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MADRAS LEGISLATIVE COUNCIL
DEBATES

OFFICIAL REPORT

MONDAY 22ND JANUARY - 1951

VOL - III

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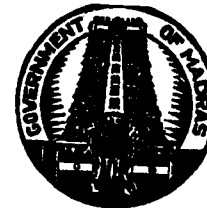
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**MADRAS LEGISLATIVE COUNCIL
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OFFICIAL REPORT

MONDAY, 22ND JANUARY 1951

VOLUME III—No. 3

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THE MADRAS LEGISLATIVE COUNCIL.

Monday, 22nd January 1951.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Cases of detention under the Preventive Detention Act.

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

(a) whether there are cases of detentions of arrested persons who have been later released either on the advice of the Advisory Committee or by the Government on their own motion or under orders of courts;

(b) whether there have been cases in which detained persons have been released as soon as *habeas corpus* petitions were filed;

(c) what action has been taken or is proposed to be taken against officers responsible for unjustifiable detentions;

(d) whether the Government have perused the observations of the Hon'ble Judges of the Supreme Court in this regard; and

(e) what steps have been taken by the Government to guard against unjustifiable detentions by over-zealous officers?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—“(a) Yes.

“(b) It is possible that there are some cases in which detenus may have been released when their *habeas corpus* petitions were pending before the High Court. In such cases the releases have been made on the recommendations of the Advisory Board or the reviewing authority prescribed under section 12 of the Preventive Detention Act or as a result of an independent review of the case by the Government taking into account any observations of or views expressed by the High Court in similar cases.

“(c) to (e) The Government have perused the observations of the Honourable Judges of the Supreme Court referred to in the question. No cases of unjustifiable detention has arisen so far and if any should arise in future, the Government will pay due regard to the observations of the Supreme Court.

“Instructions have been issued to subordinate officers from time to time explaining the circumstances under which detentions can be ordered and also stressing the necessity for the grounds to be adequate and valid in every case. Such observations made by the Honourable Judges of the Supreme

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Court and the High Court as are of general application in regard to these matters are also brought to their notice whenever necessary for their guidance."

SRI R. SURYANARAYANA RAO:—"Sir, have the Government issued instructions to their officers that ordinarily they should submit the cases for the consideration of the Government before they arrest persons for detention?"

THE HON. SRI K. MADHAVA MENON:—"No, it is a matter for the District Magistrate to decide and issue orders."

Medical inspection of children in schools.

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

(a) whether in the medical inspection of children of schools, a system of foot inspection is emphasized;

(b) whether a column is provided in the form prescribed for medical inspection; and

(c) if the answer to clauses (a) and (b) is in the negative, whether the Government propose to issue instructions in this regard?

THE HON. SRI K. MADHAVA MENON:—" (a) & (b) No separate column is provided in the form prescribed for medical inspection of school children but wherever such inspection is conducted, a system of foot inspection is taken up as a part of the general inspection of the whole body.

" (c) The Government do not consider it necessary to issue any instructions in the matter."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether it is a fact that the Government have recently issued orders making the medical inspection of children in secondary schools optional?"

THE HON. SRI K. MADHAVA MENON:—"I am not sure about the orders that have been issued. I do not think we have issued any such orders."

Subsidy for sinking bore-wells.

* 104 Q.—SRI MOTHEY NARAYANA RAO: Will the Hon. the Minister for Land Revenue be pleased to state whether any assistance by way of subsidy, etc., is given to agriculturists for sinking bore-wells?

THE HON. SRI H. SITARAMA REDDI:—"No."

SRI MOTHEY NARAYANA RAO:—"May I know, Sir, whether the Government have considered the question of assistance to agriculturists with reference to the Grow More Food campaign by giving subsidies to people that sink bore-wells?"

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THE HON. SRI H. SITARAMA REDDI:—"The question is whether the Government have been giving any subsidy to agriculturists for sinking bore-wells. There is a programme for sinking bore-wells and artesian wells. In fact there is a scheme for sinking 101 bore-wells in South Arcot. Where we have got artesian sources we have already taken up the work and some wells have also been sunk already. There is also a draft scheme to have 300 tube-wells and artesian wells all over the State and now a survey is being conducted. After we get the results of the survey, it is proposed to have bore-wells all over the State, but they will be State owned and the Government propose to levy water-rate and so there is no question of subsidy as the wells are going to be dug at Government cost."

SRI MOTHEY NARAYANA RAO:—"Sir, if the agriculturists themselves want to undertake the work, will not the Government give them the subsidy, so that the expenditure incurred may be reduced?"

THE HON. SRI H. SITARAMA REDDI:—"The question of giving Government subsidy in regard to bore-wells and artesian wells was discussed and it was found that the cost was in some cases, going to be quite a large sum of money and it was thought that it would be quicker and easier if the Government themselves undertook the scheme, got the wells ready and supplied water. It was also in the interests of the cultivators themselves and so the Government thought that such a scheme would be better."

SRI R. SURYANARAYANA RAO:—"Sir, in areas where bore-wells could be sunk to the advantage of the ryot, may I know why the Government should not go to the assistance of the ryot in those places?"

THE HON. SRI H. SITARAMA REDDI:—"As I said, Sir, it is not a question of not going to the assistance of the ryot. Government do want to give assistance to the agriculturists but they propose to assist them by digging the wells themselves."

SRI R. SURYANARAYANA RAO:—"Sir, do the Government consider that digging these 300 tube-wells for the whole State of Madras is a sufficient form of assistance?"

THE HON. SRI H. SITARAMA REDDI:—"It is a question of location of the sources which can give adequate water-supply. For instance, in South Arcot district, we are able to get artesian sources which are able to irrigate, in some cases, up to 400 acres and a minimum of 50 acres. If we are able to get more sources which can give adequate supply of water for irrigation, Government will be only too happy to extend the number."

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SRI MOTHEY NARAYANA RAO:—"Sir, if the cultivators themselves want to undertake the work, will the Government give them necessary assistance?"

THE HON. SRI H. SITARAMA REDDI:—"I remember the Government are already assisting the ryot in every way. They provide sets for bore-well digging and they also supply tubes. I believe he is also entitled to a loan for purchasing these equipment. We are already doing all these. I may assure the House that if there is any particular area where it is felt that the development of irrigation is held up for want of Government assistance, the Government are willing to take up the matter and consider it *de novo*."

SRI MOTHEY NARAYANA RAO:—"Sir, if the Government really intend to help the agriculturists, is it possible for them to publish the nature of the help they can expect in the papers, so that the ryots may take advantage of such assistance from the Government?"

THE HON. SRI H. SITARAMA REDDI:—"As I said, the Government do want to help the agriculturists."

Legal aid to the poor.

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

(a) whether there are provisions for legal aid, statutory or otherwise, to poor persons, persons of limited means and persons belonging to Backward Classes in civil and criminal proceedings;

(b) whether such provisions are satisfactory and adequate has ever been considered by the Government;

(c) whether the proposal to form a State Legal Aid Committee has at any time been examined by the Government; and

(d) whether it is proposed to formulate a comprehensive scheme for providing legal aid at Government cost?

THE HON. SRI K. MADHAVA MENON:—" (a) Rules 157 and 228 of the Criminal Rules of Practice regulate the grant of legal aid to impecunious persons in criminal cases. In G.O. Ms. No. 315, Rural Welfare, dated 3rd October 1950, the Government have directed that whenever in a criminal case launched against Harijans by Caste Hindus or vice versa, the District Collector considers that the Harijans are specially deserving of legal aid in the interests of justice, he should report the facts of the case to the Government for necessary action. As regards civil cases, the provisions of Order XXXIII of the Code of Civil Procedure govern the grant of legal aid.

" (b) The answer is in the affirmative.

" (c) The answer is in the negative.

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" (d) The answer is in the negative as the existing provisions go far enough and there is no real need at present to further liberalize the same."

SRI R. SURYANARAYANA RAO:—"Sir, have the Government taken steps to bring to the notice of these unfortunate people without any legal aid that such aid is available already if they need it?"

THE HON. SRI K. MADHAVA MENON:—"More than issuing G.O. No. 315, Rural Welfare, dated 3rd October 1950, the Government have not done anything and it has been sufficiently published in the Gazette."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether the Government would require the Director of Harijan Welfare to bring to the notice of the Harijans that such assistance will be available in deserving cases?"

THE HON. SRI K. MADHAVA MENON:—"It was at his instance that the Government Order was issued and I am sure he will take such steps as are necessary to bring it to the notice of the Harijans."

Organization of the Factory Inspection Services.

* 106 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether Sir Wilfred Garrett, lately Chief Adviser, Factories, has made any report on the administration of the Factories Act and the organization of the Factory Inspection Services in India;

(b) whether the suggestions of Sir Wilfred Garrett regarding the administration of Factories Act, have been communicated to this Government, and if so, what they are;

(c) whether this Government have taken steps to carry out those suggestions relating to administration and services;

(d) what steps the Government have taken to ensure that the managements give effect to Sir Wilfred's suggestions;

(e) whether the Government have made a thorough review of the present set up to know what further measures are necessary to bring the factory administration up to date; and

(f) whether the Government will make a statement on the subject giving all details of the measures taken so far and under contemplation?

THE HON. SRI H. SITARAMA REDDI:—"The answer ^a is placed on the table of the House."

SRI R. SURYANARAYANA RAO:—"Sir, while I am grateful to the Government for a very complete answer to this question, may I know whether the Government have satisfied themselves that

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with the additional staff they have provided, which is considerable, I agree, there will be one inspection at least annually of every factory in the State? "

THE HON. SRI H. SITARAMA REDDI:—"That is our desire."

2-45 p.m. SRI R. SURYANARAYANA RAO:—"Apart from the number of inspections, the difficulty has always been about the staff and we have pointed out that the staff is not sufficiently large to enable the inspection of each factory at least once a year; will the Government, therefore, have this target in mind and see that more staff if necessary is appointed? "

THE HON. SRI H. SITARAMA REDDI:—"The Government feel that with the existing staff the target that has been suggested by the hon. Member will be reached."

Admission to the Government Arts colleges in the mufassal.

* 107 Q.—SRI B. BHIMA RAO: Will the Hon. the Minister for Education be pleased to lay on the table of the House the latest rules and instructions issued for admission of students into the Government Arts Colleges in the mufassal?

THE HON. SRI K. MADHAVA MENON:—"An extract of paragraph 3 of G.O. No. 1435, Education, dated 1st August 1940, in which a general instruction^a was given to Principals of Government Colleges on the question of admission of students, is placed on the table of the House. Since the issue of this Government Order the Government have reserved ten per cent of the seats for Harijans. In 1948, the Government revived the system of constituting Advisory Committees for Government institutions and these committees have been empowered to frame general principles for admission and to make selections based on the instructions referred to above. Relevant Government Orders and instructions^a in this regard are also placed on the table of the House."

SRI R. SURYANARAYANA RAO:—"May I know, Sir, whether in future these Committees will not be required to carry out the instructions of the Government or the Director of Public Instruction? "

THE HON. SRI K. MADHAVA MENON:—"I do not see how these Committee's services need not be required; these are Advisory Committees and they will certainly be helpful."

SRI R. SURYANARAYANA RAO:—"In G.O. No. 1773, dated the 12th June 1950, it is said—

'The admission into the various groups and classes of the College shall be made according to the instructions issued by the Government or the Director of Public Instruction from time to time.'

May I know, Sir, whether the Director of Public Instruction or the Government will have also the power to say what communities should be admitted into a particular group, how many members of that

^a Printed as Appendix II on pages 369-371 infra.

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community should be appointed and so on. Sir, or will it be a general order saying that adequate representation should be given to all communities? "

THE HON. SRI K. MADHAVA MENON:—"I have nothing more to add to what is contained in the Government Order, Sir."

Indian Trade Union (Amendment) Act.

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

(a) whether the Indian Trade Union (Amendment) Act (Act XLV of 1947), providing for compulsory recognition of trade unions has been made applicable to the Madras State;

(b) if the answer to (a) is in the affirmative, when the rules for its introduction were made and published and what they are;

(c) what the trade unions are which have been recognized as a result of the Act; and

(d) if the Act has not been introduced yet, why it has not been done and when the State Government intend to introduce it by making necessary rules?

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

" (b) In view of the answer to clause (a), this question does not arise.

" (c) Please see answer to clause (b).

" (d) The draft regulations under the Amendment Act were published by this Government in June last, but were not proceeded with further in view of the new Trade Unions Bill, under consideration of the Government of India and which provides for the repeal of the Indian Trade Unions Act, 1926, together with the Amendment Act, 1947."

Re-employment of certain officers in the Education Department.

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

(a) whether the Government have passed orders on the recommendations of the Retrenchment and Reorganization Committee in respect of certain posts in the Education Department, and if so, what they are;

(b) whether extension of service or re-employment is granted to certain officers of the Education Department, and if so, who they are and what the extenuating circumstances are; and

(c) whether the Government have examined the steps to be taken to ensure supply of suitable officers as and when vacancies occur?

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

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The Government did not accept the Committee's recommendation for the abolition of the four posts of Divisional Inspectors of schools and the post of clerk attached to each of the four Regional Inspectors of Physical Education.

The Committee suggested the appointment of a Joint Director of Public Instruction and a judicious distribution of work as between the Director and the Joint Director. A post of Joint Director of Public Instruction was accordingly sanctioned for a temporary period and it was in existence from 15th September 1948 to 16th April 1950. But in practice, the system of having a Joint Director did not work satisfactorily and the post was therefore abolished.

The Committee's recommendation for the appointment of a woman to one of the Deputy Directors' posts was considered. As and when competent women become available they will be promoted to the posts of Deputy Directors and the question of abolishing the Inspectress' post in the Director's office will be examined.

The separate ranges that existed for the inspection of boys' and girls' schools and Muslim and non-Muslim schools were amalgamated, as recommended by the Committee.

“(b) Yes.

1. Sri V. R. Ranganatha Mudaliar, Deputy Commissioner for Government Examinations.
2. Sri A. Padmanabha Reddi, Deputy Director of Public Instruction.
3. Sri D. Ramayya, Divisional Inspector of Schools.
4. Sri K. Sankaran Unni Nair, Principal, Government Victoria College, Palghat.
5. Sri A. Ramanatha Pillai, Principal, Government Arts College, Coimbatore.
6. Mrs. G. Sankunni, Principal, Government College for Women, Guntur.
7. Mrs. A. Soares, Inspectress of Anglo-Indian Schools.

Dearth of suitable officers was the reason in most of the cases. The date of retirement of No. 6 fell in the middle of the college year and the Government's policy is to retain such officers in service until the end of the academic year.

“(c) Yes.”

SRI R. SURYANARAYANA RAO:—“With regard to the recommendation for appointment of a woman as Deputy Directress of Public Instruction, may I know, Sir, whether it is the view of the Government that there are no suitable candidates among the women officers in the Department to occupy that place?”

THE HON. SRI K. MADHAVA MENON:—“When I say that when there are suitable candidates, we will appoint them, it must be presumed, Sir, that we have not yet had an occasion to find one so far.”

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SRI R. SURYANARAYANA RAO:—“If among the existing officers a suitable candidate is not available for appointment as Deputy Directress, I do not think there is any prospect of finding one suitable candidate for a generation more. If the Inspectress of Schools (Central) attached to the office is considered sufficiently capable of being the Inspectress of Schools to attend to Girls' Education, why not she be made a Deputy Directress of Public Instruction, Sir?”

THE HON. SRI K. MADHAVA MENON:—“I do not want to discuss here the individual merits of officers. But I am not so much in despair of the matter as my Friend seems to be.”

Alienation of lands by the Zamindar of Devarakota.

* 110 Q.—SRI MOTHEY NARAYANA RAO: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the Zamindar of Devarakota alienated many of his estate lands in West Godavari and Krishna districts;

(b) if so, the extent and value of the said lands;

(c) whether it is a fact that notices of prosecution have been issued to him; and

(d) what further action is proposed to be taken against him?

THE HON. SRI H. SITARAMA REDDI:—“(a) to (d) The hon. Member presumably refers to the grant of lease of certain lanka lands in Divi taluk of Krishna district made by the zamindar of Devarakotta. His attention is invited to the answer to the Legislative Assembly Question No. 60 answered on 12th August 1950. The Zamindar has submitted his answer to the show-cause notice issued to him and the matter is under the consideration of the Government. Information regarding the extent of land leased in Tummaladibba lanka is not available. The extents leased in the other lankas in question are as follows:—

Nadukuduruletha lanka—About 5 to 6 acres.

Ravi lanka—About 45 acres.

Venkayyadibba lanka—About 25 acres.

Goguladibba lanka—About 40 acres.

The Government have no information regarding the value of these lands. No cases of illegal assignment of lands by the Zamindar in West Godavari district or Krishna district have come to the notice of the Government.”

Sri Mothey Narayana Rao rose.

SRI R. SURYANARAYANA RAO:—“May I know, Sir, whether . . .”

Janab K. T. Ahmed Ibrahim rose.

MR. CHAIRMAN:—“May I know why so many hon. Members rise at one and the same time?”

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"I think hon. Members must observe decorum. When one Member is on his legs, why should others rise?" Sri Suryanarayana Rao."

SRI R. SURYANARAYANA RAO:—"On a point of order, Sir. May I know if the Hon. the Minister for Revenue is correct when in reply to a question put in this House, he refers to an answer given in the Assembly and asks us to refer to it now. I do not think it is permissible to refer to an answer given in the other House. Presumably, I think that is the point of order that my Friend, Janab Ibrahim wanted to raise."

THE HON. SRI H. SITARAMA REDDI:—"That is why we circulate to the Members of this House the proceedings of the Assembly also and hon. Members are expected to have read those answers there."

MR. CHAIRMAN:—"How is the Hon. Minister sure that the circulation has been done?"

THE HON. SRI K. MADHAVA MENON:—"This question was answered in the Assembly on the 12th August 1950."

MR. CHAIRMAN:—"I know it might have been answered but the question is how the Hon. Minister is sure that it has been circulated to the Members of this House."

SRI MOTHEY NARAYANA RAO:—"May I ask, Sir, if hon. Members of this House are expected to go through the entire proceedings of the whole Assembly debates?"

