JANAB ABDUL HAMEED KHAN:—“Not a point of order?”

SRI K. BHASHYAM:—“No. What is the good of raising a point of order? The point can be argued well elsewhere. The Government will give some answer. I do not want to invite unpleasant remarks. Therefore, I keep it at that. Somebody else may raise it as a point of Order; I give the benefit of it to him.”

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As regards merits also, I would like to point out many things. How is the estimate of expenditure arrived at? In the case of the budget, unless you know the details, how can you sanction the expenditure? The purpose of constituting a Consolidated Fund and saying that moneys ought to be withdrawn from it as and when sanctioned by the Assembly is to see that definite sums are appropriated for definite purposes known to the House and scrutinized by the House. We cannot really sanction the amounts unless we know the details. It is not enough if they merely state that they want 6 lakhs more. Under these circumstances, I am not in a position to vote for the amounts."

* SRI S. NAGAPPA:—Mr. Speaker, Sir, I do not want to say what has been stated by my hon. Friend Mr. Murthy as regards police and other things. I think that it would be enough for me to just bring to the notice of the Government one or two instances where the police have taken the law into their own hands, especially in Guntur in Mothadaka villages. The police at the instigation of some local caste Hindus have gone to that place and searched the quarters of many Harijans. On finding that there were nothing relating to subversive activities they returned. After coming some distance, they again returned to the place and unnecessarily and mercilessly began to beat the innocent Harijans for no fault of theirs, with the result that one or two Harijans were seriously wounded and where admitted in the Hospitals for necessary treatment. If this sort of police raj is allowed to continue, Sir, I do not think we are justified in spending lakhs and lakhs on police. After all, Mr. Speaker, police are there to protect the people and not to harass them. Further, protection should be given to those who are already harassed by the caste Hindus. I mean to the Harijans. Instead of that, if the police themselves began to harass the Harijans, then it is something about which we should take very serious notice and put it down. Sir, already the poor people are being harassed by the caste Hindus. Not satisfied with this these caste Hindus begin to instigate the police also to harass the poor Harijans. This is not at all fair and the police should only protect those who are already harassed. If we do not do that, how can we expect the common people, especially the poor Harijans to have confidence in the Government. Therefore I once again request the Hon. Minister who is in charge of police administration to do justice to the poor people, especially by protecting them and not to harass them. Sir, the Government want nine lakhs and two thousand rupees in order to see that Krishna district is effectively controlled and protected from the communist menace which is day by day increasing. I am one of those who readily grant this amount. While we are on the subject, I would like to bring in the question of recruitment to the police. I earnestly request the Government to relax some of the rules for recruitment in the case of Harijans. Sir, I am thankful to the Government for having relaxed the educational qualification from Intermediate to S.S.L.C. But the physical fitness qualifications is still retained in the case of Harijans. They say that the

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applicant should be so many inches in height and so many inches chest girth and all that. The Government should relax these qualifications also. Because, the poor Harijans are all under-nourished and ill-fed and so you cannot expect them to conform to your standards of weight, height and chest measurements. You cannot expect these Harijans to compete with others who are rather well-fed or I may even say over-fed. Sir, recently there were 13 vacancies in the Central Range and for this only 11 candidates turned up. Out of these only six had the necessary educational and physical qualifications, whereas the other five people were lacking half an inch in height and half an inch in chest girth and the like. I request the Government to see that such people are given this exemption and relaxation in the matter of physical fitness qualification. If these poor people are properly fed they will have the required weight and chest girth, and height. Far from being well-fed, these people had to get themselves educated against very heavy odds. (Interruption.) I am not seeking any job in the police and therefore I am not talking about myself. I am just expressing my views as regards the people who are ill-fed and under-nourished.

"Now coming to the Legislative Bodies, the Hon. Leader of the House said that they want Rs. 7 lakhs for the construction of temporary buildings for the location of the new Legislative Assembly. Well and good; I want that they should have their own House. But I ask, Sir, why should they not make use of the present Government House and the Rajaji Hall for this purpose. My Hon. Friend the Hon. Leader of the House said that the space would not be sufficient and the Rajaji Hall would not accommodate all the Members. If sufficient accommodation is not available at present, they must remodel the existing buildings to suit their requirements. Instead of spending and wasting money on a new building, which I am sure is a temporary structure, the Government can remodel the existing buildings by constructing extensions to these buildings in the Government House. (The Hon. Sri B. Gopala Reddi: "By spending Rs. 15 lakhs!") The Government need not spend 15 lakhs as suggested by the Hon. Finance Minister. We can do it for a lesser amount. If they come with plans and estimates for the remodelling of the existing buildings and constructing extensions wherever necessary, I can say to him and explain that 15 lakhs need not be spent for such alterations and extensions. I am sure that the work can be done for about two lakhs or so. I am glad that the Legislature Department has been bifurcated from the Chief Secretariat. It is a good thing. I wish that effect will be given to it as early as possible.

"Coming to the District Administration, as regards Harijan uplift, so many hon. Friends, have expressed their views. I must think that Harijan uplift has been given a cold storage. Sir, a few years ago, one crore of rupees have been set apart for Harijan uplift. But to-day, we are standing where we were some years ago. Not an inch of progress has been made. No doubt, the

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Government have been giving a few concessions, I mean educational concessions, in respect of college and high school students. I ask, what about the general Harijan welfare and what have you done substantially to mitigate their grievances. I am sure the answer will be a big nil. To-day every village is having grievances. There are 86 lakhs of Harijans. Their main grievance to-day is about the provision of house-sites to enable them to live in. The other day my hon. Friend Mr. Shanmugam raised a number of questions on this subject. All these poor Harijans are in very bad need of house-sites as early as possible. They are not in a position to find suitable accommodation to live in. In this state of affairs, how can you expect these poor fellows to cultivate and produce more food which all of us need very badly. I thought that the Hon. Minister would grant crores and crores; but I am utterly disappointed that a provision for only three lakhs of rupees has been made. If only he had come before this House for a grant of a few crores of rupees and with a planned programme to construct houses for every poor Harijan in this State, I would have immediately and ungrudgingly granted that amount. Instead of that they have come with a demand for a pittance of three lakhs or so. I learn that Tanjore Harijans will be provided house-sites. I am glad for that at least and I want that at least that sum which is now provided should be immediately spent over the construction of houses for the poor Harijans and the amount allotted should not be made to lapse and taken over for the next year or some other year. As my hon. Friend Mr. Murthy has put it very clearly to the House, the Harijan Welfare Department is nothing but a farce. There are very few persons in the establishment. I think there is one or two clerks and one Harijan Welfare Officer who is of the Tahsildar or Deputy Collector Grade. This Officer also will be touring 25 days in a month and so he will not be available for any help that the poor Harijans may want from him. In every village, there are numerous applications for wells and for house-sites, etc. There are also a number of applications for waste-lands for cultivation purposes. If the Government are sincere about helping these poor Harijans they must appoint one Officer, preferably of the Deputy Tahsildars grade for every two taluks and they must appoint separate clerks for wells, house-sites and for giving waste lands for cultivation to the Harijans. At present the position is this. Many of the caste Hindus are jealous of the facilities that are now afforded by the Government to these Harijans. So even when the Harijans are allotted lands for cultivation, these caste Hindus begin to prevent them from cultivating these lands. The caste Hindus think that if these Harijans also begin to earn much they will advance in society. They are afraid if the Harijans so advance they cannot get the agricultural labour from them. So there is this heart-burning of the caste Hindus. Sir, I am glad that the Government have come forward to afford necessary legal aid to these poor Harijans and I feel that it is a good thing. But I must tell the Government that they must see that legal aid is given immediately and there is no use of giving it after the affair

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is over as is done in the case of affording protection by the police. To-day the police come to the scene after the events take place. They are intended to give protection to those who want their protection. But actually they come after the events take place and that too only to harass these poor people. The police must prevent crimes wherever they take place. On the other hand they waste a lot of their time in detection. If they only come in time and afford protection to the Harijans from the harassment by the caste Hindus, it will go a long way to mitigate one of their grievances.

As regards irrigation facilities, I am glad that at least one scheme of my district has been included in this supplementary grant. That is, the restoration of the Guntapalli tank. I ask what has happened to so many of the other irrigation projects which have been investigated, especially for the Rayalaseema area. They have all been held in cold storage. Why should they for take all those projects. I may tell the Government that the taking up of one of the items, namely, the restoration of the tank which I have mentioned will not at all solve the problem. There are so many projects—both major as well as minor. They should be taken up in all earnest if only the Government are sincere in the development of the Rayalaseema area. The development work of the Rayalaseema both economically as well as irrigationally has to be taken up with all speed. This area has been neglected in the past and the position still continues. I ask the Government, 'what have you done substantially for the development of that area'. We find that an Economic Development Board has been constituted for the Rayalaseema. I am glad that they have constituted this Board. How much funds have been placed at the disposal of the Board and how much that Board has spent over the development of the Rayalaseema? I must regretfully tell the Government and the hon. Members of this House that they have not done anything substantial for the economic and industrial development of the area. They have not been able to produce at least one kilo watt of electricity more than what they were doing previously. Sir, a thermal station was provided for the Kurnool district. But the Hon. Finance Minister who has all the funds at his disposal as Finance Minister snatched that away from that district and had it established in his own district. Rayalaseema can very well become the industrial hub of this State if only all the natural resources available in that area are exploited to the best advantage possible. For doing this the Government must act expeditiously in developing this area industrially as well as economically. There is no use of mere tall talks; you should act as tall as you talk. This Economic Development Board has passed many resolutions. Mr. Subba Rao as Commissioner of this Board has collected many particulars and has prepared a report giving recommendations. I ask the Government how many of those recommendations and resolutions have been implemented. I say it is nil, practically nil. This sort of mere eye-wash will not do. There is no use of the Hon. Leader of the House laughing. He should consider this problem more seriously. He poses

[illegible]

“போலீஸ் டிபார்ட்மெண்டின் பொறுப்பாக மதுவிலக்கு அமுல்
கார்பம் நெடுப்பதால் தீர்ப்போது இருக்கும் பொறுப்பும் அவர்
இன்று மதுவிலக்குக்கு எதிராகப் பிரச்சாரம் போலீஸ் போதியது அல்ல.
மாராயம் காங்கிரஸ்பிரகிற்றது. இதற்குக் நடத்தவருகிறது.. ஆங்காங்கே
இல்லாததேதான். அதை இன்னொரு நாளைத் தக்க கண்காணிப்பு
கீழ் அந்தப் பொறுப்பை போலீஸ் டிபார்ட்மெண்டோடு சேர்க்கப்பட்டதால்
நான் வேலை சரிவர நடைபெறுகிறபடியாகவிட்டது. ஆகையால் அதை தனி
யாகப் பிரித்து வைத்தால் நான் வேலை நன்றாக நடக்கும். இந்த அரசாங்க
மானது எந்தவந்த இரு நல்ல காரியம் செய்திருக்குமானால் அதி செய்துள்ள
பல காரியங்களில் முக்கியமானது மதுவிலக்குமானால் அதி செய்துள்ள
வதற்கு சர்க்கார் எடுத்துக்கொண்ட கிரமம் கொஞ்ச நஞ்சுமில்லை. ஆகை
யால், இம் மாதிரி சட்டம் கிறப்பதாவதில் தேவையான எல்லாவற்றை
யும் செய்யவேண்டுமெனக் கேட்டுக்கொள்ளுகின்றேன்.

“மற்றும் மெழுகில் இலாபையைப்பற்றி நான் ஒரு வார்த்தை சொல்ல வேண்டியிருக்கிறது. வ. ஆறாப்பில், வேலூர், ஆஸ்பத்திரியில் 300 பேர் இடுக்கவேண்டிய இடத்தில் 500 பேர்கள் தங்கியிருக்கின்றார்கள். எத்தனை அடிதமெழுதினாலும், ரிப்போர்ட்கள் செய்தாலும் ஒன்றும் பிரயோசன மில்லாமலிருக்கிறது.

“இதன் பிறகு என்ன நகரத்தில் ஒரு ஆஸ்பத்திரி இருக்கிறது. ஒரு சமயம் பிரசவிக் பெண் மூர்ச்சையாய் இருக்கிறாள். ஒரு குழந்தையை ௨௨ நாள் தூக்கிக்கொண்டுபோய்விட்டாள். அவளுடைய மில் இன்னமும் அது மாதிரி நடக்காமலிருப்பதற்கு ஏற்றவகையில் பந்தோ பஸ்து செய்யப்பட்டதில்லை. நான் அதைப்பற்றி ஒரு ஏற்றவகையில் பந்தோ கேட்போது அந்த ஆஸ்பத்திரியைச் சுற்றிலுமுள்ள வேலையை அடைத்து விட்டதாகப் பதில் சொல்லிவிட்டார்கள். ஆனால் கனம் மந்திரி அவர் களுக்கு யார் சான் மூர்க்களர் தெரியவில்லை. அங்கு இன்னமும் வேலைபோட்டு சும்மா இருந்துவிட்டது. நாய் குழந்தையைத் தூக்கிச் சென்ற ஆஸ்பத்திரி திருவண்ணாமலை ஆஸ்பத்திரிதான். அங்கு இன்னமும் வேலைபோட்டு

அடைக்கப்படாமல் பழைய நிலையிலே இருக்கின்றது. அதை உடனே சீர்படுத்தவேண்டுமென்று கேட்டுக்கொண்டுள்ள வார்த்தையை முடித்துக் கொள்ளுகிறேன்.”

* Sri T. VISWANATHAM:— Mr. Speaker, Sir, I am glad we have an opportunity to-day to review the whole position regarding supplementary demands. It was not possible for us, as I have already stated, to go into the various points at the time the demands were presented. Of course I know that it may not be possible even now to go into those matters in detail and, therefore, I shall try, in as general a way as possible, to place before the House my reflections upon the demands.

“ As I look into the demands I find one of the things that have been done by the Government is the separation of the Legislature Secretariat from the Government Secretariat. It is quite in accord with the provisions of the Constitution. But in doing so I find that certain old conditions still continue, even after reorganization. For example, the Secretary to the Legislature is put in the same position as the Secretaries to the Government but he does not get the allowances attaching to the post of Government Secretaries. Then there is the case of the Assistant Secretary to the Legislative Assembly. In point of salary again, he is not placed on a par with the other Assistant Secretaries to the Government. Thirdly comes the case of Reporters and the Librarian who should get the same emolument as the Secretariat Librarian. The Reporters are now given a good start but those who have already put in some service have not been cared for. Those who have been in service for ten years and fifteen years and more have to continue on the same pay that they draw now while those who were recruited yesterday or who may be recruited tomorrow are to draw the revised salary. I hope the Hon. the Minister for Finance will go into this matter and see that the anomalies—two or three anomalies I have mentioned just now—are set right and those who have been in service for long are given some allowance or special pay as a token of recognition of their long services.

“ Some general remarks were made by hon. Members regarding the presentation of supplementary demands and the way in which it was done. In the introductory Memorandum to the supplementary demands, it is stated that ‘ It will not be in order to incur expenditure on a New Service in anticipation of the approval of the Legislature.’ This is a healthy and correct interpretation of the Constitution. However, Sir, the same Finance Secretary who writes this introduction might have put his assent to expenditure in anticipation of approval, as might be seen on a perusal of the various items contained in the Memorandum.’ There are certain items in it which have been included on the principle laid down in the Constitution. But if we turn to page 23 we will find that the Commissioner of Labour has made an advance of Rs. 41,220 to 2,748 workers, at Rs. 15 per head, of the Sri Meenakshi Mills in Mathurai. I am happy about it and I do not quarrel with the Government on the issue of having made an advance. The

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Government are very liberal in giving aid and they have given very liberal aid to industries and industrial workers. They have put their fingers even into the Minor Ports Fund in order to help private concerns. The Government help the agricultural labourers by way of takkavi loans. I do not, therefore, question the motive of the Government in having made such an advance. But let them see that this has been done in an illegal way and that the money has been spent against the directions of the Constitution. This question apart, I would like the Government to make it their general policy to help such people in all districts. There are lots of industrial workers in our parts. In these renaissance days, people are struggling to assert their rights. Classes are fighting to build up their rights. Strikes and lock-outs have become a common feature in our economic and industrial spheres. Therefore, if the Government have taken an official step to help them with money, I for my part, do not discourage it on its merits. But certainly I feel—leaving aside the merits of the case—what the Government have done is constitutionally wrong. I hope hereafter they will do it in the regular way and will not discriminate between one area and another. If the Government should be right, they should ask for a substantial provision. There is no use of saying this is a very special case and the amount has been spent from the savings of the grants already made. A substantial provision should be there always. There are very many national industries in our parts also and it is not good to come up before the House for such a small grant. Wherever there are illegal lock-outs like the one mentioned in the Memorandum, the labourers affected by such lock-outs should be helped in the regular way unlike in the case of the Meenakshi Mills. (The Hon. Sri B. Gopala Reddi: 'It is only a loan.') I am not going into the merits of the case. I am talking only about the illegality and unconstitutionality of the issue. When it is treated as a 'new service' it needs the prior approval of the House. That is all what I want to say. I hope the Government will formulate a policy which will be helpful to all the industrial labourers in the State. In this connection, Sir, I feel that there is some force in the arguments advanced by the hon. Member, Mr. Bhashyam. If you will turn to Article 204 of the Constitution, you will find that there is no provision empowering the Government to appropriate savings. As a matter of fact, the Budget was framed in the month of January, presented to this House in February and passed in March. I do not understand how it was possible for the Government to estimate a saving of nearly 98 lakhs of rupees within just four months after the approval of the Budget, which they say can be spent on 'new services'.

Mr. SPEAKER:—"I do not understand what the hon. Member says. I wish to know whether he wants us to follow the new procedure adopted in the Constitution or the Common's procedure."

SRI T. VISWANATHAM:—"I am not very well conversant with the Common's procedure. But I am conversant with the

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provisions laid down in the Constitution. I note that the Government are anxious to abide by the provisions of the Constitution. Otherwise the introduction would not commence with a reference to the Constitution. That is why my hon. Friend, Mr. Bhashyam, put forward a point of view which is implicit . . .

Mr. SPEAKER:—"But I do not agree that the hon. Member, Mr. Bhashyam's procedure is correct. I have gone through May's Parliamentary Practice and I find that the procedure adopted by the Government is quite in order."

* SRI T. VISWANATHAM:—"If it is a matter of procedure to be adopted in this Legislature, it may be all right. But I am not on that point now. Whether the Government are right or wrong, whether their action is proper or improper as per the provisions of the Constitution is the point. What hon. Mr. Bhashyam said related to the interpretation of the articles of the Constitution on this subject. Article 204 deals with the presentation of the Appropriation Bills. The Government present the annual financial statement under the provisions of Article 202. The next stage is, we come to Article 204 in accordance with which we passed an Appropriation Bill in March last. We asked the Government to spend only such sums of money as were authorized in that Bill. Now we have reached another stage when we are faced with supplementary estimates which are governed by Article 205. It says—
if the amount authorized by any law made in accordance with the provisions of Article 204 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when need has arisen during the current financial year for supplementary or additional new expenditure upon some new service not contemplated in the annual financial statement for that year

It foresees two contingencies. The first one is insufficiency of provision in the Appropriation Bill already passed. This does not apply to the present case since there is already the mention about savings in the Memorandum. The second one is unforeseen expenditure on new services. The need for the insertion of such a provision—a stringent provision—is that in a democratic state where political passions rule high, some curb must be kept upon the actions of the executive. That is why the Constitution demands that there should be some definiteness about what we spend. After all it does not demand that the amount spent should be accurate to the pie. The conditions governing the presentation of the annual financial statement had been fulfilled and we passed the annual Budget Estimates in March. Supplementary estimates, as I have already said, come under Article 205 and only unforeseen expenditure can be incurred under it. I can understand, for example, an item of expenditure under this article, in connexion with the Hydraulic Conference. Probably, the Government did not contemplate this expenditure at the time of the General Budget and it is one of the items of expenditure that suddenly come upon the Government during the course of the year. There is another item and I refer to it only as an illustration and not that there are no similar items. I should not be misunderstood when I refer to it. It involves an expenditure of nearly seven crores of rupees

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and this is not a small amount. There is an item called the Tungabhadra Hydro-Electric Scheme which involves an expenditure of more than seven crores of rupees. This is a scheme which the Government have not yet sanctioned but propose to sanction and for this they want our approval. We have sanctioned the Tungabhadra Project three or four years ago and every day we find some provision is being made in that connexion. Now it is a question of the electricity side of it. But what I say is it should not be brought in a supplementary demand. This is a scheme which cannot be said to have been not contemplated at the time of the annual Budget. If this item had been included in the annual Budget it would have been proper. Or if it is included in the coming General Budget it will be in order. The House will be only too willing to sanction the expenditure. If we only look into the Budget memoranda presented before the House in the last two or three years we will find ample references being made to the electricity side of the Tungabhadra Project. As such it cannot be said that it was not contemplated in March last. So, Sir, having this case before you, if you will examine the provisions of Articles 202 and 204, you will find the force in my hon. Friend, Mr. Bhashyam's arguments. Then there is the other point to which I referred at an earlier stage. The Appropriation Bill before us does not empower the Government to re-appropriate funds. They can only appropriate. But we find that there is an attempt to re-appropriate the funds provided in the former Appropriation Bill. The Government seek to operate on the savings accruing from the provisions already made. When once a sum of money goes into the Consolidated Fund, the Government have no right to re-appropriate it or a portion of it. So, Mr. Speaker, Sir, it is a matter of legislative procedure. It is not as if I am opposed to this item or to any other I have referred to already. Excepting one or two items contained in the Memorandum on which the Government have been subjected to criticism, we welcome the rest. What is it that should be done after the new Constitution is the point raised. The first position taken by the Government is right, namely, they cannot incur an expenditure of even a single rupee in anticipation of the approval of the Legislature. The second is that they cannot therefore appropriate any savings themselves. If there are savings they go back into the consolidated fund. You might ask what is the position if the Government has to incur new expenditure? We have passed another Act creating a contingency fund. The Government can take the excess money they want from the contingency fund but not from the consolidated fund. Now it is open for them to say that the excess spent were from the contingency fund and not from the savings. That would have been quite all right. But the Government have committed themselves to a particular position, namely, that they have not the excess from the savings. It seems to me that the point made out by the hon. Member Mr. Bhashyam is right. That kind of appropriation of the savings is not quite regular. These are some of the general reflections that came into my mind as I looked into this Supplementary demands.

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“ There are one or two other matters on which I would like to say something, for example, the bifurcation of the Visakhapatnam district. The Government were good enough after four years to sanction this bifurcation. But they have not provided adequate funds to carry out in full what has to be done in consequence of this bifurcation. They have shown only a recurring expenditure of Rs. 33,000. We wanted the separation not merely for administrative convenience, but we really wanted it for the economic development of that portion of the district. The district with Srikakulam as headquarters requires lot of development. The officers are there. There are no buildings even to accommodate the offices. They are housed in small private buildings. I expected that the Government instead of coming before the House for a small grant of Rs. 33,000 would come forward with a demand of Rs. 30 to 50 lakhs to build the offices of the District Magistrate and all the other offices and quarters for these officers. At present the offices belonging to Srikakulam are at Vizianagaram or Visakhapatnam in rented buildings. Therefore, I submit, that the Government may be pleased to allot a decent sum for the building up of quarters for officers. Mere bifurcation of the district will not be of great help.

“ Talking about the bifurcation of the district, Sir, the separation of the judiciary from the executive comes into my mind. In this connexion I want to make an appeal to the Hon. Minister in charge of Housing, who is also present here now. As a consequence of the separation, some jealousy seems to have grown up between the judiciary and the executive. The executive officers nowadays certainly exhibit a kind of jealousy towards the judiciary which has come into existence. They feel that their power has gone. Recently it created an incident which was reported in the newspapers. Immediately after bifurcation, the House Rent Controller office at Visakhapatnam was abolished and it was transferred to the Revenue Divisional Officer at Vizianagaram. The separation of the judiciary came on the 15th August. The District Magistrate came to Visakhapatnam on the 13th and gave an application to the Rent Controller on the 13th itself. After all, the Rent Controller was a Revenue Divisional Officer, lower in rank than the District Magistrate. He ought to have known, and he certainly knew that the District Magistrate wanted a house as soon as he came to Visakhapatnam. In spite of the application of the District Magistrate, the Rent Controller gave a house to some other officer, the Deputy Superintendent of Police, and the whole matter had to go to a civil court and it was through the intervention of a civil court that the District Magistrate got a house for himself. I am submitting, therefore, that from every point of view the Government should build quarters for their officers. They cannot go on depending on the Rent Controller whose views are changing from time to time. I submit, Sir, these big officers should not be put in their hands. Besides, want of

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buildings for Government officers and servants has created difficulties for civilian population. Therefore, the Government should undertake to build quarters for all Government servants and officers created as a result of the bifurcation.

"There is only one other point on which I want to speak, and which was raised by hon. Member Mr. Karanth also to-day. It is said in this Bill that the 15 lakhs of rupees would be met out of the savings from the consolidated fund. The question is: How do you get these savings? You promise to execute several schemes in your Budget only four months ago. How then do you get these savings? It is not the effect of retrenchments at all. It necessarily means that items of expenditure which the Government promised to incur for the benefit of the various parts of the State are not now going to be incurred to the extent promised but are being saved. It is not a good method. At any rate they should have told us: 'These are the particular items of expenditure from which we expect savings for this reason or that reason'. Why should there be such saving to the tune of 98 lakhs? I therefore submit, Sir, that in the interest of good budgeting new principles following the Constitution ought to be followed. There must be greater accuracy and definiteness."

* DR. D. S. RAMACHANDRA RAO:—Mr. Speaker, Sir, we, some of us at all events, feel that springing a surprise like what the Bill has thrown upon us is a terrible strain upon the loyalty of this House. We are not inclined to make the Government feel that this House has been very niggardly and therefore would not co-operate with them in granting the financial help which the Government needs. Every individual, particularly those of us who are educated and who can think for themselves feel that they have two loyalties; one is loyalty to the country and the workers and the other is loyalty to the Government and the party. The Government should not drive the House to a corner and say as there is no absolute necessity at this particular juncture, when there was time for them to consider and place all the needs of the country before this House, when the emergencies are not so very great, that they should compel this House to say: 'Will you vote for us or not; give us the whole hog and leave it and go'; that kind of thing is against the canons of modern convention on finance and taxation. I think in a democracy like this the Government must feel that it is up to them not to strain the loyalty of the Members of this House. Whatever the past has been, I hope, in future, regard will be paid to the feelings and the difficulties and loyalties of some Members upon whose support the Government mainly depends.

"There is very little time for me, I know, but still I would like to touch upon one or two points. One is we are trying to do away with the left hand what we are trying to do with the right hand. Here is a demand for additional police. I do believe that our State cannot get on without efficient police. In spite of the prohibition work, in spite of the great anxiety that our Government express towards realization of prohibition, there is a very

[Dr. D. S. Ramachandra Rao]

16th October 1950] general talk all over the state that one of the stumbling blocks for the failure of the prohibition is the number of those who are addicted to drink that is to be found in the Police department itself. So, if our Policemen should not only be able to punish those who do wrong but they should also be an incentive to those who want to do right and set an example in the right direction, it is absolutely necessary that the recruits to the Police ought to help prohibition by being themselves not addicted to drink and be through going tea-totalisers.

"Another point I wish to place before this House is about the principle of education. Of course, you can never spend too much money upon education but there is still a tendency in Educational departments to become more and more top heavy. They labour under the same burden while the British ruled this country. After nearly five years have elapsed, no doubt, the number of schools have increased, but compared with the old times no perceptible progress has been made. I want the Government to bear in mind that while other countries have been able to make very rapid strides in mass education we still go on at a snail's pace. I trust every rupee that is wanted would be spent upon the realization of mass education particularly to meet the needs of that class of people who cannot afford to give up their labour and attend school during the day. They should make a systematic attempt to open night schools where not merely intellectual classes where the three Rs are taught but technological schools where those people who work during the day would go and learn the principles on which their practical work is based.

"Then one other thing. The State is spending several lakhs of rupees in the year for the feeding of the patients. So far as my enquiries go, no doubt those people who pay for food in the special wards, they get fairly good food though not all that is wanted. But when you go to the general wards, to this day even, six years after the bureaucracy has left the country, all the money that we spend does not reach the patients in the form of good food.

"I have had confidential talks with heads of departments in 4 p.m. the Medical Service. They feel the whole machine from top to bottom is such that it is exceedingly difficult to see that all the money that is spent goes to the food of the invalid. Some heroic attempts should be made and unless we make that as the basis upon which our treatment depends, the money that is spent on food is wasted by greed in the hands of several intermediaries, and the object of treatment is entirely lost. I, therefore, appeal to the Government to take this matter seriously and see that the food really goes to the patient in the general ward.

"Sir, I want to say one more point. No doubt, the Government are aware that, so far as the convicts are concerned, it is very difficult for them to get work when once they are imprisoned. When they go out, they are suspect and therefore the Government have come forward in a way to save the situation, and help to find them work.

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"In our country, Sir, there is a disease which has been prevalent for centuries. It is a disease which is prevalent all the world over. It is the disease of leprosy. The leper is treated with scant courtesy, nay, with disrespect. People shun him and therefore he is afraid to confess in public that he is a leper. In the modern age, experimentation has proved that only 20 per cent are infective. And therefore, Sir, the State must do its utmost not only to dispel the misgivings against a leper, but also find him work so that he may work, eat and live."

THE HON. SRI B. PARAMESWARAN:—Mr. Speaker, Sir, my hon. Friend Sri K. N. Gopalaswami wanted to know why the amount set apart for acquiring house-sites for Harijans in Tanjore district, viz., about Rs. 3 lakhs has been included in the Harijan Welfare Budget. Majority of the agricultural labourers belong to Harijan community and I am sure that there are only very few who belong to Caste Hindu community and that is the reason why we included it in that Budget. But, however, after examination we will apportion that amount of expenditure that will be incurred on the non-Harijans to the general fund. The extra cost involved in acquisition in Tanjore district is debited to the Harijan Welfare Fund. In the first instance, it is debited to the general fund. If the total amount spent exceeds the expenditure in 1948-49, i.e., Rs. 63.68 lakhs, then the excess is reimbursed to the general one crore fund. I am sure that will satisfy my hon. Friend Sri Gopalaswami.

"With regard to the other point which he raised, viz., that Firka Development work is not being extended to areas other than Firka Development areas, I would like to say that the financial position of the Government does not permit such extension now. In addition to that, we want a large staff trained in the constructive lines for taking up this kind of special work. Further, we are now experimenting in 84 firkas and I am glad that not a single member said anything against the Firka Development work. Everybody within and without the Legislature is only anxious to see that the scheme is extended throughout the State.

"Some Members seem to have raised some objection with regard to the grant made to certain institutions. We have selected 5 institutions which we propose to help by giving them grants and subsidies. Every institution will get a grant of Rs. 20,000 in addition to the subsidy of Rs. 4,000 for meeting expenditure on staff. This will be done only after getting the application through the Collectors who will go into the question and recommend those institutions which really deserve help. Grants will be made at 50 per cent of the actual expenditure incurred by the non-official institutions on works subject to a maximum of Rs. 20,000 for each institution excluding the subsidy to be paid on staff and office contingencies. The expenditure incurred on works by non-official institutions over the amount of grant should be spread over for an initial period of not less than one year. Therefore my hon. Friend Sri Gopalaswami may rest

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assured that the Government are taking necessary precautions to see that the amounts allotted are spent on proper lines. The Government would only receive recommendation from the Collectors, but they would go into the merits of each case recommended by the Collectors and would encourage such of those institutions which the Government consider really deserve help. It would have been much better if Members of this House had confined only to the relevant portions of the subject to-day under discussion. But, some Members went on indulging in tirades against the Government so far as Harijan Uplift work is concerned. I am not at all surprised at the enthusiastic speech of my hon. Friend, Sri Nagappa who, in season and out of season, indulges in tirades against the Caste Hindus. I think my hon. Friend Sri Nagappa and men who think like him would be serving the community better if they put an end to such tirades against the Caste Hindus. For to-day we need the co-operation of Caste Hindus more than at any time. Had it not been for Mahatma Gandhi and the band of sincere workers belonging to all communities and institutions, the Harijan uplift work would not have progressed to this extent. If anybody says that this Government have not done anything substantially for the progress of the community,—thanks to the co-operation of all sections of this House. I can only say that no State Government has done so much for the uplift of the Harijans as we have done in this State. The sooner the Caste Hindus and the Harijans realize that their future is inextricably wound up with the future of one another, the better for the country as a whole. I am not surprised at the defeatist statements made by my hon. Friend Sri Nagappa that he would like everything being done overnight. The problem is so huge and the difficulties confronting the Government are so many that it is not easily possible for any Government to make better progress than what has been done now. I only request those Members who indulge in such criticisms to look back to those days when the community was suffering without any encouragement whatsoever and the position of the community to-day as compared with the position of the community some years ago. But, I am surprised at the charges levelled by my hon. Friend Sri A. Kaleswara Rao—a seasoned and veteran Congress leader—that in no district he found any improvement so far as the Harijan work is concerned. He mentioned particularly about the house-sites. We have got to go through the process of Land Acquisition Act. It is before 1949 the Harijans had to pay half the cost of acquisition of the site. It was practically very difficult to pay and no progress was made in that direction. But, now, Sir, after the appointment of these District Officers—in spite of the fact that they are not properly staffed, I am happy to learn that very good progress is being made mainly because of the fact that Harijans are given free house-sites and they are not required to pay half the cost of acquisition which they were paying hitherto. I do not think, Sir, that I have anything to add except to request my hon. Friends belonging to the Harijan community to appreciate the good work that is being done for the community as rightly pointed out in appreciative terms to-day by my hon. Friend Sri P. Kakkai and others.