DR. A. LAKSHIMANASWAMI MUDALIYAR:—"Seeing that these answers are given at the time the meeting is held, does the Hon. Minister expect us to carry all these volumes and to refer to them as he answers the question or is it intended that they should know all this by heart and come prepared to refer to it intellectually?"

THE HON. SRI H. SITARAMA REDDI:—"It is not the point that every hon. Member must know it by heart; it is expected that the hon. Member that puts the question regarding a particular matter like this must be conversant with what is happening about it in the other House. It is not a question of general policy but it is a question that relates to a particular matter which happened at a particular place and it is expected that the hon. Member who has put the question would have acquainted himself with what occurred in the Assembly concerning it as soon as the proceedings were circulated; if the hon. Member wants . . ."

MR. CHAIRMAN:—"It is not a question of hon. Member wanting it; the question is: Are you right in referring to a question answered in the other House, when a question is put on a similar point in this House?"

THE HON. SRI H. SITARAMA REDDI:—"I think it is in order, Sir; it is for you to say if it is not, Sir."

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MR. CHAIRMAN:—"I am afraid it is not."

DR. A. LAKSHIMANASWAMI MUDALIYAR:—"Hon. Ministers want notice for so many things when they are supposed to have read through the whole files concerning the subject; are not hon. Members also entitled to a little consideration?"

THE HON. SRI K. MADHAVA MENON:—"The proceedings are to be finished and circulated within six weeks and so, it would be in their hands."

MR. CHAIRMAN:—"It is more often broken than followed."

SRI MOTHEY NARAYANA RAO:—"But questions are always answered after three or four months after notice in respect of them is given."

THE HON. SRI K. MADHAVA MENON:—"I wish to point out, Sir, that according to May's Parliamentary Procedure, reference to previous questions answered and also to Government Orders printed and circulated to the Members is in order . . ."

MR. CHAIRMAN:—"But that is a question answered on the floor of a particular House, to which reference is subsequently made in it. Here the case is different. The answer makes mention of an answer given in the other House."

THE HON. SRI K. MADHAVA MENON:—"Printed and circulated . . ."

MR. CHAIRMAN:—"I do not think we need labour on that point. If it is in this House, the Government is entitled to refer to it. I do not think it is correct to refer to an answer given in the other House by way of answer to be given to a question put in this House."

THE HON. SRI H. SITARAMA REDDI:—"If it is your ruling, Sir, we shall certainly . . ."

MR. CHAIRMAN:—"That is my feeling. If it is printed and circulated to Members by the Government, the Government are entitled to do so. But in this case, I do not know how you can say that these are Government publications published by you. These are the proceedings of some other House."

THE HON. SRI H. SITARAMA REDDI:—"But they were circulated to hon. Members."

SRI MOTHEY NARAYANA RAO:—"Is it incumbent on us to study the entire proceedings?"

MR. CHAIRMAN:—"That is not the point. I think it is not right to refer to an answer given in the other House. I am not giving a ruling and I will look into it. Meanwhile, the Hon. Minister may give the answer now."

THE HON. SRI H. SITARAMA REDDI:—"I will read out what was said in the other House, Sir. I will read the question also as it was put in the other House."

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'Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the action that has been taken on the petitions submitted by the ryots of several villages in Devarakota Estate in Krishna district, that the ex-zamindar of Devarakota has alienated communal lands, lanka lands, waste lands and forest lands for several lakhs of rupees, deliberately disregarding the provisions of the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Act, 1947; and

(b) the action that has been taken against the said zamindar for having cut trees worth several thousands of rupees in the estate?'

A.—(a) & (b) The allegations in the several petitions received by Government and the subordinate authorities were duly enquired into. The zamindar of Devarakota was reported to have contravened the provisions of Acts XIV of 1947 and XXVII of 1949 in respect of the lease of five lankas, namely, Nadakudurulotha lanka, Tummaladibba, Ravilanka, Venkayyadibba and Gokuladibba in Divi taluk. Trees to the value of about Rs. 3,000 were also reported to have been cut by certain persons in contravention of the statutory provisions, in Tummaladibba, Ravilanka and Gokuladibba. Steps are being taken to ask the zamindar to show cause why he should not be prosecuted in respect of the leases of lankas referred to. Action is also being taken to prosecute the persons who cut trees in contravention of the statutory provisions.'

MR. CHAIRMAN:—'One instance will make this point clear. Supposing a question is asked there, and an identical question is also asked here. The question is: Can they reply that an identical question has been replied here? Would the Government be right in saying so?'

THE HON. SRI H. SITARAMA REDDI:—'We presume, Sir, that questions are put to elicit information from the Government.'

MR. CHAIRMAN:—'We are not on first principle here.'

THE HON. SRI H. SITARAMA REDDI:—'We have necessarily to go to the first principles before we come to the principle of how it is done.'

MR. CHAIRMAN:—'On that analogy, it does not appear to me to be correct to refer to an answer given in the other House by way of a reply to a question put here, in which case any question answered in the other House can be disposed of in that manner without hon. Members being benefited by it.'

JANAB K. UPPI:—'If we accept that theory, Sir, then we can easily rise now. The Hindu Religious Endowments Bill has been dealt with fully in the Assembly and it has been thrashed out fully there and the proceedings also have been given.'

MR. CHAIRMAN:—'There is no question of first principles here; We have to settle what is to be done with reference to rules under the Constitution and law.'

SRI MOTHEY NARAYANA RAO:—'May I know, Sir, if some lands of the zamindar in West Godavari district in the village of Pedaregi have been illegally assigned?'

THE HON. SRI H. SITARAMA REDDI:—'Notice, Sir.'

SRI B. NARAYANASWAMI NAYUDU:—'The answer given is evasive and nothing definite has been given. May I know from the Government definitely whether there have been no cases of illegal assignment of lands by the zamindar of Devarakotta in the West Godavari district?'

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THE HON. SRI H. SITARAMA REDDI:—'I have stated in the reply, Sir, that no cases of illegal assignment of lands by the zamindar in the West Godavari district have come to the notice of the Government.'

SRI C. VEERABHADRA RAO:—'Is it a fact, Sir, that 3 p.m. many of the estate lands have been alienated by the zamindars?'

MR. CHAIRMAN:—'How does it arise from this question; that is a general question.'

SRI C. VEERABHADRA RAO:—'I want to know whether many complaints have been received by Government that the zamindars are alienating many estate lands?'

THE HON. SRI H. SITARAMA REDDI:—'Government receive several such allegations. There is an Act to check that and we are taking action under that enactment.'

Representation of communities in the services.

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

(a) whether this Government are in receipt of a communication from the Government of India on the representation of various communities in the services with special reference to what is known as the communal G.O.; and

(b) if so, what the nature of the communication is and what reply, if any, has been sent by the State Government?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—'(a) The answer is in the affirmative.

“(b) The communication is confidential and its nature cannot therefore be disclosed.”

SRI R. SURYANARAYANA RAO:—'Sir, I cannot understand the reply of a communication being confidential. I can understand the entire communication being kept as confidential.'

THE HON. SRI K. MADHAVA MENON:—'There is nothing wrong in the Government of India saying that a particular communication should be treated as confidential.'

UNSTARRED QUESTIONS.

Bifurcated courses in secondary schools.

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

(a) what the purpose of bifurcated courses in secondary schools is;

(b) the number of schools (districtwar and yearwar) in which bifurcated courses have been introduced;

(c) what the courses introduced in each school are;

(d) whether the schools have the necessary equipment and technical personnel to impart instruction in the various courses;

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(e) what inducements, if any, are offered to private managements to introduce bifurcated courses;

(f) whether bifurcated courses form an integral part of the reorganized system of secondary education; and

(g) whether the Government will place on the table of the House all the relevant orders regarding the reorganized system of secondary education, its objective, any plan of action to attain the objective within a particular period of time, steps taken to implement the plan, its relation to primary or basic education?

A.—(a) The main object of the bifurcated courses of studies in secondary schools is to prevent students who are not intellectually fitted to enter the University from seeking admission to colleges and to train them in certain specialized and technical courses which will enable them to earn a living, without University education.

(b) & (c) A statement^a furnishing the information is laid on the table of the House.

(d) A few schools have not the necessary equipment, while some have not the technical personnel required. The Technical Education Officer is rendering all possible assistance to improve the conditions.

(e) Special grants calculated at three-fourths of the cost subject to certain maxima are being paid to the managements of schools as teaching and equipment grants against the amounts ordinarily admissible on the basis of one-half for equipment or two-thirds of the cost for teaching as the case may be.

(f) Yes.

(g) A list of the Government Orders on the subject is kept in the library of the Legislature for reference. A review of the working of the reorganized scheme of secondary education will be taken up in due course. The scheme is related to the basic education in the sense that instructions in crafts will be continued in secondary schools.

Expenditure incurred from the State Treasury on education.

11 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Education be pleased to place on the table of the House a statement of expenditure incurred from the State Treasury on (1) collegiate, (2) secondary and (3) elementary education from 1945 to 1950 (yearwar) giving particulars separately for various items wherever possible such as salaries, equipments, buildings, etc., in respect of institutions maintained by Government, Local authorities and aided managements and also the total expenditure for the same period (yearwar) for each grade of education from all sources including contributions made by Government and the share of the managements in such expenditure?

A.—A statement is placed on the table of the Council.

^a Printed as Appendix III on pages 371–375 infra.

^b Printed as Appendix IV on page 375 infra.

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Admission into medical colleges.

12 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Health be pleased to state the number of applications received communitywar for admission into medical colleges during 1948–49, 1949–50 and 1950–51 and the number admitted during each of those years communitywar?

A.—A statement^a furnishing the information required is placed on the table of the Council.

Admission into Veterinary Colleges.

13 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Agriculture be pleased to state the number of applications for admission received communitywar into the Veterinary Colleges during 1948–49, 1949–50 and 1950–51 and the number admitted during each of those years communitywar in the above college?

A.—A statement^b containing the particulars called for is placed on the table of the Council.

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

II.—STATEMENT RE ELIGIBILITY OF ANDHRA UNIVERSITY S.S.L.C. CANDIDATES.

THE HON. SRI K. MADHAVA MENON:—“ Sir, with your permission, I wish to correct a mistake I committed at the last meeting. In answer to a supplementary question put by Mr. Suryanarayana Rao arising from the answer given to a question relating to the S.S.L.C. Examination at the meeting of the Council on the 13th October 1950, I stated that any School-Final candidate who had been declared eligible by the Andhra University would be entitled to admission in any of the colleges of the Madras University. As the answer was not quite exact, there has been some misapprehension about it. I would like to inform the House the exact correct position, which is as follows:—

‘ While the School Final Examination is common to the whole State of Madras, the Andhra University publishes its list of eligibles with regard to candidates appearing in its area and the Madras and the Annamalai Universities publish a list for candidates outside that area. The rules of eligibility themselves may be different, and in addition, in each area, the Madras and the Andhra Universities, appoint separately moderation boards, which take into consideration special difficulties and condone deficiencies in particular subjects. So it happens that a candidate eligible for the Andhra University may not be eligible for the Madras and the Annamalai Universities and vice versa.’ ”

^a Printed as Appendix V on page 376 infra.

^b Printed as Appendix VI on page 377 infra.

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III.—DEBATE *re* FOOD SITUATION IN MADRAS STATE.

JANAB K. UPPI:—“ Mr. Chairman, Sir, just a few minutes back a statement on the present food situation in Madras State has been placed in our hands. I want to know whether we are going to have a discussion on it, and if so, when, whether to-day or to-morrow? ”

THE HON. SRI K. MADHAVA MENON:—“ Sir, the hon. Member, Mr. Uppi Sahib, was not present in this House when the adjournment motion on food situation was moved. Sir, originally it was understood we should meet this morning and it is on that understanding that I said on the previous day that the statement regarding food situation would be placed in the hands of the members, this morning, and then we can take up the debate on it at four o'clock this evening. Subsequently it transpired that we should meet only at 2-30 p.m. to-day, and so, as soon as we met here, the statement on food situation has been placed in the hands of hon. Members of this House. Since there may not be sufficient time for members to study it and prepare for a discussion on it, to-day, I submit the debate on food situation may be taken up to-morrow at four o'clock.”

MR. CHAIRMAN:—“ I understood from the Assistant Secretary of the department or somebody, I do not know who he is, that we are to have the food debate at four o'clock this evening. ”

THE HON. SRI K. MADHAVA MENON:—“ Sir, if we are to take it up to-day at four o'clock, I do not think we can finish it unless we sit till 7-30 p.m.”

MR. CHAIRMAN:—“ The fixing of the time of the debate and the duration thereof are to be decided here and it is not for the Hon. Minister to decide it.”

THE HON. SRI K. MADHAVA MENON:—“ It is a mistake, and I am sorry for it. May I remind the Chair, that originally it was mentioned that we are to meet on Monday morning, that is, this morning, and so, that is why it was announced that the food debate would take place at four o'clock this evening.”

SRI B. NARAYANASWAMI NAYUDU:—“ Sir, with regard to this matter, may I bring to the notice of this House and the Hon. Minister concerned that at the bottom of the fourth page of the statement on food position, the following passage occurs:—

‘ At the time of the Bombay Conference, it was urged upon the Government of India that, in view of the subsequent failure of rains, there was an increase in the deficit and that it was necessary that this State should receive at least 10 lakhs of tons of all foodgrains to meet this shortage. The Government of India expect to secure only 37 lakhs of tons of foodgrains to meet the country's needs as a whole but in view of the extensive failure of crops in other States as well, have allotted to us only 4 lakhs of tons for 1951 as a tentative measure.’

I want to know whether the entire correspondence between the Government of India and this Government will be placed before

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this House as an annexure to this statement so that we may know what is going on between the two Governments, the allotment asked for and the allotment made, the data on which the whole thing was proceeded and the data on which what was asked for by this Government was refused by the Central Government. Without such information, a bald statement like the present one will not be of much use to us.”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“ Sir, at the time of the discussion of the food situation, which I request may be fixed for to-morrow, we shall furnish to the House what information we have at our disposal. But full communication of all we might have discussed with the Government of India, may not be possible to furnish, as we might have discussed so many matters. But certainly, certain matters connected with the present subject, and as much information as is available, we may be able to furnish to-morrow.”

SRI B. NARAYANASWAMI NAYUDU:—“ Sir, I gave notice of an interpellation as early as 14th September 1950 and till now it has not been answered. Sir, I asked Government whether the report of Thirumal Rao's Committee has been published and if so, whether a copy of it will be laid on the table of the House. Therein I also asked Government to state the quantities of rice and millets (separately) received by this State during the years 1948-49 and 1949-50 from the other States in the Union and the price charged therefor, and also the quantities of rice and millets (separately) received by this State during 1948-49 and 1949-50 from overseas and the price charged for the same. Sir, that question is still unanswered. May I request the Hon. Minister to answer that question to-morrow.”

MR. CHAIRMAN:—“ Perhaps it has lapsed after prorogation of the Council. Did the hon. Member renew his question after prorogation? ”

SRI B. NARAYANASWAMI NAYUDU:—“ There was no prorogation after I gave notice of my question. Prorogation will come soon hereafter. So I request the Hon. Food Minister to give the information to-morrow at least, or the day after.”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“ Is it a regular question? ”

SRI B. NARAYANASWAMI NAYUDU:—“ It is a regular question; it is not a personal request or anything like that.” (At this stage the hon. Member showed the Hon. Minister a copy of the question he has given notice.)

MR. CHAIRMAN:—“ Is it agreed that we should take up this food debate to-morrow at four o'clock, whether we finish the Endowments Bill or not? ”

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THE HON. SRI K. MADHAVA MENON:—"I leave it to the House to decide. Personally I would wish to finish the Endowments Bill and then take up this food debate, instead of hurrying through this food debate in two hours to-morrow."

JANAB ABDUL LATIF FAROOKHI:—"I think we may finish the Endowments Bill and then take up food debate and deal with it in detail."

SRI B. NARAYANASWAMI NAYUDU :—“ Let us not take it up to-morrow at four o'clock as we may be asked to finish it before five or six o'clock? ”

SRI R. SURYANARAYANA RAO:—“ I think no particular hour need be fixed. We shall say simply, as soon as this Endowments Bill is finished we will take it up.”

MR. CHAIRMAN :—“ That is what I feel.”

SRI R. SURYANARAYANA RAO:—“ Even if the Bill is finished to-morrow we will take up the food debate to-morrow.”

MR. CHAIRMAN:—"I hope we will do so." (Laughter.)

* MRS. M. HENSMAN:—"Sir, I do not want the Debate to be taken up at four o'clock. I would have it at some other hour of the day, for instance in the morning when we are fresh." (Laughter.)

MR. CHAIRMAN:—"Yes, the House will now take up the next item on the agenda."

IV.—GOVERNMENT BILL.

THE MADRAS HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS BILL, 1949 (L.A. BILL NO. 10 OF
1949), AS PASSED BY THE ASSEMBLY—*cont.*

SRI S. A. S. RM. RAMANATHAN CHETTIYAR :— கமல அக்கிரமசனாதிபதி அவர்களே, இப்பொழுது இந்த மசோதா விறந்து அறியிய பாதுகாப்பு மசோதா கொண்டு பெயரளவில் வந்திருக்கிறது. சட்டமென்று ஒன்றிருந்தால் அது எல்லாருக்கும் ஒரே விதமாக இருக்கவேண்டிய தவறாகியும். ஆனால் தர்மத்தை தவறுதலான முறையில் செய்கின்றவர்கள் ஹிந்துக்கள் மட்டுமல்ல. அவ்விதம் யார் யார் தவறுதலான முறையில் செய்வாருகின்றார்களா என்பதைக் கவனிக்கவேண்டியது காரண்மொன்று கிடம. இப்பொழுதிருக்கும் மாதிரி ஒரு அகாபுரிற்ரு மட்டுமே சட்டத்தைக் கொண்டுவந்து என்பது அதாவது **Hindu Religious Endowments Bill** என்று ஒரு பாகுபாடு பண்ணி ஒரு ஜாதிக் அடையாது ஹிந்துக்களுக்கு மட்டிலும் இந்த சட்டத்தைக் கொண்டுவரவேண்டாமென்று கேட்டுக்கொள்ளுகிறேன். ஹிந்துக்களை மெஜரிட்டியாக இருந்துகொண்டு, நாமே அராபிக் கத்தை நடத்தும்போது, நமே இம்மபதிரியான ஒரு சட்டத்தைக் கொண்டு வருவதினால் அர்த்தநிலைமம் போய் விடுகிறது. முகம்மதியர்களுக்கும், கிருஸ்தவர்களுக்கும் பயன்படும்படியாக என் இந்த சட்டத்தைக் கொண்டுவரக்கூடாது என்று கேட்கிறேன். சட்டம் என்பது எல்லாருக்கும் பொது. கிருஸ்தவர்களும், முகம்மதியர்களும் தவறுதல்கள் பண்ணாமலிருக்கின்றார்கள் என்று சொல்வதற்கில்லை. ஆகவே 'ஹிந்து' என்கிற பதத்தைச் சட்டத்திலிருந்து நீக்கிவிட்டு இந்த மசோதாவை ஒரு பொதுவான சட்டமானதாகக் கிணைக்கிற வெண்டுமென்று நான் கேட்டுக்கொள்ளுகிறேன்.