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to be a champion and friend of the Rayalaseema people. But I must tell him that this sort of championship of their cause will not carry us any further. Anyhow, I appeal to the Hon. Members of the Cabinet from the Rayalaseema to be more active, more impressive, more assertive and extract as much as possible from the Finance Minister who is a cat on the wall who will always say that he is a friend of Rayalaseema people and champion of their cause, but when it comes to actually helping them, he would begin to say we have no funds and all sorts of things. I would appeal to the Hon. Finance Minister also to be more liberal so far as the economic and industrial development of the Rayalaseema is concerned. We have been repeatedly requesting and appealing to the Government to help the backward area of Rayalaseema. You must know that we have become conscious enough about our rights and if you fail to accede to our requests and appeals, you will have no place in the Treasury Bench. I want you to beware. I mean I want the Hon. Finance Minister to beware of this."

* **SRI N. ANNAMALAI PILLAI** :—“கனம் சபாநாயகர் அவர்களே! இன்றையதினம் இந்த சனாதினமுன்பு கொண்டுவரப்பட்டிருக்கும் Appropriation மசோதாவின்மீது நான் சில வார்த்தைகள் சொல்ல விரும்புகின்றேன்.

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“சுதந்திரம் கிடைத்தபிறகு மூன்று வருஷ காலத்திற்குள் அரசாங்கத்தார் பல அரிய வேலைகளைச் செய்திருக்கிறார்கள். அதை நான் பாராட்டிக் கட்டமைப்பதற்குக்கிறேன். சென்னை மாகாணத்தவர்களும் அதைப் பாராட்டிக் கட்டமைப்பதற்குக்கிறார்கள். முக்கியமாக இந்நாட்டில் பஞ்சம் ஏற்பட்டு உணவுத் தட்டு அதிகமாக உண்டான பிறகு ஜனங்களைக் காப்பற்றுவது சர்க்காருக்கு அதிகக் கஷ்டமாக இருந்துவருகின்றது. இயற்கையும் நான்கு வருஷங்களாக மழை பெய்யாமல் ஜனங்களை துன்பத்திற்கு ஆளாக்கியிருக்கின்றது. சர்க்கார், இந்த நிலைமையில் கிடைக்கும் தானியத்தை யும், பல பிரதேசங்களிலிருந்து வாங்கக்கூடிய தானியங்களையும் கொண்டு வந்து பங்கிட்டு முறை மூலம் ஜனங்களுக்கு கொடுத்து ஆதரித்து வந்திருக்கிறதை பொது ஜனங்கள் பாராட்டுகின்றார்கள். நான் இரண்டு தினங்களுக்கு முன் ஓரிடத்தில் பேசிக்கொண்டிருக்கிறபோது இந்த ரேஷனை அடுத்த ஜனவரி மாதத்திற்குப்பிறகு எடுத்துவிட வேண்டுமென்ற கருத்துடையவர்களாக இருக்கின்றோம் என்பதாகத் தெரிவித்தேன். அப்போது அனேக ஏழைகளும், பெரியவர்களும், தனவாசனர்களாக இருப்போர்களும் திரிகள்” என்று கூச்சலிட்டார்கள். முன்னொரு சமயத்தில் ரேஷனை எடுத்ததினால் வியாபாரிகள் செய்த துரோகத்தைப் பார்த்த பிறகும் கூட நீங்கள் அவசரப்பட்டு ரேஷனை எடுத்துவிடுவீர்களானால் ஜனங்கள் பழையபடி துன்பத்திற்கு ஆளாகி விடுவார்கள். அதனால் எடுக்கவேண்டாமென்று தெரிவித்தார்கள். ஆகையால் இந்தக் கட்டுப்பாட்டு முறை தற்காலம் இப்படியே நீடிக்கவேண்டுமென்பதுதான் மக்களுடைய விருப்பம் எனத் தெரிவித்துக்கொள்ளுகின்றேன். நான் ஒரு வாரத்திற்குமுன் சேலம், திருச்சி ஜில்லாக்களில் சுற்றுப் பிரயாணம் செய்துவரும்போது திருச்சியிலிருந்து சேலம் வரையுள்ள நஞ்சை நிலங்களைல்லாம் கரும்பும், மஞ்சளும், பருத்தியும், மிளகாயும் தான் பயிரிடப்பட்டிருக்கின்றார்கள். நெற் பயிரைப் பார்ப்பதே அரிதாயிருக்கிறது. சர்க்கார் நெல் பயிரிடுவதற்காக இவ்வளவு கரும்பு இவ்வளவு, நெல்லு இவ்வளவுதான் பயிரிடவேண்டும் மற்ற தானியங்கள் இவ்வளவுதான் பயிரிடவேண்டுமென்று அரசாங்கத்தார் நிர்ணயம் செய்துவிடவேண்டும். பொதுவாக உணவு தானியத்தைப் பெருக்குவதற்கு அதிக நிலங்களை ஒதுக்கி வேலைசெய்ய சர்க்கார் உத்தரவிடா விட்டால் இந்தக் கட்டம் தோல்வியாகிவிடும். இதை சர்க்கார் நன்கு கவனிக்க

[Sri N. Annamalai Pillai] 16th October 1950]

வேண்டும். இந்தக் காரியத்தைச் செய்ய அவர்கள் முன் வருவார்களே யானால் நம் நாட்டின் உணவுக் கஷ்டத்தைப் போக்கமுடியுமென நான் நம்புகின்றேன்.

“மற்றும் நஞ்சை ஜில்லாவிலே ஹரிஜனங்களுக்கு குடியிருப்புகளை அமைத்துத்தர ஒதுக்கப்பட்டிருப்பது வரவேற்கத்தக்கதாகும். பல வருஷங்களாக அவர்கள் குடியிருந்துவரும் இடத்தை இப்பொழுது காலி செய்து விட்டுப் போகவேண்டுமென்று நிலச்சுவாந்தார்கள் சொன்னால் அது நியாய மற்றது. இதில் அரசாங்கத்தார் கவனம் செலுத்தி அதை acquire செய்து அந்தந்த ஜனங்களிடத்திலேயே ஒப்படைக்க ஏற்பாடு செய்யவேண்டும்.

“பயிரிடுவோனுக்கும், முதலாளிகளுக்கும் மத்தியில் குத்தகைதார இருக்கும் வழக்கத்தையே அடியோடு ஒழித்துவிடவேண்டும். நான் ஓரிடத்தில் நஞ்சை நிலங்களைப் பார்வையிட்டேன். அந்த நிலத்தின் குத்தகைதாருக்கும், விவசாயிக்கும் ஏற்பட்ட தகராறில் குத்தகைதார அந்த இடத்தில் சவுக்கு வைத்திருக்கிறான். சவுக்கு பயிரிட்டால் உணவு தானியத்தைப் பெருக்குவதற்கு உதவியாய் இருக்கும் என்பதற்கு நான்கள் விரகு உற்பத்தி செய்யுமென்று என்சினூர்கள். 8 வருஷம், 10 வருஷம் கழித்து விரகு உபயோகத்திற்கு வரப்போகிறது. விரகுக்காக நன்றாக விளையக் கூடிய நஞ்சை நிலங்களை பாழ்படுத்தி விடுகிறார்கள். விவசாயிகளின் மீதுள்ள பகைமையில் இவ்வாறு செய்து விடுகிறார்கள். சர்க்கார் உடனே இதில் தலையிட்டு விவசாயிகளுக்கு வேண்டிய பாதுகாப்பை அளிக்க வேண்டும். சட்டத்தில் இதற்கு இடமில்லையானால் சட்டத்தை திருத்தியாவது பாதுகாப்பு அளிக்கவேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன்.

“சமீபத்தில் காஞ்சிபுரத்தில் ஒரு சம்பவம் நடந்தது. சில கருப்புச் சட்டைக்காரர்கள் அங்கே கூட்டம்போட்டு பெரிய குழப்பத்தை உண்டு பண்ணியது மாத் திரமல்லாமல் அங்கேயிருந்த ‘தேருஜி’ படத்தை உடைத்தும் விட்டார்கள். வட நாட்டானுக்கு இங்கு வேலையில்லை. தென் நாட்டில் வட நாட்டானுக்கு வேலையென்ன என்று பகிரங்கமாகப் பேசும் செய்தியெல்லாம் C.I.D. மூலம் சர்க்கார் கவனத்திற்கு வந்திருக்கின்றன. அவ்வாறு பல ரிபோர்ட்கள் வந்திருந்தும் அவர்கள்மேல் அரசாங்கத்தார் எந்த விதமான நடவடிக்கையையும் என் எடுத்துக்கொள்ளவில்லையென எங்களுக்கு விளங்கவில்லை. தயவுசெய்து, அவர்கள் இவ்வாறு பொறுத்துக் கொண்டிருப்பதற்கு காரணங்களை எடுத்துச்சொல்வேண்டும். அல்லது அவர்கள்மீது கடுமையான நடவடிக்கை எடுத்துக்கொள்ளவேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன். வட நாட்டான் தென் நாட்டான் என்ற பிளவை ஏற்படுத்தி மக்களிடையே துவேஷத்தை வளர்க்கும் பிரசாரத்தை அவர்கள் நடத்தும்படி அனுமதிக்கக்கூடாது. போலீசார்கள் அவர்களை கைது செய்து சட்டத்தை அமுலாக்கினால் அதனால் அவர்களுக்கு செல்வாக்கு அதிகமாகி விடுமென்று சிலபேர்கள் கருதுவதனால்தான் அவர்கள்மீது நடவடிக்கை எடுக்கப்படவில்லையென அறிகின்றேன். ஆனால் இப்படியே விட்டுக்கொண்டு சென்றால் ஹனுமான் வால் வளர்ந்து இலங்கையை எறித்ததுபோல, அந்த துவேஷம் வளர்ந்து இந்த சர்க்காரையே எறித்து விடும்படியான நிலைமை ஏற்பட்டுவிடும். இந்த நிலைமை முற்றிவிடுவதற்குள் சர்க்கார் உடனடியாக நடவடிக்கை எடுத்துக்கொள்ளவேண்டும்.

“சில முஸ்லீம்கள் இப்போது கருப்புச் சட்டைக்காரர்களுடன் சேர்ந்து நாங்களும் கருப்புச் சட்டைக்காரர்கள் என்பதாக சொல்லிக்கொண்டு குழப்பம் விளைவித்து வருகின்றார்கள். குழப்பக்காரர்களுக்கும் உதவி அளித்தவருகிறார்கள். ஆம்!! என் நண்பர் ஜனப் ஹமீத்கான் அவர்களுக்கும் தெரிவிக்கிறேன். அவர்கள் தங்கள் சமூகத்தினுடைய பாதுகாப்புக்கு எவ்வளவு ஐக்கிரதையாக உதவி அளிக்கின்றார்களோ அது எனக்கு உதவி அளிப்பதாக இருக்கு மென்பதாகச் சொல்லுகின்றேன். முஸ்லீம்கள் இன்று நடந்து கொள்ளும் விதத்தை நான் இந்தச் சபையில் எல்லோர் முன்னிலையிலும் சொல்ல விரும்பவில்லை. தனியாக ஜனப் ஹமீத்கான் விரும்பினால் அவர்களிடம் சொல்லத் தயாராய் இருக்கின்றேன். முஸ்லீம்கள் இன்று கருப்புச் சட்டைக்காரர்களுடன் சேர்ந்துகொண்டு துவேஷப் பிரசாரம் செய்வதை உடனடியாகத் தடுக்கவேண்டுமென்று சர்க்காரைக் கேட்டுக்கொள்வதோடு இந்தச் சபையிலுள்ள முஸ்லீம்

[Sri B. Parameswaran] [16th October 1950]

"With regard to the point raised by the hon. Gentleman Sinna Kaziar that the Harijans should not be segregated, this Government really feel that the progress of the community does not consist in merely giving scholarships and other facilities as a separate community and seeing to its progress separately and segregating them, but the Government really aim at the association of both the Caste Hindus and Harijans and then only there can be any progress of the community. We can really think that the community has progressed only when both the Caste Hindus and Harijans live harmoniously and co-operate with one another in all walks of life. But, special considerations are needed for a section of the population which really needs some help to go to the level of forward communities and therefore while affording all facilities to come forward to the level of the advanced communities, it is certainly not the intention of the Government to keep the Harijans separated and segregated for all time to come. I think that the Harijan members here and outside this House will realize that they should not always think in terms of separation and segregation but place the interests of the country before that of the community."

SRI L. N. GOPALASWAMI:—"The Hon. Minister was kind enough to say that the expenditure on non-Harijans will be incurred from the General Fund. In view of the statement that he had made that any money spent over the peak level of 1948-49 will have to come out of one crore, I really wanted that this money not only should be calculated separately, but should not be taken as part and parcel of the Harijan budget lest it should impinge on that one crore. Will the Government assure the House that they are not going to draw like this. For that, I want an answer."

THE HON. SRI B. PARAMESWARAN:—"I made my position quite clear. I do not know what further assurance my hon. Friend Sri L. N. Gopalaswami wants."

4-15 p.m. THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, I did not expect that the supplementary estimates would be discussed for a full day. It looked like the third reading of the supplementary estimates. The estimates were presented on the 7th. They were discussed in both Houses of the Legislature. The demands were voted, and then under Article 204 we have brought forward a Bill. This is a feature of the New Constitution, and to comply with Article 204 of the Constitution we have presented this Appropriation Bill. Therefore it is I called it the third reading of the supplementary estimates. I did not expect that hon. Members would raise the propriety of presenting the supplementary estimates at this stage. Perhaps I would not have been surprised at all had they raised it when the discussion took place on the 12th. But I do not think that this point was raised except by the hon. Member Sri Karanth."

SRI T. VISWANATHAM:—"Sir, we were not given a chance to speak on that day."

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THE HON. SRI B. GOPALA REDDI:—"But other Members were given the chance; the whole of the forenoon was devoted to the discussion, and in the Legislative Council a full afternoon's discussion was allowed. Except hon. Mr. Karanth nobody raised this point of procedure with regard to the presentation of supplementary estimates. As far as I can see, the new Constitution created a new Consolidated Fund into which the entire revenues of the Government including loans that were taken, will go. Every expenditure has to be sanctioned by the Legislature in the form of a Bill under Article 204 of the Constitution. Then only we can draw upon the Consolidated Fund. But they have also created a Contingency Fund. We have passed that Contingency Fund Bill also allowing Rs. 100 lakhs to be kept as a sort of imprest money so that we can draw upon it to meet unforeseen expenditure. The Contingency Fund Bill was passed by this Legislature, and whenever we spend moneys in anticipation of sanction, we draw money from out of that Contingency Fund."

SRI T. VISWANATHAM:—"Sir, the Contingency Fund of Rs. 100 lakhs was created by a Bill passed by the Legislature."

THE HON. SRI B. GOPALA REDDI:—"There would not have been any necessity for creating that Fund if the point of propriety and procedure that was raised, is accepted. The Contingency Fund really contemplates some unforeseen items of expenditure not provided for in the financial statement of the year. Therefore it is why the Government created the Contingency Fund. This Contingency Fund again is a novel feature of the New Constitution. I think in one year, that is 1947, the supplementary estimates went up to Rs. 100 crores in the Central Parliament. There were of course protests from Members that the executive Government incurred an expenditure of Rs. 100 crores, and that the Government came out with a *fait accompli* for ratification by the House. Consequent on this they created this Contingency Fund and they wanted the State Governments also to provide some amount in the Contingency Fund from which they must draw for unforeseen items. Under that provision the Central Government took power to spend up to Rs. 15 crores on unforeseen items, and this Government have taken power to spend up to Rs. 100 lakhs. Hon. Mr. T. Viswanatham has taken pains to quote the Finance Secretary's introductory memorandum wherein it is stated 'Under the New Constitution, it will not be in order to incur expenditure on a New Service in anticipation of the approval of the Legislature.' This is a well-known axiom. But the hon. Member has not taken care to go further where it is stated 'But any unforeseen expenditure may be met out of advances made from the Contingency Fund of the State constituted under Article 267 (2) of the Constitution.'"

SRI T. VISWANATHAM:—"Sir, I have specifically stated that in none of the explanatory notes given under the demands it is stated that the expenditure will be met out of or have been

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met out of the Contingency Fund. On the other hand it is expressly stated that it is to be met from the savings. Therefore I stated that it was not proper."

THE HON. SRI B. GOPALA REDDI:—"I am coming to that. Where it is not necessary to draw from the Contingency Fund, we do not draw from it. But in a matter like this where rupees nine lakhs are required for the Police, it has got to be drawn from the Contingency Fund. Where funds are available from the same Demand which has been granted in March, then we say it is a new service, and we ought to take the approval of the House for incurring expenditure on that new item. As far as money is concerned, we need not go to the Contingency Fund but we will get it out of the savings of the various departments. There is nothing unusual as far as supplementary estimates are concerned. As far as token grants are placed for sanction, there is no difference between the new Constitution and the old one. My hon. Friend Sri Karanth's objection was there even in the old Constitution. He was saying that the legislature ought to be consulted before the scheme was actually sanctioned. That is a good principle. But there are difficulties. This point has been raised by various hon. Members. The various Governments also were forced to bring in supplementary estimates. Mr. P. K. Wattal, the ex-Accountant-General of Madras has clearly dealt with these supplementary estimates in his Book 'The A, B, C of Indian Government Finance.' He makes a very illuminating remark about these supplementary estimates. He says—

'Supplementary demands arise in spite of every care taken to include in the budget all probable payments which will have to be made during the financial year. They are nonetheless looked upon with jealousy by the Legislature, inasmuch as they tend to diminish its control over public expenditure, and, if for large sums, really amount to a breach of contract between the Government and the Legislature. But supplementary estimates are perhaps the lesser of the two evils confronting the Legislature. For, if such estimates were totally stopped, the Executive would, by framing liberal estimates of expenditure, heap up sufficient provision for reserves for unforeseen contingencies. In this manner they would avoid the necessity of approaching the legislature altogether, whereas when a supplementary estimate is presented the legislature gets an opportunity of scrutinising and expressing its opinion on the matter.'

It is a matter whether hon. Members want us to bloat our demands in February itself and get large sums of money voted and do not come before the House for the next 12 months, or it is the desire of this House that we should come before the legislature as often as possible. It may be that the House asks us to come before the legislature not once but twice or even thrice. We will certainly consider this point. In 1947-48 we presented supplementary estimates first in August-September, then in December-January, and finally the last batch at the end of March. This is a point which certainly hon. Members are entitled to make. But to expect that for every little thing we should have the approval of the legislature is too much. The presentation of the supplementary estimates, the general discussion, voting on demands and then the passing of the Appropriation Bill, will all take a long time. From the 6th or 7th of this month we are going on with these estimates. Last month we wanted to present the demands, but we could not

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do it, and we postponed it. We presented these estimates in October. Our departments were ready even in September, but we could not do so in view of what took place in September. After all the executive Government must be given some latitude. Sometimes it may be the appointments of heads of departments. It may be that Governments sometimes wage war and conclude peace even without consulting the legislature. After all the executive Government continues as long as they have the confidence of the House, and they must be allowed to do certain things in anticipation of the approval of the House. If the action of the Government is not approved by the legislature, then, of course, the Government resign and a new set of people come in. That is how representative and responsible Governments function. To say that for every little thing the Government must have the prior approval of the House will be asking too much of the executive Government who do not find the necessary time to come before the House. Because a good deal of time has to be devoted for these various processes. It has to go to the Governor, days have to be fixed by him and the Speaker has to be consulted. An elaborate procedure has to be followed. Therefore in certain matters we must be permitted to draw from the Contingency Fund. All those items are covered by these estimates. In the case of the Police Department, we did not anticipate that the vehicles would break down. They wanted mobility. We could not say to them 'please wait; supplementary estimates would be presented in the legislature.' It would not be appropriate for any Government to tell the police that they must wait on for an indefinite period. This unforeseen expenditure (or insufficiency of the demand made originally) could not be met out of savings. Therefore we stated that the House must grant us Rs. 9 lakhs for the police. We have not been doing anything outside the provisions of the Constitution. The Government cannot come before the legislature for sanction of each and every small thing. My hon. Friend Mr. Karanth is of course jealous of his rights as a legislator. He wants the Government to come before the House. There are also people outside who may say that on Bills like the Zamindari Bill they have not been consulted by their representatives. After all it is not possible for every legislator to go about his constituency to consult them on every Bill. For instance there is the Malabar Tenancy Bill. The hon. Member Mr. Raghava Menon has no consulted his Palghat Constituency whether they approved it or opposed it. After all we have to act within our rights, and what we consider to be the opinion of the public will have to guide us. Therefore the executive Government must be given the amount of latitude and the ultimate sanction, of course, is by the legislature. The legislature can always express its disapproval of the various methods adopted by the Government.

"With regard to the Legislature Hall also we did not consult the House. Hon. Mr. Karanth pointedly was asking about this Assembly Hall. I stated of course 'it is meant for the new House' though it was not meant very seriously. Whatever it is, no

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building structure or the place where it is going to be put up, and the design, etc., is ever placed before the House. It is a matter for the executive Government. We have sanctioned the construction of hospital buildings in Kozhikode. We have sanctioned construction of some buildings for the Andhra Medical College, Visakhapatnam. Likewise we have sanctioned some buildings for the Stanley Medical hospital. These are all administrative matters. Therefore they are not placed before the House."

SRI K. R. KARANTH:—"The estimates are passed by the House."

THE HON. SRI B. GOPALA REDDI:—"True, it comes before the House. Sometimes it is sanctioned and then it is put in the supplementary estimates. It is all a question of time, and, therefore, hon. Members need not find fault with the Government that we have not been consulting them on all these matters. Even for small Bills we do not find the necessary time. We require full time for discussion of every small matter. Hon. Members are allowed full latitude to have their saying by the Hon. Speaker. Of course some hon. Members say that the whole thing is run in a hasty manner. But I can say that we are taking things very seriously, and enough time is bestowed on all Bills that are presented. Small matters when they are placed before the House, we take two or three days, with the result that time is not available for other Bills. I need not dilate upon this point any longer. Because it was raised by my hon. Friends Bhashyam, Karanth and Viswanatham, I had to say so much. There has been no change in procedure at all. We are always guided by the Auditor-General and the Accountant-General. If there is any flaw, the Accountant-General will come down upon us. They are very scrupulous. Then again we have consulted our Legal Department. We are doing nothing unconstitutional or illegal. Therefore, Sir, I say that we need not be found fault with. My hon. Friend Sri Karanth was repeatedly raising the point that in order to find savings essential schemes should not be stopped. But as I said last time, without abandoning any essential schemes, we tried to have some little savings because we were getting repeated instructions from the Government of India that we must cut down our expenditure on revenue account. Therefore, we looked into the matter and then saw that in certain matters we could save some little money. For instance, we are spending about three crores of rupees on travelling allowance of officers. Suppose we issue an instruction that it must be cut down by 10 per cent. We get a clean saving of 30 lakhs of rupees. There again we appointed a Special Officer to go into the question of contingent expenditure. It was found that contingent expenditure was being incurred to the tune of about 80 lakhs of rupees. Therefore, we issued an instruction that every Department should see that contingent expenditure was cut down by 10 per cent. The maintenance of roads is another item under which we had provided a good sum. We asked the Department whether they could give up

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some amount. Like that we tried to save money. We do not know how far we are going to realize it. Ultimately we expect we will be able to save about three crores of rupees because of the economy drive. We have asked every Department whether they could give up some of the schemes. So, without any large scale retrenchment, and without any large scale abandonment of essential services, we have tried to save and I think we must congratulate ourselves that we could do that to the extent of three crores of rupees. As I said, it is a tentative figure; ultimately when you scrutinize the accounts, it may be 3.50 lakhs or it may be a little less than that. I do not think the hon. Members will find fault with us for having done that.

"Some of the other points are that there is extravagance in expenditure and that the police are indulging as usual in excesses. These are matters which have come up in every general discussion of the Budget, whether it is annual budget discussion or supplementary budget discussion. Hon. Begum Sahiba has drawn pointed attention to extravagance in expenditure, with special reference to the Police Department. We are really sorry that we have to spend so much amount on Police. There are Friends who tell us that we are not giving enough to police forces, that we are not opening up enough number of police stations, that we are not creating enough sense of security in the minds of the people who are sometimes stricken with fear of communist raids and that we are not giving them vehicles and other equipment. On the other side, of course there are hon. Members like Sri Varadachari and Begum Sahiba, who want that there must be an upper limit fixed for the police expenditure. Had it been in normal times, Government would have considered it very seriously. I for myself am not very happy that we go on increasing expenditure on the Police Department. But what we find in the districts is that there is a demand for greater number of police stations, greater number of constables in the stations and better equipment. Even an hon. Gentleman like Janab Mahboob Ali Baig said: 'We want more Special Armed Police; we want better training and better equipment for them.' All this means larger expenditure and we are just now going through abnormal times. Therefore, we are obliged to spend this large amount on the Police Department. It is not with any joy that we are spending on this Department. If we can spend more on health, education or even Harijan uplift, it would immediately give certain results but what we spend on the Police Department does not yield any return. But it is most essential expenditure in the most essential Department and everything else will be insignificant before it when we consider that the prime necessity of any State is the preservation of law and order. Without law and order, all our colleges, health schemes, irrigation schemes and so on will not mean anything. We must assure to the people even in the remotest villages that their property, their lives and the honour of their families are safe. Therefore, in spite of great many difficulties, the police are struggling hard to put down lawlessness in the country and to

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bring about a sort of normal condition. But yet due to various reasons, due to general poverty, high cost of things and general relaxation in people's standards, there is a certain amount of lawlessness either from the Communist side or some other side, and all that must be put down by the Police with ruthlessness. (Sri S. Nagappa: 'Punitive Police.') The Prohibition Department is thinking of Punitive Police. It is but necessary that this House also appreciates the hard work done by the Police Department. I have gone into some portions of Guntur district just on the borders of Hyderabad. I really could not imagine before I went there, the difficulties experienced by the people. There is one instance of Palnad. There are absolutely hilly places; there are big forests and in between there is a solitary village and it is open to the Communists to come at any time, walk through the streets, kill a Karnam or a Village Munsif and without being apprehended or caught, easily walk away with what they loot. In all those remote, isolated places the police have to be there, near about at least, to prevent the incursions of the Communists and create a sense of security in the minds of the people. Whatever it is, the police are really doing hard work just now and thanks to the efficiency with which they have dealt with the Communists in the Krishna district, for the last three and a half months or so there has been no incident. That is what the District Superintendent of Police tells me and it is really a good news.

"With regard to the complaint that the police are always ill-treating the Harijans, especially the Harijan women, I do not think it is all true. An offender, whether he is a caste Hindu, Muslim or Christian, must be dealt with by the police in a suitable manner. Simply because he is a Harijan, he should not be left free or given some latitude; he must be dealt with as any other citizen. The Harijans cannot claim prerogatives because they are Harijans. In the matter of education and hostels, they can claim prerogatives but not in the case of crime. (Interruption.) I can certainly give figures. After all, I can give the figures of the criminals in our jails. There are about 20,000 people and I do not think the Harijans are even 20 or 25 per cent of them. Seventy-five per cent of these 20,000 people must be caste Hindus and they must also be cursing the police. If you take a census, I do not think the Harijans are criminally-minded. We do not say that they are criminally-minded but whoever commits any mistake must be dealt with in the proper manner by the police; let him belong to the topmost community or the topmost family, he cannot claim any immunity for what he has done. The police must be absolutely without any prejudice or preference. Without any consideration of caste, creed, religion or even sex, they must deal with the offenders. I suppose hon. Sri Nagappa will appreciate that. That is the spirit in which the police have to deal with the offenders and that is the attitude that we instruct them to adopt. But in certain places they are also carried away by the prejudices of the locality. It is certainly wrong. If specific

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instances are brought to the notice of the Government, they will certainly be enquired into. We do not want any police officer to harass any innocent Harijan."

SRI S. NAGAPPA:—"So many instances have been brought to the notice of the Government. After enquiry, they say that the allegations made in the petition are baseless. They go and enquire the very same people who have harassed the Harijans and we know the nature of the reply that will be forthcoming."

THE HON. SRI B. GOPALA REDDI:—"Obviously the hon. Member wants when the allegations are baseless, they should be declared to be with full basis."

SRI S. NAGAPPA:—"I want proper justice to be meted out."

THE HON. SRI B. GOPALA REDDI:—"Probably my hon. Friend does not want the District Superintendent of Police or the Inspector-General to enquire into the matter. He wants the President or Secretary of a Harijan Sevak Sangh to go into the excesses committed. I do not think the morale of the police can be kept up in that manner. The only way is to deal with them departmentally. If there is anything wrong done by a constable or a Sub-Inspector, the best thing is to refer it to the District Superintendent of Police who will enquire into the matter. If we want to bypass the district officers, then the morale of the Department will go and we won't be able to expect them to do hard work which they are doing now. It is better to allow them a little latitude than to be very critical about what they do."

"With regard to expenditure again, it is not true that we are indulging in squander-mania. We are trying to save three crores of rupees. We are very careful in sanctioning things, yet we find that we are moving on and that we are spending large sums of money on capital outlay as irrigation and electricity. We are also increasing our expenditure on education and it means necessary executive and supervisory staff. If we are appointing any new staff, it is certainly in connexion with what we are doing either on the capital side or with regard to education, health and things like that. Hon. Members do want us to spend more money on these social services. Social services also require large supervisory staff, executive staff, and you cannot have it both ways. If you want us to spend more money and yet you sting about sanctioning expansion of staff, both these cannot go together. Necessarily we have to incur the expenditure."

"With regard to the point raised by my hon. Friend Sri N. S. Varadachari, though I am not of course quite sure, as far as I remember, even the Corporation estimates or the local board's estimates are certainly scrutinized by our Superintending Engineers and the Chief Engineer. It is not as though any local board or municipal council can accept the tender of any firm, and later on come with gloated application for half grant. Every item of expenditure which exceeds one lakh or so has to be seen

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by a Superintending Engineer or the Chief Engineer. In this case the Corporation have certainly gone into the thing, they have approved the tenders for the contract, they were satisfied with the tender of Baluchistan Construction Syndicate and decided on the contract. Afterwards it was found unsatisfactory and somebody else had to be appointed. Government did not grudge to pay the usual half grant to the Corporation. It is not as though the Government are overfond of the Corporation. Because we felt the need for helping the Corporation with regard to the water-supply scheme, we gave the half grant. It is not without proper scrutiny of the tenders that we sanctioned the amount.

"With regard to the Harijan question, the Hon. Sri Parameswaran has explained that we are spending large sums of money. We are just now sanctioning 8 Deputy Collectors; several people who were formerly Deputy Tahsildars have been promoted as Tahsildars. This has been done so that they may take the initiative and get things done for the welfare of the Harijans. But something more has to be done. They must be provided with more staff and jeeps. Those things will come in due course. There is no use rushing them up. Things are moving with regard to the helping of Harijans. My hon. Friend Sri Nagappa cannot have any real grievance with regard to it.

"Regarding Srikakulam matter, from the 15th August we have bifurcated the Visakhapatnam district. It became an unwieldy district for a Collector to handle and, therefore, we had to bifurcate the district. Hereafter I think we will have to take steps to provide quarters for the various officers and various offices, and things will have to be done slowly and gradually. Here again it is a question of finance. Within the limited finance we have, we have to provide proper accommodation for the Collectors and other officers.

"When we said that the Tungabhadra Hydro-electric Scheme would be sanctioned and it might cost about 8 or 9 crores of rupees, my hon. Friend Sri Viswanatham did not object to it. But he was again referring to it and saying that the principle should be accepted by the House.

"If we actually sanction a particular scheme and come before the House with an anticipated expenditure for sanction, there is a wild criticism that we come before the House without any final figures and so, it is not possible to sanction it. If we spend the money and afterwards come before the House with all the figures relating to the expenditure incurred in a particular scheme, then also we have to face severe criticism that we come before the House after the thing is over and it is a *fait accompli* and that no useful purpose will be served by the House discussing a thing which has already been carried out and there was no use also in presenting the Demand at that stage and all that. So there is some difficulty for the Government and as I said, it would be better if some latitude was allowed to the executive Government.

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"With regard to the Meenakshi Mills matter, it is a loan that we have granted to the workers, which has to be repaid with interest within one month or so of the opening of the Mills. The money must have been repaid by now. That is what I feel, Sir. It is really a very extraordinary item that has come for the first time. I had to agree to this after considerable hesitation as we did not want this to become a very inconvenient precedent for every strike when the strikers will begin to say, 'Well, the Government have advanced loans to the workers of the Meenakshi Mills. Here, we are also on strike. So please pay us also some loans in the same way as you have done in the case of the workers of the Meenakshi Mills.' It was under very peculiar circumstances, that the struggle was going on. I think it was declared as a lock-out and the management was not co-operating with the State Government and also with the Central Government. The Central Government were spending anxious times about what was happening in Mathurai. When the strike was going on under very peculiar circumstances for months, we had to go to the rescue of the poor workers and give them some loan, I think Rs. 15 per worker, to be repaid with 3 per cent interest. We were not over-generous in this matter and we only went to the help of some unfortunate people, who could not get back to work, because of the obstinacy of the management according to some people. Therefore after several months we had to pay that paltry sum of Rs. 15 as loan to be repaid with interest. After all, if under similar circumstances a strike is to go on in any other part of the State, we will certainly consider it on its own merits. Though you cannot expect the Government to give a general assurance that in every case of a strike loans will be given, I may tell this much that the kind of peculiar circumstances will be the main criterion, rather than where it happens, when it happens and how it happens.

"I think I have covered most of the points raised by the hon. Members. I am glad that the question of procedure was discussed at some length. I would have accepted it when we took up the general discussion itself if it had been raised. I have great pleasure in thanking all the hon. Members for the various suggestions that they have made. Hon. Mr. Kaleswara Rao referred to the Budameru question. I had asked the Department to tell me at what stage the matter stands and a long note has been given to me just now. So we are certainly moving in the matter. When I was last in those parts, the Superintending Engineer was telling me that he has sent proposals to the Chief Engineer in this connection. As soon as those proposals are received by it we will certainly see that Krishna district is saved from the Budameru spurts. Just now the Department has given me a note stating at what stage the matter stands. The Chief Engineer and the concerned Superintending Engineer are already looking into the matter. Without any avoidable delay, we will see what best could be done in the matter."

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MR. SPEAKER:—"The question is—

'That the Madras Appropriation (No. 2) Bill, 1950, be taken into consideration at once.'"

The motion was carried.

Clauses 1 and 2 were put and carried.

The Schedule was put and carried.

The Preamble was put and carried.

The Hon. Minister will now move that the Bill be passed into law.

THE HON. SRI B. GOPALA REDDI:—"Sir, regarding the third reading of the Bills, in the other House, the Chairman wants us to move that 'the Bill be read for the third time and passed instead of moving that 'the Bill be passed into law' since a Bill can become law only after it goes through both the Houses of Legislature and receives the assent of His Excellency the Governor. I think it would be better if we follow a uniform procedure in both the Houses to avoid any confusion."

MR. SPEAKER:—"We have been following a particular procedure all these days. Let us not change the usual procedure."

THE HON. SRI B. GOPALA REDDI:—"I have no objection, Sir. I move—

'That the Madras Appropriation (No. 2) Bill, 1950 be passed into law.'"

MR. SPEAKER:—"Motion moved—

'That the Madras Appropriation (No. 2) Bill, 1950, be passed into law.'"

SRI S. NAGAPPA:—"Before the Bill is passed into law, I just want to know from the Hon. Leader of the House certain particulars. He has not said anything in his reply about the implementation of the recommendations of the Economic Board for Rayalaseema. May I request the Hon. Minister to explain why this item was not mentioned either in the supplementary budget or in the main budget and also what has been done with regard to the resolutions and recommendations of this Rayalaseema Economic Board?"

THE HON. SRI B. GOPALA REDDI:—"Sir, this is not a general budget discussion and so we cannot go into the question of what we have not done. We can only discuss items that are mentioned in the supplementary budget. I do not think we can go into general questions. Perhaps what we have not done may be 99 and what we have done may be only 1." (Laughter.)

MR. SPEAKER:—"The question is—

'That the Madras Appropriation (No. 2) Bill, 1950, be passed into law.'"

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

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IV.—BUSINESS OF THE HOUSE.

MR. SPEAKER:—"I think there is one amendment relating to the City Improvement Trust Bill, that has come from the other House. Can we do it now?"

THE HON. SRI B. GOPALA REDDI:—"That is Hon. Mr. Madhava Menon's Bill, Sir. If you will permit me, I will make the motion and my hon. Friend Mr. Sitarama Reddi will make a speech; the consideration of the amendment can be taken up to-morrow. If this is done, I think the hon. Members will have some material for to-morrow's discussion. If, however, the Speaker wants that the whole thing may be done to-morrow, I have no objection, Sir."

MR. SPEAKER:—"I think the Hon. Minister will be here to-morrow. So, let us take up the matter afresh to-morrow itself."

I now adjourn the House till 12 of the clock to-morrow.

The House then adjourned.

THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, the 17th October 1950.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Priority of irrigation schemes.

* 334 Q.—SRI V. I. MUNISWAMI PILLAY (on behalf of Sri S. Nagappa): Will the Hon. Chief Minister be pleased to state—

(a) whether it is a fact that the Planning Commission of the Government of India has asked our State Government to furnish their list and resources;

(b) if so, whether the Krishna-Pennar Project has been included in the list; and

(c) if so, what place in the priority list it gets?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—“(a) Yes. Sir.

“(b) Yes. Sir.

“(c) No priority list has yet been drawn up.”

Krishna-Pennar Project.

* 335 Q.—SRI N. VENKATASUBBAYYA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether negotiations have been started with the Hyderabad Government to arrive at an agreement on the several issues involved in the execution of the Krishna-Pennar Project;

(b) if so, what the terms of the agreement are;

(c) whether investigation is being carried on, on the other side of the river in Hyderabad territory; and

(d) whether an attempt at estimating the electric power that will be developed and revenues derived, has been made?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) No negotiations have been started with the Hyderabad Government but preliminary discussions in the matter between the Chief Engineers of Madras and Hyderabad States have already been initiated.

“(b) No agreement or terms of agreement have yet taken shape.

“(c) Yes.

“(d) Action is being taken now to estimate the power that can be developed.”

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SRI N. VENKATASUBBAYYA :—“ Sir, is it not necessary that we should have a clear idea of the terms of agreement before we can design the size of the project and other details? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is necessary, and negotiations at high level will be taken up at due time.”

Korthikhanama channel.

* 326 Q.—SRI V. I. MUNISWAMI PILLAI (on behalf of Sri S. Nagappa) : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the present scheme of Krishna-Pennar Project includes Korthikhanama channel; and

(b) if so, by inclusion of this channel, what the extent of land to be brought under irrigation is?

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

“ (b) Does not arise.”

Medical facilities in rural areas.

* 337 Q.—SRI S. PARAMANANDA RAYAR : Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that medical aid, essential and special or even primary, is not available at present to most of the interior rural population;

(b) what further steps the Government have taken or propose to take to extend medical aid and hospital facilities to the interior rural areas, at least in respect of treatment of the ear, nose, throat, eye and tuberculosis, since question No. 279 was answered on 6th January 1950;

(c) how the mobile medical unit scheme, started at Kodai-kanal works; and

(d) whether there is any possibility of extending this scheme to other rural areas, at least one for each taluk?

THE HON. DR. T. S. S. RAJAN :—“ (a) Medical relief facilities are not satisfactory in several interior areas.

“ (b) The main difficulties are finance and the paucity of qualified medical personnel. To the extent personnel of both the modern and indigenous systems are available rural dispensaries are being opened. Village vaidyas are also being trained to administer medical relief more satisfactorily in the rural areas.

It will be neither desirable nor economical, nor yet practicable, to provide centres in the interior areas for treatment in the specialities like ear, nose, throat and eye. There is, however, a proposal to open eye camps in a few places.

“ (c) It is too early to say but it is understood that the unit is functioning satisfactorily;

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“ (d) Yes, when the finances and the numbers of qualified persons available improve.”

SRI S. PARAMANANDA RAYAR :—“ Sir, is there any proposal with the Government to set up rural midwifery centres with qualified nurses on the lines of what the Kasturbha Trust is doing? ”

THE HON. DR. T. S. S. RAJAN :—“ I was not able to follow the hon. Member. May I request the hon. Member to repeat the question.”

SRI S. PARAMANANDA RAYAR :—“ Sir, is there any proposal with the Government to set up rural midwifery centres with qualified nurses on the lines of what the Kasturbha Trust is doing? ”

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

SRI A. VEDARATNAM PILLAI :—“ In view of the answer given by the Hon. Minister, may I know what is the sort of training given to village vaidyas? ”

THE HON. DR. T. S. S. RAJAN :—“ It is a big scheme, which I think I have already placed on the table of the House, and more than that if the hon. Member wants anything I will request him to put a fresh question.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ Sir, I have information that several rural dispensaries have no regular stock of even common medicines like quinine and tincture iodine; may I know what control Government exercise in seeing whether rural dispensaries which are doing good work do get a stock of common medicines regularly? ”

THE HON. DR. T. S. S. RAJAN :—“ It is only common medicines which are common remedies for common diseases that are common to both systems of medicines. Government do see that such medicines are being supplied to them.”

JANAB ABDUL HAMEED KHAN :—“ In view of the admission by the Hon. Minister that the finances are not available and that medical personnel are not available, may I know, how then does the Hon. Minister say that the rural dispensaries are working satisfactorily? ”

THE HON. DR. T. S. S. RAJAN :—“ To the extent that the have started and personnel has been appointed, we see all the necessary equipment is made available.”

SRI S. NAGAPPA :—“ During the time of epidemics, may I know whether these rural vaidyas are supplied with quinine and such other medicines to be administered free to the patients in villages? ”

THE HON. DR. T. S. S. RAJAN :—“ First of all, areas that are declared to be suffering from epidemics have got priority with regard to the administration of medicine and supply

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SRI S. NAGAPPA :—“ That was not my point, Sir. I asked whether village vaidyas are supplied with quinine and other common medicine at the time of outbreak of epidemics in villages? ”

MR. SPEAKER :—“ The answer is, ‘ No, Sir ’.”

SRI D. V. RAMASWAMI :—“ May I know whether in regard to rural dispensaries any complaint has been made to Government to the effect that the indents have not been fully supplied and so, several people have to go away without medicine for want of sufficient stock of medicine? ”

THE HON. DR. T. S. S. RAJAN :—“ That should not necessarily become a question in this House, because it is purely a procedural factor. Those in charge of the work of supply will be taken to task for the negligence in the matter.”

JANAB H. S. HUSSAIN :—“ May I inquire, Sir, are there any rural dispensaries maintained directly by the Government, apart from those maintained by district boards, and are Government giving any special aid to district boards for maintaining those rural dispensaries? ”

THE HON. DR. T. S. S. RAJAN :—“ The Government are not maintaining any rural dispensaries; they are all maintained by local boards; and Government pay subsidies to them to support the dispensaries.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ I learn, Sir, that our Health Minister was the chairman of a sub-committee which recommended the imparting of Indian System of Medicine along with modern system of medicine. May I know how far such a scheme has increased the number of rural dispensaries. Will there be also the Siddha system of medicine introduced hereafter. According to the figures given, I see, Allopathic dispensaries are three times more in number than those run under the Indian system of medicine. May I know whether at least parity will be observed in the proportion? ”

THE HON. DR. T. S. S. RAJAN :—“ What was decided in Delhi was what kind of necessary training should be given to those who man the rural dispensaries. The men who practise indigenous system of medicine, it was decided, should be qualified in modern system of medicine; and what decisions were arrived at have already been published.”

SRI D. V. RAMASWAMI :—“ In view of the fact that the rural dispensaries are doing very valuable work, will the Government consider the desirability of regularizing those dispensaries? ”

THE HON. DR. T. S. S. RAJAN :—“ They are being regularized; and wherever doctors practising indigenous system of medicine are employed, we have taken care to see that the decisions arrived at in Delhi is given effect to.”

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SRI S. NAGAPPA :—“ May I ask, Sir, as the Hon. Minister linked to my previous question whether village vaidyas are supplied with quinine and other common medicines—whether Government will consider the desirability of supplying village vaidyas, especially those in malarial areas with quinine, and during times of cholera and plague with the necessary medicine for injection to be administered to patients free? ”

THE HON. DR. T. S. S. RAJAN :—“ I do not understand what is the priority to be given. As far as Government is concerned we are meeting all our requirements, and we are prepared to give them the necessary drugs for their work.”

“ Sangapur Pallam ”.

* 338 Q.—SRI M. A. EASWARAN (on behalf of Sri V. C. Palaniswami Gounder): Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the breach which occurred in the bank of a jungle stream called “ Sangapur Pallam ” at about the 4th mile in Coimbatore-Mettupalayam Trunk Road has been effectively closed; and

(b) if not, whether the Government propose to do it before the next floods set in?

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

“ (b) Every effort is being made by the Government to sanction the work of closing the breaches in the Sangapur Pallam expeditiously.”

* 339 Q.—

MR. SPEAKER :—“ I shall take up this question later, as the Hon. Minister for Education is not here now.”

Industrial Tribunal.

* 340 Q.—

MR. SPEAKER :—“ Sri K. T. Kosalram is not in his place; so the answer will be printed in the proceedings.”

SRI K. T. KOSALRAM : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether civil suits have been filed for restraining the Industrial Tribunal from proceeding with enquiries;

(b) if so, how many have been filed and who the parties are;

(c) for how long the enquiry has been pending before the Industrial Tribunal in each of these cases; and

(d) whether the Government have taken any action under section 10 (3) of the Industrial Disputes Act of 1947, directing the reinstatement of discharged employees?

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

“(b) & (c) Seven as detailed below :—

Name of the parties who have filed civil suits.	Date from which the enquiry is pending before the Tribunals.
1 Management of Saroja Mills, Limited, Coimbatore.	25th March 1948.
2 Messrs. D. Raja & Co., Salt Manufacturers, Arumuganeri.	1st March 1949.
3 Sri M. RM. Manickavasagam Pillai, Sri S. Subramania Pillai and Messrs. G. Appaswamy, Salt Manufacturer, Arumuganeri.	Do.
4 A. M. Mohideen Abdul Kader, Salt Merchant and Manufacturer, Arumuganeri.	Do.
5 Management of the South Madras Electric Supply Corporation, Tiruchirappalli.	7th April 1949.
6 Management of Sri Meenakshi Mills, Limited, Mathurai.	7th December 1949.
7 Management of Sri Krishna Tiles and Potteries, Limited, Madras.	11th May 1949.

“(d) Yes, Sir, where necessary.”

Harijan Welfare Committee.

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

(a) whether it is a fact that the Government have recently constituted a State Harijan Welfare Committee at Madras;

(b) if so, who the members of that committee are;

(c) what their term of office is; and

(d) what their functions and privileges are?

THE HON. SRI B. PARAMESWARAN :—“(a) Yes.

“(b) 1 The Hon. Minister for Rural Development (Chairman).

2 Sri L. N. Gopalaswami, M.L.A.

3 The Director of Harijan Welfare, Madras.

4 The Secretary to Government, Rural Welfare Department, Madras.

5 The Registrar of Co-operative Societies, Madras.

6 Sri B. S. Murthi, M.L.A.

7 Srimathi Kuttiamalu Ammal, M.L.A.

8 Sri K. Ishwara, M.L.A.

9 Sri Doraikannu, M.L.A.

10 Sri P. Kakkan, M.L.A.

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11 Sri V. I. Muniswami Pillay, M.L.A.

12 Sri P. Subbiah, M.L.A.

13 Sri D. Govinda Doss, M.L.A.

14 Sri A. Vedaratnam Pillai, M.L.A.

15 Mrs. Kamala Sivasubramaniam.

16 Sri T. Subramaniam.

17 Sri K. Subramaniam, M.L.A.

18 Sri M. Bapineedu, M.L.A.

19 Sri V. Kurmayya, M.L.A.

20 Swami Sahajanauda, M.L.A.

21 Sri N. M. R. Subbaraman, M.L.A.

22 Sri S. C. Balakrishnan, M.L.A.

“(c) The term of office of the non-official members of the Committee is three years.

“(d) The Committee will advise the Government on all matters connected with the Harijan Welfare work in the State. For this purpose the Committee can call for any information that may be required and give suggestions regarding improvements to the Harijan Welfare work in the State. The members of this Committee are also ex-officio members of their respective District Harijan Welfare Committees.”

SRI S. NAGAPPA :—“May I ask the Government why they have not included any member from the Scheduled tribes, Scheduled castes and backward classes in this committee?”

THE HON. SRI B. PARAMESWARAN :—“I am not able to understand the hon. Member. After the declaration by the President . . .”

SRI S. NAGAPPA :—“If he is not able to understand I shall make myself clear.” (Laughter.)

MR. SPEAKER :—“Order, order.”

THE HON. SRI B. PARAMESWARAN :—“We cannot add or delete any section or community to the list after the declaration by the President as to what are the Scheduled tribes and Scheduled castes and backward classes.”

SRI S. NAGAPPA :—“My point is, since the committee is to look after the welfare of Scheduled tribes, Scheduled castes and backward classes, may I ask the Government why no representative of such communities was included in this committee?”

THE HON. SRI B. PARAMESWARAN :—“Regarding backward classes, they have got a separate committee. Regarding Scheduled castes the Harijan Welfare Department will look after their welfare and the welfare of the Scheduled tribes.”

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Textile mills.

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

(a) the number of textile mills that have come into existence in 1947-48, 1948-49 and 1949-50 in Rayalaseema; and

(b) the number of textile mills that have applied for licence during the said period and are yet to come into existence in Rayalaseema?

THE HON. SRI C. PERUMALSWAMI REDDI:—“(a) Number of textile mills started during—

1947-48 Nil.

1948-49 Nil.

1949-50 1

(b) 1947-48 Nil.

1948-49 2

1949-50 Nil.”

SRI S. NAGAPPA:—“Arising out of the answer to clause (a) that the number of textile mills started during the year 1949-50 was one, may I know what facilities the Government have been good enough to give to this particular mill?”

THE HON. SRI C. PERUMALSWAMI REDDI:—“The Government have given a loan of seven and a half lakhs of rupees.”

SRI S. NAGAPPA:—“May I know in the case of this particular mill, whether the Government have gone forward to take a share or shares, and if not, will they consider the desirability of taking up shares in the mill to the extent of fifty-one per cent or forty-nine per cent?”

THE HON. SRI C. PERUMALSWAMI REDDI:—“No shares were asked to be taken up by the Government.”

* 343 Q.—

12-15 p.m. the end.”
MR. SPEAKER:—“Question No. 343 will be taken up at

Artesian wells.

* 344 Q.—SRI S. PARAMANANDA RAYAR: Will the Hon. the Minister for Industries be pleased to state—

(a) the total number of Artesian wells sunk at Government cost, talukwar, in South Arcot district;

(b) the total acries they irrigate;

(c) the total expenditure incurred on account of the sinking of these wells;

^a Vide page 627 infra.

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(d) whether there is any proposal to sink such wells in Palayamkottai and Srimushnam areas in Chidambaram taluk on the representation of ryots; and

(e) if so, when and how many in number, villagewar?

THE HON. SRI C. PERUMALSWAMI REDDI:—“(a) One artesian well in Cuddalore taluk and ten artesian wells in Vriddhachalam taluk have been sunk. (Two in Cuddalore and fifteen in Vriddhachalam are in progress.)

“(b) Approximately 1,010 acres.

“(c) Approximately Rs. 61,560.

“(d) No. Any representation received will be considered on their merits.

“(e) Does not arise.”

SRI S. PARAMANANDA RAYAR:—“Is not the sinking of artesian wells for irrigation purposes more economical than the construction of projects and, if so, will the Government sink artesian wells wherever possible?”

THE HON. SRI C. PERUMALSWAMI REDDI:—“It is possible to sink artesian wells only in areas where there are artesian springs. In the Cuddalore and Vriddhachalam taluks, there are artesian springs and that is why we have been able to sink artesian wells there.”

SRI N. VENKATASUBBAYYA:—“Have the Government appointed any expert to map out the areas where artesian wells can be sunk?”

THE HON. SRI C. PERUMALSWAMI REDDI:—“Not yet.”

Lands to Harijans.

* 345 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Land Revenue be pleased to state with reference to the answer given to question No. 129 on 7th September 1950—

(a) whether the Government have issued instructions to the officers concerned to assign lands to all those Harijans and landless poor who have been cultivating them for more than three years;

(b) if so, the number of people to whom such land was assigned in Rayalaseema districts, talukwar; and

(c) the extent so assigned?

THE HON. SRI H. SITARAMA REDDI:—“(a) Necessary instructions have since been issued to the Collectors in the matter;

“(b) & (c) Information asked for by the hon. Member has been called for from the concerned Collectors.”

SRI S. NAGAPPA:—“May I ask when the Government issued the necessary instructions, how far the Collectors have been

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carrying out the instructions issued by the Government so far and when the information that the Government are expecting from the Collectors will be placed on the table of this House?

THE HON. SRI H. SITARAMA REDDI :—“ As you will see, the information asked for is elaborate. The hon. Member wants information talukwar for all the Rayalaseema districts. As and when the information is ready, it will be furnished.”

SRI V. I. MUNISWAMI PILLAY :—“ May I request the Government to place a copy of the instructions issued to the Collectors on the table of this House to help the Members to pursue the matter? ”

THE HON. SRI H. SITARAMA REDDI :—“ I do not think it will add to the enlightenment of this House. I am saying that the instructions have been issued to the Collectors in pursuance of the assurance given on the floor of the House.”

SRI M. R. APPA RAO :—“ In view of the fact that Harijans are very poor, will the Government consider the desirability of giving them a part grant and a part loan? ”

THE HON. SRI H. SITARAMA REDDI :—“ A separate question may be put.”

SRI S. NAGAPPA :—“ May I know whether the Government are aware that most of the Collectors are not carrying out the instructions that are given by them and whether the Government will take necessary steps to post a separate Deputy Collector for each district to assign lands to the Harijans and landless poor? ”

THE HON. SRI H. SITARAMA REDDI :—“ I should like to repudiate the malicious statement made against the Collectors of districts. I very strongly object and call it a malicious statement.”

SRI S. NAGAPPA :—“ If the Hon. Minister has furnished facts and figures to show that lands have been assigned, I would not have said so. If he has got the information, will he be pleased to place on the table of the House the names of the people to whom lands have been assigned from the date of the issue of the instructions up to date? ”

THE HON. SRI H. SITARAMA REDDI :—“ Notice, Sir.”

Supply of electricity to Agriculturists.

* 346 Q.—SRI M. G. NATESA CHETTIYAR (on behalf of Sri A. J. Arunachalam) : Will the Hon. the Minister for Public Works be pleased to state what places and programmes the Government have finalized to provide electricity to agriculturists, in pursuance of “ Grow More Food ” Campaign?

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government are giving the highest priority to supply of electricity for agricultural purposes. The need for giving priority to agricultural loads has been impressed on the electric licensees also and as an incentive for this purpose, the Government

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are giving loans to licensees for rural extensions undertaken by them which are predominantly for agricultural purposes. The Government have also sanctioned several schemes for extension of supply of electricity to rural areas for agricultural purposes. Two hundred and thirty-four of these schemes, involving a capital outlay of Rs. 146.6 lakhs and covering a total pump-set load of 33,857 h.p. are still pending execution or completion. Besides these, a total number of 248 schemes in the various electricity systems in the State are under consideration. Of these, details in respect of 184 schemes have been worked and these are estimated to cost Rs. 271.82 lakhs and to serve a total pump-set load of 90,399 h.p. The Government Electricity department has set for itself a target is more than 13,500 pump-sets to be connected up during the next four years from 1950-51 and when this target is reached, the existing number of pump-sets in the State run on electricity, would be doubled.”

JANAB P. K. MOIDEEN KUTTI :—“ May I know at what stage the scheme of extending Pykara electricity to Ponnani is? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I cannot tell the hon. Member the exact stage of the scheme. It was under investigation. If the hon. Member will put a separate question, I will give the answer.”

JANAB ABDUL HAMEED KHAN :—“ Can the Hon. Minister tell the House the approximate extent of electricity that has been used for agricultural purposes in the promotion of Grow More Food schemes? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Since 1946 about 10,000 pump-sets have been connected.”

SRI M. G. NATESA CHETTIAR :—“ May I know whether any extraordinary facilities are afforded for the purchase of pump-sets? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I do not know what the hon. Member means by extraordinary facilities. I believe there is no difficulty for ryots in getting pump-sets.”

SRI K. KOTI REDDI :—“ May I know whether the Government are in a position to supply electricity from the Nellore Thermal Scheme to the Rajampet taluk of the Cuddapah district? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The Nellore Thermal Scheme, I think, will cover only the Nellore district.”

SRI L. N. GOPALASWAMI :—“ May I know whether the loans granted to electrical licensees will be enough to complete their schemes for extension of electricity to agricultural demands? ”

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THE HON. SRI M. BHAKTAVATSALAM :—“ So far we have granted only a few loans to the licensees who have come forward to extend electricity to rural areas for agricultural purposes but that will not cover the present demand.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I ask whether financial difficulty stands in the way of the speedy execution of certain schemes which are ready and, if so, will the Government give top priority to those schemes for extending electricity to rural areas for agricultural purposes if the people to be benefited by them are prepared to contribute towards the cost? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ So far as extension of electricity to rural parts is concerned, I do not think financial difficulty stands in the way. There are other difficulties like securing transformers, insulators and other materials. If the hon. Member will secure the co-operation of the ryots who are anxious to get electricity in this direction, the Government will be very glad to avail themselves of that co-operation.”

SRI G. SANYASI RAO :—“ May I know whether the Government will be able to supply to agriculturists electric power from the Machkund Scheme next year? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir, when the Machkund Scheme is completed, we will give electricity for agricultural purposes also.”

SRI D. V. RAMASWAMI :—“ Is it a fact that, in spite of the installation of a second plant in the Visakhapatnam Thermal Station, there is not enough power for distribution and that several applications from agriculturists for electric power are pending? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir. By next year we hope to increase the production in the Vijayavada and Visakhapatnam stations by 9,000 kilowatts, and then we shall be able to give power liberally to those who are in need of it.”

SRI N. VENKATASUBBAYYA :—“ In supplying electricity from the Nandyal Thermal Scheme which is under execution, will the Hon. Minister give an assurance that agriculturists will be given preference to industrialists in view of the food crisis through which we are passing? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ That is exactly the policy of the Government, Sir.”

SRI A. KALESWARA RAO :—“ May I know when the Government will be able to supply electric power to the upland areas west of Vijayavada, that is, Nandigama taluk and the Kondapalli and Mylavaram firkas of the Vijayavada taluk? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I would like to have notice.”

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SRI P. VENKATASUBBAYYA :—“ I would like to know whether the Government are intending to take electricity for applying to agriculturists from the Jog Falls from which electricity being taken to Guntakal? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ Yes, Sir.”

SRI L. N. GOPALASWAMI :—“ In cases where the Government are not able to give loan to electrical licensees, will they be deposed to allow the licensees to raise loans or debentures to carry out these schemes? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The by-laws of the Industrial Finance Corporation have been amended so as to enable the Corporation to grant loans to electrical licensees, and they can avail themselves of this facility.”

Andhra Non-Gazetted Officers' Association.

* 317 Q.—JANAB ABDUL HAMEED KHAN (on behalf of Janab Mohamed Abdul Salam) : Will the hon. the Chief Minister be pleased to state—

(a) whether the Andhra Non-Gazetted Officers' Association (Central), Eluru, has been recognized by the Government; and

(b) if not, why not?

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

“ (b) The Government do not consider it desirable to have different associations for the same class of Government servants and with almost the same objects in view.”

Primary health centres.

* 348 Q.—SRI M. A. EASWARAN : Will the Hon. the Minister for Health be pleased to state—

(a) the total number and the names of primary health centres in Erode taluk;

(b) the total amount that is set apart for each centre for its running; and

(c) the total strength of the staff in each centre and their designation?

THE HON. DR. T. S. S. RAJAN :—“ (a) There are five primary health centres in the Erode taluk which are at present functioning in the villages of Kunnathur, Sivagiri, Perundurai, Ganapathipalayam, Chithode.

“ (b) The annual cost is about Rs. 15,000 at present.

“ (c) The Medical and Public Health staff in each centre is as follows :—

Medical staff—

One Civil Assistant Surgeon.

One compounder.

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One midwife.

One nursing orderly.

One toti.

Public Health staff—

One Health Inspector.

One midwife.

One peon for the midwife."

SRI M. A. EASWARAN :—" Is the money set apart for each centre enough to run a hospital? "

THE HON. DR. T. S. S. RAJAN :—" The Government presume that it is sufficient. If more funds are needed, application will be made to the Government for further grants."

Supply of electricity in Kurnool.

* 349 Q.—SRI S. NAGAPPA : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Government have taken over the supply of electricity in Kurnool Municipality from the municipality;

(b) if so, whether the Government have settled the accounts with the municipality; and

(c) if so, when it is likely to be paid?

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

" (b) & (c) The necessary particulars called for from the Kurnool Municipality to assess the compensation amount payable to it under the provisions of the Madras Electricity Supply Undertakings (Acquisition) Act, 1949, are awaited. As soon as these are received, orders for payment of the compensation amount will be issued."

SRI S. NAGAPPA :—" Is it a fact that at the time of taking over the electrical concern from the Kurnool Municipality, the Government owed to that municipality about two lakhs of rupees? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have no information about that before me."

JANAB ABDUL HAMEED KHAN :—" Is it not a fact that the accounts have been sent long ago and that they are with the Government? "

THE HON. SRI M. BHAKTAVATSALAM :—" That is not the information I have."

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Alleged accident at Mangalore.

* 350 Q.—SRI K. ISHWARA : Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that during last year's Independence Day celebration at the Mangalore Central Maidan an accident had occurred;

(b) if so, what that accident was and whether a gate pillar fell on two minor Muslim girls;

(c) the authority responsible for the accident, whether the Municipality or the Police department; and

(d) whether the father of the deceased girls asked any kind of help from the Government?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—" (a) Yes, an accident occurred at the Mangalore Central Maidan at the time of the celebration of the Inauguration of the Republic of India on the 26th January 1950.

" (b) The accident resulted from the collapse of a stone pillar at the western end of the Central Maidan. A wire rope had been tied to one of these pillars to prevent the crowd of spectators from rushing into the Maidan and due to the excessive pressure exerted on this rope, this stone pillar suddenly collapsed. Four children, including two minor Muslim girls, were caught under the debris and sustained serious injuries. One of the two minor Muslim girls succumbed to the injuries later.

" (c) The collapse of the pillar was purely accidental and resulted from the excessive pressure on the rope exerted by the over-enthusiastic crowd. Neither the municipality nor the Police department can be held responsible for the unfortunate accident.

" (d) The father of the deceased Muslim girl presented petitions to the Collector of South Kanara and to the Commissioner of the Municipality for some reasonable monetary compensation. The petitions were rejected by the Collector and the municipality. Government, after a due consideration of the case, have however decided to view the case with sympathy and sanction an *ex gratia* grant of Rs. 1,000 to the petitioner. Necessary orders are under issue."

SRI K. ISHWARA :—" May I know why the compensation 12.30 p.m. has not been given to the father of the girl? "

THE HON. SRI B. GOPALA REDDI :—" My answer is that the Government have sanctioned an *ex gratia* grant of Rs. 1,000 to the father of the girl, Sir, and that necessary orders are under issue."

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T.B. Hospital, Royapetta.

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

(a) whether it is a fact that the Government propose to shift the Madras Royapetta Tuberculosis Hospital to Tambaram; and

(b) if so, the reasons for the same?

THE HON. DR. T. S. S. RAJAN:—“The Government have ordered the transfer of the patients in the Government Tuberculosis Hospital, Royapetta to the Government Tuberculosis Sanatorium, Tambaram, since the former institution was cramped and was undesirably situated in one of the most crowded areas of the City.”