“இரப்பாபதாசு இந்த சப் த்தை இயற்றியவையு தவறியவையான. எந்த இத்தி திருநடுவில்கிறதோ அங்கு திருநடுப் பந்தது பிடிக்க வேண்டும். அவ்விதமில்லாமல் எட்டுவாரையும் ஒரே விதமாக பாவித்து

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ஒரே மாதிரியான ஒரு சிப்தத்தை வெளிவற்றிக்கூட ஆ என்று நான் அப்பிரதீபப்படுத்தினேன். சில மாதங்களுக்குள், கெவின்சுடன் டிராப்டிகளும் தஞ்சை ஜில்லாவில் சில இங்குமிசு தவறுத்தவன் செய்தவனாகின்றார்கள். தஞ்சை ஜில்லாவில் ஒரு ஊரில் கெவின்சுடன் பெயர் திருநீலசண்டேவியரம். அந்தக் கொவிலிச் சித்தலகன் அப்பர் எப்பவர் அந்த டிராப்டிகளையும் தருக்களாகவும் இருக்கிறார். அவர் அந்தக் கொவிலிக்குச் சொந்தமான நூறு செலி நிலத்தை தன்னுடைய பெயர்த் த மாற்றிக் கொண்டுவிட்டார். இன்னும் அதையும் கெவின்சுடனிருக்கின்றன. அவைகளின் பெயர்களைச் சொல்லவேண்டாம். அவைகளுக்கு அப்பிரதீப வெளி நிலங்களுக்குள்ளேன. அவைகளையும் அதன்குள் தம்மக்குடனாகக் தங்களுடைய சொந்தத்திற்கு மாற்றிக் கொண்டுவிட்டார்கள். அவைகளை எல்லாம் தஞ்சாவூர் மஜாராஜினின் கொடுக்கப்பட்டவைகள். அவைகளை அப்பிரதீப இரண்டாயிரம் செலி நிலங்களை தந்தவன் அப்பிரதீபத்திற்கு மாற்றிக் கொண்டுவிட்டான் இவ்விதம் தான் செய்யவேண்டியது அவசியம் தான். இவ்விதம் பெயராக கொடுக்கப்பட்ட சொந்தங்களுக்குதான் சட்டம் செய்யவேண்டிய பெயரின் சொந்தமாக சட்டத்திತ್ತು. ஒரு ஸ்கூலுக்கோ, கோவிலுக்கோ, தனத்திற்கோ, பரம்பலுக்கோ கொடுத்திருந்தால் அதில் தேவையிருக்கியாயினிலை. அவ்வியம் நாம் தேவையிடாமல் இனிமேல் வரும் generation துரம் செய்யப்பட்டார்கள். தம்மத்திற்கு என்று எழறிலைத்த பெயர்ப் பணத்தை எடுத்து மாற்றிவைத்தக் கண்டிக்க வேண்டியதுதான். சில இங்குமிசு அப்பிரதீபச் சொத்துக்களின் கணக்கு கூட சொல்லாதினிலை. அதைச் சொந்தமாகச் செய்தவரும் தம்மத்தின் சொத்துக்களுக்கு கணக்கு கொடு என்று சொல்லுதலினிலை. அதை ஒரே பெயர்த்துக்கொள் வியையுமனில். அவ்வியம் பெயர்ப் பெயர் ஒதுகாரும் இனிமேல் நம்மச் செய் மனவரமாப் பாகன. அக்கொயினிலை டிராப்டுகளுக்குப் பெயராமலிருக்காமல் பெயர்வும் செய்து கொள்ளுகிறோம்.

“தலை கமிஷனருக்கு நல்ல அதிகாரம் கொடுக்கப்பட்டிருக்கிறது. அது முற்றிலும் சரிதான். கமிஷனருக்கு பவர் கொடுக்கவேண்டியது அவசியம்தான். ஆனால் அவருடைய முடிவிற்குமேல் அப்பீல் கிடையாது என்று சொல்லுவது கொஞ்சம் கூட பொறுத்தமல்ல. அப்பீல் கிடையாது என்று அதிகாரிகளுந்தான் அவர் தன்னுடைய இஷ்டப்படி தீர்ப்பு எழுதி வந்திரு. இடம் கொடுக்கும். அப்பீல் செய்ததற்கு இடமிருக்கிறது. எந்திருந்தால் கூடுமானவரையிலும் நியாயம் தவறாமல் தீர்ப்பு எழுதிவந்திருக்கின்றோம். சாதாரணமாக ஷைக்கோர்ட்டை எடுத்துக்கொண்டால் அங்கே சுமார் 100 கேஸ்களைக்கின்றுள்ளவற்றுக்கு லைவ் தீர்ப்பு கொள்ளலாம். அவைகளில் 90 கேஸ்களில் ஒருவராவது அப்பீலில் ஜெயிப்பது இல்லை. அவைகளில் பத்து கேஸ்கள்தான் தீர் கோரிப்பிறகு திருப்பி அனுப்பிக்கூடியிருக்கிறது. அதனால் அப்பீல் கொள்பீட்டு தேவையில்லை என்று சொல்லுவது சரியல்ல. நூறு கேஸ்களில் பத்து கேஸ்கள்தான் திருப்பி அனுப்பிக்கப்படுவதால் அப்பீல் கோர்பீட்டு வேண்டாமென்று சொல்லுவது கொஞ்சமும் பொறுத்தமல்ல. அதைப் போலவே கமிஷனருடைய தீர்ப்பிற்கு மேல் அப்பீல் கிடையாது என்று சொல்லுவதில் கொஞ்சமும் பொறுத்தமில்லை. ஆனால் இவ்விதமான விவகாரங்களினால் லட்சக்கணக்கான பணம் விற்பனையாகலாமென்று சொல்லலாம். அதற்காக அப்பீல் வேண்டுமென்றதை உத்தேசித்து கமிஷனருடைய தீர்ப்புக்கு மேல் சர்க்காருக்கு அப்பீல் செய்து கொள்ளப்படி இருக்கவேண்டும். இது மொத்தமாக அவசியம். இது இல்லாமல் போனால் கமிஷனருடைய தீர்ப்பு மாடிவாகிவிடும். ஆகவே Hon. மாதவரெண்டன் அவர்கள் இதை உத்தேசித்து அதற்கு வேண்டிய மாறுதல் களைச் செய்வார்களென்று நம்புகிறேன்.

“தவிர முதலில் நாமது கனம் மந்திரி ராஜன் அவர்கள்தான் இந்த சபட்டத்தை ஆரம்பித்து வைத்தார். இப்பொழுது அவர் ஓய்வு எடுத்துக் கொண்டு ஊரில் இடக்கிரூர் என்று பத்திரிகையில் பாடித்தான். அவரே முதலில் இந்த சபட்டத்தைக்கொண்டு வந்ததான் அவரே இப்பொழுது திங்கட்குந்து இவைகளுக்கெல்லாம் பதில் சொன்னால் நன்சம்பாக்க இடக்கும். ஆனால் துர்அதிரிஷ்டவசமாக அவர் ஓய்வு எடுத்துக்கொண்டு ஊரிலிருந்து

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கொண்டிருக்கின்றார்கள். தவிர இங்கு நான் அவர்களை மேலமசோதுவைக் கொண்டுவரும்படி அவரை விட்டதுமட்டுமல்லாமல் பார்த்தேன். அவ்விதமிருந்தால் இந்த சட்டத்தைக் கொண்டு வருவதற்கு இரங்கநாதர் இவருக்குக் கட்டினையிடவேண்டியதில்லை. அப்போது தன்னுடைய காரியங்களை சாதித்துக்கொள்ளுவார். இந்தக் கட்டையை அவரைச் செய்யச் செல்ல வேண்டியதில்லை. எவ்வளவு வேண்டுமானாலும் இங்கு நாதர் பண்ணிக்கொள்ள முடியும். அது எப்படி இருந்தாலும் அவைதான் நன்றாயிருக்கிறது. அவரை இப்பொழுது நான் சொன்னால் என்னவொரு நன்மையாக இருக்கும். அல்லது ஒரு தனி மினிஸ்டராக கொடுத்து இந்த சட்டத்தை நிறைவேற்றச் செய்வதற்குத் தான் சொன்னதும் உண்மையாக இருக்கும்.

“தவிர சமீபகாலமாக நியமிக்கப்படும் அவ்வளவு பெரும் சத்திய சீலர்களில், தர்மம் பிசகாமல் நடப்பவர்கள் என்றும் சொல்லமுடியுமா? மனித சபையம் தவறுதிகள் செய்வது சகஜம். ஆகையால் அந்த கோர்ட்டுகள் பார்த்து நியாயம் செய்வதுதான் பொறுத்தமடையென்பது வெறும் ex parte judgment சொல்லுவது கொஞ்சமும் பொறுத்தமடையல்ல.

“இப்பொழுது பரம்பரை டிரஸ்டிகளென்றிருக்கிறது. இரண்டுகள் தேவாலயங்களுக்கு எத்தனையோ செத்துக்கொண்டு விவாதிக்கிறார்கள். அவ்விதம் எழுதி வைத்து அவைகளுக்கு தஞ்சை நிலத்தில் பிசகாதே கம் டிரஸ்டிகளிருக்கின்றார்கள். இவ்விதமான பரம்பரை டிரஸ்டிகளிருக்க வேண்டியதில்லை. இவ்வித மிருப்பதால் அவர்கள் 70 செலி நிலமிருந்தால் அவைகளிலிருந்து வரும் வரும்படியின் கலாக்கை சரியாக வைத்துக்கொள்வதில்லை. அவைகளிலிருந்து ரூ. 7,000 வரும்படி அந்தமால் ரூ. 6,000 வரும்படியை வெளியில் காண்பிப்பதில்லை. நிலங்களையும் சரியாக வைப்பதில்லை. என்னெல்லாம் தான் பரம்பரையான டிரஸ்டியானதால் தவிர விட்டு நிலம் போகாது என்ற எண்ணத்தான். ஆனால் குடிசைகளைப் போல இருந்தால் தன்னையிட்டு ஐந்து வடிகள்களுக்குப் பிடி நிலம் போய்விடுமென்று நிலத்தை ஒழுங்காக வைத்துக்கொள்ள வேண்டுமென்று நினைப்பான். ஆகவே பரம்பரை டிரஸ்டிகள் அது வேண்டுமென்றால் செய்யலாம். அதன் பரம்பரை டிரஸ்டி என்றிருப்பது கொஞ்சமும் பொறுத்தமடையல்ல. அந்தக் காலத்திலிருந்து பரம்பரை டிரஸ்டி என்பது இப்பொழுது கூடவே கூடாது.”

MR. CHAIRMAN :—“அவர்கள் செய்யும் வேலையை எந்த டிரஸ்டியும்தான் செய்யலாம்.”

SRI S. A. S. RM. RAMANATHAN CHETTIYAR :—“யாரும் சாப்பிடலாம். ஆனால் பாயிருக்கும். ஐந்து வடிகள்களுக்கு பின் போய் விடுமென்று என்ற பரம்பரை எண்ணமிருக்கும். பரம்பரை டிரஸ்டி என்ற தால் கேட்க வேண்டியவர்களுக்கு பதில் சொல்ல வேண்டிய அவசியமில்லை. அதனால் பரம்பரை டிரஸ்டி என்பது பொருத்தமானதில்லை. அதை எடுத்துவிட வேண்டுமென்று நினைக்கிறேன். இந்த சட்டத்தை நிறைவேற்றும் பொருட்டு கனம் மந்திரி மாதவ மெனன் அவர்கள் தன்னுடைய எவ்வளவோ வேலைகளுக்கு மத்தியில் இவர்களைக் கொண்டு வந்திருக்கிறார். அவருக்கு இன்னும் எவ்வளவோ வேலைகள் இருக்கின்றன. அவைகளுக்கு மத்தியில் இவையும் பார்க்கக்கூடியவர். அவைகளோடு இதனுடைய சிரமத்தையும் பார்க்காமல், இன்னும் வேறு யாரையாவது டிரஸ்டி மினிஸ்டராக வைத்துக்கொண்டு இந்த சட்டத்தை வைத்து சீக்கிரமாக சட்டமாக்க வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.”

MR. CHAIRMAN :—“இந்த சட்டம் வாண்டுமென்று சொல்லுகிறீர்களா?”

SRI S. A. S. RM. RAMANATHAN CHETTIYAR :—“ஆம், பரம்பரை டிரஸ்டி என்றில்லாமல் சட்டமாக்கவேண்டுமென்று சொல்லுகிறேன். என்னென்றால் அவர்கள் நன்றாக சாப்பிடுகிறார்கள் என்று சொல்லுகிறேன்.”

MR. CHAIRMAN :—“ஓர் ஓர் என்றிருக்கவேண்டியதில்லை என்று சொன்னீர்களா?”

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SRI S. A. S. RM. RAMANATHAN CHETTIYAR :—“ஆம், ஓர் ஓர் என்றபடிமேல் என்றும் அதை எடுத்துவிட வேண்டுமென்றும் சொன்னேன். ஓர் ஓர் ஓர் மாதிரியான அக்கிரமம் பண்ணுகிறீர்களா? சட்டம் என்று இவற்றினால் அது எல்லோருக்கும் பொருத்தமாய் இருக்கவேண்டும். மற்றவர்களையும் விலக்கவேண்டாமென்று சொல்லுகிறேன். இதைப்பற்றி ஒரு ஹைகோர்ட் வக்கிலுடன் பேசிக்கொண்டிருக்கும் பொது அறிவிப்புச் செய்திக்கு சட்டம் இப்போது கொடுக்கிறது என்று சொன்னார். அவ்விதம் செய்வதற்கு அது மேலும் இருக்கிறது. அவர்களுடைய சட்டம் இப்போது கொடுக்கவில்லை. அவர்கள் கோர்ட்டுக்குப் போவார்கள் என்று பயமுறுத்துகிறார்கள். அதனால் பாதகமில்லை. ஆகவே கூடிய சீக்கிரம் எல்லாருக்கும் பொருத்தமாய் இந்த சட்டம் கொண்டுவரவேண்டும். சட்டம் வேண்டாமென்று நான் சொல்லவில்லை.

“இரண்டாவதாக ஒன்று சொல்லப் பின்பற்றுகிறேன். இந்த சட்டத்தினால் ஏராளமான பரம்பரை டிரஸ்டிகளிருக்கிறார்கள். அதை எடுத்து பன்முகங்களுக்கு சிலவிட வேண்டுமென்று கொண்டுவிடுகிறார்கள். அது தர்மம் பொருத்தமில்லாதது. வரம்புடையது. அதை எடுத்து அப்படியே தர்மத்திற்கு சிலவிட வேண்டும். இப்பொழுது அரிசி இல்லாமல் ஜனங்கள் கஷ்டப்படுகிறார்கள். அதை வரவழைப்பதற்கு பணமில்லை என்று சொல்லுகிறார்கள். அந்தப் பணத்தை எடுத்து அப்படியே தர்மமாக செய்வதுபோல் சிலவிட அரிசியை வரவழைத்து அவைகளுடைய சார்பாப்புக்குக் கொடுத்தால் அதைவிட புண்ணியம் பொறுத்தமடையது. இம்மாதிரி இச்சட்டத்தை மாற்றியமைத்து விட்டால் நாம் இருந்தாலும் அரிசி, இரண்டாவது சட்டம் பின்வருவது விற்பனைக்குப் பெரும்படித் தரவேண்டியிருக்கும். இந்தப் பணத்தை எடுத்து அரிசி வரவழைப்பதற்கு சிலவிட வந்தால் இம்மாதிரி கொடுக்கப்படும் படியான 9 அவுன்ஸ், 8 அவுன்ஸ் அரிசி என்றில்லாமல் 12 அவுன்ஸ் அரிசி கொடுப்பதற்குத் தவறுதலாக இருக்கும்.”

MR. CHAIRMAN :—“Hon. Minister will please listen to the speech of the hon. Member and amend the Bill if necessary.”

SRI S. A. S. RM. RAMANATHAN CHETTIYAR :—“மனம் துத்தால் சட்டம் தாலாகவேண்டும். இப்பொழுது ஏராளமான பரம்பரை டிரஸ்டிகளிருக்கிறார்கள். இவர்களுடைய வரவழைப்பதற்கு வேறு ஒன்றும் வேண்டாம். இவ்வளவு கோவில்களுக்கு ஏராளமான நிலங்களிருக்கின்றன. அவைகளைப் பற்றி கேட்க சாப்பாடப்படி கணக்கு வைப்பதில்லை. இவர்களுக்குக் கலெக்டர் கலெக்டர் கேட்காததை அவர்களுக்குக் கோரம் வந்துவிடுகிறது. நிலம் கலெக்டர் வந்து வந்தால் தான் அவர்களைக் கொடுப்பதில்லை. நீயும் தான் கொடுப்பதில்லை என்று சொல்லுகிறார்கள். என்னமும் கொஞ்ச நேஞ்ச மிதப்பதையும் தான் கொடுத்துவிட்டேன். சாப்பாடப்படி வேண்டியதுகூட இல்லை. நான் ஒவ்வொன்றும் ஏமாற்றவில்லை. இந்த தர்மத்தை எடுத்து இரங்குமல்லவா அந்த வரவழைத்தால் பெரும்படி புண்ணியமாக இருக்கும். அதற்கு எவ்வளவு எவ்வளவு முயற்சி எடுத்துக்கொள்ள வேண்டுமோ அதை எடுத்துக்கொண்டு இந்த சட்டத்தை எல்லாருக்கும் பொருத்தமாய் மாற்றியமைக்கவேண்டும். அவ்விதம் மாற்றியமைத்து கூடிய சீக்கிரத்தில் அமுலுக்குக் கொண்டுவரவேண்டும்.”