SRI S. NAGAPPA:—“In view of the fact that this hospital has been shifted to Tambaram, may I know whether it would not cause great hardships to the patients who have to go there for daily treatment?”

THE HON. DR. T. S. S. RAJAN:—“There is a hospital, Sir, for attending to these patients and it is there at Royapetta.”

JANAB ABDUL HAMEED KHAN:—“May I know, Sir, what the Government have proposed to do with the buildings which were occupied by the T.B. hospital, and whether they would consider the desirability of handing over those buildings to the Royapetta hospital which is in need of expansion?”

THE HON. DR. T. S. S. RAJAN:—“Yes, Sir, that is the intention of the Government.”

Circle Inspectors of Police.

* 352 Q.—SRI T. VISWANATHAM: Will the Hon. the Chief Minister be pleased to state—

(a) the principles regarding the promotion and selection of Circle Inspectors of Police;

(b) whether any minimum educational qualification is fixed for those who are to be appointed either directly or by promotion as Circle Inspectors of Police;

(c) whether there are any cases where persons who have not passed the school final, have been selected as Sub-Inspectors or as Circle Inspectors of Police;

(d) whether the Government have called for any lists from the District Superintendents of Police and Commissioners of Police and whether the Government proceed on the basis of those lists for such selection; and

(e) whether there are cases where persons who have not been recommended by the Recommending Authority, have been selected as or put in the promotion list of Circle Inspectors and if so, the number of such cases and the reasons for doing so?

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THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—“(a) & (b) Appointment to the post of Inspector of Police is made by promotion from the post of Sub-Inspector and not by direct recruitment. Such promotion is made mainly on grounds of merit and ability—seniority being considered only where merit and ability are approximately equal—from a list of qualified candidates suitable for promotion prepared in the mufassal by the Deputy Inspectors-General and in the City by the Commissioner of Police in consultation with the Inspector-General of Police. No minimum educational qualification has been prescribed for promotion of Sub-Inspectors as Inspectors.

“(c) Yes. No educational qualifications are prescribed for promotion and in the case of certain Sub-Inspectors recruited directly educational qualifications have been relaxed for good reasons.

“(d) No.

“(e) The Government have no information.”

SRI T. VISWANATHAM:—“Arising out of the answer to clause (e) that the Government have no information, may I ask the Government to call for the records and examine them?”

THE HON. SRI B. GOPALA REDDI:—“Generally such cases do not come to the Government at all, unless some very grave irregularities are committed.”

SRI T. VISWANATHAM:—“As the need has arisen in this particular case, because I know there are some irregularities committed and certain people not recommended have been put in the promotion list,—I could not give the name of persons, as it could be deemed as individual cases—may I ask the Government to call for the records and satisfy themselves that the list has been properly prepared and that there is nothing irregular?”

THE HON. SRI B. GOPALA REDDI:—“It is not necessary for the Government to call for the records, Sir, without knowing what the irregularities which have been committed. If there is any specific case where any irregularities have been committed and if that case is brought to the notice of the Government, then we will look into it.”

SRI R. V. SWAMINATHAN:—“As hon. Members of the Legislature are prevented from making recommendations, may I ask the Government to call for the lists and examine them whether any deserving cases have been left out, while preparing a list of officers fit for promotion?”

THE HON. SRI B. GOPALA REDDI:—“It is a matter entirely for the Inspector-General of Police. If we call for the records and make some appointments, immediately some other hon. Member may come forward and complain, ‘You are exercising your patronage in favour of somebody over the head of the department.’ I therefore do not think, it is proper, Sir, to call for the records.”

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SRI T. VISWANATHAM :—“As the Hon. Minister will see, that my request is not that the Government should make any appointment, but simply to satisfy themselves that there has not been any grave irregularity, may I know whether the Government will be pleased to call for the records and satisfy themselves that the promotions have been recommended according to the rules?”

THE HON. SRI B. GOPALA REDDI :—“In the first instance it is done by the Deputy Inspector-General of Police and if there is anything wrong or if there is any irregularity committed the Inspector-General of Police is the competent authority to look into the matter and rectify the irregularity, Sir.”

Permits to Indians in Ceylon.

* 353 Q.—SRI B. S. MURTHI: Will the Hon. the Minister for Public Works be pleased to state whether this Government are in consultation with the Indian Government with regard to the new policy of the Ceylon Government in granting residence permits to Indians in Ceylon and whether any suggestions were made to help the Ceylon Indians?

THE HON. SRI M. BHAKTAVATSALAM :—“The difficulties experienced by Indians in the matter of obtaining permanent residence permits or temporary residence permits in Ceylon have been taken to the notice of the Union Government together with this Government's recommendations.”

Basic Training Schools.

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

(a) the number of trainees who appeared for the basic teachers' training examination in junior and senior grades in each teachers' training school in the recent examination;

(b) the number of teachers that appeared for basic re-training and the number that came out successful this year;

(c) the number of trainees who are undergoing training in the newly opened basic training schools in each grade, and the number of ladies among them; and

(d) whether the Government have converted any training schools from old method to new basic method and if so, how many and where?

THE HON. SRI B. GOPALA REDDI (on behalf of the Minister for Education) :—“(a), (c) & (d) A statement^a is laid on the table of the House.

“(b) The number of teachers that joined the summer course of re-training was 844. They have completed the course and received certificates to that effect. The question of pass or

^a Printed as Appendix I on pages 676-677 infra.

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failure does not arise as no examination was held. Only the quality of the training received is noted in the certificates.”

SRI A. VEDARATNAM PILLAI :—“May I know whether the Government have got any proposals to convert the existing training schools into basic training schools in the coming year?”

THE HON. SRI B. GOPALA REDDI :—“We are certainly considering such proposals, Sir, and we are converting as many schools as possible into basic training schools.”

Siddhapuram settlement.

* 343 Q.—SRI N. VENKATASUBBAYYA: Will the Hon. the Minister for Education be pleased to state—

(a) the total extent of land under Siddhapuram Settlement;

(b) the extent that has been released for assignment to people other than the settlers there; and

(c) the steps that have been taken so far to bring this area under cultivation and thus further the “Grow More Food” drive?

THE HON. SRI B. GOPALA REDDI (on behalf of the Minister for Education) :—“(a) 3,160 acres.

“(b) An area of 1,000 acres of arable land has been ordered to be set apart en bloc for the use of the settlers and the remaining portion of the land over and above these 1,000 acres, which is surplus to the requirements of the settlement, has been ordered to be assigned to outsiders on a permanent basis in accordance with the instructions issued by the Government in regard to the permanent assignment of land. Detailed proposals for the assignment of the land with reference to the orders referred to above are being worked out by the Collector of Kurnool and the Board of Revenue, Madras.

“(c) No land has so far been granted under departmental orders for cultivation.”

SRI N. VENKATASUBBAYYA :—“As from a recent visit of mine, I find that this big area set apart for the settlers, has not been brought under cultivation, because pattas have not been given to them, and as they are not very particular about cultivation, may I request the Hon. Minister to consider the desirability of abolishing the settlement altogether and give the lands to the landless poor?”

THE HON. SRI B. GOPALA REDDI :—“It is a very wide question, Sir, and we will have to look into the matter and examine whether we can continue the settlement or not. Anyhow, it is a very wide question and it is not possible to give an answer off-hand, without examining it.”

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SRI S. NAGAPPA :—“ May I know whether any political sufferers have applied for these lands from the Kurnool district? ”

THE HON. SRI B. GOPALA REDDI :—“ Notice, Sir.”

MR. SPEAKER :—“ Regarding supplementary questions to Sri S. Nagappa's main question about food, we will not be able to take them up to-day as the Hon. Minister is not here, but they will be taken up on the 13th of next month when we will meet here again.”

UNSTARRED QUESTIONS.

Sale of tickets for music performance by Government servants.

23 Q.—SRI M. KANNIAPPAN : Will the Hon. the Chief Minister be pleased to state whether it is a fact that almost all the Government officers and servants in the Chingleput district took part in the sale of tickets for the music performance by Srimathi M. S. Subbulakshmi, conducted for the benefit of a private Hindu School at Kancheepuram and, if so, what action is proposed to be taken against them?

A.—The answer to the first part of the question is in the negative. The second part of the question does not arise.

Selection by Service Commission.

24 Q.—SRI K. SHANMUGAM : Will the Hon. the Chief Minister be pleased to state—

(a) the number of candidates selected by the Madras Public Service Commission for each service for which selection was made by the Service Commission since 1947;

(b) the number of Harijans among them; and

(c) how many are gazetted posts?

A.—(a) to (c) The information* is given in annexures. Annexure I relates to gazetted posts while Annexures II and III relate to non-gazetted posts.

Labour Officers.

25 Q.—SRI K. SHANMUGAM : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of Labour Officers serving now in the State;

(b) the number of Brahmans, Non-Brahmans, Muslims, Christians and Harijans among them;

(c) the number of Labour Inspectors serving in the Presidency town, castewar;

* Printed as Appendix II on pages 677-687 infra.

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(d) the number of Assistant Inspectors of Labour that have been appointed under the Madras Shops and Establishments Act since question No. 68 on the subject was answered on 11th November 1949;

(e) the number of Harijans among them; and

(f) their names and qualifications?

A.—(a) Fourteen.

(b) Brahmans	2
Non-Brahman Hindus	9
Muslim	1
Indian Christian	1
Harijan	1

(c) Twenty-one.

Assistant Inspectors of Labour as shown below :—

Brahmans	3
Non-Brahman Hindus	7
Backward Hindu	1
Muslims	3
Indian Christians	3
Harijans	4

(d) Fourteen.

(e) & (f) None of them is a Harijan.

Employment for ex-tappers.

26 Q.—SRI G. LATCHANNA : Will the Hon. the Minister for Prohibition be pleased to state—

(a) the number of ex-tappers so far provided with employment since the introduction of Prohibition in the Madras State, districtwar;

(b) the steps taken by the Government for providing the ex-tappers with employment in each district;

(c) whether the Government have recently received any representations from the North Visakhapatnam District Congress Committee suggesting alternative employment for them; and

(d) if so, what action has been taken so far in the matter?

A.—(a) & (b) The most important step taken by the Government for providing the ex-tappers with employment is the formation of jaggery manufacturing co-operative societies.

The tapping of palmyra trees for sweet juice for jaggery manufacture is permitted in all the districts in the State except Cuddapah, Kurnool, Anantapur, Bellary, Chittoor and the Nilgiris; the tapping of coconut trees, in selected centres in the districts of Malabar and South Kanara and in the Erode and Gobi taluks in Coimbatore district; the tapping of date trees in North Arcot and Guntur districts; and the tapping of sago trees in selected taluks in the Malabar district. Palm jaggery manufacturing

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co-operative societies were formed by the ameliorative staff for the benefit of ex-tappers in suitable localities in all places where permission was granted for tapping sweet juice for jaggery manufacture. Up to 30th June 1950, 1,805 jaggery manufacturing societies were registered and started on their work and 125,892 ex-tappers were enrolled as members. Out of 1.63 lakhs of tappers thrown out of work on the introduction of Prohibition in the State, about 78 per cent have been provided with work by the formation of palm jaggery manufacturing societies. Steps have also been taken to provide ex-tappers with alternative employment by the formation of other types of societies like milk supply societies, cottage industry societies, land colonization societies, field labourers' co-operative societies, co-operative societies for coir work, poultry farming societies, etc.

Besides the formation of palm jaggery societies and other various special types of societies, ex-tappers were assisted to get employment in other avocation such as agricultural labour, unskilled labour in the Public Works Department and in other big establishments in such capacities as peons, watchmen, gang coolies, etc. Fifty-eight thousand and forty-four ex-tappers have been provided with work in this manner up to 30th June 1950.

A statement showing the number of ex-tappers provided with employment in the various avocations since the introduction of Prohibition districtwise is laid on the table of the House.

(c) & (d) No representation from the North, Visakhapatnam District Congress Committee suggesting alternative employment for ex-tappers has been recently received by the Government. A copy of the resolutions passed by the North Visakhapatnam District Congress Committee was received in August 1949. The Government examined the suggestions in the representation and the orders passed on them were communicated to the District Congress Committee in November 1949.

Harassment of kisans.

27 Q.—SRI M. KANNIAPPAN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government are aware that some landlords are harassing the poor kisans of Narasingampettai, Kumbakonam taluk, Tanjore district; and

(b) if so, what action has been taken against them?

A.—(a) & (b) No.

* Printed as Appendix III on pages 688-689 infra.

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Sarugudugedda reservoir.

28 Q.—SRI G. SANYASI RAO: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether Sarugudugedda reservoir in Thandava river, Narasapatnam taluk, is under execution; and

(b) if the answer to clause (a) is in the negative, the reasons for the delay?

A.—(a) The construction of a masonry dam across the Sarugudugedda in Vedurupalli village limits, Golugonda taluk, has been sanctioned and the work is under execution. It is expected to be completed by December 1950.

(b) Does not arise.

[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 messages, dated 16th October 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 District Municipalities (Amendment) Bill, 1950 (L.A. Bill No. 29 of 1950);

(2) The Madras Elementary Education (Amendment) Bill, 1950 (L.A. Bill No. 12 of 1950);

(3) The Madras Aided Institutions (Prohibition of Transfers of Property) Amendment Bill, 1950 (L.A. Bill No. 28 of 1950);

“I have also to announce the following motion passed by the Madras Legislative Council on 16th October 1950:—

That this House concurs in setting up a Joint Select Committee of the two Houses consisting of 30 members (20 members from the Assembly and 10 members from the Council) to consider the Malabar Tenancy (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 M. Narayana Menon.

(3) Sri G. Venkata Reddi.

(4) Sri S. Jayaram Reddi.

(5) Sri S. B. Adityan.

(6) Dr. P. S. Srinivasan.

(7) Sri R. Suryanarayana Rao.

(8) Mrs. M. Hensmen.

(9) Janab K. Uppi.

(10) Dr. Syed Tajuddin.”

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III.—SIMULTANEOUS SITTINGS OF THE TWO HOUSES.

* BEGUM SULTAN MIR AMIRUDDIN :—“ Mr. Speaker, Sir, on a point of information, I wish to know why the two Houses are sitting simultaneously now-a-days. This is very inconvenient from various points of view. In the first place, the Hon. Ministers have to be distributed between the two Houses. You would have noticed, that certain Ministers could not be present this morning. For instance, the Education Minister, was not present to answer the question relating to his portfolio.”

MR. SPEAKER :—“ That is why we have fixed our meeting at 12 o'clock, that is one hour later than the usual time.”

* BEGUM SULTAN MIR AMIRUDDIN :—“ Even then, Sir, it is very inconvenient to have the sittings of the two Houses simultaneously. The other day, when the division bell rang in the Upper House you saw how the Hon. Sri Madhava Menon was perplexed as to what to do, whether to remain here or go to the Council Chamber. You then came to his rescue and suggested that he might go and exercise his vote in the Upper House and then return.”

“ Apart from this, when the two Houses sit simultaneously, the press are handicapped in reporting the proceedings.”

MR. SPEAKER :—“ As far as our reporters are concerned, we have enough of them and we have reporters for both Houses.”

* BEGUM SULTAN MIR AMIRUDDIN :—“ I am referring to the press reporters. It is in the interests of the Members that due publicity should be given to the proceedings of the two Houses. Since the press cannot afford to have as many reporters for recording the proceedings of the Legislature as are engaged by Government, the existing reporters of the various newspapers find it difficult to divide themselves between this House and the other when both of them sit simultaneously. I, therefore, submit, Sir, that it would be better if the sittings of the two Houses were arranged on different days.”

THE HON. SRI K. MADHAVA MENON :—“ Sir, we are very grateful to the hon. Lady Member for her feelings towards us and we are also very gratified for the plea she has put forward on behalf of others and the complements that she has paid for our presence in the House.”

“ Regarding the difficulties of reporters, we have not yet received any complaints. But since from to-morrow onwards we are having a number of holidays and since neither of the House would like to see the holidays spoilt by having our sittings on holidays or to meet immediately after the holidays and also for the convenience of hon. Members of the House who wish to go back to their places for the Pooja holidays, we decided to have the sittings of both Houses simultaneously on these two days, although it meant some little inconvenience to the Ministers. That is why, Sir, we have been obliged to have simultaneous sittings for the last few days.”

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BEGUM SULTAN MIR AMIRUDDIN :—“ Sir, at least in future, as far as possible, I would request the Government to avoid such simultaneous sittings of the two Houses.”

IV.—GOVERNMENT BILLS.

(1) THE MADRAS CITY IMPROVEMENT TRUST BILL, 1950
(L.A. BILL NO. 11 OF 1950) [AS PASSED BY THE COUNCIL].

Amendment made by Council.

THE HON. SRI K. MADHAVA MENON :—“ Mr. Speaker, Sir, this is an amendment made by the Council in the Madras City Improvement Trust Bill, which has been transmitted for being approved by this House also.”

“ Sir, I move—

That the following amendment which was made by the Legislative Council in the Madras City Improvement Trust Bill, 1950 (L.A. Bill No. 11 of 1950), as passed by the Legislative Assembly, be taken into consideration.

Amendment.

In clause 86, sub-clause (2), add the following at the end :—

“ Subject to the prior payment of land revenue, if any, due to the Government on such land.”

“ Sir, when this Bill was considered by the other House, one hon. Member moved this amendment and suggested that clause 86 gives the prior charge for the betterment due to the Corporation, while the prior charge should be given for any land revenue assessment due to the Government; as in all other cases. It was no doubt an omission due to an oversight on our part and therefore we accepted it and that is why it has been brought before this House for its approval.”

MR. SPEAKER :—“ Motion moved—

That the following amendment which was made by the Legislative Council in the Madras City Improvement Trust Bill, 1950 (L.A. Bill No. 11 of 1950), as passed by the Legislative Assembly, be taken into consideration :—

Amendment.

In clause 86, sub-clause (2), add the following at the end :—

“ Subject to the prior payment of land revenue, if any, due to the Government on such land.”

SRI T. VISWANATHAM :—“ Mr. Speaker, Sir, I should like to enquire whether there is a second charge as against a first charge in respect of land revenue. Sir, when a land is sold, the purchaser gets from the seller the land free from all encumbrances and therefore there can be proceedings against the purchaser for any arrears of rent or payment of land revenue due to the Government, and that being so, I want to know whether there can be a second charge like this as suggested by the Hon. Minister.”

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THE HON. SRI K. MADHAVA MENON: Sir, clause 86 (2) of the Bill as passed by this House says—

“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.”

“That means that if there are any arrears of land revenue, action may be taken for the recovery of the same by the Government. If this amendment is not made and if the sentence stands as it is, then the right of the first charge to the Government will be lost. That is why the amendment was put in saying that land revenue arrears must have the first charge and that is why it was accepted by the Government.”

12-46 p.m. SRI T. VISWANATHAM:—“May I just make my point clear? The original Act said that notwithstanding any of the provisions in any other Act, this will be treated as a first charge. Now the amendment says that land revenue will be treated as the first charge and betterment fee will be the second charge. In cases where the Revenue Recovery Act is applied for the recovery of land revenue, I want to know whether there can be any second charge because when the sale is held under the Act, the purchaser gets the property free of all encumbrances. There is no such thing as another first charge. I am not raising any objection, Sir, but if it is workable, I have no objection to keeping it.”

THE HON. SRI K. MADHAVA MENON:—“Suppose a property is sold for non-payment of betterment fee due to the Trust under the Act as it stood, even the land revenue of the Government cannot be collected if it is in arrears. If it is a sale for non-payment of land revenue, nothing remains. But if it is a sale for non-payment of betterment fee, land revenue will remain. There is an identical provision in the Town-Planning Act.”

The amendment was put and carried.

(2) THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO
RYOTWARI) SECOND AMENDMENT BILL, 1950.

THE HON. SRI H. SITARAMA REDDI:—“Sir, I beg to introduce the Madras Estates (Abolition and Conversion into Ryotwari) Second Amendment Bill, and move—

“That the Bill be referred to a select committee.”

“Sir, the main object of bringing in this amending Bill is to remove the difficulties that have been brought to notice as a result of one year's working of the Abolition Act which became law in April 1949. Some of these difficulties were brought to Government's notice by the zamindars themselves and some by the administrative departments of Government. Thus an important amendment in the Bill seeks to protect landholders against the purchase of their estates by their creditors who had obtained court

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decrees. The Act by section 59 (2) itself protects them on or after the date on which their estates are taken over. It does not protect them from a court executing a decree before that date. The result was that several creditors pressed execution against the landholders after April 1949 when the Act came into force in respect of estates not yet taken over, and as third parties were reluctant to bid at the sales the estates were knocked down for very low sums with the result that further action in execution was taken also against their immovable property. The amendment proposed will protect the zamindars against such execution and will set aside sales in execution which have already taken place after April 1949.

“Sir, the amendments to section 17 (1) and 38 (5) now proposed in respect of inam lands granted on service tenure arise out of a difficulty raised by the President of the Hindu Religious Endowments Board who held that whole inam villages held by temples were service inams and that therefore the lands therein were not ryoti lands and that the Rent Reduction Act did not apply. In section 17 (1) of the Act it is proposed to make the intention of the Government clear that a ryotwari patta shall be granted in respect of service tenure lands only in cases where the service inam consists of land which is less than an entire village. Similarly in section 38, the grant of tasdie allowances under that section shall not apply to a land which is held on service tenure in a village but it shall apply to an entire village granted on such tenure.

“Sir, the clauses in the new Bill relating to *res judicata* and to the exclusion of the time taken by the Tribunal in computing the period of limitation have been suggested by the Legal Department and are necessary, the first to avoid multiplicity of proceedings and the second to enable a creditor who has proceeded against compensation amount before a Tribunal and who is not fully satisfied thereby to save his cause of action before a subsequent Civil Court by allowing him to compute the period of time lost in the Tribunal towards limitation. Otherwise he would have to file simultaneous proceedings before both the Tribunal and the civil court. It will be waste of time and effort and it may not be necessary in some cases. As these are intended to protect the interest of private parties in the matter of the administration of civil justice, I am sure they will meet with the approval of the House.

“Sir, another clause has been included in order to correct a mistake. Certain inam villages were wrongly notified under section 1 (4) of the Act under the assumption that there were under-tenure estates. As the Government have been advised by the Advocate-General that in view of section 22 of the Madras General Clauses Act the mere issue of errata to a notification already promulgated under section 1 (4) was not sufficient to achieve the object, The Abolition Act has to be amended in order to specifically exclude such whole inam villages from its operation. Clause 7 of the amending Bill is therefore introduced.”

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MR. SPEAKER :—" Motion moved—

'That the Madras Estates (Abolition and Conversion into Ryotwari) Second Amendment Bill, 1950, be referred to a Select Committee.'

SRI K. BRAHMANANDAM REDDI :—" Mr. Speaker, Sir, I only wish to draw the attention of the Hon. Minister and the Select Committee to one or two matters pertaining to this Second Amendment Bill. Clause 64-A (2) says—

'(2) The decision of a Civil Court (not being the Court of a District Munsif or a Court of Small Causes) on any matter falling within its jurisdiction shall be binding on the parties thereto and persons claiming under them in any proceeding under this Act before a Tribunal or Special Tribunal, or a Judge of the High Court under section 51 (2), in so far as such matter is in issue between the parties or persons aforesaid in such proceeding.'

This alters the fundamental principle accepted in the original Bill. When the original Bill was under discussion, though the specific point was raised that the decision of the District Court or the High Court or the Privy Council in these matters should be binding on the Tribunal, it was negatived in the Assembly and the Council. I shall refer the Hon. Minister to the proceedings of the Legislative Council, dated 23rd November 1948, pages 445-447. There the hon. Member Mr. Narayanaswami Nayudu moved the following specific amendment :—

'Where the High Court or Privy Council have already decided that an inam village is or is not an inam estate the Settlement Officer or the Tribunal shall not proceed to determine afresh whether the inam village is or is not an inam estate.'

This amendment was argued upon, it was replied to by the Hon. Minister and then put to vote and lost. Instead of my going into the matter again on the floor of the House, I would request the Hon. Minister to go through the Proceedings of the Legislative Council. Again when this very point was raised in the Assembly by hon. Mr. Viswanatham, hon. Mr. Karanth and some other hon. Members, the Revenue Minister (Mr. Kala Venkata Rao) said :

'While I am prepared to say that the previous decisions of the Courts of the land, like the High Court, the Privy Council, and the rest, will be very good evidence for determining whether an inam is a 1936 inam or 1908 inam, and towards that end, the rules, etc., will be framed by the Government, the allowing of an appeal to the High Court once again will cause not only delay but also allot of expense to the poor ryot.' (Page 621 of Assembly Proceedings, dated 17th September 1948.)

The Hon. Minister has definitely said that the decisions of these courts would be good evidence, but they would not *ipso facto* be binding on the Tribunal or the Special Tribunal. It may be asked, if in matters like this the High Court or a Superior Court or the Privy Council have decided in one way whether it would be proper for a Tribunal or a Special Tribunal to go beyond that and decide against it. But it is not as if we are asking the Tribunal or the Special Tribunal to decide a thing against the decision of the High Court or the Privy Council. Section 9 of the original Act of 1948 says that in the absence of

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evidence to the contrary, the Settlement Officer and the Tribunal may presume that an inam village is an inam estate. Such a presumption did not exist before at the time when decisions were given by the High Court and the Privy Council. There was no such presumption existing. I wish to refresh the memory of hon. Members with regard to this point. Hon. Members Mr. Viswanatham, Mr. Kaleswara Rao and others moved that sub-clause (7) of clause 9 of the Bill of 1948 be deleted. That amendment was put to vote and lost. So the decisions, if any, on any particular inams by the High Court or the Privy Council were made at a time when there was no presumption as mentioned in sub-clause (7). When there was no presumption like that, there is no point in saying that the High Court or the Privy Council decision should be binding on the Tribunal or the Special Tribunal. What we decided in the original Act was that the decision of the High Court or the Privy Council as to whether a particular village is an estate or not, should not be binding on the Tribunal or the Special Tribunal *ipso facto*. We accepted that principle in the original Act. Now clause 64-A (2) says that such decisions are binding on the Tribunal or the Special Tribunal. I want to know whether the Government intend to make these decisions binding on the Special Tribunal or whether the Tribunal or the Special Tribunal have jurisdiction to go into the matter and decide the case on its merits now. Now you have willingly created a presumption that it shall be presumed that it is an inam estate until it is proved to the contrary. I have no quarrel if in the original Act you have said that the decision of the High Court or the Privy Council, whatever it may be, whether it was made at a time when there was a presumption or not, shall be binding on the Special Tribunal. But you have considered the matter both here and in the Legislative Council and negatived the contention and said that you were not going to accept the decisions with regard to particular inams. So I say that this sub-clause 64-A (2) is unnecessary, unless the Government wholeheartedly think that these decisions, whatever may be the time at which they were made should be binding. I presume that it is not the intention of the Government, because it was considered and negatived previously. This is the fundamental objection I wish to raise.

Secondly Sir, with regard to clause 64-A (1), I have my own doubt whether we are not whittling down the provision already existing in the original Act. I had occasion to discuss the matter with the Hon. the Revenue Minister and I felt I had partially convinced him in a way. I would only request him to go into the matter again and see if it is not so.

I now come to clause 58-A. It says—

'(1) No Court shall, before the notified date, order or continue execution in respect of any decree or order passed against the principal or any other landholder of an estate'

What happens to the sharer? I do not see anything about the sharer here. Sharer is not included in the definition of the principal landholder or landholder. I do not know if the clause applies to the sharer also. So far as I can see from the definition

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1 p.m. in the original Act, a sharer does not come either in the definition of a principal landholder or a landholder or an estate. So, Sir, I only want that the clause should be so worded as to include 'sharer' also. I hope the Government will look into this aspect of the matter also.

"Sir, there is another suggestion I would like to make to the Government. According to clause 58-A (3) where a sale is set aside under sub-section (2), the purchaser shall be entitled to an order for repayment of any purchase money paid by him against the person to whom it has been paid. The words 'against the person to whom it has been paid' are unhappy to use in any enactment. I want that to go. I hope the Hon. Minister will look into this at the Select Committee stage and amend it suitably."

* SRI M. G. NATESA CHETTIYAR:—Mr. Speaker, Sir, while I feel grateful to the Government for realizing the difficulties that had come on the zamindars and zamindari estates after the Zamindari Abolition Act, I am very doubtful about the results. I hope the Government propose to give relief to the zamindars who have been indebted and whose properties are to be sold or sold after the Act has been assented to by the Governor-General. What would happen if this Bill is passed, that is clause 5 relating to section 58-A, is this. Already the Government have made, by passing the Zamindari Abolition Act, the property of the zamindaries valueless. In the same way, will not this Bill make the other properties of the zamindars also valueless, if the Court is prevented from selling properties already mortgaged or already under proceedings of the sale and the Zamindars are also prevented from alienating any of their other properties? Then, what are they to do for meeting their expenses should any contingency arise, for instance, marriages, sending of children for education outside this country or to meet any other situation that might crop up? As I said, Sir, the zamindari property has now become valueless and it looks as if the Government now want to make their other properties also valueless. He will not be able to give security of that property for any loan which he may happen to raise. Like difficulties may arise. In respect of apportionment of compensation, a number of sections had been passed in the original Act, including that of meeting the creditors' claims after notification. I may mention for the information of the House that there is what is called upset price, that is, proper price fixed for every property sold through Court and if such prices are not fetched at Court sale, it is always subject to extraordinary scrutiny and invariably confirmation of sale is not made. Now, due to the Zamindari Abolition Act and in the matter of sale proceedings, I know there are cases held up in courts for a long time and the courts have ordered that the properties must not be sold unless proper price or the expected compensation price is obtained by the sale of zamindari properties. As a creditor I take this point of view and as a zamindar I think that the restrictions on property must not have been imposed as it would affect the credit of the

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zamindars. The proper thing to do would be whenever any property is acquired both the assets and liabilities of the property should be simultaneously taken. We have got a precedent for this. When the Court of Wards takes up an estate, they take over all the assets and liabilities of the estate concerned. Even in respect of the Land Acquisition Act, both the liabilities and assets of the property to be acquired are taken by the department and dealt with. Somehow or other a mistake has arisen here and I am glad the Government have realized it now and they propose some sort of relief to the zamindars. Probably they have received complaints from aggrieved parties and naturally there may be creditors who would very much like to grab at the property of the zamindars, though it may not be possible for them to do so in the case of a court sale. For instance, in one of my own cases, I brought a property to sale after the Zamindari Abolition Act, the sale was held up and the court ordered that I must not proceed with the execution proceedings. (At this stage Deputy Speaker occupied the Chair.) Madam, while these are the hardships that have been created, I believe it will meet if such estates are notified at once in respect of properties under sale proceedings and in regard to properties sold after 19th April 1949 suitable legislation may be made to confirm the sale of the zamindaris and the creditors proceedings in respect of other properties may be stopped. Again, Madam I am very doubtful whether there is any necessity for an Act like this as it at present stands. Will not an executive order of the Government would do to stop the sale. The Court and the judges hear both the parties, they know the difficulties of all the parties concerned, they generally do justice. They invariably stop the sale and do not proceed with execution proceedings and stay the execution petition.

"Now, Madam, the Hon. Revenue Minister said that within a month or two the entire estates that are yet to be notified will be notified and by the time the Select Committee complete their labours, December would come in and as hon. Members are aware the end of this year has been fixed as the last date for notifying the remaining estates. What would happen in cases where possession had taken place after 19th April 1949 and sale and confirmation made before 19th April 1949. I find there is nothing in the Bill relating to this. I think it has not been exempted, and only sales held after April 1949 have been exempted. As I said, Madam, the difficulties that are likely to arise if this Bill is passed are great and if you take the balance of convenience, I think it is better to drop the Bill than to pass it. If necessary, on the application of the aggrieved party, the Government may pass such orders as they might deem fit in individual cases. In view of the so many difficulties which the zamindars have to undergo, particularly after the Zamindari Abolition Act, their day-to-day life has become very difficult, their children's education has become very difficult and even their ordinary living has come to a standstill and they are looked upon as the most discredited class in the State and called by all sorts of names. Now, you are making them another toll so that they may be called by other names. In fact, they cannot

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command any credit and thus you are creating another difficulty in the way of these ex-zamindars, if I may call them. In fact, I know many zamindar friends of mine who are even ashamed to face society. For instance, I am a debtor to a bank and I have to repay that amount and there is no use of my putting forth any excuses for my inability to pay. Am I right to seek the help of the Government for this purpose? It is a matter in which I have to find the necessary money to pay back the bank and keep my own credit. The present legislation is nothing more than preventing a class of people enjoying their property without adequate facilities being provided for such a step in the legislation. The legislation will throw their credit to winds. It will be some years before they recover their credit. So what I would suggest is, let the Government deal with individual petitions of zamindars as they come. If any party feels aggrieved by not being able to meet the demand, let the Government themselves come to the aid by giving a loan on the compensation amount that may accrue. As one incident of the Zamindari Abolition Act, prior and after 1945 all the decrees obtained as first charge and decrees of rent, have not been allowed to be collected.

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a.m. Suits filed as early as 1945 have not been taken on file and numbered. It is some years since the estates were brought under the Rent Reduction Act and some estates have been notified, many of us have not been given our interim payments. All these have added to the difficulties of zamindars in keeping their credits and if interim payments had been made and other collections due to them have been paid, certainly this situation would not have arisen. Madam Deputy Speaker, let me assure the Government that the landholder wants to save his credit and he tries to save it by all means. It is not to cheat the creditors and I know, as a matter of fact, that even though some zamindars are being harassed, they are prepared to maintain their credit. I am pleading to you not to devalue their other properties and it is not doing justice by these people if you mean to do justice to them. I know there are many who have applied for loans in order to develop their own lands; they want to buy machinery with which to develop their lands and they are still pending with the authorities. I know a loan of Rs. 60,000 was applied by a zamindar for the purpose of purchasing a tractor and the matter is yet pending. I am both a debtor and a creditor and also a zamindar and I have got experience in all these things. Under these circumstances, I would request the Government not to proceed with the Bill but drop it. One clause would do saying that other properties besides estates should not be auctioned. I do not like that the zamindars should be put to the indignity of going to the court to release their properties from sale. They have suffered so many hardships; their income is jeopardised; their honour is at stake and their credit is also threatened. Therefore, do not do that. If you want to help them, help them financially, advance them loans or pay their debts as an advance of compensation, where it is possible. Supposing the zamindars owe some money to a co-operative institution, such does

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are not exempted from the operation of this Bill. Do the Government mean to say that co-operative institutions will proceed against the personal properties of the zamindars or other properties that were not mortgaged. I do not think so, Madam and there is necessity to include decrees of co-operative banks in the present Bill. There are certain exemptions which you must give. On the face of it, clause 5, introducing a new section 58-A, Government will spite themselves. Let that not be there but let Government take powers to deal with individual applications. Therefore, Madam, I request the Government to drop the Bill and expedite the notification of other estates as they have promised before. They said, Madam, that they would be notifying the estates by the end of the year and we have got only two and a half months before us for that. The Select Committee will be taking some time to report and then the House will take some time for discussing and passing into law. We would be near the end of the year or we may be having barely thirty days before us before abolition of estates are completed. Therefore, let the Government themselves take the power regarding the cancellation of certain sales that took place after the 19th April 1949 when the Zamindari Abolition Act received the assent of the Governor-General and drop this Bill."

SRI M. R. APPA RAO :— "Madam Deputy Speaker, I must thank the Government for trying to set right some of the anomalies that have arisen in the working of the Zamindari Abolition Act. Let me remind the House, Madam, that by the Rent Reduction Act, the zamindari incomes have gone down by fifty per cent and the basic amount on which compensation will be paid is one-fourth of that reduced amount, that is nearly one-eighth and on account of maintenance of tanks and establishment, there is yet a further deduction and if we take that into consideration, it will be reduced to 6 or 7 per cent of the original income. The House will see that this is a very drastic reduction. Of course the Government promise to pay ten or twelve years hence the full amount after the survey and settlement is over and it is doubtful when the survey and settlement will be over and whether that amount will come into the hands of the zamindars at all. So, some relief is necessary. At the same time, I must assure the House that the zamindars are anxious to respect their liabilities and you must devise ways in order to see that neither the zamindars lose nor do they suffer from harassment. For that, an Act like this would be necessary. Now Madam, most of the estates are notified and as my hon. Friend suggested within a month or two all the estates will have to be notified—this Bill seems to apply to estates that have not been notified—and I think no useful purpose will be served by this Bill and powers must be taken to apply it to estates that have been notified and see that all the estates notified by the time the Act is passed. There are other anomalies which I would not like to point out now because it is going before a Select Committee and the proper time is to discuss it there and after it comes back to us, the Legislature has got time. Anyhow, I request the Hon. Minister to see that the zamindars do not suffer a loss and they should be given some relief without at the same time making the creditors lose any amount."

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* Sri L. N. GOPALASWAMI :—“ Madam Deputy Speaker, I am very glad that the Hon. Minister is referring the Bill to a Select Committee. I wish to point out the illegality of clause 3 of the amending Bill for the consideration of the Government and of the Select Committee. Clause 3 seeks to amend section 17 of the original Act, the intention being to exclude from the operation of section 17 of the original Act entire villages where service-tenure has been granted. What section 17 says is this :

“Where any land granted on service-tenure, whether to an individual or institution, falls under section 3 (16) (c) of the Estates Land Act, then irrespective of whether such land consists of only a portion of a village or of one or more villages—

(a) if the service to be rendered is personal or private service to the landholder, not being a religious, educational or charitable institution, the land shall be discharged from the condition of such service and the holder of such land shall be entitled to a ryotwari patta in respect of the land with effect on and from the notified date ;”

and the proviso says—

“Provided that where the land granted on service-tenure is an entire village, no ryotwari patta shall be granted in respect of any land in such village which is forest.”

But now according to clause 3 of the amending Bill, whole inam villages could not be granted this patta even if they were granted on service-tenure. I submit, Madam, from the wording employed in the proviso and section 17 (a) that it is not and been could not have the intention and even if there has been that intention, it is opposed to the fundamental rights accorded in the constitution. The wording employed in the proviso :

“Where the land granted on service-tenure is an entire village, no patta shall be granted in respect of any lands in such village which is forest.”

takes away the wind out of the sail and it clearly shows that it was not intended to cover only portions of a village as it is now contented. So, if you take away that right, Madam, it is wrong. Inasmuch as a service-tenure has been granted, he becomes entitled to a patta. Now after the passing of the constitution, if you take away that right from him, it will be against Article 32 of the Constitution which says that no property of any person shall be taken except by the authority of the law. I suppose the Government will not come and say that the law means the law they are going to make. It is to be according to the existing law or based on common law. Therefore, even if it is the intention of the Government to exclude whole inam village from the Act, it could not be done in view of the Constitution and, therefore, I submit that section 3 of the Bill is illegal and I request the Government and particularly the Select Committee to go into the legal aspect of the matter, so that this also may not be questioned in a court of law later.

The House rose for lunch to meet again at 2-30 p.m.

(After lunch—2-30 p.m.)

Sri A. KALESWARA RAO :—“ Mr. Speaker, Sir, with regard to clause 3 of the Bill, I wish to say that I agree with the object of the Government in introducing this amendment. But there is some confusion in the matter. When this very matter

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came up for discussion both in the select committee stage as well as in the Assembly, I always pleaded that the service-tenures, which are exempted from ryoti lands under section 3 (16) (c) of the Estates Land Act would only mean individual lands, that is, minor inams, that is, portions of villages. They are never meant to include one or more villages. But all the same, the then Revenue Minister, Mr. Kala Venkata Rao, together with his legal advisers, insisted that I was not right. He said that the exemptions mentioned in clause 16 under ryoti, namely, lands given for service-tenure, would mean not only portions of village but also whole village or more than one village. My plea was, always was and is the same to-day, namely, when the service-tenure consists of one or more villages, pattas should not be given to the inamdar; because it consists not merely the village or villages; for there will be forests, communal lands and hills, etc., in them. Of course, they were removed from them after my pointing out specifically to their rights. So these inams, whether coming under service-tenure inam village, or whether coming under clause (d) regular inams, or whether coming under clause (e) tenure-service inams (that is mokhasa, etc., which are whole villages)—all these inamdars would only have some lands under their own cultivation; the major portion of their land would be given natural for cultivation to tenants. So, they should also be treated like other inam villages under clause (d) or (e) of section 3 of the Estates Land Act. So ryotwari pattas should be given to the ryots who are in actual cultivation under section 6 of the Estates Land Act. As those ryots have occupancy rights, those ryots cannot be disturbed or should not be disturbed by the Zamindari Abolition Bill. That was the view I always expressed, and now, I am glad the Hon. Sri Sitarama Reddi, the present Revenue Minister, is taking my view, and he has expressly stated that the service-tenures to which section 17 of the Zamindari Abolition Bill applies,—for there is a special section, section 17, in that Bill which deals with this tenure—if they are private service or personal service, the services should be abolished and pattas should be given to the inamdars, but where it is real service of a public nature, then, such service would continue and those inams would be treated like all minor service inams in ryotwari villages. I am glad the Government is taking that view. But there is one difficulty. In the discussions that took place when the original abolition Act was passed it was stated by the then Revenue Minister that these inams would not come under the ordinary inams, when they consisted of whole village or villages, and now that difficulty is removed, but a lacuna is created. For, what would happen if there are more than one village, what is the tenure attached to them, to whom are you going to give ryotwari pattas, how are you going to treat the ryots who are in actual cultivation of those lands, and are you going to give compensation for taking possession of those lands. Of course, the Government are removing private service attached to villages and those villages become ordinary inam villages; and then, the other sections must apply and then the Government will have to pay compensation. These are the parambokas, forests and hills, etc. Then there is

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the right to collect rent from the ryots. So what is to happen to all these things should be specifically stated so that hereafter there may be no doubt regarding them. Of course—under what particular circumstances these inams were created will depend upon their respective grant, whether only the right to collect is allowed, or whether both kudivaram and melwaram right is allowed and so on. If it is the last case, then such inams would come under 1936 inams. Anyhow all these things have to be specifically stated so that there may be no doubt about them. These are the points I want to bring to the notice of the Hon. Minister. I want him to re-examine the whole position and put things in the proper place so that there may be no doubt about these things hereafter."

SRI T. VISWANATHAM :—" Mr. Speaker, Sir, the Bill is a very simple one. It refers only to villages granted on service tenure. Of course, the Hon. Minister says that the original intention was to give pattas to inamdars, only in respect of inams in which portions of villages were granted. But where the inam consisted of whole village or villages it was not the intention of the original Act to give them any ryotwari patta. Of course, whether it was the intention or not, should be gathered not from the speeches made or from the intentions expressed by Government members now, but only from the language of the Act. Now, the Act is very clear on that point. However, I do not know why this present Bill has been brought forward; the Hon. Minister has not taken us into his confidence regarding the necessity for this Bill. He has not told us the circumstances under which this question has arisen; why in 1948 the ryotwari patta was intended to be granted to service-tenure, although it consisted of an entire village or more than one village, but now, why they propose to say that if the service inam consisted of an entire village or more than one village, the ryotwari patta will not be granted. Nor has the Hon. Minister told us how many service inams will be affected by this legislation. Whether the necessity for this legislation has been pointed out by any court of law or whether on the application of any person who is interested or affected, the need for this legislation arose, we do not know. But whatever it is, I am glad the Hon. Minister has expressed his intention to move the Bill to be referred to a select committee, where I hope this matter will be gone into.

"In this connexion, I certainly emphasize the point raised by hon. L. N. Gopalaswami, namely, the question of legality will come, unless the Government provide for compensation. It was not a material point in 1948 when the original Act was passed; because that happened before the adoption of the Constitution Act. So, it was what the Government ruled then. But now it is not so. Now it is the language of the Constitution Act that would rule us. So, it would be a matter for consideration whether these tenures should be taken away, whether those villages should be taken away without paying due compensation. That is the point raised by hon. Sri Gopalaswami. I do not now wish to say any

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way or the other about it here, without going into the merits of the case. The point deserves consideration at least in the select committee stage.

"Then, Sir, there is the other point about which hon. Sri Brahmanandam Reddi spoke at great length. He has brought two big books and he read out extracts from them. Incidentally he referred to several Members, and among them, he referred to my name also. He said that I raised a particular point, namely, the question of taking over entire village inams (that I was against that move) but the Government would not accept it, when the original Act was being considered by this House; [it was only natural for Government to do so, and there is nothing strange in it (laughter)]; but now the Hon. Sri Sitarama Reddi agreed with my point of view and it has been accepted by the Government. I only wish to submit that the Hon. Sri Sitarama Reddi has not fallen in line with my way of thinking; for what he proposes to do in this Bill is not any such thing as hon. Sri Brahmanandam Reddi and others of his way of thinking seem to imagine. This Bill has nothing to do with whole village inams. All that the Hon. Sri Sitarama Reddi proposes to bring in this legislation is that in matters which have been decided by courts there should be *res judicata*. And what are those matters. They are not matters whether a particular village is inam or not, or what are the inams that have to go before the tribunal for determining their tenure. It is not that. What he proposes is:

The decision of a Tribunal or Special Tribunal in any proceeding under the Act, or of a Judge of the High Court hearing a case under section 51 (2).

And what does section 51 (2) deal. To understand it we should refer to section 51 (1), and what does section 51 (1) deal. It says:

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"I will come to another point. Clause 6 of the Bill applies the principle of *res judicata* to the decisions of the Tribunals, Special Tribunals and the Judge. It is a correct principle. Sub-clause (2) of clause 6 says that 'the decision of a Civil Court (not being the Court of a District Munsif or a Court of Small Causes) on any matter falling within its jurisdiction shall be binding'. The means that the decision of a Court of a District Munsif or a Court of Small Causes will not be *res judicata*. One of the principles of *res judicata* is this. Where a decision or order has been given by a competent court and that decision or order has not been reversed by any superior court, it is as good as the decision of a High Court or it amounts to a final decree. That is an elementary principle of jurisprudence. In the 1948 Act, this House wanted to give the go-by to several principles of natural justice and one of them was the principle of *res judicata*. I congratulate the Hon. Minister on restoring it. But let him restore it rightly. When the Bill says that the decision of a District Court or a High Court shall be *res judicata*, I think it will not be correct to say that the decision of the Court of a District Munsif or a Court of Small Causes shall not be *res judicata*. I hope this point will be carefully gone into at the Select Committee stage.

“ There is one other point. The hon. Member Sri M. G. Natesa Chettiar was very anxious that the zamindars should not be put to any indignity. I thought that the Government were doing some help to the zamindars by this legislation. So far as I remember, at the time of considering the Zamindari Abolition Bill, I pleaded for either extending the time of limitation or for putting a ban upon all suits pending the decision of the tribunal, so that the zamindars might not be put to unnecessary litigation or their properties sold unnecessarily. While the tribunals are not functioning fully, the notification proceedings are not completed and the compensation is not yet paid, if the creditors file suits and bring the property for sale, the poor zamindars—not zamindars like Sri M. G. Natesa Chettiyar—will be hit hard, as their property will be sold unjustly and for a small sum. Nearly 1,700 zamindars are affected by this legislation whose annual income does not exceed 2,000 or 3,000 rupees. The then Revenue Minister was adamant. He struck to certain viewpoints and refused to look into other viewpoints. Therefore, he refused to include in that legislation this very elementary principle of natural justice in favour of the affected party. I am glad that this change is being made now by the Hon. Revenue Minister. If there are likely to arise any difficulties as is envisaged by hon. Sri M. G. Natesa Chettiyar, I hope the Government and the Select Committee will look into the matter.”

SRI G. SANYASI RAO:—“అన్నయ్, ఈ జమీందారీ సవరణ బిల్లు జమీందారులకు ఉపయోగించే పరిస్థితులలో ఎవరో కొద్దిమంది lawyers సలహానుబంధ ముఖ్యముగా ఏ బిల్లును తెచ్చివచ్చుక నిలిపివేసింది. నిజంగా ఈ బిల్లు ఇవ్వవలయు select committee stage లో ఉన్నప్పుడు నేనుకూడా select committee లో ఉన్నాను. అప్పుడు

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మేమందరము ఆ క్లాజును తిరస్కరించాము. High Court decisions
కూడ ఈ క్లాజును తిరస్కరించడమైంది. అయితే ఇప్పుడు High Court decisions
కూడ ఈ Tribunals కు bind కావు అని అన్నాడు. ఆ రోజులలో burden of
proof రెవల మీద ఉండేది. అందుచేత High Court decisions ప్రభువు వ్యతిరేకంగా ఉండేవి. ఇది న్యాయంకాదు.

రేకంగా ఉండేది. ఇది న్యాయవిధి. “Council లో 4 సభ్యులైన నాయకులు ఈ క్లాజుకు amendments తెచ్చి సమితికి, మరియు Assembly లో కూడ కొందరు amendments తెచ్చినప్పటికీ, 4 క్లాజులకు ప్రాధికారం దానిని అంగీకరించారు. ఈ విల్లు రైల్వేకు ఉపయోగపడే ఉద్దేశంతో నిర్దేశించబడినది కాని జమీందారులతోసహా కాదు. అంతేకాదు ఈ 6 క్లాజులను పూర్తి delete చేయమని నేను కోరుతున్నాను. పైగా, ఇప్పుడు పీఠానికి రాబడిన సవరణను గమనిస్తే మనకు అంగీకరించినట్లయితే, burden of proof మళ్లీ జమీందారులమీద పేరుకొస్తే రైతులమీదనే పడుతుందని భయపడవలసివస్తుంది. అది కాక, ఇదివరకు Tribunals ఇచ్చినటువంటి decisions మళ్లీ వెనక్కు పోవలసివచ్చినది కూడ భయపడవలసివస్తుంది. నాకు law లో అనుభవంలేకపోయినప్పటికీ, ఎక్కువ అనుభవముగల రైతుల అభిప్రాయాలనుబట్టి చెప్పుచున్నాను. ఈ clause ను delete చేస్తే ఏమి ప్రమాదముకూడ ఉండదు. తరువాత ఈ 6 clause 1, 2 items, ముఖ్యంగా 2 వ item లో ‘The decision of the civil court not being the Court of a District Munsif or a Court of Sm II Causes on any matter falling within its jurisdiction shall be binding on the parties thereto’

its jurisdiction shall be binding on the parties to the dispute.

“ఇది మరలను అంగీకరించినట్లుంటే అదివరకు Tribunals ఇచ్చే యుద్ధమువంటి కొన్ని decisions కు confusion వస్తుందేమోనని నాకు తోడ్పడుచున్నది. వేగా తగ్గిస్తామని రైతులకు అనేక అపకారాలుగూడ జరుగుతాయని భయంగా ఉన్నది. కనుక రైతులకు ఏలాటి అన్యాయము జరుగుతుంటున్నామో ఈ రి వ clause ను delete చేయవలసిందని కోరుతూ ఇంతటితో విరమిస్తున్నాను.”

SRI T. VISWANATHAM :—“ On a point of personal explanation, Sir. The hon. Member brought in lawyers as a class. As a lawyer, I said that clause 6 had no relation to the tenant at all. That clause only deals with the apportionment of compensation between those who may be entitled to it as shareholders, as members of a joint family or in any other capacity. That clause has nothing to do with the tenant at all. As he has brought in lawyers, I will ask my hon. Friend to abide by the decision of a lawyer on the point.”

* SRI N. S. VARADACHARI:—“ Mr. Speaker, Sir, I wish to make only a few observations on this Bill. Since it is going to be looked into by a Select Committee, I do not wish to dwell on the details.

details.

“ Mainly this Bill deals with service-tenure inams. The Government say: ‘ We have passed the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948. It has a very doubtful effect. As the Act stands at present, it is just possible that a person holding an entire village granted on service tenure will have to be given a ryotwari patta in respect of that village. Our intention was that that provision of section 17 (1) of the Act

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should not apply to such a village. Therefore we are amending the Act. I do not know on what ground that intention was based. Virtually it amounts to this. For discharging a very small responsibility and doing a very meagre service, if a person was granted a portion of a village on service tenure, he would get a ryotwari patta in respect of that land. But if a person was granted an entire village for undertaking a greater responsibility and doing greater service and more onerous duties, he should be dispossessed. I cannot understand the logic underlying the intention of the Government. I will put the position in this way. Suppose a person, who is asked to ring the bell in a temple, was granted three acres of land in a village as inam for doing that service. He will get the ryotwari patta for his land. But if a person who was asked to do wholtime duty with no other emoluments to look forward to was granted an entire village as inam for doing the service, he will not get the ryotwari patta for the land. I am not putting forward any concrete case. I ask the Hon. Minister to look into such cases. Take, for instance, the holy shrine at Tirupathi. The priest there—I know he is very much hated without being understood—works from morning till late in the night with no other emoluments. He is not entitled to receive one quarter of an anna in cash once he sets foot inside the temple. He has to work on a routine which is more exacting and onerous than the routine of an administrator. He has to get up at 5 o'clock in the morning, open the doors, recite verses and be at the temple till perhaps 3 o'clock when there is the free darshan. Then he goes home and returns within an hour and attends to his duties till about 11 o'clock in the night. For doing all this service, he is perhaps given an entire village as inam. It is not always possible for one man or even one family to do all these duties. It requires a host of people. I am not saying that these people come under this particular class. I am only illustrating my point that he is rendering a very onerous service. Every member of the public who knows nothing about the service sits in judgment over it from day to day. I object strongly to people who know nothing taking control of the management of temples and saying that they would remove a particular man because he objected to a particular way of doing things which they wanted to be instituted. I will deal with this subject at the time of considering the Hindu Religious Endowments Bill. I think it is wholly wrong to divest the holder of an entire village on inam tenure of that village and consequently the income derived therefrom. Let us see how we have treated religious institutions. No doubt we have taken away all villages attached to religious institutions. But we are paying to those institutions the income that they were deriving before. But in the case of the grant of an entire village as inam by some charitable donor outside the temple for rendering a particular service day and night with emoluments of no other kind to look forward to, the Government want to sit tight on the neck of the holder, wring his throat and deprive him of his holding. Is it fair? Has the question been considered in the light of what I have represented? We rushed through the inam legislation

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without understanding its significance, and ruined a number of small people in the country. They have not got the rents even up till now. They have never received the rent in the past despite the hundreds of statements on the other side that they have been rack-renters.

"I know, Sir, of 100 and 200 cases of inamdars who had never had their rent for the last 20 years, either in a full measure, or a half measure or even a quarter measure, but they are stated in this House to be intermediaries. I am glad, Sir, that the Malabar Tenancy Bill does not contain any such provision to do away with the intermediaries altogether, because there is not so much pressure on the land in Malabar. Sir, I think, it is a very wrong policy to do away with the entire class of intermediaries, where there is a pressure of population on land and where there is low productivity. I could convince the leaders of the Congress about this, but I could not convince any fanatically-minded person who simply wants to treat the temple as if it were a piece of routine. Sir, here we are dealing with human lives and human services, services of an onerous character, services which you may not like, but which hundreds of people appreciate in this country. Perhaps things might change in the future, but until that change comes, there will be time enough for action being taken in that direction. But I ask, is it right now to deprive the big service holder of his entire land and vest the properties on the small service holders, saying, 'you may continue the service or not'? Now they have to be relieved of their service grants, because they are not entitled to ryotwari patta. Now you may have to grant an exception in cases where there is a grant of whole inam villages as well, where the service is enjoined upon the holder, as otherwise it would be a great injustice.

"Sir, in this connexion, I want to refer to section 9 of the original Act, although it might not have any relevancy to the present Bill at all. But still I should like to say a word about it, because I want the House to know how it was introduced into that Act. It was never in the original Bill; it was never placed before the Congress Working Committee; it was never placed before the Select Committee, to whom we would have made very strong appeals for its omission, if it were so done. It was brought suddenly in this House at the last moment. Of course the Government have a legal right to do so, and I have no right to question it. But, I say, Sir, if it is a good Government, if it is a straight Government, and if it wants to do things rightly and properly it had no business to do so, without taking it back to the Select Committee and getting the approval of the Select Committee for including that clause in the Bill. I object in very strong term to the introduction of this clause. If I had raised a point of order at the time, I knew, Sir, you would have ruled it out of order. I could have even sought a remedy other than what I could do inside the House, had I known the position a little earlier. Now let me tell the Government, Sir, please withdraw that clause and you will avoid all the troubles in the future.

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"Sir, the amendment proposed to section 7 of the original Act, I am glad to see, is to reverse the wrong presumption originally made. The Government have notified a list of villages which were really not under-tenures, but were inams. There is a lot of confusion in regard to this matter. Incidentally, I may tell my Hon. Friend, the Minister for Revenue, Mr. Sitarama Reddi, that in the district of Chittoor—and perhaps in parts of Nellore also—there are certain villages which are well-known inams, but for which title deeds are not either in the possession of the Government or in the possession of the inamdars. In such cases you have no right to presume that they are not inams and decide against the landholders, merely because of the language of the section. They have been enjoying the inams all these years, and you now seek to deprive the inamdar of even the poor compensation to which they are entitled under the terms of the Act. Sir, I personally know one such case in the Nellore district and that is one concerning a learned gentleman in Triplicane. He said to me, 'Look here, what a monstrous piece of legislation is this? I know that village is an inam and I have always stated it to be so. But do you know what they did? They held it against me, because there were no documents with me.' I want the Hon. Speaker and the Government to take particular note of this. There is a section in the Act which says that within three months if you do not file your claims for the inam, it will be treated as an under-tenure, even if you produce documents to show that you are an inamdar. In the present case, it was held against the Swamiji. The Swamiji said to me, 'Is this justice? Does this reflect any credit on the Congress administration? I proved my title and still I am told that for technical reasons, the claim was decreed against me.' The Swamiji has left only a minor son who is now in possession of the estate to-day. He has nobody to advise and when he finally came to me, I found that the three months prescribed had elapsed. But the Government have been good enough to overlook this flaw in this particular case and afterwards did justice in this case. But how many cases there were which had been brought to the notice of the Government? I would ask the Government not to take a restricted view of these things to put down the already oppressed small holder. Let them take a broad view of things and see that they help the small landholders as much as possible. Let me tell you, Mr. Speaker, that the small landholder is a real asset to our country. Unfortunately the Government do not realize it. Land problems are not always properly understood. They depend for their solution on a happy combination of all sections of the people that ensure productivity. The owner of the land should certainly not be an absentee, but he must be in the village and take a personal interest in his lands. It is the owner who puts his capital on the land and applies his talents, no doubt, but unless the labourer who has to put his physical labour on the field is paid in a liberal measure, and unless his interests are properly safeguarded, the land problems cannot be solved. That is the way to work any land legislation. It is not by merely distributing the lands at the rate of one acre to each

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person, whether he has bulls or not, whether he has ploughs or not and whether he has seeds or not, that you can solve the problem. That is the surest way to starvation. In that way, I tell you, you will be working not a productivity programme, but the very reverse of it. I, therefore, suggest that whenever you introduce any land legislation, first of all see that you give all facilities and concessions to the small landholder, look into his grievances carefully and do everything that you can to preserve him for the community, because he is the back-bone of the agricultural community. It is, therefore, the duty of the Government and of the Legislature to take into consideration the circumstances of the ryots and the small holders and introduce only such reforms which would not affect them adversely. Let the Government answer this question. Is it fair, is it right and is it just to deprive the man who renders the largest service to the community and who does it with very great difficulty, of his rights and confer them on those who render the minimum service, and confirm them the possession of such rights?"

* SRI K. BHASHYAM :—"Mr. Speaker, Sir, the Bill that is before the House bristles with so many difficulties. I am glad that the Government have thought fit to refer it to a Select Committee and I trust that the Select Committee will be good enough to give opportunities for people affected to place their views before them.

"Sir, in the first place, the Government are trying to reverse a policy which had already been adopted and which had been fairly well settled at the time when the original Act was passed. Now there is a question raised as to what was the original intention of the persons who had passed the original Act at that time. How can we say now what the original intention of those who have passed that Act was? Each one had his own mind and the Act was not passed with one mind. What the mind of the Legislature was and what was said by the various members on this provision, have been taken down and they are now in black and white. It is only from their speeches that you can find what was in their minds; but what was the intention of the Legislature with regard to this particular section, at the time when it passed that Act is what the section says. So, if any person claims that a certain thing was not in the mind of the Legislature or that it was not the intention of the Legislature, it is not for him to say so, but it is for the persons who read the section to find out what exactly it conveys. Therefore, the justification for this Bill that has been trotted out by the Government saying that the original intention of the Legislature was such and such is all wholly wrong. I would not put it in any stronger terms. Next I do feel that it is wrong to ask the House to vote for a principle under which a person, if he possessed only a portion of a village should be given ryotwari patta in full but if he possessed a whole inam village, he should be deprived of his right altogether. Are you going to deprive these persons who are in enjoyment of whole inams of their

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right and drive them into the streets and make them join the ranks of the unemployed? I hope that the Select Committee will look into these things very carefully and see that full justice is done to these inamdars. If, suppose, a village consists of 100 acres and if a person has got 99 acres in it as service inams, you give him a ryotwari patta for the 99 acres and he will be entitled to compensation, while if he has as inam the entire village in his possession and he is enjoined to do certain duties, he will be left with nothing. That is the position that the Government really want to take. I think it is really a wrong principle, Sir, and the Select Committee must look into it and come to definite and right conclusions. Whether a village is a whole inam village or whether a portion of it are inam lands, whether the Legislature has got powers to deprive these people of their rights without payment of compensation—all these are very big questions; certainly the question of principles of land compensation is one of the subjects reserved in the Union list and the principle of compensation will have to be settled by the Central Government and not by this Government. So far as inamdars are concerned, their claims and their rights to properties are also bristling with difficulties and therefore the Government will have to consider these points very carefully and take correct decisions in the matter.

"Then, Sir, my next point is this. When the original Act was passed so many points of controversy were raised and so much discussions had taken place over them for days together. It was then pointed out that between the date of notification and the date on which this Act was passed, many transactions would have taken place between the zamindars and third persons. Those persons have borrowed money and entered into transactions with the zamindars before the date of notification and proceedings were pending in civil courts for the recovery of sums due by the zamindar. The amendment under clause 5 of this Bill prevents the court from ordering or continuing execution before the notified date against the landholder's interest in the estate or his other immovable property. The court is required to set aside any sale or foreclosure of his estate or of the immovable property which may have taken place on or after the date when the Act came into force, if the landholder makes an application in that behalf within 90 days of the date on which the present Bill becomes law. Therefore the proposed amendment seeks to reverse the entire position and cancels the sales that had taken place and in cases where decrees have been obtained by the creditors, the amendment prevents them from taking execution proceedings for the recovery of the amount. I want to know, in such cases, are the creditors going to get back their amounts and the expenses they had incurred in courts, or are they going to lose them? The Government should take into consideration the expenses incurred by the creditors and make suitable provision in the Bill for recovering such amounts. So far as I can see, there is no provision in the Act

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to safeguard the interests of these creditors. I hope, Sir, the Select Committee will also consider this aspect of the question and do justice to the creditors.

"Sir, the new sub-clause 58-A (4) inserted in the Bill says:

'All alienations of immovable property made by the principal or other landholder of an estate on or after the 19th April 1949 and before the notified date shall be invalid as against every creditor whose sale in execution or foreclosure decree has been set aside under sub-section (2) or who became entitled to ratable distribution of the proceeds of such sale under section 73 of the Code of Civil Procedure, 1908.'

"I do not see any relevancy of this clause at all. If a person has alienated a property in favour of his relations with any fraudulent motive, then perhaps it can be declared void altogether. There is the court to take necessary steps against him. But if a person has alienated his property for any really proper and bona fide debts incurred by him, which he could not discharge, then certainly it is for the court to go into these things and decide. I think, Sir, such a provision as this is wholly unnecessary and I hope the Select Committee will consider this point also and omit this clause altogether from the Bill.

"Lastly, Sir, in regard to the application of the principle of *res judicata* against the decision of the Tribunal, I cannot understand why the decision of a Court of District Munsif or a Court of Small Causes should not be binding on the parties concerned as well as the other courts. What the clause says is 'that the decision of a civil court (not being the Court of a District Munsif or a Court of Small Causes) on any matter falling within its jurisdiction shall be binding on the parties thereto and persons claiming under them in any proceeding under this Act before a special court.' I do not see why the decisions of the District Munsif or of the Court of Small Causes ought not to be binding on the parties. I know that a District Munsif's Court can try cases whose value is between Rs. 3,000 and Rs. 3,500, although a sub-court has also jurisdiction to try such cases. Suppose a person files a suit in a District Munsif's Court on a property worth Rs. 3,500 by putting it as Rs. 3,000, and gets a decree from the lower court. Are you going to make the decision void, simply because the decree is for Rs. 3,000 only. If before a sub-court the claim is only for Rs. 3,000, of course special sanctity is attached to it, and it escapes the application of the section. I do not see why these District Munsifs, who are very tried and able lawyers and who are really persons who may be doing their work earnestly and strenuously, and who are entrusted with important suits, are treated with scant courtesy under clause (2) of the new section 64-A. I am not able to understand the reason for this at all, Sir.