MR. CHAIRMAN :—“இந்த மாதிரி ஓர் ஓர் ஓர் என்றபடிமேல் எல்லாருக்கும் கொடுக்கவேண்டும்?”

SRI S. A. S. RM. RAMANATHAN CHETTIYAR :—“நாராளமாகக் கொடுக்கலாம்.”

* SRI R. SURYANARAYANA RAO :—“Mr. Chairman, Sir, as the hon. Members of this House are aware, this Bill was referred to a Joint Select Committee of both the Houses. It has had very deep and anxious consideration in the Select Committee stage. Various drafts embodying the decisions taken were placed

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before the Select Committee, those drafts were scrutinized, and there has emerged the final draft of the Bill together with the report of the Joint Select Committee signed by the Chairman, the Hon. Dr. T. S. S. Rajan. Curiously enough, certain changes made in the Select Committee stage are not embodied in the Bill as amended by the Joint Select Committee. One of them is with regard to the board of trustees. The decision of the Select Committee was that the board of trustees should be one of the authorities set up under this Bill for the proper management of religious institutions. But that is not found in the Bill annexed to the report of the Joint Select Committee. The second thing relates to pathakanika. Yesterday, the hon. Dr. Lakshmanaswami Mudaliyar referred to pathakanika. In regard to that, the final decision of the Select Committee was that the matadhipathi should merely keep accounts of receipts and expenditure, and the Legal department was asked to prepare the necessary amendment. But what is it that we find in the relevant clause in this Bill? The clause says that he shall cause such accounts to be produced before the Commissioner or any person authorized by him in this behalf, whenever so required. This was never the intention of the Select Committee and it never took a decision on the point. So Dr. Lakshmanaswami Mudaliyar was perfectly right in saying that we were making the Commissioner a super-matadhipathi. The Select Committee wanted that the amount received by way of pathakanika should be spent by the matadhipathi at his discretion for purposes connected with the math. In order that the amount might be spent for purposes connected with the math, we wanted the matadhipathi to keep accounts. At a late stage, the hon. Sri S. B. Adityan moved an amendment to the above effect. We never said that the Commissioner should be empowered to call for the accounts of a matadhipathi. We never wanted to make the Commissioner a super-matadhipathi. Because the report and the Bill as amended by the Joint Select Committee are made available to the members of this House, I am referring to them. These are two instances in which, I feel, alterations have been made. They are not consequential but substantial. I do not think that either the Chairman of the Select Committee or the Government are competent or authorized to make these innovations in the Bill. I shall later on say how very helpful the Chairman was to the committee. But with due deference to him, I say that he should never have signed the report unless he was satisfied that the provisions of the Bill were in accordance with the decisions of the Select Committee. These are serious innovations which the Bill makes and they were never contemplated by the members of the Joint Select Committee.

"I am one of those who are in favour of the principles of this Bill and also the plan given in the Bill for carrying out those principles. But that does not mean that I must lend my support to every comma, semi-colon or full stop found in the Bill. I am not one of those who feel that, simply because I am in favour of the Bill, I must go the whole hog with the Government.

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"Nor am I one of those, who, simply because I mention 3-20
certain provisions to which I am opposed and which I want to be p.m.
amended are opposed to the Bill altogether. From that point of view, I am sure, hon. Members of the House and also the Government should be deeply grateful to my hon. Friend Dr. A. Lakshmanaswami Mudaliyar, for what I may call, his incisive criticism of the various provisions of the Bill. His criticism showed the breadth of his outlook and his consideration for the measure, and his main desire in offering such a criticism was that whatever we may do, we shall do it well, so that there may be no unnecessary opposition even from quarters who are always anxious to find fault with the Government, in all the beneficial measures brought forward by them. I have just now referred to the special feature about the provision relating to pathakanika and it is to that which my hon. Friend Dr. A. Lakshmanaswami Mudaliyar also referred.

"Then, Sir, he referred to the hierarchy of officials under the Commissioner. I quite agree with him. When any department of this kind is set up, there is bound to be a hierarchy of officials to be appointed under the Commissioner, and it is the Government that must have the control over these officials and see that the policy underlying this Bill is carried out properly. But the Bill, as it stands, leaves everything to the Commissioner, and, as has been suggested, the Commissioner will even become a super-Government in certain matters. It is with a view to prevent such a thing happening that I have made certain suggestions in the amendments which I have given notice of. Many of them are simple amendments seeking to make the Government the ultimate authority so far as executive orders are concerned and in matters over which we have not given power to the courts to interfere.

"Then, Sir, Dr. A. Lakshmanaswami Mudaliyar spoke about area committees. May I point out to him, Sir, that the idea of setting up Area Committees was discussed at great length in the Joint Select Committee and that these committees were put in the place of what were known by the name of temple committees which had been in existence previously and which had been condemned by all officials and committees who went into this question. Sir, the Venkataramana Rao's Committee, which went into this question, suggested that the Government must do away with these temple committees and install Assistant Commissioners in their place. Even Sri R. V. Krishna Ayyar, who was the Special Officer for some time, recommended the abolition of these temple committees. But, we felt it right that we should set up Area Committees in the place of temple committees and leave the management of the secular affairs of these temples in their charge, even as we thought it right in the year 1951 to set up autonomous units like the village panchayats to look after the civic affairs and needs of their own villages and even if they committed mistakes in the initial stage, they should be made to work that experiment and that it did not

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matter if mistakes were made, so long as the ultimate authority for the administration of the Act rested with the local Government. That is why we did suggest the creation of these area committees because we felt that we can no longer fight shy of these committees and that people who are interested in the temples situated in the locality should be enabled to take part in the administration of the affairs of the temples and to have some voice in their management. We therefore pleaded with the Government to set up a number of area committees to administer the Act and the Government also were good enough to accept our suggestion and accordingly amended the Bill providing for the constitution of these area committees as well, and that is how they came into existence in the Bill.

"Then Sir, the question arose as to how to get the members of the area committees and here, as was pointed out by my hon. Friend Dr. A. Lakshmanaswami Mudaliyar, we had no other feasible alternative than to resort to the method of nomination. It is true we could not find out any other suitable democratic method of getting the representatives of people to be the members of the Area Committee in the initial stage. It is unfortunate that we had to accept nomination, and I was one of those who pleaded for nomination along with some other friends who were of a more democratic bent of mind, because it was difficult for us to decide what should be the electoral college from which these members of the Area Committee should be elected and what should be the qualifications of those who should form the electoral college. Therefore, we said, that as a first step, let us revive the temple committees in the garb of area committees and let us, for the present, have members nominated by the Government and that is how nomination came in.

"Then Sir, my hon. Friend Dr. A. Lakshmanaswami Mudaliyar twitted us for accepting the Assistant Commissioner to be the Chairman of the Committee. We did accept it, Sir, because we wanted somebody to guide the deliberations of these area committees. We know that in the past these temple committees, because they had not any responsible officials to guide them in their deliberations and in their affairs, became corrupt and mismanaged the affairs of the temple and that is why they were condemned. We wanted to give a fair trial to these area committees by making the Assistant Commissioner their chairman. At the same time, we have taken care to see that if the Assistant Commissioner does anything without the permission of the Area Committee, he should report the same to the Area Committee and obtain its approval. If under any circumstances, he is forced to take any urgent action without the approval of the Area Committee, he should immediately report to the Area Committee of his action and obtain its ratification. Therefore, it was with this safeguard that we agreed to the Assistant Commissioner being the Chairman of the Area Committee. As I have already mentioned. Sir, our

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primary object in having accepted all these restrictions and all these safeguards in the constitution of the area committees, was to see that those temple committees which had been condemned in the past and which we are reviving in the shape of Area Committee, work efficiently and well, and that in course of time, such an arrangement does not prevent the Government or anybody asking that the members of the Area Committee should be elected. There is therefore nothing in the Bill to prevent us from coming forward at a later stage with an amendment to this effect.

"Let me, in this connexion, Sir, mention to the House that I have given notice of an amendment making the Assistant Commissioner subordinate to the Area Committee in regard to certain matters coming within its jurisdiction, whereas the Government have sought to make him a Super-Area Committee by himself, in the present Bill.

"Then, Sir, my hon. Friend Dr. A. Lakshmanaswami Mudaliyar raised a very pertinent point regarding the method of appointment to the various posts comprising the hierarchy of officials to administer this Act. I may inform the House, Sir, that the Venkataramana Rao's Committee also went into this question and made certain recommendations. They suggested that these Assistant Commissioners should be recruited by the Government in consultation with the Hindu Religious Endowments Board. As a matter of fact, in the scheme of things adumbrated by the Venkataramana Rao's Committee, the Hindu Religious Endowments Board was sought to be continued and they recommended that these appointments should be made in consultation with the President of the Board. But Mr. Ramalingam Chettiyar, who was one of the members of that Committee was of the opinion that these appointments should be made either by the Public Service Commission or by an *ad hoc* Committee appointed by the Government consisting of representatives of all interests and parties. Evidently my hon. Friend Dr. A. L. Mudaliyar was voicing the opinion of Mr. Ramalingam Chettiyar."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"I have not voiced anybody's opinion, Sir. I have given out my own opinion."

* SRI R. SURYANARAYANA RAO:—"Perhaps, it may be, Sir, that both are of the same opinion. We also pleaded in the same manner as Dr. A. Lakshmanaswami Mudaliyar in the Select Committee, but somehow the matter was not pressed further. Under the rule-making powers the Government are empowered to frame rules for the purpose and we beg of the Government not to undertake this responsibility of making these appointments upon their own shoulders, as it would lead to a lot of public criticism, but to leave it either to the Public Service Commission or to create an *ad hoc* Committee for the purpose.

"Sir, my hon. Friend Dr. A. L. Mudaliyar also made certain very pertinent observations regarding our approach towards maths

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and matadhipathis. I am not anxious that these maths and matadhipathis should be dealt with by the super-matadhipathi in the person of the Commissioner in whatever way he likes, but I would strongly urge that the Government should themselves take the responsibility of administering these maths, so that they may be accountable to the representatives of the people in the Legislature. Some of my amendments in respect of this matter are designed to bring into effect this idea and I shall explain them in more detail when I move those amendments in due course.

“Sir, after saying all these things, I must say that this Bill has received the utmost consideration at the hands of the Joint Select Committee. It is certainly not a hasty measure, as my hon. Friend Sri B. Bhima Rao characterised it. It has taken more than two years for the Bill to go through the various stages and representatives of all sections of the public were invited and examined by the Joint Select Committee. Voluminous evidence has been recorded and the Members of the Joint Select Committee were also supplied with all the literature and documents connected with this enquiry and after deep consideration of all the opinions and materials collected, the Committee, as a matter of compromise agreed to the provisions of this Bill, as it emerged from the Select Committee. Sir, I must here express my sincere gratitude to the Hon. Minister Dr. T. S. S. Rajan who, as the Chairman of the Committee, patiently sat along with us for a number of days and heard and discussed the various points of view put forward by the various members of the Joint Select Committee. Sometimes some of us were boisterous in the Select Committee, because sometimes we felt that we could impress our point of view only by being boisterous, but he was, if I may say so, always full of sweet reasonableness throughout and conducted the proceedings with great sagacity, tact, patience and impartiality. Sir, I shall also be failing in my duty, if I do not express our indebtedness to the Hon. Minister for Law, Mr. Madhava Menon, who was also a member of the Joint Select Committee. It was due to his intervention, Sir, that many of the provisions relating to the reference of disputes to courts were acceded to by the Joint Select Committee. If hon. Members would only take some trouble to go through the provisions of the original Bill that was framed and published at the instance of Sri O. P. Ramaswami Reddiar, who was then the Chief Minister and the Minister-in-charge of the Bill and compare those provisions with the provisions of this Bill as it has emerged from the Joint Select Committee, they would clearly see what great changes the Bill has undergone and how much better it has become now, and all this, I must say, Sir, is due to the indefatigable energy, perseverance, hard work and sincerity of the Hon. Minister Mr. Madhava Menon, who is a lawyer himself and who refused to leave even disputes relating to title to properties of the Hindu Religious Endowments, to be decided by the executive authority. It was he who fought stoutly that wherever properties and titles to properties were involved, they should form the subject

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matter of the court to be decided and that the executive authority should have no hand in that matter. Sir, that is a very wholesome principle which has been embodied throughout in this Bill and I may say, that even in the other House, nobody has sought to meddle with that principle. But, on the other hand, certain hon. Members of the other House sought to extend that principle in regard to certain other matters as well, but they were not successful, as the Hon. Minister for Law, could not accept them. However, I may say, Sir, that but for the great interest taken by Hon. Mr. Madhava Menon, the present Bill would not have undergone such a drastic change and if only the original Bill as introduced by Sri O. P. Ramaswami Reddiar had been allowed to be passed, certainly there would not have been any reference to courts at all in many matters, though in his anxiety to avoid litigation and waste of temple funds, Sri O. P. Ramaswami Reddiar wanted such reference to courts to be restricted as much as possible.

“Sir, I have already said at the beginning, I am not opposed to this Bill, nor am I opposed to the plan of administration of the Hindu Religious Endowments as adumbrated therein. If one, who is so favourably disposed to the Bill, has thought it necessary to give notice of amendments, nearly 55 in number, it is not because I want, in any way, to frustrate the objects of this Bill, but only to make it as consistent as possible with the principles which we have accepted and to make the Government more responsible in the administration of these endowments than the Commissioner.”

SRI S. B. ADITYAN:—“Mr. Chairman, Sir, the most contentious part of this Bill probably relates to the provision connected with the maths, namely, Clause 52 and the following clauses. It is in this respect that the Bill materially differs from the Act now in force. For the first time, a slight measure of control is sought to be exercised over the maths. We have heard a lot about Government officers being made super-matadhipathis. Let us see what provisions are made regarding maths. I submit that the provisions sought to be introduced for the first time represent a very slight measure of control. It has been stated by hon. Members that this measure is probably the thin end of the wedge. It may well be so in respect of certain maths. But I must say that the well-managed maths, of which there are quite a few, have got nothing to fear from this Bill. No drastic provision has been made in this Bill regarding the maths. There is, for instance, no power taken by the Government for the dismissal of any head of a math, or for the confiscation of any endowment or property belonging to a math. The provisions contained in the Bill are all of a very mild character. For example, it is provided that maths should keep accounts. Any well-managed math is expected to do that much. Some of the best maths in the State do maintain a good system of accounting. And they are asked to carry on their present system of accounting. Nothing new or fresh is expected of them.

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“Again, it is provided that these maths must hereafter prepare *dittams* and budgets. Is it a drastic provision against any math? Any properly managed math and institution must have a proper system of accounting and a budget. So, in this respect also there is nothing more required of the maths than what the better managed maths are at present doing. There is the provision requiring the maths to appoint managers. The manager is only for the secular affairs and not for the religious functions. I know that many of the maths are already having managers. It is only to carry on the secular affairs of a math in the most business-like manner that managers are appointed. Thus, it will be seen that no drastic provision is sought to be introduced to exercise control over maths. Whatever is now provided for the first time is only that which a well-ordered and well-managed math is practising to-day and what a good institution is expected to do. I may assure the well-managed maths that they have nothing to fear from the provisions contained in this Bill. I may also say that the other maths, of which we have heard a lot, must now pay heed, and unless they show an immediate improvement in the right direction, it may well be that the Government would be forced to seek fresh and wider powers so that mis-managed maths may come into line with the better managed maths. I sincerely hope that it will not be necessary to bring in a Bill with more drastic provisions. I have no doubt that the Government will not hesitate to bring such Bill, because they are backed by public opinion in this matter. As an instance of the smallness of the power of control which is now introduced, I may state the position with regard to the removal of the heads of maths. Even after the head of a math has been convicted of an offence involving moral turpitude, the Government are powerless under this Bill to remove him immediately. One would expect that as soon as the head of a math is convicted of an offence, it would automatically mean his removal from office. But that is not the case. The Government are so cautious that even in such a case, they are not assuming powers to themselves to remove the head of the math. Instead, what is provided in the Bill is that the Government will apply to the court bringing the fact of conviction to the notice of the judge, and ask for an order for the removal of the head of the math. This only shows how cautious the Bill is in the matter of controlling maths and how very little the powers that the Government take to themselves.

“Sir, we have heard a lot both here and in the other House about the Commissioner having been made a super-matadhipathi or maha matadhipathi. I do not know exactly what is meant by these terms. But what is implied is, I think, that wide powers are vested with the Commissioner. I very humbly submit that a careful perusal of the provisions will show that the Commissioner is far from being a super-matadhipathi. The fact is no order which the Commissioner can make is final. In some matters the orders of the Commissioner are appealable either to the Sub-Court or to the High Court. There are other matters in which the orders

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of the Commissioner are appealable to the Government. There are no orders which cannot be called in question either by the court or by the Government. In the original draft of the Bill it was provided that all the orders issued by the Commissioner would be revisable by the Government. Afterwards it was drafted and as provided in the Bill, certain matters were left to the High Court and certain others to Government. Suppose the Commissioner says that a certain institution comes under the definition contained in the Bill, and he passes an order. That order should go to the court on appeal and not to the Government. Suppose again the Commissioner issues an order saying that a certain property comes under the definition of an endowment. His order will not be final. It can be taken on appeal to the court. Suppose the Commissioner frames a scheme or he gives directions as to the disposal of the funds of a defunct institution, that scheme or order can be taken on appeal to the High Court. In all other matters when the Commissioner makes an order, that order can come before the Government. I need not here, Sir, refer in detail to all the various clauses. The power to take any matter to the court is in Clause 62, and the power to take any matter before the Government is in Clause 19, sub-clause (5). What I wish to emphasize is that the Commissioner is far from being a super-matadhipathi or a person having the final say. I personally felt that in some matters at least the Commissioner's orders could have been made final so as to avoid unnecessary litigation. With a view to avoid any embarrassment to the Minister in charge of this portfolio, it would have been better if the Commissioner's orders are made final. But the Bill provides otherwise, practically anything that the Commissioner does can be taken either to the High Court or to the Government.