"Then about these decisions of the Court of District Munsifs and Court of Small Causes. I hope the Government appoint only good people. Why then this distinction? Are these District Munsifs so incompetent? That is a reflection on the selection made by the Government themselves or the authority entrusted with the selection of the people. Is it really right to

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make a distinction between these courts and others. I do not see any difference between them. There ought not to be any difference in this matter. This reflects great discredit on the Government and persons appointing to that service.

"I have nothing much to say in respect of other matters. I hope the points which I have raised will be taken note of by the Select Committee and at the end it will come to a satisfactory conclusion in this matter."

SRI A. KAMESWARA RAO:—"Sir, my hon. Friend Sri Sitarama Reddi is known to yield to pressure. He is trying to water down the legislation that was passed here by bringing amendments now and then. In the labour legislation also he has watered down many of the provisions of the main Act. In this legislation also he is trying to do it. The Zamindari Abolition Act should not be watered down any further. On the contrary, as I have always been pleading, no compensation should have been given to these zamindars. They have already had their day. They have sucked the blood of the poor. The ryots have suffered a good deal under them. The zamindars when they were having their heyday, they were blood-suckers and enjoyed all sorts of pleasures at the cost of the poor ryots. There should be no mercy shown to them in any of our legislations. They should be treated like ordinary men, common men and they should enjoy only the same benefits as are extended to common men. I would request my hon. Friend to bring in only such amendments as would benefit the poor and not the zamindars as a class. It is not with spite or ill-will towards the zamindars that I speak these words. Hereafter the administration is going to be the administration by the common man to the benefit of the common man and to that end we must legislate. Hence I would only warn my hon. Friend to see that he does not water down the provisions in such a way that they would benefit the zamindars. He should on the contrary strengthen the provisions of the Act and not allow compensation for small things."

"Then regarding the temples and the charities, these zamindars have been misusing the funds. In one of the villages in West Godavari, I found the temple was in the hands of the zamindar and he was enjoying the whole property in his own way as though it was his own private property. I say the Government should not show any mercy to these people. On the other hand extend the benefits to the ryots and get their blessings. That is what I want. It is for the good of people that we got this freedom and let it be for the benefit of the poor and the unhappy and not for the zamindars—the blood-suckers."

JANAB MAHBOOB ALI BAIG:—"Mr. Speaker, Sir, my justification in intervening in this debate is to clear a few points about which I think there has not been clarification in the speech of the Hon. Minister. The hon. Gentleman Mr. Varadhachari has referred to clause 3 of this amending Bill referring to inams as described under section 3 (16) (c) of the Estates Land Act.

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There may be less than a village or a village or more than a village. As far as the inams which are less than a village, the ryotwari patta will be given to the inamdars. Then it is no doubt true that under the original Act, inamdars who held a village or more than a village were also included under that section and according to the legislation, the inamdars, because they were holders, as the words used indicated, will be given ryotwari patta. Then what follows is the question. In the case of minor inamdars who have got less than a village they have a tenure similar to the ryotwari tenure except for the fact that they have to render some service. There is no difficulty with regard to that at all. That is mentioned in the old Act. In order to clear the doubt that if they were doing any private service to the zamindar or inamdar whatever it may be, that service will go and he will be given a patta, a ryotwari patta. At the time when the original Act was passed it was not considered although it was brought to the notice of the Government that in that village, if really melvaram only was given to the inamdar, there may be real ryots in the village who may be owning the kudivaram on the land. A case of that kind may arise in a village where the inam for the whole village was granted to an inamdar. There might be ryots in that village who own kudivaram even on the date when the grant was made. Then the question is who should be granted ryotwari patta, whether it is the inamdar or the ryots who have been on the land at the time when the grant was made. That question was not fully considered at the time when the previous Act was passed. The whole question arose on account of the late stage in which the previous Revenue Minister yielded to pressure and wanted to exclude what are called by misnomer the "1936 inam". If he had stood firm as originally intended, if he had said all inam estates irrespective of whether they were "1936 inams" or any other, for the purposes of this Act, all these questions would not have arisen. In any case the Government have realized the grave injustice that will be done to the ryots who were actually tenants at the time when the grant was made to the inamdar and in order to set right that injustice that might be done to the ryots, they have brought forward this amendment. I think it is a very proper one. I wish the Hon. Revenue Minister will pay attention to this. There may be a case where what is granted to the inamdar is not mere melvaram, the right of revenue to the entire village, but both kudivaram and melvaram. In that case it is open to him to go before a tribunal and prove in respect of the presumption. It is open to him to prove that what was granted to him at the time when the grant was made, was not mere melvaram but both melvaram and kudivaram. He does not stand on a different footing from other inamdars. So what is sought to be done in this amendment is to confine yourself to cases of inams which are less than a village. That is all right, in which case ryotwari pattas will be granted to persons whom we call minor inamdars. In the case of inamdars owning whole inam villages it is open to them to prove that both melvaram and kudivaram were given to them and therefore it is not an inam estate. The presumption is there; or else what would happen is

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this. If really only the melvaram is given to the inamdar and there are ryots owning kudivaram therefor, now they say under this Act the Government are giving ryotwari patta to the inamdars taking away the rights of the actual tenants who have been there. It is the correct view to be taken and the inamdar does not stand to lose, because under some other section it is possible for him to prove his case.

"My second point is in regard to what the hon. Gentleman Sri Brahmanandam Reddi referred to. When the original Bill was in the Select Committee and was before this House I always urged this that in regard to questions whether a certain inam is an inam estate or not, that means to say, whether both warams were given or only one was given, if there is a decision of the court which became final, it must be binding on everybody, on the tribunal, on the parties concerned and the Government. If supposing the decision has taken place in the year 1915 or 1920, after the passing of the Madras Estate Land Act of 1908, on the basis of that decision so far as transaction that might have taken place—people might have borrowed money thinking that it was not an inam estate and that both warams were vested in the inamdar. The Government cannot take away that right without compensation to the man who actually purchased it. After all there must be sanctity to the decisions of the court. Then in regard to the question whether it is an inam estate or not, the presumption is that it is an inam estate. But this can be repudiated. What is called evidence may be placed before the Tribunal—oral or documentary and the decision of the final court must certainly prevail. But why should we bother with the question over and over again when the court which is competent to decide has decided it.

"Now, I submit, Sir, that this amendment is a very welcome amendment and a sound amendment which is placed before this House. But there is no reason for the Government to say that the decision of the District Munsif's Court cannot bind. The Hon. Minister should explain and throw more light on this. The District Munsif decides suits, decides valuable rights, decides cases. I do not know why if he has a right to decree suits, his decision should not be binding."

3-30 p.m. THE HON. SRI H. SITARAMA REDDI:—"Sir, I am indeed grateful to the hon. Members of the House who have taken part in the debate and for the great interest they have evinced in pointing out what they felt and the difficulties confronting the Government. Let me first clear one misunderstanding. Sir, my hon. Friend Sri Kameswara Rao was saying that I was trying to water down something that was very strong. I can assure the hon. Member and the House that there is no question of watering down anything here. As I explained in the beginning, some of these amendments have been necessitated by the experience we gained by the working of this Act for a period of one year. I can assure him that there is no question of yielding to the pressure

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f any particular person or group of persons or any interest. The Government felt, on representations made, that these were matters which ought to be examined and we had them examined by our legal Advisers who recommended the introduction of an amending Bill and it has been brought forward now. While examining this, hon. Members have made certain comments about some of the clauses and what they feel about them. So, Sir, there is no question of watering down any provision and I can assure him that he need not go with the impression that what was done by somebody else is being watered down now. I do not know what he meant by 'watering down'. So far as I know, what we want to see is that, if there is any lacuna, it is filled up and I can assure him, whether it be in labour or revenue, there is no question of watering down at all.

"Now, Sir, coming to the amendment to section 17 (1), there have been many comments. The last speaker did give a very clear reason why this amendment is necessary. As a matter of fact, Sir, hon. Sri T. Viswanatham wanted to know how it arose and why this amendment has been thought of by the Government. As I have already stated, originally the President, The Hindu Religious Endowment Board, said that the Rent Reduction Act does not apply to villages held by temples as Sarva Manyams. That is how the question started. The Government examined the position taken up by the President of the Hindu Religious Endowment Board and held that, excepting any specific minor inams and lands answering to that description, the Rent Reduction Act would apply to other lands, granted on service tenure covered by section 3 (16) (c) of the Madras Estates Land Act. Sir, if all the lands in an entire village are service inam lands, they do attract the benefit of section 17. But, as I pointed out, there are portions of lands and there are people who have been in occupation of these lands. If we continue to have the provision as it is without this amendment to section 17, what would happen will be that a ryotwari patta would be granted to the person or the institution and the ryots who have been in occupation of these lands will be deprived of their right to get the pattas. The whole object with which this legislation has been brought forward now is to see that the ryots or the cultivating tenants are protected and that is the purpose for which this legislation is being brought forward from time to time. And so, Sir, unless this amendment is made in this form, it is likely to give rise to this difficulty that people who have been in occupation of these lands or portions of these lands will be deprived of their right to get their patta while the patta is given under section 17 to the person or the institution. It will be an injustice and, as I stated, the Government want to see that this kind of mistake should not occur and the people for whom the benefit of legislation is intended, are benefited. This is the object, Sir, of the amendment that has been brought forward to section 17. So far as section 38 is concerned, the amendment proposed is consequential on the amendment to section 17 (1).

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"Sir, certain remarks were made about the proposed stay of proceedings in execution, etc., Hon. M. G. Natesa Chettiar said that there is no need for any protection and the Government may drop this piece of legislation and take powers and issue executive instructions to see that the decrees are not enforced or proceeded with. Sir, that is not possible. The Government have not got the power unless through a legislation as it is sought to be done here, to direct courts not to enforce the decrees."

SRI M. G. NATESA CHETTIYAR:—"Have not the Government done in the matter of staying certain suits. The suits are not allowed for a very long time from 1945. Why not they do in respect of civil courts also?"

THE HON. SRI H. SITARAMA REDDI:—"I am sorry, Sir, it is not possible. I would like to tell my hon. Friend that this provision has been brought forward by me on the representation by small landholders who came and represented to the Government and to the Board of Revenue that their estates sought to be taken over by Government are sought to be taken over by decrees by the creditors. Since these estates are to be taken over at some time or other by Government, Government wish to see that advantage is not taken by some unscrupulous people who bid for a low figure and get also compensation which otherwise would go to the landholders. It was thought that this may be prevented in view of the fact that the landholder's solvency to this extent has been curtailed due to the proposed action of the Government. This is the measure, Sir, that has been brought forward as a sort of help to some classes of people who are put to some hardship for no fault of theirs. That is the whole intention behind this legislation."

"Several other comments were also made. I would suggest, Sir, that this measure would be taken up by the Select Committee and I am sure that the Select Committee will go into the defects or deficiencies that have been pointed out by some of the hon. Members. Now, Sir, so far as clause 6 is concerned, various views have been expressed about *res judicata*. I would like to point out, Sir, that section 11 of the Civil Procedure Code, viz., the principle of *res judicata* does not apply to the decisions of Tribunals and Special Tribunals under the Act or a Judge of the High Court hearing a case under Section 51 (2). It is sought to correct this lacuna. Otherwise it will result in multiplication of suits and there is no point in multiplication of suits when we can get certain decisions by the application of the principle of *res judicata*. In consultation with the Advocate-General, the Government have thought fit and necessary to bring in this amendment as it is proposed to be done under Section 64 (A), Clauses 1 and 2."

"Now, objection has been taken why and how important decisions of Munsif's Courts are by-passed. I would like to say that the decision of a Munsif's Court is as sacrosanct as that of any

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ab-Judge or High Court. It is also pointed out that this principle of *res judicata* need not, apply at all. Now on examination it is found that it is better to restrict the application of *res judicata* while we are extending the principle of *res judicata* to courts superior to the District Munsif's Court. It is open to the Select Committee to go into the matter in detail, consider all the objections that have been raised and arrive at a decision which will help to bring forth from the Select Committee a legislation which will be in line with the intention that we have got of seeing that the principle of *res judicata* is applied with a view to the prevention of multiplicity of suits. So far as limitation clause, clause 7, is concerned, nobody has offered any remarks and I take it that it has been approved. I thank the hon. Members once more for the various suggestions that they have made and I move—

'That the Bill be referred to a select committee consisting of the following members:—

The Hon. Sri H. Sitarama Reddi.
Sri Gona Sitaramaswami.
Sri M. G. Natesa Chettiyar.
Sri B. Venkatanarayana Reddi.
Sri N. S. Varadachari.
Sri Pydah Venkatanarayana.
Sri M. R. Appa Rao.
Sri T. Viswanatham.
The Raja of Venkatagiri.
Janab Abdul Hameed Khan.
Sri S. Nagappa.
Janab Muhammad Raza Khan.
Janab Mahboob Ali Baig.
Sri G. Kumaraswami.
Sri M. A. Easwaran.'

The motion was put and carried.

MR. SPEAKER:—"Under Rule 83, I appoint the Hon. Sri H. Sitarama Reddi as the Chairman of the Committee."

(3) THE MADRAS WAREHOUSES BILL, 1949 (L.A. BILL NO. 11 OF 1949).

THE HON. SRI H. SITARAMA REDDI:—"Sir, I beg to present the report of the Select Committee on the Madras Warehouses Bill, 1949 (L.A. Bill No. 11 of 1949), and move—

'That the Bill as amended by the Select Committee be taken into consideration at once.'

SRI T. VISWANATHAM:—"Sir, May I just know what is the programme before the House and when we are likely to finish this Bill?"

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MR. SPEAKER:—"I do not know if a number of Members are going to take part in the discussion of this Bill. The programme is for the Government to decide."

SRI T. VISWANATHAM:—"We have been sitting for quite a number of days. May I suggest that we shall adjourn as soon as this Bill is finished or at 5 p.m. whichever is earlier?"

MR. SPEAKER:—"I have no objection, even if it is earlier. The motion is—"

"That the Madras Warehouses Bill, 1949 (L.A. Bill No. 11 of 1949), as amended by the Select Committee, be taken into consideration at once."

* SRI V. I. MUNISWAMI PILLAY:—"Mr. Speaker, Sir, while I welcome the select committee report on this important piece of legislation, I thought, Sir, that during the deliberations of the Select Committee they would have taken into account the various articles that come under the schedule and made special protection for the commodities that are perishable. For instance, the schedule includes potatoes. Unlike other articles that we find in the schedule, this requires immediate transport and disposal. I admire the sagacity of the Hon. Minister in bringing forward this legislation which will go a long way to relieve the agriculturists of their anxiety to get loans when the produce is ready at the warehouse. I have been assured by the Hon. Minister that the establishment of independent warehouses will not interfere with the existing arrangements for the disposal of this crop. It is from the Nilgiris that this commodity is being exported to all the important markets such as Bombay, Calcutta, Ahmedabad and so on. Mettupalayam is a great centre for this commodity. Agriculturists bring their produce for export or sale to this place and dump all their commodities here. From the provisions of the Bill, it is not very clear whether they can get a loan on the produce that is brought here. The reason is this. If the goods mentioned in the schedule get deteriorated, the Bill empowers the warehouse-keeper to auction the commodity after giving notice to the owner. The market lies at Mettupalayam and the agriculturists interested in the commodity or the owner of the commodity will be far away. Unless something definite is provided in the rules, the owner will be put to a great loss. I find, Sir, that the Government have taken power to make rules under the last section and also under the other sections of the Bill. I would plead with the Hon. Minister, Sir, that in dealing with this commodity, care should be taken so that the agriculturist may not be put to loss. Though it is very clear from the provisions of the Bill that they are going to help the agriculturists by way of loan on the hypothecation of the commodity either to the co-operative societies or to the Reserve Bank, in making rules under the Act when this Bill has become an Act, I wish the Hon. Minister makes special provision so that agriculturists who deal with Article No. 8 in the schedule are not put to any loss. With these few observations, I welcome the Bill."

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* SRI K. BHASHYAM:—"Sir, the Bill is well intended. It is intended for the benefit of the agriculturists and traders in agricultural produce. It is necessary that in all these cases warehouses must be licensed. There should be regulations for the purpose of seeing not only that the goods are intact but also that they are kept clean and nice. All this is perfectly correct. All the clauses of the Bill are quite all right. But under clause 17. Explanation, it is laid down that the warehouse-keeper's certificate of an unlicensed warehouse-keeper shall not be negotiable. That is to say, the title for the goods represented by the certificate shall not pass by mere endorsement or the delivery of the paper. Hon. Members know that when a railway receipt is obtained and we want to transfer the goods represented by the railway receipt, we merely endorse it to some other person, a trader, who advances money on it. In the same way a warehouse-keeper's certificate may be transferred. That is laid down in sections 30, 36 and 53 of the Sale of Goods Act. Section 30 (2) says:

"(2) Where a person, having bought or agreed to buy goods obtains, with the consent of the seller, possession of the goods or the documents of title to the goods, the delivery or transfer by that person or by a mercantile agent acting for him, of the goods or documents of title under any sale, pledge or other disposition thereof to any person receiving the same in good faith and without notice of any lien or other right of the original seller in respect of the goods shall have effect as if such lien or right did not exist."

Therefore if a person transfers or endorses a warehouse-keeper's certificate, the transfer of the goods is made. In such a case, whether the provision laid down in the Explanation to Clause 17 can have operation against the provision of a Central Act, the Sale of Goods Act, is a difficult question to decide. Left to myself, I feel it will be illegal. I do not think that the Government looked at it or the select committee looked at it from that point of view. A warehouse-keeper's certificate is by custom negotiable. By endorsement, the title to the goods passes on and traders trade on it.

"Negotiability means, either by delivery or endorsement on the paper, the title to the goods passes on to another. That is what is meant by negotiable. If the Hon. Minister says that 'negotiable' is something different from transfer, I am not able to agree with him although he is the Member in charge of the Bill. I want to know whether the Government have really looked into this matter. I do not want them to take my advice. There are the legal advisers of the Government to advise them. I only want them to look into the matter carefully and find out whether the Explanation to Clause 17 is valid in view of what I have stated. Again under Article 251 of the Constitution, any Act of this Legislature will be ineffective if it is repugnant to an Act already passed by the Central Legislature where it has jurisdiction to pass such an Act. Besides, under the Constitution, whether this Legislature has got power to interfere with such transactions, is itself a difficult question for me. You may say I am raising points of law or I am raising difficulties. I only want the Government to be careful. Let us not appear in a Court of law and let it not be said there

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that all these things were not considered and that what the Government did was wrong and *ultra vires*. The Government should not be dragged to a Court of law and be defeated. I am anxious for the credit of the Government. I should like, in the first instance, that the Government should look into the matter. Evidently it has not been looked into in the Select Committee. In List I, Union List, item 46 reads—

‘Bills of exchange, cheques, promissory notes and other like instruments.’

I do not know whether negotiable instruments regarding goods come under this. A thing is negotiable because the title passes by mere negotiation. But ‘like instruments’ may mean instruments representing money and not goods. But in respect of List II, State List, I do not know what item they bring this legislation under. I am not able to see it myself.

4 p.m. “I hope the Hon. Minister will be able to do it. I find in the Concurrent List transfer of property other than agricultural land, registration of deeds and documents. Now, if it is under Concurrent List, it should be for the Central Legislature to pass it into law or their consent must be obtained. However, I am supporting the objects of this Bill, but I am raising these points to be looked into by the Government before the Bill is passed into law.”

* SRI N. S. VARADACHARI:—“Mr. Speaker, Sir, the object of this Bill is very good; in fact, it is a long-felt necessity that warehouses throughout the State should be put on a sound basis. There are warehouses in factories, there are warehouses near the railways and there ought to be warehouses in very important centres which may not be quite close to railways but near their factory centres, but still garner a large amount of agricultural produce. More especially is the necessity to safeguard what are called perishables. Of course, coffee is found excluded from the Schedule to the Bill because, for coffee the Marketing Board has its own godown and it has a system of its own. So, it is not proposed to look after the warehousing of coffee under this Bill. I think, when we apply this Act, we should take care to see that existing warehousing facilities are not disturbed. Ordinarily every person who owns a warehouse or other institution which has a warehouse will be given a licence under this Act. It is not conditioned in the very first instance but later it may be subject to control and many conditions may be put in as to the upkeep of warehouses and all that, but we should not deal lightly with these provisions, because even at present warehousing facilities are insufficient to gather all the produce of the land. It is a great facility which the agriculturists need and sometimes we find even in remote villages, what may be comparatively termed, a katcha building and not pucca building, is often used as a warehouse and warehouses have to be preserved and developed on sounder and efficient lines. The idea behind this Bill is to make warehousing a sound duty.

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“Now, the point raised by my predecessor is an important one. I know, for instance, goods worth lakhs of rupees are often handed into a purchaser on what is called a delivery note. Jute mills do that. Hundreds of bales are sold by means of delivery notes, which means that the person who is in possession of a delivery note has already obtained the production in the mill which is warehoused in the mill itself. On authorization from that person, the mill despatches those goods to different parties on whom bills are drawn by the holder of the delivery note and such delivery notes are negotiable. That is to say, today you can buy a delivery note for hundred bales of jute and simply pass it on to another trader and by a mere endorsement that trader will hereafter be deemed to be in possession of the properties under this delivery note. That is, I think, what negotiability means. If you put in conditions that those who buy goods in unlicensed warehouses will find the difficulty of their goods not becoming negotiable and such delivery notes unfortunately happen to be confined to goods in unlicensed warehouses, they will be put to a lot of suffering. I do not believe there will be any case like that immediately arising. It is only a hypothetical case that may arise. As I presume, in the first instance, existing warehouses in the State will all be automatically licensed for the purposes of this Act. In a way, the points raised are important and have to be looked into, because it will affect so much, if by a mistake, for instance, a particular person has not obtained the licence in time and delivery notes are passed for goods in such warehouses. Of course, I know traders are careful and generally they do not agree to take properties unless under the law, the title is very sound and they know that the goods are already safe in their possession and negotiable. That is the point raised by my hon. Friend, Mr. Bhashyam. It is only a suggestion made to the Hon. Minister and I hope he will look into it, because we must make sure that any legislation we pass does not unintentionally obstruct the flow of free trade. That is all I wish to say, Sir.”

SRI T. VISWANATHAM:—“Sir, I support this Bill, because, although originally the Bill sought to make its provisions compulsory upon all those storing goods in godowns, but in the Select Committee stage it has been made an enabling measure, that is, wherever persons want to get credit on their goods, they will have the right of stocking their goods in licensed warehouses and the receipt from the licensed warehouse-keeper will become a valuable property for them and upon that they will be entitled to get credit.

“I understood at the time of the Select Committee that this Bill was brought forward on the suggestion of the Reserve Bank of India and that they suggested that credit facilities might be given to agriculturists who store their goods in warehouses where they are stored and well-kept under certain specified conditions and unless they are subject to check and control it would not be possible for banks to advance moneys. That is why on the lines of similar legislation in Bombay this Bill is proposed. This Bill

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does not bring in all the warehouses in the State under its purview, but it certainly prescribes that if a person wants to have a licensed warehouse then he comes under the provisions of this Bill. If a person wants credit facilities from the Reserve Bank or from other banks, then he has to store his goods in licensed warehouses. Therefore, I have no difficulty in supporting this Bill.

"Then, Sir, as regards negotiability, it is a point on which I am still doubtful. In the original stages of the Bill also I raised the point whether this Government will have the right of creating documents which are negotiable, because the subject belongs to the Union and so whether we can simply create documents which are negotiable is a matter of great doubt to me. I raised that point, but somehow the Select Committee was of the opinion and the Minister also could not agree with me, that this subject did belong to the State List. That is also the point raised by the hon. Member, Mr. Bhashyam. I would request the Hon. Minister to consider that particular point before getting the Bill passed."

THE HON. SRI H. SITARAMA REDDI:—"Sir, certain suggestions have been made by the hon. Member, Mr. Muniswami Pillai regarding certain difficulties that have been experienced by the growers of potato and he suggested that the potato growers also might be brought under the provisions of the Bill. I may assure him that his suggestion will be kept in mind."

"Then, Sir, hon. Sri Viswanatham said that the Bill has been brought forward on the suggestion and recommendation of the Reserve Bank of India. Similar legislation has been passed and is in force in Bombay, Madhya Pradesh and in one or two other States. Originally, when the Bill was brought before this House, it was of a compulsory nature and on examination and after some correspondence with the Government of Bombay and other States where this legislation is also in force, it was decided by the Select Committee that it should be an enabling measure, so that the present warehousing facilities for the people will not be curtailed. As far as the future warehouses that are going to be built with a view to get licensed under this Bill, or such warehouses as are fit, on inspection by the inspecting authority and declared to be suitable for the issue of licences under this Act are concerned, the goods stored in those godowns only and the receipts obtained from such warehousemen, will be negotiable."

"Sir, the point raised by the hon. Member, Mr. Bhashyam is about clause 17 (1) Explanation, which says 'the provisions of this sub-section shall not apply to any receipt issued by a person who has not obtained a licence under this Act in respect of his warehouse.' Sir, here the warehouseman does not get a title to the goods, because the warehouseman is the custodian of the property of a particular person and who is allowed to store the goods on certain payment. So, Sir, the ownership of the goods vests in the man who has deposited the goods and takes the receipt. We are here making the man who is the custodian of the property but who is not a licensed warehouseman to say in the

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receipt issued by him that he has not obtained a licence and that the receipt is not negotiable. So, I do not think that the arguments advanced by the hon. Member will have a bearing on this explanation. That is what I feel about it.

"In regard to the other point raised by hon. Sri Viswanatham, whether this Government is competent to pass legislation which will make certain documents negotiable, he did raise the point at the stage of the Select Committee also, I remember, but it was examined and found that this Government was competent to do it and so it was approved."

"Sir, this piece of legislation is really intended to benefit the agriculturists in that there will be an opportunity of storing goods in warehouses and the receipt of the warehouseman is negotiable. As I said, the Reserve Bank or any other bank is prepared to rediscount the receipt and advance moneys at a cheaper rate of interest. So, it is expected there will be greater credit available to the agriculturists by this legislation. This piece of legislation is long overdue."

"Sir, I am indeed thankful to the Members of this House for the welcome they have given to this measure."

MR. SPEAKER:—"The question is—

'That the Madras Warehouse Bill, 1948, as reported by the Select Committee, be taken into consideration at once.'

The motion was carried.

Clauses 1 to 16 were put and carried.

Clause 17.

MR. SPEAKER:—"The motion is—

'That clause 17 do stand part of the Bill.'

* SRI K. BHASHYAM:—"Mr. Speaker, Sir, I have already had my say regarding this clause but the Hon. Minister in charge of the Bill said that the difficulty that I had pointed out does not exist. I shall be glad if it is so but I would like him to examine the point still further in consultation with his legal officers and if the advice is against what I think, it is much better and there will be no room for doubt. Warehousekeeper's receipts are by custom already negotiable and it is not as if they make a special provision for the purpose of making it negotiable. So, they are doing a thing which is already there and there is no harm about it. But the whole difficulty arises with regard to the explanation. Apart from the question whether we can deal with negotiable instruments as it falls under the Union List, namely, item 46, it is against existing legislation in respect of such matters wherein it is stated that if a person obtains the mercantile documents in respect of goods by some process, the goods pass to him. That is the position under section 137 of the Transfer of Property Act and section 28 of the Sale of Goods Act. Therefore, I would like the

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Hon. Minister to go into the point a little more closely and the question is altogether free from doubt. The present law is that the warehousekeeper's certificate is transferable and according to the provisions of the Sale of Goods Act, the transfer of goods takes place by mere contract when the contract is completed and there are provisions, sections 36 and 37 of the Sale of Goods Act according to which the title may be made by the mere possession of the documentary title to the goods. I do not want to force my opinion upon the Hon. Minister but I should like him to examine the question."

THE HON. SRI H. SITARAMA REDDI:—" Mr. Speaker, Sir, I am indeed obliged to the hon. Mr. Bhashyam for the suggestion that he has made. I would like to point out that 'transfer of property other than agricultural land, etc.' is in the Concurrent List, item 6. A provision that the endorsement on a receipt should pass the title in respect of the property referred to is intra vires of the powers of the State Legislature and similarly, the provision that an endorsement on a receipt should not pass the title is also intra vires of the powers of the Legislature. In other words, the provision as to when an endorsement should pass and when it should not pass title is within the competence of the State Legislature. That is all I should like to submit, Sir."

Clause 17 was put and carried.

Clauses 18 to 27 were put and carried.

Schedule.

MR. SPEAKER:—" The motion is—

That Schedule do form part of the Bill."

THE HON. SRI H. SITARAMA REDDI:—" Mr. Speaker, Sir, I move—

'That in item 4 of the Schedule the word "Tobacco" be omitted,'

because it is already controlled."

The amendment was carried.

The Schedule as amended was put and carried.

The Preamble was put and carried.

THE HON. SRI H. SITARAMA REDDI:—" Mr. Speaker, Sir, I thank the House for its co-operation and the speedy passing of this Legislation. I move—

'That the Madras Warehouses Bill, 1950, as amended, be passed into law.'

MR. SPEAKER:—" Motion moved—

'That the Madras Warehouses Bill, 1950, as amended, be passed into law.'

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SRI T. VISWANATHAM:—" Mr. Speaker, Sir, it is not due to the fact that we do not want to participate in the discussions but because it is coming after fourteen days of continuous sittings. So, Sir, it is necessary that we should not have such long sittings when nobody can pay attention to anything."

THE HON. SRI H. SITARAMA REDDI:—" Mr. Speaker, Sir, I really thought that the speed with which the Bill was passed was because the hon. Member was himself in the Select Committee and he himself proposed many amendments and had given very careful consideration to the various clauses of the Bill. I know that several hon. Members at the Select Committee stage did help in putting forward several points of view and the Government examined the various points, legal points and others and I thought, Sir, that because the Select Committee has sent up the Bill after so much thought upon it, it was free from objection and that was why we have been able to pass this legislation so soon."

MR. SPEAKER:—" Yesterday, the Hon. Mr. Gopala Reddi suggested that instead of the words 'the Bill be passed into law' we might adopt the words 'the Bill be passed'. I objected to that because in the rules, namely, 98 (4) it is said—

'At any time after the conclusion of such further consideration, if any, the member in charge of the Bill may move that the Bill be passed into law.'

So, if the motion is to be made in the form proposed by him, let him change the rules. In the House of Commons, the motion is 'that the Bill be read a third time' and in the Union Parliament, the motion is 'That the Bill be passed'. But here it has been our custom to say 'That the Bill be passed into law' which is according to the wording of Rule 98 (4). I have no objection if the rules are changed.

"The question is—

'That the Madras Warehouses Bill, 1950, as amended, be passed into law.'

The motion was carried and the Bill as amended was passed into law.

(4) THE MADRAS MAINTENANCE OF PUBLIC ORDER (AMENDMENT)
BILL, 1950.

THE HON. SRI K. MADHAVA MENON:—" I request permission that the Bill may be taken up at the next meeting."

(5) THE MADRAS PROHIBITION (AMENDMENT) BILL, 1950

THE HON. SRI N. SANJEEVA REDDI:—" Mr. Speaker, Sir, I beg to introduce the Madras Prohibition (Amendment) Bill, 1950, and move—

'That the Bill be taken into consideration at once.'

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THE MADRAS PROHIBITION (AMENDMENT) BILL, 1950

[Sri N. Sanjeeva Reddi] [17th October 1950]

"Let me hasten to tell the House, Sir, that it is a formal thing. Under section 5 of the existing Act, we have taken powers to prohibit spirits being made fit for human consumption. But now, attempts are being made to circumvent the enactment by people trying to make shellac and French polish and other things fit for human consumption and according to the existing provisions, it is not possible to prohibit it and so, this small amendment is made so that we may prohibit not only spirits being made fit for human consumption but also French polish and other things being made fit for human consumption."

MR. SPEAKER:—"Motion moved—

'That the Madras Prohibition (Amendment) Bill, 1950, be taken into consideration at once.'

* SRI V. I. MUNISWAMI PILLAY:—"Mr. Speaker, Sir, the Hon. Minister said that it will not take even a minute and it is a very small amendment that he proposes to make. I think the minor amendment which he has brought before the House is not a small thing. Now, when we go to any part of the State to the village or town or anywhere, we find that the Prohibition Act which was so nobly enacted by this House and has been in force for several years, is not looked at in the spirit in which it was given to the people. I would like the Hon. Minister to note that things have taken quite a different turn in the matter of enforcement of prohibition and so, I suggest to him to bring a comprehensive Bill so that the evils that have come after the introduction of prohibition may be set at rest. This Act was given to the poor with a view to ensure economic security but now, Sir, I find that even the poorest of the poor have become indebted and also a certain class of people have been dealing in things that have been tabooed under the Prohibition Act. Large quantities of tinctures and tonics under various names are being freely used for intoxicating purposes and people get ruined; they have taken advantage of certain provisions of the Act and have been minting money. At this late hour, I request the Hon. Minister to bring in a comprehensive Bill and remedy all these defects that have been found in the working of the Prohibition Act, so that Prohibition may spread in the country and the country may prosper."