“My hon. Friend Mr. Suryanarayana Rao dealt, at great length with the area committees. The provisions relating to area committees are again an innovation. We are providing, for the first time, for the appointment of area committees. This matter was discussed very fully, and it was in fact pointed out that these committees had been in existence for many centuries. During the later stages, however, these committees became practically useless, as they were not vested with any powers. So, the Joint Select Committee decided, as a temporary measure, to give them powers over all endowments, so that we might try them, and see how they worked. Many Commissions appointed by the Government have reported that these advisory committees in the districts had not been usefully working, and that they were not taking keen interest in the affairs of temples. A case could actually be made out for the abolition of these committees. It was however felt that in this new era, we had better try these committees. Criticism was levelled that these committees were not elected bodies. The trouble was how to provide for an election. I agree that, if it were possible to have elections, we had better try them. But it was not possible to devise a workable system of election to area committees.

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It could be provided that members of panchayats and municipalities should elect a certain number of people to these advisory committees. Then the question would arise as to which members of the municipalities should be given franchise whether members belonging to all religions should take part in elections. It might become necessary to distinguish one member from another. Ultimately in order to avoid difficulties, the Joint Select Committee decided that, for some time at any rate, it was better that we provide for the appointment of committees by the Government. I am sure these area committees will turn out good work. Some system of election would be devised sooner or later, and then these committees would really be representative of public opinion. But the provisions made in the Bill are to be welcomed as a measure of trial.

4 p.m. "It was stated by some hon. Members that the Government were a secular Government, and it might well be that in course of time, due to changes, a Government without any Hindus might be in office. I do not think, Sir, that in future, within any conceivable distance of time, there will be a Government without even a single Hindu in it. I am sure that there would be representatives of Hindu opinion in any Government or Cabinet that may be formed in this State within the next many decades. But assuming for the sake of argument that the control itself passes on to a Government in which there is no Hindu, what does it matter? Had not these temples been managed by Christian Government? Were not these temples in the charge of the Collectors of districts? I know in particular the temple in Tiruchanur was managed by the Collector of Tirunelveli district and on reading through the history of that district, I find that these temples were very well managed indeed. There was particularly a Collector who increased the endowments of the temple, and to say the least nothing bad could be alleged against the control that was exercised by him. Temples have, in fact, been managed by Muslims and by people of British nationality. I do not think that there will be anything very objectionable happening even in the unlikely event of a Government being established with no representative of Hindu opinion. I submit that the provisions which have now been made represent the best and the most practicable under the circumstances and it is well to know that this Bill has been welcomed by the public. There have been public meetings in several places in which the unanimous opinion of the public was to receive this Bill in an enthusiastic manner.

"Sir, a point that some of the provisions of this Bill are against the Constitution has been raised. For instance, it has been provided in the Bill that every Hindu religious institution should pay to the Government annually such contribution not exceeding five per centum of its income as may be prescribed. It has been suggested that while Hindu endowments are made to pay this five per cent of income, the endowments belonging to the other religions are exempt from this provision and are not made

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to pay a part of their income and that therefore, this is discriminatory legislation and is against the Constitution. Sir, the opinion of Legal Advisers of Government has been taken. Assuming for the sake of argument that these provisions are questioned in courts it is very doubtful whether the court would declare any of the clauses in this Bill as going against the Constitution. But assuming for a moment that there is this danger of the courts declaring some of these provisions as going against the Constitution, I submit that this danger is worth the while because the Bill contains the demands of public opinion and it may lead in the long run to the Constitution itself being amended in a suitable way so as not to invalidate the provisions of the Bill."

* SRI K. VENKATASWAMI NAYUDU :—"Mr. Chairman, Sir, as one of the members of the Joint Select Committee, I had the opportunity of being present and participating in the discussions of the Bill and I may say that the greatest attention was given to every aspect of public opinion before we finally came to the conclusions which are embodied in this Bill. Sir, when the first Popular Government came into power, the Raja of Panagal was in charge of Hindu Religious Endowments administration and he thought that it was very necessary that we must have some sort of Bill to see that these religious endowments were properly managed. That is the general human feeling in everyone of us that we must have some sort of control over the management of these religious institutions. But the ideal would be to see that these religious institutions are managed by people who are deeply devoted to such institutions and who can manage them well. We should like as an ideal to have a Syndicate of Religious Men, of people who are interested in religion, for this purpose. But I think it will take a long time before we achieve the idea. But in between, the Government have got inherent power to superintend the affairs of these institutions and nobody can deny that. In pursuance of that power, this Bill is an advance made over the present Hindu Religious Endowments Act. So various attempts were made to bring about this advance. Dr. Rajan's first Bill was in many respects a very drastic one. So was also Sri Ramaswami Reddiyar's Bill which was drafted in some other way. When we compare both those Bills and the present Bill, we must say that we have got very little of those drastic provisions in this Bill. The idea of the Bill is only that the Government should restrict themselves to superintendence and that the people must be allowed to control the management of the institutions. So, the popular element has been increased and it is with great reluctance that area committees were included in this Bill, because one would ordinarily like to have such committees elected but it was found that it was not possible to have elected bodies at this stage. Therefore, power was given to the Government to nominate the members of these area committees. Thus from the whole trend of the Bill we can see that the Government have taken only so much

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power as is necessary to supervise the management of religious institutions and nothing more. The elective element could not be put in but still the popular element has to be included and that is why we have got the area committees.

Then we find that the charitable endowments are also included in this Bill. That is a very much desired improvement because we find that there are so many charitable endowments which are not properly administered and are going to waste. Of course, there is section 92, there is the Charitable Endowments Act, but these are dead letters and they have not been availed of by the public. We see that though there are these two remedies, the public have not been able to make full use of them. That is why we thought fit that charitable endowments might also be included in this Bill. But the provision is not very effective; it is simply included in this Bill. A first step is taken to see that the Government will exercise certain amount of superintendence over these charitable endowments and whenever any irregularity is brought to their notice, they will take such action as is necessary. I welcome this provision.

The question of surplus funds has also been dealt with and a good list is given in the Bill as to how surplus funds must be spent. I am sure that the Government will be enabled to have a lot of funds in their hands. Besides this, it is a good thing to regulate the spending of extra money wherever available, for useful purposes. But one thing I would insist on this occasion and that is that temple renovations are very important. For instance, you have got the Government of India's Archaeological Department which takes care of petty little things. In the Circars there is a burial-ground over which some Rs. 10,000 are spent. But we see many monuments of temples going to waste and ruin. There is no possibility of the Government coming to their rescue either through this Bill or in any other manner. Some donor must do it. Otherwise, the temples may go to rack and ruin. Therefore, I would be glad if first preference is given to temple renovations which should be attended to from temple funds or general funds that may come into the hands of the Government or funds which may come from other temples which can afford to part with their surplus money. There are a number of things that are detailed in the clause and it is very important that temple renovation and religious propaganda should be given preference as far as possible.

Mr. Chairman, Sir, yesterday Dr. Lakshmanaswami Mudaliyar spoke about hereditary trustees and hereditary archakas. I also think that as a doctor he has put forward the scientific point of view. Everyone is agreed that the hereditary system does not count much in the management of temples or estates. When we want our temples to prosper and our religious education to develop, these hereditary trustees come in at every stage and throttle any sort of advancement and people are not able to get just benefit. So, though nothing has been provided in this Bill for that, yet it is very necessary that at earlier stages we must see that we get the proper people

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to do temple service. I am thankful to Dr. Lakshmanaswami Mudaliyar for mentioning that an attempt is made at Tirupati to have a college of Divinity. It is very necessary that there should be such a college where all these temple employees should have some sort of fundamental training. There are temple archakas and other people who do not know the fundamentals of Hindu religion. It may be asking too much of this Government to do all these things. Their finances are very limited. But though the Government have got only superintending power, they can use their good influence to see that wherever possible proper trustees are elected and proper employees come in to do the work.

Then we see that trustees are given more powers. But we find there are also executive officers appointed by the Government who are the real masters of the situation. He might be a petty clerk on Rs. 50 or Rs. 60, but he comes with the authority of the Government just like the policeman who has got the whole Government in his hands. So, this executive officer sets at nought the whole Board of Trustees. It is not as if the executive officer is an innocent officer who will work under the trustees. He is in fact many times the master of the situation. So, there must be a good adjustment between the executive officer, the trustee and the Government. This balancing will get good results and if at any place there is any greater weight, then the whole institution suffers.

In this connexion, I would also like to say that in any branch of administration of Government we prescribe qualifications for officers. But there is no qualification prescribed for an executive officer. We have got the I.A.S. qualification for a Collector but what qualification is prescribed for an executive officer? Anybody who is not fit for Government service can be appointed straightway as executive officer; he need not go before the Service Commission. It is very necessary, Sir, that we must ask him to undergo some training. At least within two years he may be asked to qualify himself before he is confirmed. He may be given two years' time to study. There are so many necessary Tests and he may be asked to pass them. Then he can know how to manage the affairs properly. That would be a better thing to do.

Coming to the Tirupati Devasthanam, I am very sorry that the temple that gets the biggest income in this whole land is given an ordinary place along with other temples. Hitherto, there has been a separate Act and a separate Commissioner and all that. It is a big institution. It is not a mere temple; it has got educational institutions and it has got to manage so many other good things. It is really good that in the whole of this country, there is at least one temple which has got such tremendous influence with a great number of people. I tried my level best to see that it was treated in a separate manner. But that was not possible and it has not been given a separate status, except the introduction of 5 clauses or so in this Bill. I feel that this temple should be given a separate status."

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MR. CHAIRMAN:—"I think there is also a clause in which the Tirumalai-Tirupati Devasthanams Act is repealed." (Laughter.)

* SRI K. VENKATASWAMI NAYUDU:—"I would only request that the temple should be given proper status. Hitherto we used to be proud of our Commissioner. Now he is going to be an Executive Officer like any other Executive Officer and will lose all the status. I do not know what salary is going to be given to that officer. But formerly there was a Deputy Commissioner who was doing very good work. I think that post is taken away in this Bill. I would implore that we must see that this temple is treated separately.

"There is another matter, Sir. It was stated in the other House that it was a local matter and therefore local people must administer this temple. But I dissent from that view, because, it is not the local persons that find the money and it is not the local persons who take so much interest in the affairs of the temple. On the other hand, the local people are benefited to a great extent by so many pilgrims visiting this temple from all parts of India. So it is absolutely necessary that everybody who is interested in the temple should be associated with the management of the temple. While I concede that a certain amount of local elements must also be there, it is essential that the Trust Board must be represented by people from all parts of India. Then only, there will be a better outlook which is very necessary for the administration of the temple."

"Again, the number of trustees has been reduced and, like other temples, it has got 5 trustees only. In the case of the Tirupati temple, there must be more representation and hence there should be more trustees.

"There is one other matter. The Religious Advisory Councils have been abolished. I think that these Advisory Councils are merely advisory and it is good that they give us ideas about technical matters. Not only in Tirupati, but in all important temples, we must have Religious Advisory Councils which would be a substitute for my idea of having a Syndicate of Religious men, to ultimately administer these temples. We have got Christian institutions in this country. We find how wonderfully they are managed by their own men and their own committees. Why should not our religious institutions also have the same privilege? That is the ideal towards which we must concentrate our attention. Sir, I must once again welcome this Bill; because, this is one of the best measures next to the Zamindari Abolition Bill. This is a great measure. We understand the keen interest that the public have evinced in this measure and we are glad that the Government have taken up this matter. It is with great trepidation and patience, Dr. Rajan, who piloted this Bill, told us that this had to be done and we find that the Bill has come on the anvil. This is a very, very moderate piece of legislation and all shades of opinion have been considered and

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much concession has been given to see that this Bill is put on the anvil. What I am glad is that the Government have taken up that responsibility which was necessary, in the introduction of this measure. Of course, when the Raja of Panagal first brought forward this Bill, he must have been still more nervous than what we are to-day. Now, 17 or 18 years have passed away and the Endowments Act has worked well. At present, we have got greater courage to say that we should have greater superintendence over these Hindu Religious Institutions. I request my hon. Friends not to further contest or to raise the bogey of constitutional issues. Let us all work together. All shades of opinion have been duly considered. Let us see that our temples which are very dear to our heart are enabled to work better. We must work towards that ideal, viz., that on a future date we will be able to again give up these institutions in the hands of the Religious Syndicate who will manage these institutions well. With these few words I support this Bill."

SRI S. JAYARAMA REDDI:—"Mr. Chairman, Sir, after having heard persons of great eminence like Dr. Lakshmanaswami Mudaliyar supporting this Bill, I thought that it was unnecessary on my part to make a speech on this Bill. Contrary to my expectations, there seems to be larger support in this House to this Bill than it was elsewhere. The only two gentlemen who protested against this Bill in this House are Sri Bhima Rao and Dr. Hegde. All other speakers who spoke before me have supported this measure. Those who oppose this measure seem to forget that this Bill is the outcome of public opinion that is prevalent more in Tamilnad. Many people coming from other parts of this State may not at all know what amount of feeling is created for and against this Bill. If this Bill does not find a place in the Statute Book, the friends who are contemplating to seek refuge on the constitutional issue and other defects of the Constitution or something like that, will come to realise that one day or other they will have to pay for that. I have even heard, Sir, that some people are going to exploit on the religious instincts of certain high-placed persons who will have to give their assent to this Bill when it goes up to them for approval. If such things come to pass, I think they are only digging their grave for a future day.

"Sir, much is said that this is a secular State and so it should not interfere with the religious affairs of this country. I feel, Sir, that as a sovereign Legislature, we are quite competent to legislate on matters of this kind. There are no kings who founded these institutions. Their heirs are not existent and we are their heirs as a Government and I think that it is but proper that we should take upon ourselves duties of this kind. Even if there is any defect in the Constitution as is reported or suspected to be by our Friends, I think the Constitution is meant more for the sake of the evolution or progress of the people. The Constitution is not so rigid. If there is anything that is found lacking to get support for measures of this

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kind, then the Constitution must be changed. I think Sri Suryanarayan Rao, when he was speaking on another occasion, said that whenever defects were noticed in the Constitution, they should be brought to the notice of the higher authorities and if necessary the Constitution must be changed. If the provisions of the Constitution are to be changed in respect of the cases mentioned by Sri Suryanarayana Rao, then I feel that even in this case they should be changed.

" These institutions were founded for the propagation of Hindu tenets and culture. Subsequently, it was found that persons who were in the management of these things were not properly managing the affairs and so persons like the late Raja of Panagal and others thought it necessary to bring a measure of this kind. Now, when this legislation is brought in, the very same people who were put in charge of these institutions without searching their conscience whether they are acting up to the expectations of those founders, are questioning the rights of the Legislature about their propriety in enacting all these measures. I would beg of them not to question our rights, but to search their own hearts and rectify themselves and be eligible for continuing in their spheres of life as they are to-day.

" As regards the provisions of this Bill, Dr. Lakshmanaswami Mudaliar was making certain observations about the Commissioner's extraordinary powers and other things. I would request the Government to take into consideration what all observations he made ; because I felt the other day that he was making those suggestions in all good spirits and if there was any lacuna that is to be filled up or any defects that are to be rectified, I think the Government will not hesitate to reconsider their attitude in matters of detail without standing on formalities or prestige.

" There are one or two small things to which Dr. Lakshmanaswami Mudaliar referred and I would like to make my observations about them. About these archakas, one thing which impressed me is the criticism about the hereditary archakas. I also have been to some temples, though not to the same number of temples as Dr. Lakshmanaswami Mudaliar has visited. The way in which those archakas repeat the Sahasranamam and other archanais does not create a feeling that they are doing it sincerely and that they are well conversant with the whole spirit behind those things. When we go to a temple, it is better that at least within that short time we are impressed with the seriousness of the slokams and other things that are recited there. From the way in which these things are done in the temples, it looks as though we are doing some business and it is our duty to pay off some money and absolve ourselves of all our sins. That should not be the spirit with which we should approach the *sanctum sanctorum* and I think the suggestions made by Dr. Lakshmanaswami Mudaliar should be taken into consideration.

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" About the Area Committees, he said that nomination should not be the order of the day and that all of them must be made elective bodies. I have had some previous experience of these temple committees. With the introduction of adult suffrage and other progressive reforms, I do not think it advisable that the Area Committees should be required to undergo the ordeal of elections. For, there should be no other kind of election than by adult suffrage there also. There can be no other type of electorate we can possibly conceive of at present. Therefore, it is better for some time at least that the Government are entrusted with this job and election is not brought in here.

" About audit, it was said that we were going to collect some money from these temples and that the general funds of this State were going to be spent on this account. Suppose, Sir, one hundred rupees is collected from the temples and one hundred and five rupees is estimated to be spent on audit. Then it shows that the five rupees needed more will be spent from out of the general revenues of the State on Hindu Religious institutions. That was perhaps what was said. Sir, it is quite possible that it may be contended that this five rupees from the general revenues of the State is spent on a religious institution in the State which is not common to all the people. I have a doubt in this matter and I hope that the Government will duly consider this matter. I fear that on such small, trivial matters much criticism will be made and they may be taken to courts also.

" Sir, with these few words, I support the Bill. As my hon. Friend, Sri Venkataswami Naidu said, this Bill should find a place in the Statute Book as early as possible. I am glad that in this House, there has not been so much criticism of this measure as was witnessed in the other House."

* SRI H. M. JAGANNATHAM :—" Mr. Chairman, Sir, I rise to support this Bill which I consider by no means revolutionary, but a modest piece of legislation designed to arrest the process of deterioration and decay in the management of many Hindu religious temples and maths. I will be failing in my duty if I do not express my tribute of admiration for the courage, initiative and imagination which the Government have shown in bringing forward this Bill in the teeth of opposition from certain powerful vested interests both inside and outside the ranks of our Party, backed as they are by an equally powerful and influential Press in our State.