SRI A. VEDARATNAM PILLAI:—"கனம் அக்கிராஜா அவர்கள், இப்பொழுது கொண்டு வரப்பட்டிருக்கும் இந்த திருத்த மசோதாவை நான் முழுமனதுடன் ஆகிரியாகிறேன். இந்த மதுவிலக்குச் சட்டத்தைக் கொண்டுவந்ததில் இப்பொழுது கள் வியாபாரம் நின்றிருக்கிறதே யொழிய மற்ற மதுபானத்தினால் செய்யப்படும் மருந்துகளின் வியாபாரம் கணக்கு வழக்கில்லாமல் நடந்துவருகிறது. இந்தத் திருத்தத்தினால் மீண்டும் மதுவிலக்கு புரண வெற்றியடைந்தனவும் என்று சொல்லமுடியாது. இப்போது spirit என்று சொல்லப்படும் மதுவின் ஒவ்வொரு மருந்துக் கடைகளிலும் வைத்து ஏராளமாக விற்கப்படுவதை நான் கனம் மது விலக்கு மந்திரி அவர்களுடைய கவனத்திற்குக் கொண்டுவர விரும்புகிறேன். இப்பொழுது சென்னை நகரத்திலுள்ள மருந்து ஷாப்புகளில் பார்த்தால் —அன்று ஒரு கேள்விக்கு பதில் கொடுத்தார்கள்—நூறுக்கு 151 சத விதிக் spirit கலந்த மருந்துகளை விற்கப்படுவதாக—இவ்விதம் spirit

THE MADRAS PROHIBITION (AMENDMENT) BILL, 1950

[Sri A. Vedaratnam Pillai] [17th October 1950]

கலந்த மருந்துகள் இப்பொழுது சென்னை நகரில் ஒவ்வொரு கடை யிலும் ஐந்துறு, ஆயிரக்கணக்கான பாட்டில்கள் விற்கப்படுகின்றன. இதைத்தவிர இன்னும் எத்தனையோ wholesale வியாபாரிகள் இம் மாதிரியான மருந்து பாட்டில்களை வெளியிலும் அனுப்பி வருகின்றார்கள். நாம் மதுவிலக்கை எவ்வளவோ வெற்றிகரமாக அமுலுக்குக் கொண்டு வர வேண்டுமென்றிருக்கும்பொழுது எங்கு பார்த்தாலும் இம்மாதிரி யான மருந்துகளையும் பாட்டில்களை விற்பனைசெய்து அதையே உபயோ கித்து வருகிறார்கள். இப்பொழுது சென்னை நகரில் எங்கு பார்த்தாலும் கிடைக்கக் கூடிய மருந்துகள் எல்லாம் கூட மருந்து கடைக்கு வழக் கத்து பொந்துகளில்லாமல் கூட மருந்து கடைகள் கணக்கு வழக் கில்லாமல் விருத்தியாகிக்கொண்டே வருகின்றன. இவ்விதம் திடீரென்று இம்மாதிரியான கடைகள் எருத்தியாவதற்கு காரணம் என்னவென்றை யோசித்துப் பார்க்கவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். இவ்விதம் எங்கு பார்த்தாலும் இவ்விதமான கடைகள் ஏற்பட்டதினால் குடித்துப் பழகியவர்கள் இவைகளை வாங்கிச் சாப்பிட்டு வருகிறார்கள். இவைகளைத் தடுப்பதற்கு வேண்டிய முயற்சி எடுத்துக் கொள்ளவேண்டுமென்று கேட்டுக் கொள்ளுகிறேன். இவ்விதம் விற்பதையும் இம்மாதிரியான மருந்துகளை உற்பத்திசெய்வதையும் தடைசெய்யவேண்டுமென்ற விஷயத்தை இங்கு எவ்வளவோ அங்கத்தினர்கள் உறுதிபடுத்தியிருந்தும் அவைகளை இன்னும் தடைசெய்யவில்லை. மருந்துகளின் மூலமாக மதுபோதையை கொடுக்கக் கூடிய மருந்துகள் உற்பத்தி செய்வதை தடைசெய்வதற்கு இந்த திருத்தத்தின் மூலமாகவோ அல்லது கனம் முன்னாள் மந்திரி அவர்கள் சொன்னமாதிரி ஒரு திருத்த சட்டத்தைக் கொண்டுவருவோ இதை அடியோடு நிறுத்துவதற்கு முன்வருவோமானால் இந்த மதுவிலக்கினால் நாம் சுமார் பதினேழு கோடி ரூபாய் சம்பந்தத்தை உரையாக்காமல் பார்த்துக்கொள்ள லாம் அதனால் நம்முடைய ஜனங்களுக்கு போதிய நன்மையைச் செய்வ தாகவுமாகும். இந்த வகையில் அமைத்துப்பதற்கு கனம் மந்திரி அவர்கள் முயற்சி எடுத்துக்கொண்டதற்கும் அதற்கு அனுசூலமாக இந்த மசோதாவைக் கொண்டுவந்திருப்பதால் இந்தத் திருத்த மசோதாவை நான் முழுமனதுடன் ஆரங்கிறேன்."

SRI K. T. KOSALRAM:—"Mr. Speaker, Sir, கனம் மதுவிலக்கு 4-3 மந்திரி அவர்கள் கொண்டு வந்துள்ள திருத்த மசோதாவை ஆதரிப்பதோடு, p.a இன்று மருந்து என்ற பெயரால் தயாராகும் சாராயப்பிட்டிகளை ஒவ்வொரு வரும் பணக்காரர்களோ அல்லது படித்தவர்களோ அறியாமையினால் சாப்பிட்டு குடல் வெந்து மாணடுகொண்டிருக்கிறார்களென்பதை கனம் மந்திரி அவர்களுடைய கவனத்திற்குக் கொண்டுவர விரும்புகிறேன். ஆனால், இந்தத் திருத்தத்தினால் மட்டும் வெற்றி அடைந்துவிட முடியாதென கனம் பேரத்தினம் பின்னை அவர்கள் சொன்னார்கள். ஆம், அது உண்மை. இதற்கு விரிவான ஓர் சட்டத்தைக் கொண்டுவரவேண்டும். அந்தச் சட்டத்துடன்மட்டுமே நிறைக்கூடாது. இப்போது ஒருவன் மதுவிலக்குக் குற்றம் செய்து அவனைக் கைது செய்தால் உடனே அவனை ஜாமீனில் விட்டு விடுகிறார்கள். கோர்ட்டுக்குப் போனாலும் அவர்கள் தாராளமாக வாய்தா் கொடுக்கிறார்கள். அவ்வாறு ஒரு நாளுக்கு மாதம், ஆறு மாதமென்று விசாரணையை ஒத்திப்போட்டுக்கொடுக்கிறார்கள். இந்த நாளுக்கு மாதம், ஆறு மாதம் கெடுவுக்குள் அவர்கள் மீண்டும் மீண்டும் இதே குற்றத்தை 10, 12 முறைகள் செய்துவிடுகிறார்கள். இன்று சர்க்காரினுடைய கட்டவரிகள் என்ற கருத் விளங்குகின்றன. தாங்கள் கட்டவரலையே ஆக்கப்பட்டவர்கள் என்ற கருத் துடன் இன்று கோர்ட்டு ஜட்ஜ்ஸ் கூட சர்க்கார் இயற்றும் சட்டங்களுக்கு விரோதமாகவே தீர்ப்புகள் அளிக்கின்றார்கள். மக்களுக்காகத்தான் கோர்ட்டு கள் இருக்கிறதென்ற எண்ணம் அவர்களுக்குக் கிடையாது. கடைசியாக மது விலக்குக் குற்றம் செய்தவனுக்குத் தண்டனையாக 7 ரூபாயும், 10 ரூபாயும் அபராதம் போடுகிறார்கள். இந்த 10 ரூபாய் அபராதம் போடுவதற்குள் அவன் பத்துமுறை அதே குற்றத்தைச் செய்து ஜாமீனில் வெளியில் உலாவிக்கொண்டிருக்கிறான். இதற்கு உடனடியாகத் தக்க ஏற்பாடுசெய்ய வேண்டும். எவனாவது மதுவிலக்குச் சட்டத்தை மீறி சாராயம் காய்ச்சினாலும் சரி, சாராயம் குடித்தாலும் சரி, அவனை உடனே கிறையில் அடைக்க வேண்டுமே தவிர அவனை ஜாமீனில் விடக்கூடாது. இப்படிச் சட்டத்தை திருத்துவதற்கு முன்னால் நாம் என்ன திருத்தம் கொண்டுவந்தாலும்

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[Sri P. Kakkan]

[17th October 1950]

இருக்கின்றன. மார்க்கெட்டில் பார்த்தால் மருந்துக் கடை, latrine-ல் பார்த்தால் மருந்துக்கடை. இப்படி பல இடங்களிலிருக்கின்றன. இன்னும் அபின் கஞ்சாக்களைக் கூட வைத்து விற்பதாக தெரியவந்திருக்கிறது. இவைகளை யெல்லாம் தடை செய்யவேண்டும். கனம் கோசல்ராம் சொன்னமாதிரி அவர்களை ஜாமீனில் விடாமல் ஜெயிலில் தான் போடவேண்டும். அதற்குத் தகுந்தாற்போல் ஒரு சட்டத்தைக் கொண்டு வரவேண்டும். நான் சொல் வது என்ன வென்றால் அவர்களை ஜெயிலில் போடுவதோடல்லாமல்—அவர் களை ஜெயிலில் போட்டால் அவர்களுக்கு செலவழிக்கப்படும் பணம் ஏழை மக்களுடையது; அவ்வித யில்லாமல்—அவர்களுடைய சொத்துக்களை யெல் லாம் பரிமுதல் செய்யவேண்டும். எவ்வளவு நாட்கள் அவர்கள் ஜெயிலி லிருந்து அவர்களுக்கு சிலவழிக்கப்படுகிறதோ அந்தப் பணம் அவ்வளவை யும் அவர்களிடத்திலிருந்து வாங்க வேண்டும். ஏழை மக்களுடைய பணத் திலிருந்து அவர்களுக்கு சரப்பாடு போடக்கூடாது. இவைகளை யெல்லாம் தடுப்பதென்றால் போலீஸ்காரர்கள் அதற்கு அனுசரணையாக இருக்கவேண் டும். போலீஸ்காரர்களும் இவைகளைத் தடுப்பதில் மும்முரமாக வேலை செய்தால் இதை வெகு சீலமாக தடுத்து விடலாம்.

“அதே மருந்துக் கடைகளில் இந்த விதமான மருந்துகள் விற்பதை தடை செய்வதோடு அவைகளை உற்பத்தி செய்யப்படும் இடத்தையே கண்டு பிடித்து உற்பத்தியாவதையே நாம் தடை செய்யவேண்டும். அப்பொழுது தான் விற்பனையாவதற்கு மார்க்கெட்டிற்கு வரவதையே தடுத்து விடலாம். இதை கனம் மந்திரியவர்கள் மனதில் வைத்து கொண்டு இம்மாதிரியான மருந்துகள் உற்பத்தியாகும் பிரகேசத்தைக் கண்டுபிடித்து அதை உற்பத்தி செய்யாமலிருக்கும்படி தடை செய்யவேண்டும் என்று வேண்டிக் கொண்டு இந்த திருத்த மசோதாவை நான் முழு மனதுடன் ஆதரிக்கிறேன்.”

THE HON. SRI N. SANJEEVA REDDI :—“ Mr. Speaker, Sir, I thank the hon. Members for the good suggestions that they have given. In fact I have been thinking on the same lines exactly. Suggestions have been given by hon. Mr. Vedaratnam Pillai and hon. Mr. Varadachari. Hon. Mr. Varadachari was suggesting that control of the producing centres would be useful. Some action has already been taken in the matter. Many of the licences that we gave after the introduction of Prohibition will expire in the course of a few months or days. There are some legal difficulties, but still we will be able to get over them. We are convinced as he is that these producing centres must be controlled. I know the change of names of tinctures. When we prohibit one kind, they simply change the name and call it tincture kamala. We have to control the supply of spirits and also control the producing centres. It will be much easier for us to control the very sale of spirits. Hon. Mr. Vedaratnam Pillai stated that a comprehensive Bill was necessary. That is what hon. Mr. Muniswamy Pillay also stated. I think the need of the day can be met by a couple of amendments. We are also dealing with the question of minimum punishment and the non-bailability of the cases. I think these two points will be brought before the Legislature at the earliest possible time in the next sitting of the Assembly. Government are already moving in the matter to have legal opinion. The question is being examined by the departments of the Government. These two are the most important points, namely, minimum punishment and non-bailability. No Magistrate will have the liberty to say that he will let off the accused with a fine of Re. 1 or a day's conviction, though it is perhaps not reasonable to say that

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the minimum punishment should be 60 months' imprison- ment. Because, minimum punishment is there only in a few cases like murder, etc. To make the minimum punishment compulsory here would perhaps look a bit hard. But then, Sir, considering the extraordinary situation that has arisen because of the enforcement of the Prohibition Act, we will have to be a bit harsh, and none need be sorry if a drunkard, who is breaking the law, is made to suffer a bit more.

“The question of giving bail to accused persons was also raised. I know one or two instances where a person alleged to have committed a crime and let on bail continues to commit the same crime. Again he is arrested, he secures a bail the second time also and then continues his practice. We feel helpless in such a situation. When the law provides for the grant of bail, the Magis- trates are certainly obliged to grant it. Then the man thinks it more profitable to continue his trade than try to reform himself. In that way a man who is compelled to pay a few rupees as fine does not mind it. Therefore, we shall examine the question whether it is possible or whether it is absolutely necessary or whether it is advisable to make all the circumstances non-bailable.

“I am very happy to note one thing, i.e., the views of the hon. Members of this House and mine are similar. Their attempts and my attempt have been the same in trying to make this Prohi- bition Act a complete success. But while trying to enforce this more vigorously, we should also see that we do not make these laws more oppressive at least in the case of some technical offences and other offences which are not of a very serious nature. That point should be examined. It is with regard to that, that careful examination is absolutely necessary. Some of my Friends have suggested several amendments and I would consider all of them and try to bring the more important amendments in the next Session.

“I thank the hon. Members for giving me full co-operation. I move, Sir—

“That the Bill be taken into consideration at once.”

MR. SPEAKER :—“ The question is—

“That the Madras Prohibition (Amendment) Bill, 1950, be taken into consideration at once.”

The motion was carried.

Clauses 1, 2 and the Preamble were put and carried.

THE HON. SRI N. SANJEEVA REDDI :—“ Sir, I move—

“That the Madras Prohibition (Amendment) Bill, 1950, be passed into law.”

MR. SPEAKER :—“ Motion moved—

“That the Madras Prohibition (Amendment) Bill, 1950, be passed into law.”

SRI V. I. MUNISWAMI PILLAY :—“ Sir, I must thank the Hon. Minister for the assurance that he will bring forward a com- prehensive Bill or examine how the Prohibition Act can be

[Sri K. T. Kosalram] [17th October 1950]

அதனால் எந்தவிதமான நன்மையும் ஏற்படாது. அப்படிச் செய்யமுடியா விட்டால் சட்டத்தை வாபஸ் பெறுங்கள். இப்போது கேரட்டாரால் விதிக்கப் படுகின்ற 10, 14 ரூபாய் அபராதத்தைச் சலியமாக அவர்கள் செலுத்தி விடுகிறார்கள். அந்த சமயத்திலே உங்கள் மதுவிலக்குச்சட்டம் வெற்றி பெற வில்லைமென்றும் துஷ் ரசாரம் செய்துகொள்ளுங்கள். யாரோ, எவரோ தெரியாமல் தப்பு செய்துகொண்டிருக்கிறார்கள் என்பதே உண்மை. மதுத்தவர்களும், பணக்காரர்களும் வேண்டியென்றே, தெரிந்தே தப்பு செய்துகொள்ளுங்கள். அந்தத் தப்பை அடக்கவேண்டுமானால் கடுமையான தண்டனை விதிக்க வேண்டும். இன்றைய கேரட்டுக் கல்லாப் தயக்கு மின்னிக் கடவுள் இல்லையென்ற எண்ணத்தில் என்னவேண்டுமானாலும் செய்யலாமென்ற நினைப்புடன் தமது சட்டங்களுக்கெல்லாம் எதிராகத் தீர்ப்புள் அளித்து வருகிறார்கள். ஆகையால் இந்த மதுவிலக்குக் குற்றம் செய்பவர்களை உண்மையாக தண்டிக்கவேண்டுமென்றால் சட்டத்திலே கடுமையான தண்டனையை நிர்ணயித்து சட்டத்தில் மாற்றம் செய்துவிடவேண்டும். அப்படிச் செய்யாவிட்டால் இந்த மதுவிலக்குக் குற்றத்தை நாம் நிச்சயமாக அடக்கவே முடியாது. இதை கனம் மதுவிலக்கு மந்திரி சஞ்சீவ ரெட்டி அவர்கள் உணர்வார்களென்று நினைக்கிறேன். இந்தச் சட்டத்திற்கே அவர்கள் ஒரு திருத்தம் உடனே கொண்டுவரவேண்டும். எவ்விதமாயினும் இந்தச் சட்டத்திற்கு ஒரு amendment-ஐக் கொண்டு வந்து மதுவிலக்குச் சட்டத்தை மீறியவர்களை தாமதமாக விடுவிக்க முடியாதபடி செய்யவேண்டுமெனக் கேட்டுக்கொள்கிறேன். அப்படியும் மீறி குற்றம் புரிபவர்களுக்குச் சரியான தண்டனை விதிக்கவேண்டுமென்றும் கேட்டுக்கொள்கிறேன்.

* SRI N. S. VARADACHARI:—“Mr. Speaker, Sir,—this amendment of the Prohibition Act has been necessitated by public pressure. It has been found that in recent years a number of shops are started for manufacturing various tinctures under various names. To-day it is tincture orange, to-morrow it is tincture kamala, and day after to-morrow after this legislation is passed, it will become some other tincture. Perhaps the same drug it is with an absolutely different name, and with other aids which I need not describe. I just want to warn the Government that these drugs will appear under various names, and it is just possible that the men who are employed—the excise people—in these factories which manufacture these drugs, may later on be persuaded to produce certificates that the alcoholic content of these drugs is not so high as it is now made out to be. We have only penalised the drugs which we may either declare unfit for human consumption or where the alcoholic content is, according to the Government's estimate, very high and unfit for being used even as medicine. In the administration of this Act, even as amended, there might still be loopholes left, as for instance false certificates being made out that the percentage of alcoholic content is much lower than what it really is. I should like to give this piece of advice in order that the Government may forestal such action on the part of unscrupulous employees. It is a well-known fact that even at present in all these factories people who are employed may be asked to do many things so as to circumvent even the demand for proper excise revenue being made on them. That is to say the total amount of drug produced may be put down at a lower figure than it really is. For that we must have proper control of these licensed factories which are manufacturing drugs. I was surprised, in the course of one of my talks with people who knew the state of things, that a one-time civil servant, and perhaps one

[17th October 1950] [Sri N. S. Varadachari]

who took a large part in politics, was connected with a factory doing this liquor propaganda in a very indirect manner. If we want to stop the use of these drugs we must exercise control even at the production stage. We must produce only as much quantity as would be needed as medicine and not run into the general consumption. It was discovered, when I went for attending a plantation meeting, that it was the common habit of the people in that locality to run to a particular shop and ask only for one or two tinctures to be poured into their bottles and then they carried those bottles home in order that they might either drink it diluted or perhaps drink it undiluted in order to quench their thirst for drink. It was a very dangerous practice. It was reported to me that many persons were badly affected. Some even died. When I came back to my own place soon after that meeting, I found that several pan shops had these drugs, and in the evening this drug was poured out along with soda or colour or some crush. People were drinking this very freely. Some of them had badly burnt their internal frames. Some, I was told, were on the point of death having drunk a liquor which contained a high alcoholic content. That sort of thing should not happen, if only we properly regulate the production of these drugs. Drugs are, of course, necessary as medicine. If we properly estimate the use of these drugs and restrict the production, there would be less risk of this evil. Otherwise there will be serious lapses of the Prohibition Act. The only way to deal with this lapse is to exercise proper and efficient control in the licensing of these factories. The licences should be as few as possible. I would like licences to be restricted to a few specified factories. Restriction has one advantage in that we can have proper control of our subordinates who will be asked to supervise the excise part of the factory.”

SRI P. KAKKAN:—“கனம் சபாநாயகர் அவர்களே, கனம் மதுவிலக்கு மந்திரி அவர்கள் கொண்டு வந்திருக்கும் இந்த திருத்த மசோதாவை நான் முழு மனதுடன் ஆதரிக்கிறேன். இது ஒரே நிமிஷத்தில் நிறைவேறக் கூடிய சட்டமாக இருக்கிறது. இதற்கு எல்லோரும் சாகசமாக இருக்கிறார்கள். இந்த மசோதாவிற்கு பாதகமாக ஒருவரும் கிடையாது. ஆனால் கண்ணால் கண்டதைச் சொல்லவேண்டுமென்பதை யொட்டி நான் கண்ணால் கண்ட ஒரு கஷ்டத்தைச் சொல்லுகிறேன். காந்தி ஜயந்தி கொண்டாட்டத்தை யொட்டி இங்குள்ள ரப்பின்சன் பார்க்கில் ஒரு கூட்டத்தை நடத்தினார்கள். அதற்கு கனம் மந்திரி அவர்களை வரச் சொல்லியும் அவர் வரவில்லை. ஆனால் நானும் கனம் வேதரத்னம் பிள்ளையவர்களும் வட சென்னைக்கு சென்று அந்த கூட்டத்தில் கலந்து கொள்ள சென்றிருந்தோம். அங்கே எங்கு பார்த்தாலும் மருந்துக் கடைகளை வைத்து மருந்து என்று சொல்லி மயக்கம் தாக்கூடிய மருந்து வஸ்துகளை அங்கிருக்கும் ஜனங்களுக்கு விற்று வருகிறார்கள். நாங்கள் அன்று காருக்கை காத்துக் கொண்டிருக்கும் பொழுது பல ஜனங்கள் இம் மருந்துகளை வாங்கி சாப்பிட்டு விட்டு போதையிலிருந்தவர்களை அங்கிருக்கும் போலீஸ் காண்டேபிள்கள் பிடித்து ரிக்காவில் வைத்துக் கொண்டு போனார்கள். அப்பொழுது அந்த போதையிலுள்ள ஆட்கள் கத்திக் கொண்டும், ஆடிக்கொண்டும், பாடிக்கொண்டும் போனார்கள். அவர்கள் குடித்தவிட்டு வெறியினால் தான் கத்தினார்கள். இவைகளைப் பார்த்தவுடன் வட சென்னையில் இம்மாதிரியான மருந்துக் கடைகள் ஜாஸ்தியாக இருக்கின்றன வென்று தெரிந்து கொண்டோம். இம்மாதிரியான பல மருந்துக் கடைகள் நகரில் சந்து பொந்துகளிலெல்லாம்

THE MADRAS PROHIBITION (AMENDMENT) BILL, 1950

[Sri V. I. Muniswami Pillay] [17th October 1950]

properly enforced in this country. At the time when the Hon. Sri Rajagopalachariar was the Premier and when he introduced Prohibition in the various districts, he sent greetings to Mahatma Gandhi that 'this is the present we are giving'. To-day, I know the Hon. Minister understands and most of our Members know what is prohibition in our country. So, I am thankful to the Hon. Minister for his assurance that he will bring forward a comprehensive Bill at the next Session."

SRI A. VEDARATNAM PILLAI :— கனம் சபாநாயகர் அவர்களே ! இந்தத் திருத்த மசோதாவைக் கொண்டுவந்து வெற்றிகரமாக நிறைவேற்றியதற்காக நான் மதுவிலக்கு மந்திரி அவர்களைப் பாராட்டுகின்றேன். இதைப் போன்ற ஒரு பெரிய மகத்தான நல்ல காரியத்தை அவர்கள் போன்ற வாலிப மந்திரிகள் தான் வெற்றிகரமாக நிறைவேற்ற முடியும். எனக்கு தெரியும் கனம் மதுவிலக்கு மந்திரி அவர்கள் தங்கள் ஆயுளையே இதற்காக அர்ப்பணம் செய்திருக்கின்றார்கள் என்பது இன்னும் எத்தனையோ கஷ்டங்களை அனுபவித்திருக்கின்றார்கள். ராம ராஜ்யத்தில் கூட நடக்காத ஒரு காரியத்தை இப்போது மகாத்மா காந்தியினுடைய அருளினால் நமது ராஜ்யத்தில் நிறைவேற்றியிருக்கிறோம். இந்த மதுவிலக்குத் திட்டம் மிக வெற்றிகரமாக எங்கு நடக்கின்ற தென்றால் அது எல்லாப் பகுதிகளிலுமே ஜில்லாவிலே தான் என்பது பெருமையுடன் சொல்லிக்கொள்ள விரும்புகின்றேன். ஆனால் கனம் மந்திரி அவர்கள் வசிக்கின்ற சென்னை நகரத்திலே பார்த்தால் மிக விசனிக்கத் தக்கதாக இருக்கின்றது. அவர்களும், மேல் அதிகாரிகளும் வசிக்கின்ற இந்த சென்னை நகரத்திலேயே மது விலக்குச் சட்டம் மீறப்படுகின்ற தென்றால் அதைப் பார்த்து மற்றவர்கள் என்ன நகையாடக்கூடிய நிலை ஏற்பட்டிருக்கிறது. ஆகையால் கனம் மந்திரி அவர்கள் இதற்குத் தக்க நடவடிக்கை யெடுத்து அதை வெற்றிகரமாக நடத்த முயற்சி எடுப்பார்களென்று நம்புகிறேன். அதே சமயத்தில் 'Excise' டிபார்ட்மென்ட்டிலிருந்த உத்தியோகஸ்தர்களை இப்போது மதுவிலக்கை அமுல் நடத்துவதற்கு நியமித்திருப்பதால் அவர்கள் முன்பு நன்றாக இலவசமாகக் குடித்துப் பழகியிருக்கையால் அவர்களுக்கு இந்த மதுவிலக்குச் சட்டம் வெற்றிகரமாக நடத்தவேண்டுமென்ற உணர்ச்சியேயில்லை. ஆகையால் அவர்களை வேலையை விட்டு நீக்கிவிட்டோ அல்லது அவ்விதம் செய்ய முடியாவிடால் வேறு இலாகாவிற்கு மாற்றிவிட்டோ இந்தச் சட்டத்தை நிறைவேற்ற முன்வர வேண்டுமென்று அவர்களைக் கேட்டுக்கொண்டு மீண்டும் கனம் மந்திரி அவர்களை, அவர்கள் செய்யும் வேலைக்காக முழு மனதுடன் பாராட்டுகின்றேன்."

THE HON. SRI N. SANJEEVA REDDI :— Sir, I must thank my hon. Friend Sri Vedaratnam Pillai for saying that it is a complete success in the Tanjore district. Really it is a bit bad in the City. Proper steps will be taken and if necessary, we will change the officers. But it is a little difficult to do all this. It is not so easy as he imagines. In the City, there are rich people and most of them circumvent the law more cunningly than the people in Tanjore. In spite of the difficulties, we will have to face the situation and see that something is done. Serious steps will be taken immediately to see that the situation improves if not completely brought under control. I will try to do my best. I request the hon. Members to pass the Bill into law."

MR. SPEAKER :— The question is—

'That the Madras Prohibition (Amendment) Bill, 1950, be passed into law.'

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

[17th October 1950

APPENDIX I.

[Vide answer to starred question No. 339, asked by Sri A. Vedaratnam Pillai at the meeting of the Legislative Assembly held on 17th October 1950, page 626 supra.]

STATEMENT I.

Basic Training Schools that presented candidates for examination in 1950.

Number and name of schools.	Grade.	
	Senior.	Junior.
1 Government Basic Training School for Men, Eluru ..	40	41
2 Government Basic Training School, Vinayasaravam ..	1	47
3 Lady Willingdon Training College, Triplicane ..	37	..
4 Basic Secondary Training section, Saidapet (now at Tirur, Chingleput district)	33	..
5 Basic Training School, Keelamoongiladi ..	1	37
6 Sri Ramakrishna Mission Vidyalyaya Gandhi Basic Training School, Periyasickanpalayam.	35	..
7 Government Basic Training School, Visakhapatnam ..	..	116
8 Andhra Basic Training School, Tirur ..	..	30
9 Government Basic Training School for Women, Bellary ..	..	21
10 Government Basic Training School, Rayachoti ..	..	59
11 Government Basic Training School, Cuddalore ..	..	79
12 Government Basic Training School for Women, Tiruppurpuliur.	..	33
13 Government Basic Training School, Ranipet ..	..	35
14 Government Basic Training School, Nagapattinam ..	..	33
15 Kasturba Gandhi National Memorial Trust Basic Training School, Gandhigram.	..	10
16 Government Basic Training School, Ramanathapuram ..	..	33
17 Government Basic Training School, Koilpatti ..	..	33
18 Basic Training School, Gramaseva Kendram, Kalapatti (South Malabar).	..	37
19 Government Basic Training School for Women, Palghat ..	..	40
20 Government Basic Training School, Paayad ..	..	33
21 Government Basic Training School, Badagara ..	..	159
22 Government Basic Training School, Maipadi ..	..	35
23 Government Basic Training School, Arcot ..	..	31
Total number registered ..	147	942
Total number appeared ..	146	936

APPENDIX

[17th October 1950]

Serial number and name of service and post.	Total number of candidates selected.	Number of Harijans among those selected.	Remarks.
(1)	(2)	(3)	(4)
1948-49—cont.			
29 Madras Civil Service (Executive Branch)—Deputy Collector.	10	3	
30 Madras Registration Service—District Registrar.	1	1	One application from Harijan candidate was not admitted as he was a State subject.
31 Madras Co-operative Service—Deputy Registrar of Co-operative Societies.	1	..	Do.
32 Madras Police Service—Deputy Superintendent of Police.	1	..	There was no Harijan applicant.
	216	6	
1949-50.			
1 Madras Agricultural Service—Assistant Agricultural Chemist.	2	..	There was no Harijan applicant.
2 Madras Agricultural Service—Gazetted Assistant to Oil Seeds Specialist.	1	..	Do.
3 Madras Agricultural Service—Assistant Agricultural Chemist (Soil Physicist).	1	..	Do.
4 Madras Agricultural Service—District Agricultural Officer.	4	1	..
5 Madras Agricultural Service—Chemist, Sugarcane Research Station, Ankapalle.	1	..	There was no Harijan applicant.
6 Madras Agricultural Service—Assistant Agricultural Engineer (Mechanical).	1	..	Do.
7 Assistant Agricultural Engineer for the Central Agricultural Engineering Store and Supply Centre.	1	..	Do.
8 Madras Animal Husbandry Service—District Veterinary Officer.	1	..	There was one application from a Harijan candidate but it was rejected as he was not qualified.
9 Madras Boiler Service—Inspector of Boilers.	2	..	There was no Harijan applicant.
10 Madras Educational Service—Professor, Law College.	1	..	Do.
11 Madras Educational Service—Lecturer in Mathematics.	2	..	Do.
12 Madras Educational Service—Lecturer in Commerce.	1	..	Do.
13 Madras Educational Service—Headmaster, Madasa-i-Azam.	1	..	Do.
14 Madras Educational Service—Lecturer in Physics.	1	..	There was one Harijan applicant but he did not obtain qualifying marks at the oral test.

APPENDIX

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Serial number and name of service and post.	Total number of candidates selected.	Number of Harijans among those selected.	Remarks.
(1)	(2)	(3)	(4)
1949-50—cont.			
15 Madras Educational Service—Lecturer in Education.	1	..	There was no Harijan applicant.
16 Madras Educational Service—Lecturer in Geology.	1	..	Do.
17 Madras Educational Service—Professor of Civil Engineering.	1	..	Do.
18 Madras Educational Service (Women's Branch)—Woman Specialist in Physical Education.	1	..	Do.
19 Madras Engineering Service—Assistant Engineers.	12	3	..
20 Madras Factory Service—Inspector of Factories, Grade II.	4	..	The two Harijan candidates who were admitted were absent.
21 Madras Forest Service—Assistant Conservator of Forests.	2	..	There were two Harijan applicants. One application was rejected as the candidate was not qualified and the other Harijan candidate did not obtain qualifying marks for selection.
22 Madras General Service—Examiner of Questioned Documents.	1	..	There was no Harijan applicant.
23 Madras General Service—Chief Accountant of the System Offices in the Electricity Department.	1	..	Do.
24 Madras General Service—Labour Officers.	2	..	There were five Harijan candidates but none of them was selected as they did not get qualifying marks.
25 Madras General Service—General Superintendent, Industrial Engineering Workshops.	1	..	There was no Harijan applicant.
26 Madras General Service—Manager (Technical), Government Silk Filatures, Kollegal.	1	..	Do.
27 Madras General Service—Director, Oil Technological Institute, Anantapur.	1	..	Do.
28 Madras General Service—Superintendent, Radio Section, Arthur Hope Polytechnic, Coimbatore.	1	..	Do.
29 Madras Jail Service—Superintendent of Jails.	2	..	Of the eight Harijan candidates admitted, seven were absent and the other was found not qualified at the interview.
30 Madras Medical Service—Second Physicist, Barnard Institute of Radiology.	2	..	There was no Harijan applicant.
31 Madras Medical Service—Civil Assistant Surgeon, Class II (Women Section).	13	..	Do.
32 Madras Medical Service—Assistant to the Lecturer in Pharmaceutics.	1	..	Do.

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Serial number and name of
service and post.

(1)

Total
number
of
candidates
selected.

(2)

Number of Harijans
among
those
selected.

(3)

Remarks.

(4)

1949-50—cont.

33 Madras Medical Service—Professor of Bio-Chemistry.	1	..	There was no Harijan applicant.
34 Madras Public Health Service—Health Officers, Class I.	2	..	Do.
35 Madras Public Health Service—Health Officers, Class II.	16	1	....
36 Madras Subordinate Civil Judicial Service—District Munsifs.	9	2	....
37 Madras Subordinate Civil Judicial Service—Puisne Judge of the Court of Small Causes.	1	..	There was no Harijan applicant.
38 Madras Stationery and Printing Service—Assistant Superintendent, Government Press.	1	..	Do.
39 Madras Civil Service—Executive Branch—Deputy Collector.	8	4	....
40 Madras Police Service—Deputy Superintendent of Police.	7	1	....
Total	113	12	

1950-51.

1 Madras Educational Service (Women's Branch)—Superintendent, Government Secondary and Training Schools.	2	1	....
2 Madras Subordinate Civil Judicial Service—District Munsifs.	71	1	....
3 Madras Agricultural Service—Assistant Agricultural Engineer.	2	..	The only one application from Harijan candidate was rejected as he was not qualified.
4 Madras Medical Service—Senior Assistant to Chemical Examiner.	1	..	Do.
5 Madras Public Health Service—Health Officer, Class I.	1	..	There was no Harijan applicant.
6 Madras Public Health Service—Health Officer, Class II.	16	1	....
7 Madras General Service—Technical Assistant to the Police Wireless Officer.	1	..	There was no Harijan applicant.
8 Madras General Service—Chief Accountant of the System Offices in the Electricity Department.	2	..	Do.
Total	96	3	

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ANNEXURE II.

SUBORDINATE SERVICES.

Serial number and name of
service and post.

(1)

Total
number
of
candidates
selected.

(2)

Number of Harijans
among
those
selected.

(3)

Remarks.

(4)

1947-48.

1 Madras Co-operative Subordinate Service—Senior Inspector of Co-operative Societies.	244	9	....
2 Madras Educational Subordinate Service—Assistant Professors or Assistant Lecturers (Men).	70	5	....
3 Madras Educational Subordinate Service—Assistant Professors or Assistant Lecturers (Women).	37	..	There was one Harijan applicant but his application was rejected as he was not qualified.
4 Madras Educational Subordinate Service—School Assistants (Men).	10	..	There was no Harijan applicant.
5 Madras Educational Subordinate Service—School Assistants (Women).	22	..	There was one Harijan applicant but his application was rejected as he was not qualified.
6 Madras Engineering Subordinate Service—Supervisors.	36	1	....
7 Madras Fisheries Subordinate Service—Superintendent, Prawn Scheme.	271	2	....
8 Madras General Subordinate Service—Assistant Superintendent, Cinchona Department.	1	..	There was no Harijan applicant.
9 Assistant Chemist, Cinchona Department.	14	..	Do.
10 Madras Medical Subordinate Service—Sub-Assistant Surgeon (Women).	7	..	Do.
11 Madras Ministerial Service—(i) Clerk, Local Fund Audit department.	28	..	Do.
(ii) Clerk, Local Fund Audit department.	50	2	....
12 Madras Public Health Subordinate Service—Health Inspectors	36	1	....
13 Madras Registration Subordinate Service—Reserve Sub-Registrar.	315	15	....
14 Madras Animal Husbandry Subordinate Service—Veterinary Assistant Surgeons.	32	..	There was no Harijan applicant.
Total	1,179	35	

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Serial number and name of service and post.	Total number of candidates selected.	Number of Harijans among those selected.	Remarks.
(1)	(2)	(3)	(4)
1948-49.			
1 Madras Agricultural Subordinate Service—Upper Subordinates.	146	3	....
2 Madras Animal Husbandry Subordinate Service—Veterinary Assistant Surgeons.	17	..	There was no Harijan applicant.
3 Madras Co-operative Subordinate Service—			
Senior Inspector of Co-operative Societies.	100	12	....
Junior Inspector of Co-operative Societies.	275	11	....
4 Madras Educational Subordinate Service—			
Assistant Lecturer or Assistant Professors (Men).	41	2	....
Assistant Lecturer or Assistant Professors (Women).	5	..	There was no Harijan applicant.
5 Madras Educational Subordinate Service—			
School Assistant (Men) ..	14	1	....
School Assistant (Women) ..	8	..	There was no Harijan applicant.
6 Madras Engineering Subordinate Service—Supervisors	195	5	....
7 Madras Industries Subordinate Service—Supervisors.	6	..	There was no Harijan applicant.
8 Madras Judicial Ministerial Service—Official Receiver, Malabar.	1	..	Do.
9 Madras Medical Subordinate Service—			
(i) Assistant Professor, Modern Medicine.	1	..	Do.
(ii) Assistant Professor, Ayurveda, Telugu.	1	..	Do.
(iii) Assistant Professor, Ayurveda, Tamil.	1	..	Do.
(iv) Assistant Professor, Siddha ..	1	..	Do.
(v) Assistant Professor, Unani ..	2	..	Do.
(vi) Tutor, Unani, Siddha, Ayurveda.	4	..	Do.
(vii) Pandit in Sanskrit ..	1	..	Do.
(viii) Artist, Draughtsman ..	1	..	Do.
(ix) Assistant Professor, Modern Medicine.	3	..	Do.
(x) Assistant Professor, Ayurveda, Tamil.	1	..	Do.
(xi) Assistant Professor, Ayurveda, Telugu.	2	..	Do.
(xii) Assistant Professor, Siddha ..	1	1	

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Serial number and name of service and post.	Total number of candidates selected.	Number of Harijans among those selected.	Remarks.
(1)	(2)	(3)	(4)
1948-49—cont.			
(xiii) Assistant Professor, Unani ..	1	..	There was no Harijan applicant.
(xiv) Tutor, Ayurveda, Tamil ..	2	..	Do.
(xv) Tutor, Ayurveda, Telugu ..	1	..	Do.
(xvi) Tutor, Siddha ..	1	1	There was no Harijan applicant.
(xvii) Tutor, Unani ..	1	..	Do.
(xviii) Assistant Professor, Ayurveda, (Research).	1	..	Do.
(xix) Reader, Ayurveda (Research).	1	..	Do.
Madras Public Health Subordinate Service—			
Second-class Health Officers	3	..	Do.
Health Inspectors ..	50	2	....
Groups II and III Services—			
Probationary Revenue Inspectors.	49	6	....
Apprentice in Local Fund Audit Department.	4	..*	....
Reserve Sub-Registrar ..	18	2	....
Junior Inspector of Co-operative Societies.	29	..*	....
Sub-Inspector of Fisheries ..	2	..	There was one candidate who did not obtain qualifying marks in the written test.
Upper Division Clerk, Board of Revenue.	1	..*	....
Lower Division Clerk, Board of Revenue.	10	..*	....
Lower Division Clerk, Madras Secretariat Service.	39	1	....
Audit Clerk, Local Fund Audit Department.	12	..*	....
	1,052	47	

*. Three Harijans who obtained qualifying marks in the written test were selected for posts in Group II Services in order of preference.

1949-50.

Madras Animal Husbandry Subordinate Service—			There was no Harijan applicant.
Demonstrator in Biology ..	2	..	Do.
Demonstrator in Chemistry ..	2	..	Do.
Veterinary Assistant Surgeon ..	29	..	Do.
Madras Educational Subordinate Service—			
Assistant Professor and Assistant Lecturer (Men).	47	..	Do.
Assistant Professor and Assistant Lecturer (Women).	3	..	Do.
School Assistant (Men) ..	17	..	Do.
School Assistant (Women)	17	..	Do.
Madras Engineering Subordinate Service—			
Radio Supervisor ..	15	..	There were two Harijan applicants but their applications were rejected as they were not qualified.

APPENDIX

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Serial number and name of service and post.	Total number of candidates selected.	Number of Harijans among those selected.	Remarks.
(1)	(2)	(3)	(4)
1949-50—cont.			
4 Madras Fisheries Subordinate Service—			
Research Assistant (Zoology) ..	6	..	There was one Harijan applicant but his application was rejected as he was not qualified.
Research Assistant (Physics) ..	1	..	There was no Harijan applicant.
Research Assistant (Chemistry) ..	2	..	Do.
Fishery Demonstrator ..	3	..	Do.
Librarian ..	1	..	Do.
Curator ..	1*	..	* There was one qualified applicant but he was absent for the oral test.
Taxidermist ..	1	..	There was one Harijan but his application was rejected as he was not qualified.
5 Madras Forest Subordinate Service—			
Forest Apprentice ..	18	12	..
Forest Apprentice ..	8	12	..
6 Laboratory Assistant in the Cinchona Department.	1	..	There was no Harijan applicant.
7 Madras General Subordinate Service—			
Assistant Chemist, Cinchona Department.	1	..	Do.
8 Madras Medical Subordinate Service—			
Posts in the College and School of Indigenous Medicine.	16	..	Do.
9 Madras Public Health Subordinate Service—			
Entomological Assistant ..	9	..	Do.
Health Inspectors ..	40	..	There were two Harijan applicants but their applications were rejected as they were not qualified.
Groups II and III Services—			
Probationary Revenue Inspector ..	12	..*	..
Co-operative Sub-Registrar ..	7	1	..
Junior Inspector of Co-operative Societies.	57	..	..
Assistant Fishery Demonstrator ..	7	..	..
Audit Clerk, Local Fund Audit Department.	21	..	..
Lower Division Clerk, Board of Revenue.	9	..	..
Lower Division Clerk, Madras Secretariat Service.	81	..	..
Madras General Subordinate Service—			
Assistant Inspector of Labour (Local Board Employees).	20	1	..
Assistant Inspector of Labour (other than Local Board Employees).	78	13	..

* Three Harijans who obtained the qualifying marks in the written test were considered for other posts in Group II Services: One was selected for Co-operative Sub-Registrar: one was absent; and one did not obtain qualifying marks at the oral test.

APPENDIX

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Serial number and name of service and post.	Total number of candidates selected.	Number of Harijans among those selected.	Remarks.
(1)	(2)	(3)	(4)
1949-50—cont.			
Madras Engineering Subordinate Service—			
Supervisor ..	270	6	..
Madras Educational Subordinate Service—			
Assistant Professors and Assistant Lecturers (Men's and Women's Branches combined).	33	..	There was no Harijan applicant.
School Assistants (Men's and Women's Branches combined).	147	1	..
Madras Subordinate Magisterial Service—			
Sub-Magistrates ..	43	..	There was no Harijan applicant.
Total ..	1,055	26	

ANNEXURE III.

MINISTERIAL SERVICES.

Name of service and post.	Total number of candidates selected.	Number of Harijans selected.	Remarks.
(1)	(2)	(3)	(4)
1947-48.			
Ministerial Services—			
Madras Ministerial Service, Madras Judicial Ministerial Service and Madras Secretariat Service.	1,942	15	..
Do.	2,093	27	..
Do.	3,755	34	..

APPENDIX

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Serial number and name of service and post.	Total number of candidates selected.	Number of Harijans among those selected.	Remarks.
(1)	(2)	(3)	(4)
1947-48—cont.			
3 Madras Electrical Service—Assistant Engineer (Mechanical).	2	..	There was no Harijan applicant.
4 Madras Factory Service—Inspector of Factories.	10	..	There was one Harijan applicant but his application was rejected as he was not qualified.
5 Madras Factory Service—Inspector of Factories.	2	..	There was no Harijan applicant.
6 Madras Fisheries Service—Fisheries Engineer.	1	..	Do.
7 Madras Forest Service—Assistant Conservator of Forests.	4	..	Do.
8 Madras General Service—Assistant Engineer (Electrical).	1	..	Do.
9 Madras General Service—Lay Secretary and Treasurer.	10	..	There were two Harijan applicants. One application was rejected as the candidate was not qualified and the other candidate was not selected as he did not get qualifying marks.
10 Madras Medical Service—Professor of Mental Diseases and Superintendent, Government Mental Hospital.	1	..	There was no Harijan applicant.
11 Madras Police Service—Deputy Superintendent of Police.	3	3	....
	36	3	

1948-49.

1 Madras Agricultural Service—Agricultural Research Engineer.	1	..	There was no Harijan applicant.
2 Madras Agricultural Service—Lecturer in Engineering (Mechanical).	1	..	Do.
3 Madras Agricultural Service—Lecturer in Engineering (Civil).	1	..	Do.
4 Madras Agricultural Service—Assistant Agricultural Engineer.	2	..	Do.
5 Madras Agricultural Service—Gazetted Assistant to the Agricultural Research Engineer.	1	..	Do.
6 Madras Agricultural Service—Assistant Entomologist.	1	..	Do.
7 Madras Agricultural Service—Gazetted Superintendent, Agricultural Research Station.	15	..	Do.
8 Madras Animal Husbandry Service—Lecturer in Chemistry.	1	..	Do.

APPENDIX III.

unstarred question No. 26, asked by Sri G. Latchanna at the meeting of the Legislative Assembly held on 17th October 1950, pages 629-630 Supra.]

ment showing the progress made in the employment of ex-tappers in various avocations in the State up to June 1950.

Name of District	Number of ex-tappers provided with employment.									
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	In factory manufacturing co-operatives societies	In milk supply societies	In other types of Co-operative Societies such as Co-operative Societies, Village Co-operative Societies, Cottage Industries, Co-operative Societies, etc.	As agricultural labourers.	As unskilled labourers.	As peons, watchmen, etc., in Government Offices and other institutions.	As gang-coolies and in other modes like fishing, quarry work, etc.	Total.		Number of ex-tappers thrown out of work.
...	...	...	...	...	...	...	...	326	...	693
...	2,001	191	76	604	219	11	...	3,093	...	1,085
...	1,520	15	11	1,120	119	16	540	3,841	...	3,532
...	...	6	...	470	...	...	1	477	...	440
...	...	...	2	...	1	8	42	53	...	355
...	...	61	22	...	...	2	27	112	...	398
...	2,675	23	7	1,122	437	27	442	4,733	...	9,050
...	2,023	...	...	859	57	...	...	2,939	}	13,500
...	17,643	...	...	480	53	3	757	18,936		
...	3,197	...	231	68	46	10	16	3,568	...	2,930
...	2,594	339	491	3,071	372	19	259	7,145	...	11,776
...	9,793	157	54	5,460	14	19	53	15,552	...	12,397
...	...	...	...	...	150	4	...	154	...	2,462
...	766	179	949	5,658	1,475	105	910	10,042	...	10,030

APPENDIX

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APPENDIX IV.

[Vide item IV (3) on page 659 supra.]

To
The Honourable the LEGISLATIVE ASSEMBLY,
MADRAS.

The Select Committee appointed to consider the Madras Warehouse Bill, 1948 (L.A. Bill No. 11 of 1949), has the honour to make the following report.

2. The Bill was published in the Fort St. George Gazette dated 2nd November 1948.

3. The Select Committee was appointed on the 11th February 1949.

4. The Select Committee met in the Committee Room, Fort St. George, on the 21st April 1949, 24th June 1949, 21st November 1949 and 21st December 1949 and finally on the 30th March 1950 and subjected the provisions of the Bill to a careful scrutiny.

5. The Committee also went through the reports called for at their suggestion, from the Governments of Central Provinces and Berar and Bombay, where similar legislation was in force in regard to its working in those States and a similar report from the Reserve Bank of India so far as information was available with them.

6. The Committee decided that the Bill should be an enabling one of the lines of the Bombay Act, and had it redrafted accordingly. The following are some of the other important changes made by the Committee:—

(1) Clause 26 (2) has been amended on the lines of the similar provision in section 15 of the Madras Sugar Factories Control Act, 1949.

(2) 'Coffee' has been omitted from item 4 in the Schedule to the Bill, as the Coffee Marketing Board had its own godowns, and sale and export of all coffee was regulated by Central Legislation.

7. The other changes made in the Bill are shown in the Bill as amended. It was not considered necessary to refer to them in detail.

8. The Committee decided that as the changes effected by them were of minor character it was not necessary to republish the Bill.

9. A copy of the Bill as amended by the Select Committee is annexed.

FORT ST. GEORGE.
2nd April 1950.

H. SITARAMA REDDI,
Chairman.

[October 1950]

Annexure.

[Note.—The changes made by the Select Committee are shown in clarendon type and the portions omitted are indicated by dots.]

L.A. BILL No. 11 OF 1949.

(As amended by the Select Committee.)

*A Bill to provide for the regulation and licensing of
warehouses in the State of Madras.*

WHEREAS it is expedient to encourage the establishment of warehouses and provide for their proper supervision and control; It is hereby enacted as follows:—

CHAPTER I.

Preliminary.

1. (1) This Act may be called the Madras Warehouses Act, 1950. Short title
extent and
commence-
ment.

(2) It extends to the whole of the State of Madras.

(3) This section shall come into force at once; and the rest of this Act shall come into force on such date as the Government may by notification appoint.

2. In this Act, unless there is anything repugnant in the Definitions, subject or context—

(1) "co-operative society" means a society registered or deemed to be registered under the Madras Co-operative Societies Act, 1932.

(2) "depositor" means a person who has deposited goods with a warehouseman, and includes any lawful holder of the receipt issued by the warehouseman in respect of the goods;

(3) "goods" means any of the articles specified in the Schedule to this Act:

Provided that the Government may, by rules made under this Act add any article to, or omit any article from, the Schedule.

(4) "Government" means the State Government;

(5) "licensed warehouse" means a warehouse licensed under this Act;

(6) "notification" means a notification published in the Fort St. George Gazette;

(7) "prescribed" means prescribed by rules made under this Act;

(8) "prescribed authority" means, in relation to any provision of this Act, the authority prescribed by rules made under this Act to carry out such provision;

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(9) "receipt" means a receipt in the prescribed form issued by a warehouseman to a person depositing goods in the warehouse;

(10) "rules" means rules made by the Government under this Act;

(11) "warehouse" means any building, structure or other roofed enclosure which is or may be used for the purpose of storing any goods on behalf of depositors but does not include cloak rooms attached to hotels, railway stations, the premises of other public carriers, and the like;

(12) "warehouseman" means a person who has obtained a licence under this Act in respect of his warehouse.

CHAPTER II.

Licensing of Warehouses.

Certain provisions of the Act to apply only to licensed warehouses.

3. Any person may, subject to the provisions of this Act obtain a licence in respect of his warehouse; and the provisions of Chapters III, IV and V of this Act, except the Explanation to section 17, shall apply only to a licensed warehouse.

Explanation.—Where a person has more than one warehouse, whether in the same town or village or not, he shall obtain a separate licence for each warehouse in respect of which he desires a licence under this Act.

Application for, and grant and renewal of licence.

4. (1) Every application for a licence under section 3 shall be made to the prescribed authority and shall be in the prescribed form.

(2) If the prescribed authority is satisfied—

(a) that the warehouse is suitable for the proper storage of the class or classes of goods in respect of which the licence has been applied for;

(b) that the applicant is competent to conduct such a warehouse;

(c) that he fulfils any other condition notified by the Government in this behalf;

(d) that the applicant has paid the fee prescribed for the licence and has also furnished the prescribed security, if any,

such authority may grant a licence to the applicant for the conduct of business in respect of his warehouse in accordance with the terms of the licence and the provisions of this Act and the rules.

(3) Every licence granted under this section shall be valid for the prescribed period and may, on application and payment of the prescribed fee, be renewed, from time to time, by the prescribed authority and for the prescribed period, provided the other conditions in sub-section (2) continue to be fulfilled.

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(4) If the prescribed authority refuses to grant or renew a licence under this section, it shall record its reasons for such refusal in writing and communicate a copy of its order to the applicant.

5. (1) The prescribed authority may suspend or cancel any licence granted or renewed under section 4—

(i) if the licensee has applied to be adjudicated, or been adjudicated, an insolvent, or

(ii) if he has parted, in whole or in part, with his control over the warehouse, or

(iii) if he has ceased to conduct such warehouse, or

(iv) if he has made unreasonable charges for the services rendered by him, or

(v) if he has become incompetent to conduct such warehouse, or

(vi) if he has contravened, or failed to comply with, any of the terms of the licence or any of the provisions of this Act or the rules, or

(vii) on any other prescribed ground.

(2) Before passing an order under sub-section (1), the prescribed authority shall intimate to the licensee the grounds on which it is proposed to take action and give him a reasonable opportunity of showing cause against it.

(3) The prescribed authority may suspend the licence of a warehouseman pending the passing of a final order in respect thereof under sub-section (1).

(4) A copy of every order passed under sub-section (1) or sub-section (3) shall be communicated to the licensee.

6. On the expiry of his licence or on the receipt of an order suspending or cancelling it, the rights conferred, and the duties imposed, on a warehouseman by or under this Act shall cease and determine and he shall return the licence to the prescribed authority:

Provided that the prescribed authority may, after such expiration, suspension or cancellation, give such reasonable time as it thinks fit to the warehouseman to enable him to wind up the business of conducting the warehouse as a licensed warehouse; and during such time, the warehouseman shall be entitled to the rights and be bound by the duties aforesaid.

7. If a licence granted to a warehouseman is lost, destroyed or damaged, the prescribed authority shall, on application and payment of the prescribed fee, issue a duplicate licence.

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CHAPTER III.

Duties of a Warehouseman.

8. Every warehouseman shall take as much care of the goods deposited with him as a man of ordinary prudence would take of his own goods under similar circumstances and conditions.

9. (1) Every warehouseman shall keep his warehouse clean and free from damp, take all necessary precautions against rats and other pests, and fulfil such other conditions as may be prescribed.

(2) No warehouseman shall accept goods for deposit which are likely to cause damage to other goods which are or may be deposited in the warehouse.

10. Every warehouseman shall keep the goods of one depositor separate from the goods of other depositors and from other goods of the same depositor for which a separate receipt has been issued, in such a manner as to permit at all times of the identification and delivery of the goods deposited:

Provided that where standardized and graded goods are deposited in a warehouse, then, subject to any agreement between the warehouseman and any depositor, the same variety of goods belonging to different depositors may be mingled together and each depositor shall be entitled only to his portion of the goods according to weight or quantity, as the case may be, as shown in his receipt.

11. (1) Whenever goods deposited in a warehouse begin, or are about, to deteriorate from causes beyond the control of the warehouseman, he shall forthwith give notice of the fact by registered post to the depositor, requiring him to take delivery of the goods immediately, after surrendering the receipt duly discharged and paying all charges due to the warehouseman.

Explanation.—Losing weight or bulk by shrinkage or dryage or gaining weight or bulk by absorption of moisture shall be deemed to amount to deterioration within the meaning of this sub-section, if the loss or gain exceeds such limits, if any, as may be prescribed.

(2) If the depositor does not, within a reasonable time, comply with a notice given to him under sub-section (1), the warehouseman may cause the goods to be removed from the warehouse and sold by public auction at the cost and risk of the depositor.

(3) Any person having an interest in any goods deposited in a warehouse or in the receipt for such goods may inform the warehouseman in writing of the fact and nature of his interest and the warehouseman shall keep a record thereof; and if

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such person requests in writing that intimation be given to him regarding the condition of the goods and agrees to pay the charges for giving such intimation, the warehouseman shall give him intimation accordingly.

12. (1) Every warehouseman, in the absence of reasonable excuse, shall, without unnecessary delay, deliver the goods deposited in his warehouse to the depositor on demand made by him and surrender of the receipt duly discharged and payment of all charges due to the warehouseman.

(2) Subject to any agreement between the warehouseman and the depositor, the depositor may take partial delivery of the goods deposited in a warehouse.

(3) When goods are delivered wholly or in part under sub-section (1) or sub-section (2), or when they are disposed of under section 11, sub-section (2), the warehouseman shall be liable to pay compensation to the depositor for any loss sustained by him by reason of the goods having lost weight or bulk, in excess of the prescribed limits, owing to shrinkage or dryage, or by reason of deterioration in the quality of the goods owing to their having gained weight or bulk, in excess of the prescribed limits, by the absorption of moisture.

13. Every warehouseman shall insure against loss or damage by fire, rain, floods, theft, riot or civil commotion, or any other prescribed event, such classes of the goods deposited in his warehouse as may be prescribed.

14. No warehouseman shall, in the conduct of his business, discriminate between persons desiring to avail themselves of the facilities of his warehouse:

Provided that the warehouseman shall show such preference to co-operative societies in the State and allow them such concessional rates as the Government may from time to time direct.

15. Notwithstanding anything contained in any other law, no warehouseman other than a co-operative society shall, either on his own account or that of others, deal in, or lend money on, goods received by him for deposit in his warehouse.

CHAPTER IV.

Warehouse Receipts.

16. For the goods deposited in his warehouse by each depositor, the warehouseman shall issue a receipt which shall contain full particulars of the goods and be in the prescribed form.

[17th October 1950]

17. (1) The receipt issued by a warehouseman shall, unless it is otherwise specified thereon, be transferable by endorsement and shall entitle the lawful holder thereof to receive the goods specified in it on the same terms and conditions as the original depositor.

Explanation.—The provisions of this sub-section shall not apply to any receipt issued by a person who has not obtained a licence under this Act in respect of his warehouse.

(2) Any receipt issued by a person who has not obtained a licence under this Act in respect of his warehouse shall expressly state (i) that he has not obtained a licence under this Act and (ii) that the receipt is not transferable by endorsement.

18. If a receipt is lost, destroyed or damaged, the warehouseman shall, on application by the depositor and payment by him of the prescribed fee, issue a duplicate receipt on such conditions as he may think fit to impose, being conditions included in rules prescribed for the purpose.

CHAPTER V.

Inspection and Grading of Goods.

19. The prescribed authority may, at any time during business hours, inspect or examine or cause to be inspected or examined, any licensed warehouse, its machinery and equipment, goods deposited therein, and the account books and records relating thereto, for the purpose of satisfying itself that the requirements of this Act and the rules are being complied with.

20. (1) The prescribed authority may, on application made in the prescribed manner and on payment of the prescribed fee, issue licences to persons possessing the prescribed qualifications, entitling them to act as weighers, samplers, and graders of any goods deposited or to be deposited in a licensed warehouse, and to issue certificates as to the weight, bulk, quality or grade of the goods which they have examined.

(2) Any certificate so issued shall, subject to the provisions of section 23, be binding on the warehouseman and the depositor as to the weight, bulk, quality or grade of the goods so certified.

(3) No person who is not licensed under this section shall act, or hold himself out, as a weigher, sampler or grader.

21. (1) Every licence granted to a weigher, sampler, or grader under section 20 shall be valid for the prescribed period and may, on application and payment of the prescribed fee, be renewed from time to time for the prescribed period by the prescribed authority.

[17th October 1950]

(2) The prescribed authority may suspend or cancel any such licence, after communicating to the licensee the grounds on which it is proposed to take action and giving him a reasonable opportunity of showing cause against it.

(3) The holder of any such licence shall, on the expiry thereof or the receipt of an order suspending or cancelling it, return the licence to the prescribed authority.

22. Every warehouseman shall provide facilities for weighing, sampling and grading any goods deposited in his warehouse. Facilities to be given for weighing goods, etc.

CHAPTER VI.

Decision of Appeals, Disputes and Complaints.

23. The Government or the prescribed authority shall appoint a Board or Boards of Arbitrators for deciding— Decision of appeals, disputes and complaints

(a) appeals against any order refusing to grant or renew a licence in respect of a warehouse or to a weigher, sampler or grader, or suspending or cancelling any such licence;

(b) disputes arising between a warehouseman and a depositor regarding any matter, including the weight, bulk, quality or grade of the goods deposited or the compensation payable under section 12, sub-section (3);

(c) complaints made by a warehouseman or depositor against a weigher, sampler or grader; or by a weigher, sampler or grader against any warehouseman or depositor;

(d) any appeals, disputes and complaints in such other matters as may be prescribed.

Explanation.—In this section, "depositor" includes a person who has tendered goods to a warehouseman for deposit in his warehouse.

CHAPTER VII.

Miscellaneous.

24. Where any licence is suspended or cancelled under this Act, the licensee shall not be entitled to any compensation therefor, nor shall he be entitled to the refund of any fee paid by him for the licence. No compensation for suspension or cancellation of licence

25. Every contract or agreement which is inconsistent with the provisions of this Act, or the rules, shall, to the extent of such inconsistency, be void. Contracts and agreements inconsistent with Act to be void

26. (1) Whoever—

(a) acts, or holds himself out, as a licensed warehouseman without having obtained a licence under this Act, or Penalty and procedure

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(b) knowingly, contravenes or fails to comply with any of the provisions or requirements of this Act or the rules, shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

(2) Where a person committing an offence under sub-section (1) is a company or an association or a body of persons, whether incorporated or not, the manager, secretary, agent or other principal officer, managing the affairs of such company, association or body, shall be deemed to be guilty of such offence.

27. (1) The Government may, by notification, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may add any article to, or omit any article from, the schedule, or provide for—

(a) all matters expressly required or allowed by this Act to be prescribed;

(b) the conditions to be inserted in licences to be granted to warehousemen and the form of such licences;

(c) the publication of the grant, suspension or cancellation of licences to warehousemen and of consolidated lists of warehousemen and licensed warehouses;

(d) the charges to be levied by warehousemen for their services;

(e) the books, accounts and records to be maintained by warehousemen;

(f) the conduct of public auctions for the sale of goods deteriorating or about to deteriorate in licensed warehouses and the manner in which the proceeds of such sales shall be accounted for;

(g) the scales of losses and gains of weight or bulk which may be sustained by goods owing to shrinkage or dryage in the one case and owing to absorption of moisture in the other;

(h) the disinfection of licensed warehouses and the disinfection of goods stored therein;

(i) the circumstances in which any security or bond furnished by a warehouseman may be forfeited, and the manner in which any sum falling due as a result of such forfeiture may be recovered;

(j) the efficient conduct generally of the business of warehousemen;

(k) the qualifications to be possessed by persons applying for the grant of licences as weighers, samplers or graders; the conditions to be inserted in their licences; the form of the certificates to be issued by them; and the grounds for which the licences may be suspended or cancelled;

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(l) the standard weights, measures and gradations of goods to be used in licensed warehouses;

(m) the procedure to be followed in proceedings before Boards of Arbitrators, and the mode of executing their decisions;

(n) the manner of giving notices under this Act.

• (3) The power to make rules under this section shall be subject to the condition of previous publication.

THE SCHEDULE.

• [See section 2 (3).]

Goods to which the Act applies.

- 1 (a) Paddy and rice;
- (b) Wheat and wheat flour;
- (c) Cholam, cumbu and ragi;
- (d) Bengalgram, redgram and blackgram, and pulses of these grams;
- (e) Other foodgrains.
- 2 (a) Oil seeds, including groundnut, gingelly, castor and copra;
- (b) Coconuts.
- 3 Fibres including cotton kapas or lint, palm fibres, sunnhemp and Bombay hemp.
- 4 Tobacco, senna and tea.
- 5 Arecanuts.
- 6 (a) Jaggery (sugarcane and palmyra);
- (b) sugar.
- 7 Spices and condiments including pepper, cardamoms, ginger, chillies, turmeric, coriander, onions, garlic and tamarind.
- 8 Potatoes.

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