" The House has every reason to congratulate the Hon. the Chief Minister and the Leader of the House, and Law Minister for refusing to be stampeded by the opposition so forcibly and eloquently expressed both on the floor of the Legislature and in the columns of the Press. There is no doubt the country wants this Bill; there is no denying that the vast majority of Hindus welcome this measure. But a small, powerful and vocal section of the people are attempting

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to create the impression that this Bill is meeting with a great opposition from the public, which is not correct. Speaking as a Harijan member of the Hindu fold I make bold to say that my community is entirely in favour of this beneficent reform and that we are solidly behind the Government in getting this Bill passed and placed on the Statute Book.

"Sir, I would like the Government not merely to take over the management and control of temples and maths but to go a step further. I want them to conscript the wealth of these temples which at present is being misused and squandered for selfish and unworthy purposes, for the benefit and social well-being of the economically backward and deserving classes in the Hindu society. The Government would be perfectly justified, if they make use of these temple funds for the uplift of the dumb, poverty-stricken millions in this land. If freedom means anything to them, it must come to them in the shape of freedom from want, freedom from fear and freedom from starvation. Neither custom, nor tradition, nor past usage should be allowed to stand in the way of social and economic betterment of the masses and the Harijans constitute the predominant element among the masses of this great country.

"Mr. Chairman, it has been admitted even by those who are vehemently opposed to this Bill that there is gross mismanagement and maladministration in regard to many of the rich temples in the State. They admit the existence of widespread abuses in the present set-up, but even so, they say they are opposed to State interference in the name of secular State. If there are abuses in the management of any public institution, can there be a more just and impartial agency than the State to interfere in such matters?

"Sir, it has been made clear to us by innumerable instances that the Hindu Religious Endowment Board, as at present constituted, is helpless to exercise any real control or check over the management of temple properties and funds and set right matters. While that is so, no right-thinking person, unless his personal interests are so much at stake, can raise any objection to this Bill which only seeks to remedy the evils on the surface in the present set-up. It is for that reason that I consider this a modest measure. The old poojas, ceremonies and rituals remain and they will continue to be performed by the same class of poojaris. Surely it should not be made the eternal monopoly of any one class of people. They will continue to give trouble and will do their best to obstruct and frustrate the good intentions of the Government. I would, therefore, suggest that at the end of a given period, say 5 years or 10 years, the hereditary system of priesthood should be abolished. In the meanwhile, the Government should start colleges of religious instruction to train people for performing temple rituals and allow men of all classes of Hindu society to take training here. The best of men in character, piety, etc., should be chosen for the purpose. It is only then the archakas will command respect from

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the public. Unlike Christian Padhiris and Muslim divines, our priests have no respect in the eyes of the public at present. Why is that so? For, it is said:

*'Janmana Jayate Sudhra,
Karmena Jayate Dwiija,
Veda Patena Vipranam,
Brahma Dyanena Brahmana.'*

meaning all people by birth are Sudhras, but by good deeds they become Dwiija, by reciting Vedas become Vipra and by devotion become Brahmana. That is the true ideal. But, at present, we go by the hereditary principle. Anyone born to a Brahman is a Brahman and anyone born to a Panchama is a Panchama, and no value is attached to character or mental equipment of a person.

"I would have certainly liked the Government to have embodied in the Bill some innovations and changes in the form of worship and rituals in the temple. I would have liked to see statutory obligation laid upon the wealthy temples and maths to conduct regular feeding of school children, and running of schools and free medical institutions for the benefit of the people round about their area. For ultimately, God manifests Himself in the form of service to suffering humanity, and there can be no better way of utilising temple money than service of the poor and needy in the land.

"If you want to redress social inequalities, the old caste distinctions must go. That means levelling up the Harijans; they should not remain Panchamas for all time. It must be within the reach of a Panchama if he has the qualifications and aptitude to take to professional priesthood in temples. Surely, my friend, Swami Sahajananda, is entitled to become an archaka.

"Sir, I have done. I conclude by giving my wholehearted support to the Bill. May this legislation prove an effective instrument for consolidating the Hindu religion and for making our temples real centres for the spread of faith in God, brotherhood of man and service of one's fellowmen."

SRI L. SUBBARAMA REDDI :—“అధ్యక్షా, హిందూ మత దేవాలయ భారాదాయముల సక్రమ నిర్వహణార్థము ఈ బిల్లు చాలాకాలము క్రిందటనే వట్టము చేయవలసియున్నది. అనేక అభ్యంతరకల నెదుర్కొని, చాలా కష్టములలో ఈ బిల్లుకు ఈనాటికి ఈ స్థితికి జయప్రదముగా చేరినందులకు కొరవడినందులకు మంత్రీ శ్రీ రాజగోపాలాచారి అభినందించుచు ఈ బిల్లును విశదీకరించుచున్నాను. ప్రభుత్వమువారిచే ప్రవేశపెట్టబడిన బిల్లులో ఇంకను సవరణ చేయవలసిన విషయములు కొన్ని ఉన్నవి. ఇదివరలో ప్రభుత్వమువారు మొట్టమొదట ప్రతిపాదించిన బిల్లులోని క్లాజులకు, సెలక్షు వారు వంసిన బిల్లులోని క్లాజులకును, ఇప్పుడు మన ఎదుట ఉన్న బిల్లులోని క్లాజులకును చాలా వ్యత్యాసము కనపించుచున్నది. మొట్టమొదటి బిల్లులోని 40, 41 వ క్లాజులలో వంశపారంపర్యంగా ఉన్న యింకొక ధర్మకర్తల (trustees) హక్కులను గురించి ఉన్నది. కాని ఈ బిల్లులో ఆ క్లాజులను సవరించి, ఆ విషయములలో కొన్నిటిని ఇప్పటికి 39 వ క్లాజులో విస్తారు చేసినారు. ఈ విషయము మార్పుకు కారణమేమో తెలియుటలేదు. జానీ వరుమానమువచ్చే దేవస్థానముల నేకముల వంశ

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పాఠశాలగా ఉన్నటువంటి బ్రహ్మీల స్వాధీనముగా ఉన్నది. ఈ పెద్ద పెద్ద దేవస్థానములపై వచ్చు రాబడిని సక్రమంగా వినియోగించేటట్లు చూడవలసివచ్చిన ప్రభుత్వము వారిపై ఉన్నది. వంశపారంపర్యంగా వచ్చుచున్నటువంటి బ్రహ్మీలను తొలగించే సావకాశాలు ఇవ్వకుండా లేని కారణంచేత అనేక సందర్భాలలో దేవస్థానములు దుర్వినియోగం చేయబడుచున్నవి. కొందరు ధర్మకర్తలు ఈ దేవస్థానములకు సంబంధించిన భూములను తమ స్వంతంగా భావించి విక్రయించడంకూడా జరుగుతోంది. తాత్కాలికంగా కొందరు ధర్మకర్తలు కొన్ని భూములకు తమ పేరనే పట్టాలు ఫిట్టింగునడం, ఇతరత్రా అన్యకారంతం చేయడంకూడా జరిగిన సందర్భాలు ఎన్నో ఉన్నవి. ఇటువంటి అక్రమాలను నిరోధించవలసిన అవసరము ఎంతేనో ఉన్నది. ఈ ధర్మకర్తలను అడుపు అజ్ఞానానికి పట్టే విషయంలో కొన్ని Constitutional difficulties ఉన్నవని కొందరు పెద్దలు అంటున్నారు. అటువంటి అటంకములేమీనా ఉన్నవో వాటిని తొలగించవలసియున్నది. అవసరమైతే Constitution ను సవరించుటకూడా వెనుదీయకూడదు. వంశపారంపర్య వచ్చుచున్న trustees లను సక్రమంగా నడిచేటట్లు చేయలేకపోతే ఈ పట్టుకు చేసిన ప్రయోజనము వృథా అయిపోతుంది. వట్టి ముఖ్యోద్యోగమే నేరవేరదు. చిన్న చిన్న దేవస్థానాలకే ఈ బిల్లు వర్తించి, జాస్తి వరుచునకు వచ్చేటటువంటి పెద్ద దేవస్థానాలకు వర్తించకపోతే ఫలితముండదు. కాబట్టి అన్ని అడ్డంకులను తొలగించి, Constitution ను మార్చించి అయిదప్పటికైనను, అవసరమైన సవరణలుచేసి ఈ బిల్లువల్ల పూర్తి ప్రయోజనము కలుగునట్లుచేయవలసిందిగా ప్రభుత్వమువారిని కోరుచున్నాను. ఈ సందర్భంలో నేను కొన్ని సవరణలనుకూడా ఇచ్చి ఉన్నాను. వాటిని ప్రభుత్వంవారు అంగీకరించవలసినదని కోరుచు ఈ బిల్లును బలపరచుచున్నాను. మరాఠీపతుల విషయములకూడా మతముల వరుమాసము సక్రమముగా వినియోగమునకు ఈ బిల్లులో మతములను చేర్చుట చాలా అవసరముగానూ చేర్చుట మంచిది. నేను ఈ బిల్లును బలపరచుచున్నాను.”

4-45 p.m. SRI M. NARAYANA MENON:—“Sir, I rise to bless this Bill. The Government are entitled to the thanks of the people who were really expecting that this Bill would be passed in the near future. But even in blessing this Bill, I may point out certain irregularities and make a few suggestions for improvement. My hon. Friend Sri Bhima Rao has rightly pointed out that a wave of irreligion is passing over the country as it is passing over in all other countries. It is no doubt true. But has it omitted the people managing these maths and religious institutions? More waves of irreligion have passed through these institutions and made them more irreligious. In this state of things, it is absolutely necessary that the Government should take the management of the secular side of these maths and religious institutions, so that the properties belonging to these maths and religious institutions might be preserved and that when the wave of irreligion has passed away, they might be used completely and absolutely for the purposes of religion and for the improvement of these religious institutions. So the Government have rightly stepped in at this time. In doing so they have not touched the religious tenets of any religion or of any branch of Hindu religion. The Government has touched simply the secular management of these institutions, namely, the properties of these institutions.

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“Sir, it has been stated by some hon. Member here that in certain respect this Bill is communal because certain community is going to be very much affected by it. I certainly do not agree with this view point. There is no community at all in religion. Religion is for all, whether high caste or low caste men, whether rich or poor men. For all of them religion is the same. Religion is holy and pure and it ought to be thoroughly maintained as such. In that view, it cannot be said that any community is affected by the changes the Government propose to effect in the secular management of these institutions under the provisions of this Bill. After all what the Government have attempted is only a change in the management of the properties of the religious institutions and maths. How can this touch any community? It is the property of the math or of the religious institution or of a charitable endowment that is proposed to be managed properly. The properties of these are certainly not the property of any community or of any single individual. In that view nobody can say that any community is touched or will be touched. No more argument is necessary on this point. There is not a single word in the Bill which would affect the interest of any community either by implication or by expression. So we may not talk about it any further.

“Sir, with regard to the management, I think there is no doubt that some criticisms were harsh. I think there is nothing wrong in the proposed management of the properties by Government to warrant such harsh criticism. Unless the Government is strong and the Government officers are made strong to administer these institutions, the object, namely, the proper management of these secular side of these institutions cannot be achieved. They must exercise these powers. But in the exercise of these powers it may be pointed out to them: ‘Don’t ill-treat these people who were being treated before with certain considerations and sympathy and shown some regard. Please do so even now’ so that the officers of Government may treat them with consideration and sympathy. But that cannot go into the enactment. That may not go into the rules even. It can only be done by instructions and by Government assuming a super-religious position in the sense that the Government have a religion which is not Hinduism, which is not Muhammadanism, and which is not Christianity but a super-religion as it were, a religion of the religions. Such a religion the Government should have and in a sense the Government can give instructions to their employees to treat these old people, Mahants and trustees, with some consideration and regard. But I think we cannot introduce anything of that sort in the legislation itself. If any such thing is introduced in the legislation or rules, the result would be, there will be a claim or even a contention by some people that they were not so well treated as stated in the rules or as stated in the legislation and so on. All this must be avoided. I have not felt that the provisions are very harsh. They are good enough. But in the exercise of these, show sympathy and leniency. That is all what is wanted.

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"Sir, one of the greatest things that the Bill proposes to do is the utilization of the surplus income of these institutions. As a lawyer, in the course of my career, I have very often felt that in Malabar, I am not very much acquainted with the maths elsewhere, this money which is endowed or raised by, subscriptions at the instance of the Acharyas out of religious devotion to the maths and temples, has been spent in litigation, from the one end of Malabar to the other. I have known temples losing their properties on account of the litigations. They have been compelled to sell properties. The quarrels start between two persons claiming the title to the seat of the matadhipathi. One goes to the court claiming his right and the other contests it saying that he alone is entitled to be the matadhipathi. There are differing views and the disciples also differ as to who should be the matadhipathi. Of course such cases have even come to the High Court. (Interruption.) These quarrels may stop, after this legislation is passed. Even if they do not, they need not go to the courts. By quarrelling these people are spending not their money, but it is the money belonging to these public institutions, to these endowments that is being spent. This Bill certainly has satisfied me at least with regard to the utilization of surplus funds. By this all these litigations and wastage of money in various other matters will be stopped. Sir, another way in which the money is spent by these people is by the luxurious and expensive manners in which the religious festivals in temples and maths are conducted. Of course some festivals are necessary. Nobody will object to them. But at times people get excited and celebrate the festivals in an extravagant manner and lot of money is spent over that. The whole money is wasted and the next day only the smoke remains and nothing else. The money spent on such festivals and such other extravagances is a loss. It is therefore necessary that there must be some control on the expenditure of these religious institutions and over their incomes. Then only can these religious institutions and temples survive, and we can find the funds to maintain and also strengthen and improve them.

"Sir, according to clause 59 of the Bill, one important direction in which the surplus money can be utilized is for educational purposes. I am sure this is a wise direction and the one criticism about that is that the educational institutions would be uplifting all including non-Hindus. I certainly say that every citizen of the country, whatever may be the religion to which he belongs, must be allowed to have the benefit of the teaching of these institutions because it is never said anywhere in any of these endowments or anywhere in the *sastras* that no man other than a Hindu shall be educated with reference to the money belonging to these institutions and endowments. These were made for bettering the Hindu religion or in support of the Hindu religious temples and so on. But by giving proper education, and showing the proper light to the other people, even though they may be non-Hindus, we would be propagating the right Hindu religious ideals and that would certainly support the expectations of those persons who endowed these

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properties or charities. Therefore there will be no harm if we do that. I hope the other communities will begin to respond similarly and in course of time, that is to say, in a few years they would say that their surplus income may be made use of for education purpose of all. Then the surplus from all religious institutions and endowments will be at the hands of the Government which can be utilized for the benefit of the people. So it is a very wise provision so that the surplus must be utilized for the benefit of all, non-Hindus as well.

"Then, Sir, there are the maths. With reference to *pathakanikas*, it is provided that the matadhipathis must keep an account. But it has been said, Sir, that to call upon him to produce the account relating to these before the Commissioner, would be an act of impiety or disregard. I do not think so. Nobody objects to the provision in sub-clause (1) under clause 55 which says—

"The trustee of a math shall be entitled to spend at his discretion, for purposes connected with the math any ('*pathakanika*') that is to say, any gift of property or, money made as a personal gift to him as the head of the math."

It is only to the second portion of the clause, namely—

"(2) The trustee shall keep regular accounts of all receipts and disbursements of the nature referred to in sub-section (1), and shall cause such accounts to be produced before the Commissioner or any person authorized by him in this behalf, whenever, so required."

that there is objection. I think it is not very reasonable, because, if you want the trustees to maintain accounts, how do you know whether they are maintained or not unless you see them. The Commissioner must have a look into them or at the Commissioner's order somebody should do that. If you have a provision that the trustee must keep an account, then there must be a provision that account books can be looked into by authorities. Supposing the trustee has spent the money in an irreligious manner, what is the use of looking into the accounts? Therefore something will certainly follow from the keeping of the accounts and the looking into the accounts because even a matadhipathi can be removed for acts of irreligion and so on either by the Government or the people concerned. I therefore, Sir, say that this provision has been rightly inserted there and it should not be removed.

"One other small matter is with reference to nomination to the Area Committees. I think in this matter, the Government have shown sufficient wisdom as also the Joint Select Committee. Those familiar with the panchayat elections will realize that on account of these panchayat elections even family quarrels have arisen just as you know the family feuds in Romeo and Juliet. Such feuds have arisen in the villages. In respect of the panchayat administration, the Government have complete power and therefore can handle the situation, but in respect of these temples if you have elections then from the archaka down below to the head of the math, the matadhipathi, there will be quarrels. Participation in elections will result in parties being formed and afterwards who will suffer, it is only the temples that would suffer because one party successful

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at the elections will always say, 'That man suggested it and therefore we will not do it'. In respect of these committees it is always better to have nominations. And nomination by whom? Nomination by Government or some body appointed by the Government, that is he may be a Collector of the district. He must pick and choose persons who are really interested in these institutions and the Collector of the district is in a position to have an idea of these things and consider secretly the qualifications of the members and then appoint them. I think it is very wise to have nomination. If you have elections before the country is settled with regard to the democratic principle—of course we have a democratic constitution but the people are not democratic because they have not understood what democracy means—only quarrels will ensue.

5 p.m. "Therefore, simple quarrels will ensue and this provision prevents such quarrels at least with respect to the temple.

"Regarding hereditary trustees and archakas, I may say that one cannot easily get away with the hereditary trustees because there is a sort of vested right in the trustee and there is a provision in the Bill to remove him from the management if he does not properly manage the affairs of the temple in course of time. The hereditary trustees are not good trustees and will go away just as all Rajas have gone away in a certain way. We need not apprehend that they will remain because there is a provision in the Bill that a trustee may be removed if he does not manage properly.

"With regard to hereditary archakas, I may say that there is no way to get rid of them. When one archaka utters manthrams and recites sthothrams, he may not understand their actual meaning, but he will be simply making sounds just as other people make sounds without knowing the meaning. This is the case with regard to most of the temples. With regard to temples in Malabar, I have not much complaints to make. Many of the archakas in places beyond Malabar know nothing and they do not recite properly the Sanskrit verses. I do not know of Tamil or Telugu manthrams and sthothrams but in regard to Sanskrit, their recitations are very bad. Moreover, an hon. Member has pointed out that they are serious more with regard to the payment than with regard to reciting manthrams and sthothrams. How much they can earn by the evening is the only concern of theirs. The archakas must properly translate the worship of the devotee so that God may hear his devotee through the archakas and the devotee may get his benefit. Unless these archakas are placed in a better position and if the present position of hereditary archakas continues, nobody can remove them. Therefore, hereditary archaka means no attention to the deity. Government must consider to do something in relation to them.

"Another suggestion made in this Bill was that sufficient respect has not been shown to matadhipathis. For instance, in section 55, as I have already pointed out, a matadhipathi is called upon to produce accounts and so on. Then, in section 56, it is

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stated that a trustee of a math should appoint a competent person as manager. I have already stated that the first objection is not correct. As regards the second objection I think a manager is sufficient because matadhipathi himself being a trustee cannot appoint another trustee. He can only appoint a manager who can deal with the Commissioner or the Assistant Commissioner or the Deputy Commissioner. Matadhipathi's permission will be necessary for the manager to respond to the calls of the Commissioner. So, in no way the matadhipathi is insulted and there is nothing in this section to insult the matadhipathi. I do not think there is anything that can be said against the Bill in respect of this matter.

"Then, Sir, one thing has been mentioned here that the Bill may be against the fundamental rules. I think this Bill cannot be against the fundamental rules."

MR. CHAIRMAN:—"Keep away from that point please."

SRI M. NARAYANA MENON:—"I only want to say that the management of these temples and maths is always in the hands of the Government. My humble submission is that Government have done a very good thing and probably this is one of the best Bills this Government have introduced after they assumed office."

AN HON. MEMBER:—"You will always call a bad Bill a good Bill."

SRI M. NARAYANA MENON:—"I will certainly call a bad Bill a bad Bill and I am going to do it whenever a bad Bill comes here.

"I must congratulate the Government for having brought forward this Bill. I bless the Bill and hope it will be passed without much difficulty."

* DR. SYED TAJUDDIN:—"Mr. Chairman, Sir, hon. Members of this House may wonder what a Muslim has to say about the Hindu Religious and Charitable Endowments Bill. Sir, I will be creating a little surprise when I say that my family has been a trustee of a very famous Hindu temple for over 200 years. A Maharaja of Tanjore district entrusted the management of a famous temple called Chakraswami temple in Chakrapalle, Papanasam taluk to my forefathers. A reference about this temple is found in Muvarpadal and this is a Sapthasthanam temple and therefore it is a temple of great importance in the Tanjore district. There was so much of mutual confidence and trust between the Hindus and the Muslims that the Maharaja did not think it proper to put a Muslim family in charge of such a famous temple. I belong to the fourteenth generation, Sir, and my father when he was getting very old—he was over 80 years then, thought it fit to hand over the management of the temple to a matadhipathi for better management since I had taken to medical profession. He thought the

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management would be much better in the hands of a matadhipathi of the same district. The object of my saying this is that I have had occasion of knowing first-hand about the management or the mismanagement of temples.

"Sir, this Bill has lost its original vigour and much of its brawn, so to say, has gone. The vigour is at its lowest ebb. I think and a large number of people also say that it has lost much of its flesh and now has only bones. If the Hon. Dr. T. S. S. Rajan who brought in this Bill had been a dictator and if he could have carried his wishes or will into action, the shape and form of this Bill would have been entirely quite different. It has been licked, not into shape but out of shape. Sir, I do not want to go into the merits or demerits of the Bill now. My object in speaking to-day is to say a few words about the Board's services. According to section 104, Sir, the services of the members are to be terminated. The proposal to terminate the services of all hands who were serving, apart from the President, the Commissioners and the Assistant Commissioners, seems to me unjust and unfair. The Board is a statutory body with quasi-governmental functions. The budget is sanctioned by the Government and the rules regulating the functions of the services are directed or supervised by the Government themselves. It is an established convention that no new rule or no new enactment should be passed which would adversely affect the services. The procedure of termination of services of the present staff, as it is adopted in the Administrator-General's office and the Official Assignee's office and even in the case of electricity concerns, was not followed."

MR. CHAIRMAN:—"Does the Bill refer to termination of the services? What is the section?"

DR. SYED TAJUDDIN:—"Section 104, Sir. Great harm will be done to the members of the Board if they should be sent out even with pensions because pensions cannot carry these unfortunate people very far. Now that everything is four times expensive, the wolf will be at their door always."

THE HON. SRI K. MADHAVA MENON:—"No, it will die."

DR. SYED TAJUDDIN:—"The education of children of these people will be difficult and their age would not be such as to enable them to enter any other service."

MR. CHAIRMAN:—"The section does not mean that everybody should be sent away. It means only those who cannot be absorbed. We hope the Government will absorb everybody."

DR. SYED TAJUDDIN:—"My point is even that one man should not be sent away because the Board has quasi-governmental functions and everything is controlled by the Government. They should not be treated like the zamindars.

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"They should not be classed with the staff of the zamindari offices. If at all they are disbanded, they should be absorbed in other offices at least. 5-15 p.m.

"I have nothing more to say."

SRI N. VENKATACHALAMAJI:—"On a point of information, Sir? Has the hon. Member at any time gone to any temple for darsan?"

SRI B. NARAYANASWAMI NAYUDU:—"Sir, I wish to refer to the archakas and one or two matters.

"There are two sides to the affairs of a temple. The archaka or priesthood side is one. The Endowments Act came into existence about 25 years ago, dealing with the property side. I want to know from the Hon. Minister as to what has been done with regard to the archaka side. Is it that the archakas are such good persons that they require no reform? The Bill is silent about it. My suggestion is that the archakas are very vital parts of the temple and therefore nobody wants to touch them. Member after Member has stated on the floor of the House that the archakas are so hopeless that they do not understand even what they are doing. As my hon. Friend Dr. Lakshmanaswami Mudaliyar put it, by this Act you are merely petrifying the present state. I would on the other hand say, you are perpetuating the petrification. Petrification has set in and this Bill does not attempt to remove it. It merely aims at collecting the income from the temple properties. The Bill does not want to purify the religious side. What does this Bill do to revive the religious side? What have you done with regard to the priesthood? What about recruitment of the functionaries called 'priests'? Is there going to be an examination for them and selection made on the basis of marks obtained? Is there going to be examination for this service, as my hon. Friend Sri Suryanarayana Rao wants for recruitment to the other services? Are you thinking of recruitment on the basis of merit? Is it going to be a question of getting the best men for service as archakas after an examination? Or, is this service to be confined to the Brahman community? What about the legislation hanging fire for the last 25 years without any effort being made for improving the religious side? Why have you left this religious side to petrify? I am glad the President of the Endowments Board is here. He will say that the archakas of the temples are such nice men that they do not deserve to be criticized. But what is it that my friend has done? What does clause 48 say? The archakas are called hereditary archakas, meaning that succession to this service will come down from father to son. The qualification is that the man concerned should be the son of an archaka. What are his qualifications for it? No qualification is laid down in the Act that the son should have training and should get sufficient number of marks in a college of divinity. Is any such thing said? No. Then what is it? Clause 48 (2) says: 'In cases where the office or service is hereditary, the next in the line of succession shall be entitled to succeed'. Where, in this case, are the qualifications

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for recruitment to the other services of the State? Does not the absence of this prescription amount to corruption? Perhaps I may be told that there is no corruption involved here, because there is nothing here except making money? Is this the standard for the recruitment of archakas? Is there to be no college for archakas and examinations held and purification obtained and then appointments made? Or, are you going to purify the system of archakas, no matter how awkward and stinking the system is at present? Sir, is not any improvement on the priesthood side much more important than the property side of our religious institutions? I can understand your taking over the properties of these institutions. You can do that; but what is the meaning of doing that without reforming the religious side?

"Then, Sir, who are these hereditary archakas? Why do you confine them to one line and community? This State is said to be free from communal feelings without caste distinction. You are erasing the words 'Brahman', 'non-Brahman' and so on from the official records? Will the temple authorities erase the word 'Brahman' from the service of archakas? Will they put in only what they call the 'Harijans' there? All are 'Harijans' and some are big 'Harijans'. But what is the reform introduced by this Bill in this respect? I ask my friend Sri Suryanarayana Rao. He is a secular champion; he is an efficiency champion and a champion for the admission to colleges on merit only. According to him, there is no question of Brahman and non-Brahman. Nothing of the sort. What does he say with regard to this priesthood?"

THE HON. SRI K. MADHAVA MENON: "How is it to be purified?"

SRI B. NARAYANASWAMI NAYUDU:—"You cannot improve a petrified mango. You can only take another mango. You cannot inject medicine into a petrified mango."

"The next question to be considered is, how to put in another person? Is this service to be confined only to one sect, even though you want that the caste name should be erased from the records? That is the fundamental question. Have you erased the words 'Brahman' and 'non-Brahman' from these religious institutions? Are you opening the priesthood to all classes? I ask, why has this not been done? Is it not the case that you do not want to touch certain aspects of the religious institutions? Then you provide that when a hereditary trustee is removed, a fit person should be appointed. But as in the case of village munsifs in certain cases the minor child of a hereditary archaka will be entitled to succeed. This is so in certain cases only. Why this distinction? I want to know whether 'a fit person' will include any person. Nandanar can be absorbed in the Hindu divinity, but can he be made a priest? You can make a God of him. Can you make a priest of him? Is 'any person' a 'fit person'? I want to know unequivocally whether the Government mean that

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a person will be fit if he is efficient on the basis of marks obtained, according to my friend Sri Suryanarayana Rao, or on the basis of his persuasion or on the basis of his caste and confined only to one community?

"Now, Sir, the real question is, are you not merely tinkering with the property question? If the Hindu religion is to be revived, the reformation of the priesthood is necessary. The priests must be placed on a higher footing and they must be persons who command the confidence of the worshippers. Hon. Members have condemned the present-day archakas as unfit to hold that office. What is the object of passing a Bill which shelves this question? Therefore I say this Bill serves no useful purpose, and leaves out one important point."

"Now I come to the other important clauses, viz., 76 and 104. One cannot help feeling, why should this Department be 'governmentalized'? I do not know what it means. I think the intention is to make it a Government department. I do not understand the need for it. If it is felt that the Government should get 5 per cent and not $1\frac{1}{2}$ per cent of the revenue, this is necessary. From being a body corporate, the Endowments Board will become a Government Department and the officers will all be appointed by the Government. The chief man, the Commissioner, including the deputy and assistant commissioners who rise from the ranks will be there. What is the difficulty you experienced in the present Endowments Board formed under the Act of 1926? How has this Board been discharging its functions? What is the need for making it a department of the Government except for putting in there the nominees of the present Government? Is there any other reason? What is the efficiency you seek to create by changing the present personnel? Is it a case of no-confidence in the present personnel of the Board? Have they misused their power or transgressed it? Has their administration become contemptuous? As has been stated by Dr. Lakshmanaswami Mudaliyar, is it necessary to make the Board a Government Department? Could you not deal with a body corporate? To-morrow, if you want to say that the archakas could be selected from any community, the Government will say you are undertaking legislation on a sectional basis. But a body corporate, constituted as the Endowments Board is, will have full power to do such things. It cannot be accused of taking sides. It could assess the feelings of the Hindu community and say: 'with regard to archakas and certain others, we would effect some changes in regard to succession to the office'. I want to know, what benefit we derive by governmentalizing the Board except getting more money from the religious institutions and having on the establishment our own personnel? I ask again, what is wrong with the present Board which consists of 5 persons with concurrent jurisdiction administering the present Act? How is it going to be improved by having one man at the top with power to choose any person he

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likes, assisted by a number of deputy and assistant commissioners and holding office, as laid down in clause 104, 'at the pleasure of the Government'? This is what clause 104 (1) says—

'On the coming into force of this Act, such members of the Board including the President and such of its subordinates as the Government may consider suitable, may be appointed by the Government in their discretion to any offices provided for in this Act to which they may be deemed qualified; and the services of the rest shall be deemed to have been terminated.'

'Is it because you want 5 per cent revenue that you made this provision? Or, is it because you want to put in your own personnel everywhere including the area committees? Is this a genuine attempt to improve the administration and put in office A, B, C and D in the place of X, Y, Z and so on? What is the urgency about it? Is the present Endowments Board acting so flagrantly against the Constitution that you cannot stand it any more? What is the change you are effecting by this measure except making a body corporate into a department of the Government and granting pensions and allowances to the men there?'

5-30
P.M.

'But still it is pertinent for me to ask why the Government want to abolish a body corporate which was supervising these religious institutions and vest the whole thing in the Government's control. The Government have not touched the vital matters connected with the religious institutions like the priesthood. They cannot condemn the administration of the Board as insufficient or inefficient or incompetent. Therefore, Clause 104 is merely intended to clutch at patronage which may be exercised by the Government according to their own ideas. I do not mean any disparagement when I say that Clause 104 and Clause 76 and the whole Act are conceived for nothing better than creating what may be called a superhuman agency by the Government and making it answerable to the Government themselves.'

SRI N. VENKATACHALAMAJI :—“అధ్యక్ష, ఈ Hindu Religious and Charitable Endowments Act ను సమర్థిస్తూ, ఇందులో గమనించదగిన కొన్ని విషయములు మనవి చేస్తున్నాను. ఇప్పుడున్న Hindu Religious Charitable Endowments Act లుచ్చి ఇప్పటికి 28 సంవత్సరములైనవి. అప్పటినుండి కూడ ఎక్కువ charities ఇవ్వబడినవి. వాటిని సక్రమముగా వినియోగింపబడుటకు సరియైన చర్యలు తీసుకోవబడలేదు. ముఖ్యముగా పెద్ద charities సక్రమముగా వినియోగింపబడునట్లు చూడవలసియున్నది ఇందుకు ఉదాహరణంగా, విషయసగరింలోని పేరలవారు రెండు లక్షల రూపాయలు charity గా ఇచ్చియున్నారు. అందులో 25 వేల రూపాయలు ఇండస్ట్రియల్ స్కూల్కుగాను ఇచ్చియున్నారు. మరి ఒక లక్ష రూపాయలు ధర్మ స్రవమునకుగాను ఇచ్చియున్నారు. కాని ఈ ధనమంతయు వాటి నియమిత ధర్మములకు వినియోగింపబడక mis-use చేయబడినది. ఈ విషయమును ప్రభుత్వము నోటిసుకు తెచ్చినను ఏమి చర్య తీసుకోవబడలేదు. అందుగురించి నేనే ప్రభుత్వమునకు యోర్డు చేసినాను. అందుపైనే stamp duty లేకనే ఒక దావా పడవేయవలసిందని నాకొక జవాబు ఇచ్చినారు. అంతేకాని మరిల ప్రభుత్వమువారు ఏమి చర్య తీసుకోలేదు. ఏమి విచారణకూడా జరుగలేదు. మరొక విషయములో, ఒక స్త్రీ, నీలయమ్మ అను ఆమె ఒక will వ్రాస్తూ, ధర్మ స్రవమునకై అయిదు లక్షల రూపాయలు ఇచ్చివేసి

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నది. కాని ఇదంతా mis-manage చేయబడుటచే ఈ విషయము గవర్నమెంటు నోటిసుకు తెచ్చినప్పటికీ, ఇదివరకు ఏమి చర్య తీసుకోలేదు. ఈ Hindu Religious Endowments Board ఇన్ని విండ్లుగా ఉండినా, ఈ charities సరిగా వినియోగింపబడునట్లు చేయలేకపోయినది. కనుక ఈ బిల్లు పాస్ అయినా, దీనిని సరిగా అమలు లోపెట్టి, ఇంకమీదట అయినా charities ముఖ్యముగా పెద్ద పెద్ద charities సక్రమముగా వినియోగింపబడునట్లు చూడవలెనని మనవి చేయుచున్నాను.

“తరువాత ఇప్పుడు బ్రష్టిలు, మరాఠీపతులు ధనాన్ని కూడా mis-use చేస్తున్నారు బిల్లు తీసుకురావడం జరిగినది. ఇట్లుండగా, మరిల ఈ బిల్లులో అలాంటి hereditary trustees ఎందుకు పెట్టుచున్నారో అర్థము కావడంలేదు. ఆ పక్షమున ఛార్జమునకును, ఈ బిల్లు పాస్ అయిన తరువాతకును ఈ విషయములో ఏమి మార్పు ఏర్పడదు, లాభముగూడా ఉండదు. ఇంక, అర్హులు గురించి, నామ సరిగా నాటి ఛార్జక్రమాలను నెరవేర్చుట లేదని పలువురు సభ్యులు చెప్పియున్నారు. కాని ఈ అర్హులు ఏమి చేస్తున్నది, లేనిది గ్రహించుటకు ఎవరికి తెలియదు, మరియు వారు సరిగా చేసినప్పటికూడా, ఎవరికిని అర్థము కావడములేదు. ఒక్కొక్కప్పుడు మంత్ర పుష్పములు వేయడానికి స్టీల్ ఇస్తే, కొందరు ఆ నీటిని తెలియక చక్కగా నోటిలో వేసుకొందురు. అలాంటిప్పుడు ప్రజలకు కావలసినది నమ్మకమే కాని, అర్హులు ఏమి చేస్తున్నారో, లేదో అని కాదు. అది చాలా నుండినే అర్థముకూడా కాదు. కనుక ఈ అర్హులను మార్చవలసిన అగత్యము ఏమి కనపించడములేదు. ఈ సందర్భమున మరొక విషయము చెప్పదలచుకొన్నాను కాశీలో ప్రజలు ఎవరికి వారు వెళ్లి దేవాలయములలో అర్చన వారే చేసుకొంటారు. మనకుగూడా అలాగే ఎవరికి వారు వెళ్లి అర్చన చేసుకోవడానికి అవకాశము కల్పిస్తే ఈ అర్హుల అగత్యమే లేకుండాపోవును. కనుక ఆ ప్రకారమే ప్రతి దేవాలయములోనికీ వెళ్లి మనంతకు మనమే పూజచేసుకొనే అవకాశము కల్పిస్తే చాలా బాగుండునని నా ఉద్దేశ్యము.

“తరువాత, Area committees నియమించుటలో, nominations చేయబడునని చెప్పబడినది. అయితే ఇట్టి nominations చేయబడని ఇప్పుడున్నది Democratic Government నేక ప్రజా ప్రభుత్వము అని అనుకోవడములో అర్థము లేదు. కనుక, ఈ Area committed by nominations లో గాక, elections మీదనే నియమించబడిన, ఓటికార్యక్రమములు సక్రమముగా నెరవేరుటకు అవకాశముండునని మనవి చేసుకొని ఈ బిల్లును బలపరుస్తున్నాను.”

* **THE HON. SRI K. MADHAVA MENON** :—“Mr. Chairman, I am grateful for the over-all general support that has been given to this Bill though the opinions varied as the pendulum of a clock from one end to the other. We can see the sharp differences of opinion in matters like this if we compare the views expressed by Sri Manjaya Hegde and Sri Bhima Rao on the one side and the views expressed by Sri H. M. Jagannatham on the other. One view is 'Take off your hands from all religious institutions; we do not want the profane hands of a secular Government to come anywhere near religious institutions.' On the other hand, Sri H. M. Jagannatham says that we should conscript the whole funds and utilize them for the ameliorative purposes of the whole community and that there should be no superstition. With these two extreme views, we can see the difficulty of finding a proper mean in matters like this.

[Sri K. Madhava Menon] [22nd January 1951]

"Now I shall proceed to answer the objections raised by Sri Manjaya Hegde and Sri Bhima Rao. I am sorry that Sri Bhima Rao said that this Bill was the outcome of the clamour of a clique. It is unfortunate that he said so. He has not said what was the motive of the clique. May I not say, Sir, that the opposition to this Bill is the result of another clique? But I do not want to say that. Sir, Sri Narayanaswami Nayudu was not here when Sri Bhima Rao was speaking. Sri Narayanaswami Nayudu asked: What about the archakas, the priesthood; what about the petrification and the putrefaction that have set in here? I am sorry, Sir, that he did not read the preamble to the Bill and he has not heard what Sri Bhima Rao said. He said: 'Suppose a puja is going on by a matadhipathi or a pujari; however much I am for the removal of untouchability, however much I may have respect for Sri Muniswami Pillai and persons like him, if a Harijan enters when a puja is going on, what will be the feeling of other people?' That was what Sri Bhima Rao said. Sir, Sir, it is a matter of faith. It is not a question of whether Sri Narayanaswami Nayudu believes in temples or I believe in temples. It was asked: Could not a temple have sanctity if someone other than a Brahman is conducting the puja there? We know in Tirupathi, Kalahasthi and other temples who perform the puja every day. (Interruption.) I am only speaking of certain types of people. It is a question of the types of people. There are even hon. Members like Sri Bhima Rao who ask what would be the feelings of ordinary people if a Harijan enters when a puja is going on. If such a thing can come from a Member of this House . . ."

SRI B. NARAYANASWAMI NAYUDU:—"What was their feeling when the temples were thrown open to the Harijans?"

MR. CHAIRMAN:—"May I know who is the purohit of the hon. Member, Sri Narayanaswami Nayudu?"

SRI B. NARAYANASWAMI NAYUDU:—"There is no Kamma purohit, Sir."

MR. CHAIRMAN:—"I do happen to know the family purohit of the hon. Member."

THE HON. SRI K. MADHAVA MENON:—"When an hon. Member like Sri Bhima Rao can express an opinion like that, it is not very easy to give a definition of archakas and it is a very hazardous thing to give any definite opinion in the matter."

"Apart from that I shall now deal with some of the remarks made by Dr. Lakshmanaswami Mudaliyar and Sri Narayanaswami Nayudu. Sri Narayanaswami Nayudu raised two questions. One was about the archaka. He asked, 'What have you to say about this? Why are you keeping quiet? The question is, who is going to be the archaka. Why should there be this hereditary thing with regard to the pujari?' In fact, he put the question squarely and asked, 'Are you going to deal only with the properties of

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the institutions; are you not going to reform the religion and improve the religion and remove the putrefaction?" But unfortunately Sir, the scope of the Bill, as stated in the preamble to it is this—

"Whereas it is expedient to amend and consolidate the law relating to the administration and governance of Hindu Religious and Charitable Institutions and Endowments . . ."

Pujaris or archakas in a temple doing stotram, ashtotram or sahasranamam is not a matter of administration of the endowments. That is not therefore in the scope of the Bill. That is my first answer. (Interruption.) That is a different matter. He asked me about this particular Bill. I would certainly welcome a person of the type of Nandanar being an archaka. Our sacred books do not say anything against it. In the Gita it is said—

‘पत्रं पुष्पं फलं तोयं यो मे भक्त्या प्रयच्छति ।

तदहं भक्त्युपहृतमभ्यामि प्रयतात्मनः’ ॥

The Lord says that whoever offers to Him a leaf, a flower, a fruit or water with devotion or bhakthi, He accepts it. Therefore, I do not see anything against it even in our fundamentals. According to our puranas, sage Vyasa who was responsible for the Vedas was the son of a fisherwoman. If things have happened like that before, it is quite possible we can find another Vyasa in another fisherwoman's son. An archaka must be qualified for it. That is the only definition of fitness. Nothing more. But it cannot be brought under this Act because this does not deal with the reform of religion. Even if we want to make a law like that, we may not be allowed to do so, for article 25 (2) (a) of the Constitution of India says that we can make a law only for 'regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice'.

"Whether archakas performing ashtothram is a secular activity associated with religious practice is the question. So we cannot make any such definition here. Whether it is a Brahman archaka or a non-Brahman archaka, the law, as it is contemplated here, can only deal with the administration of the endowments and the properties of the religious institutions and not with the religious practices. We have definitely said that we are not interfering and we should not interfere with the religious practices. The entire sacredness of a temple or any religious institution depends on the faith the people have in it. Faith in God is not a thing which we can measure by reason or logic. When reason or logic comes in, faith has no place there. Lakhs of people are going to Tirupathi and they are not people who know the nice distinctions and who have any feeling about whether the archaka who repeats the mantra repeats it with the proper vibhakti and strictly according to Panini's grammar. These people who go to Tirupathi and other temples are not concerned with Panini's grammar or other grammar because they themselves do not know

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it. (Sri B. Narayanaswami Nayudu: 'It is all rotten.') But that is where we are. You proceed with your intellect and reason. They proceed with faith."

SRI B. NARAYANASWAMI NAYUDU:—"I have faith in God and not in the archaka."

THE HON. SRI K. MADHAVA MENON:—"If my friend has faith in God, he need not care for what the archaka repeats. God will bless him in spite of the archaka. But that is not the ordinary person."

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p.m.

"Thousands of people that go to the temples to-day are not really concerned about it. There is no use trying to quibble; persons who generally go to the temples with faith to worship in the temples, generally are not persons like some of us who might have learnt Sanskrit or who could understand at least whether the words are pronounced correctly. Every one cannot understand whether the words are pronounced correctly or not, because often-times we do not fully hear what is being recited. It is all a question of faith of those who go there; they do not go there for a meticulous dissection of the particular way in which the words are uttered. They want a particular person who is entitled to do it—according to them of course—to do it and they feel that then they get the blessing, at any rate, they feel they have done their duty if they pay for it and see that the right thing is done by the right man. Of course it is necessary that we must see that the correct thing is being recited, but that is a work which the religious leaders, the matathipathis and others should attend to; it is they that should see to it that the practice of reciting the correct things does not die and that there are no petrifications and putrifactions. In that connexion, Dr. Lakshmanaswami Mudaliyar stated that the late Raja of Panagal was wise enough—because he knew the conditions of the times—to see to it that he only created the Board and to say that public opinion was developed only up to the extent of having the Board but no further. He is quite right. It is now 25 years after that, and public opinion as expressed by many of the Members here is changed to the extent that we should see that these properties of the temples are treated as trust properties. These properties have been given on trust by various religious-minded people, not only for the benefit of the institutions but for the benefit of the future generations; they believed that by donating or endowing properties to these institutions, they would be doing good not only to themselves but to others. They desired that these properties should be properly managed and should not be misappropriated, and the intentions of those great men who have created these trusts are now being carried out. That is all that is being done. The public feeling is definitely, not that you should not touch these things at all, but that you should regulate them and should support the decision of Government to do so. It is not with the idea, as Mr. Narayanaswami Nayudu suggested, of having thousands of persons appointed

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as members of area committees or as employees in the offices, not that because the elections are coming very soon, we want to fill up all places available with our own people and all that—it is not with any such idea that this measure has been brought before the House. 'I have a suspicion' he says: 'Samsayathma vinasyathi'. Do not have suspicion in any man; it is always dangerous. What I say is this: when the suggestion was made in the year 1938 by the then President of the Hindu Religious Endowments Board practically on the same lines, did anybody anticipate an election to come off in the year 1951 and that before that all the places could be filled up? It is a thing which I may call imagination running riot, so far as that suspicion is concerned. My friend and I differ politically so much that I know that whatever is said by one of us will be viewed with suspicion by the other person; but I am glad to say that this proposal was first made years ago and even on the present occasion the measure has been before us for the past three years, and for one reason or another it had to be postponed from time to time. It so happens that it has come to us just now, and you cannot therefore say that there is the suspicion that the intention is not quite good, that we have a motive or any bad idea in our mind.

"As regards the criticisms of Dr. Lakshmanaswami Mudaliyar, comparatively they are very different from the criticisms we have had in the other House and from those of Mr. Hegde and Mr. Bhima Rao. It is not a plea for vested interests. He simply asked 'Is it the right way, are these reforms necessary?' He says that four things are prominent in the Bill. One is the faith of the Government in themselves. I may say at once that no Government can govern unless they have faith in themselves. Secondly he referred to the desire for patronage—that I have already answered. Thirdly he said that the courts were disregarded. Certainly there I join issue with him. It has become a sort of fashion nowadays to say whenever legislation is brought forward, that there is disregard of the courts. Where and how have we disregarded them, I want to know, and to what extent? If we are thinking of reforming certain age-long practices, then it is time to cry halt; there must be a limit to it and we may say 'thus far and no further'. What we have been trying to consider to the extent possible both in the Select Committee and in the House is that where a question of right or title to property is involved, the decision must be left with the court and not with the Government; but where it is a sort of dispute on small matters, merely for the satisfaction of the pride or prejudice of particular persons, and where the property of the institution which is trust property is touched and is likely to be destroyed or wasted away, then we say 'No; it is a luxurious litigation for the purpose of getting some petty satisfaction, we are not going to allow it, and the Legislature and the Government must cry halt to it'. I may say that not only this Legislature but every Legislature in the whole country is now saying 'thus far and no further' so far as

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these matters are concerned. If it is said that individual liberty is being restricted when you are told that you should not do this and should not do that, then the answer is necessarily that society wants that you can go only thus far and no further. Therefore I say, some limit is necessary. And we are putting such a limit only where necessary. I should like to have some specific instances where the courts have been disregarded. As I said at the time of my opening speech in the other House, as a matter of general policy, the Government have been trying to see that wherever the right to property or title to property or any question of right is involved, the decision is left with the court. That has been the criterion and my feeling is that we have stuck to it. We have never claimed we are omniscient in such matters, and we have left it to the people concerned who are accustomed to go to courts, to have the matter settled that way.

“ Dr. Lakshmanaswami Mudaliyar then referred to financial commitments, but he did not develop it and did not argue in what way it was not right. The Finance Minister was not then here, but luckily he came afterwards. Mr. Mudaliyar said that Government had not considered what would be the financial commitments in this respect and perhaps they were committing themselves to spend large amounts which they ought not to. On the other hand, Sir, I may assure him we have some idea of the financial commitments. The Board has been working these years with the 3 per cent contribution it is getting; and what is the amount it is likely to get in the future? We have not said ‘ 5 per cent ’ straightway; we have simply said ‘ any sum up to 5 per cent ’. It may be 2 or even 3 per cent as now. In the clause relating to finance, i.e., clause 76, we have stated that all the necessary expenses would be met by contribution. We shall not certainly strain the finances of the State for the purpose of managing or superintending the administration of the religious and charitable endowments.

“ Then, Sir, Sri Suryanarayana Rao, Sri Adityan and others who were in the Select Committee referred to the Area Committees. In the original Bill as introduced at the time when the motion was made for referring it to a Select Committee, there was no question of any committees at all—area committee or any other. But people who knew the conditions of the temples and who were in touch with their management, told the Select Committee that there must be local or Area Committees. We discussed to a considerable extent the question whether we should leave membership of these committees to election. In the case of Tirupathi for instance, it is not only a Madras State temple, it is an All-India temple and it will not be right on our part to leave it to the worshippers in the Tirupathi local area to have the election for the purpose. Are we to allow the people in that area alone to be the voters? Perhaps, as Dr. Mudaliyar himself said, the nearer the temple, the farther away from God; and that may be the case in respect of local people being taken as voters. The main idea is

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that people must have faith in the temples. Mr. Narayana Menon was saying that there was a wave of irreligion going on and if that is so, we must give sufficient consideration to this question. This question as I said, was discussed in the Select Committee and it was decided that there need be no elections. It may be that if we put it to elections, people who want to destroy these temples may come in. So, the Government were anxious that in the earlier stages at least, these committees should be appointed and then, as time goes on, if we feel there is nothing wrong or dangerous in putting it to elections, we can have the change. When we heard the speech of Mr. Narayanaswami Nayudu, with regard to archakas, I was reminded of one of the speeches I heard during the days when there was an agitation going on for temple entry. I remember a particular person was very forcefully asking for the opening of the temples. He did not say anything about entry by all castes or any such thing; he said that our temples are such that the Gods are located (Interruption: In a zenana) in the sanctum sanctorum where there is no fresh air; he said we must certainly relieve our Gods from suffocation, that if necessary the walls should be thrown down so that there might be more of convenience given to our Gods, and that therefore the agitation should be for the opening of temples—not that all people should be allowed to worship, but with a view to give the Gods greater convenience and more of air. That is the speech I heard. If that is the idea underlying the speech of Mr. Nayudu when he referred to the question as to who should be the archaka, then I must say, it is a matter of faith. If the general body of worshippers is satisfied that anybody who is a proper person, whatever may be his caste or creed, can do it properly, certainly that time will come. At the same time, Sir, we need not rush the reform in such a way as to destroy our temples in order to remove the putrefaction. By doing so, we will be removing not the putrefaction but the temples themselves. It may be nice or it may be putrid, we cannot say, because we do not know much about of the things that are being done.

“ Then with regard to the question of hereditary trustee, the Bill as it came out of the Select Committee did not contain this provision. When the Select Committee was sitting and before the Select Committee finished its work, the Constitution was passed. At the time of its sittings the implications of the various Articles of the Constitution were not before the Select Committee. Further, even after the introduction of the Select Committee Bill in the other House, even after the general discussion was over and after six clauses were passed, we had to take time and get the matter examined in detail by our legal advisers, the Advocate-General and other legal talents. In the matter of these hereditary trustees, we were advised it would be wrong to remove them except where natural justice demands it, that a hereditary trustee can be removed only in case a scheme was to be prepared for the temple. So, Sir, that is my answer to Mr. Subbarama Reddi—that because our

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legal advisers wanted that it should not be done, we thought it wiser to accept their advice and not to rush in, in regard to this question of Constitution where even angels fear to tread.

“As regards hereditary archakas, the question arises only where there are archaka inams. These inams have been given for service to be rendered. Clauses 30, 31 and 32 specifically provide that where a hereditary archaka refuses to do or does not do the service for which the inam has been granted to him, the inam can be resumed and can be given to anybody. Clauses 30, 39 and 85 also make provision to the effect that there must be proper teaching given to the archakas, and that the temple funds may be utilized for training the archakas, the adhyapakas and the vedaparanikas. So, it is not a question of hereditary trustee alone that we are attaching importance to; we must see that the archakas and others are also properly trained. There are temples where there are hereditary archakas. There are hereditary archakas of temples and the question does not arise in their case. In every place there is a lot of service inams and the question how far their rights can be taken away by a mere ukase of the Legislature will come in. In the other House I heard the pleadings of hon. Members of our want of sympathy for the archakas and for the good work done by them. I am sure, Sir, you would have heard the other side of it also. I would appeal to my hon. Friends here to read the proceedings of the other House, so that they may know both sides of the question.

“Then, Sir about the question of maths, Dr. Lakshmanaswami Mudaliyar said that there was a difference between the old Act and the new Act. The main objection of the hon. Member was to clause 55, sub-clause (2) and Mr. Suryanarayana Rao also raised very great objection to it, but I cannot really understand such objections if we refer to the clause itself. Clause 55 (1) is all right, but the objection is to sub-clause (2) which says: ‘The trustee shall keep regular accounts of all receipts and disbursements of the nature referred to in sub-clause (1)’. Mr. Suryanarayana Rao’s amendment is to the effect that the first part of the sub-clause may remain, while the latter part should be omitted. The gravamen of the charge is, in the words of Dr. Lakshmanaswami Mudaliyar, the position of the matadhipathi has been made undignified by saying that he shall produce the accounts before the Commissioner or any person authorized by him. Now, according to sub-clause (1) the trustee of a math shall be entitled to spend at his discretion, for purposes connected with the math any ‘pathakanika’, etc. The Government want to know that the moneys spent are for purposes connected with the math. I do not see how it can be seen whether expenditure has been incurred for the purposes connected with the math. If really you are earnest in seeing that the money should be used only for purposes connected with the math, then somebody must know that and that can be known only by seeing the accounts whether the expenditure has been incurred for the purposes of the math or

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otherwise. After all, what is the purpose of keeping the accounts? Are they to be kept in a prayer room for the purpose of prayer? Was that the idea of the Select Committee in saying that the trustee shall keep regular accounts? Is it intended to be kept as a part of the prayer? It is not so. The idea of the Select Committee was that ‘pathakanika’ can be spent by the trustee at his discretion. Matadhipathis are ‘sanyasins’ and they have no attachment for wealth. (Sri B. Narayanaswami Nayudu: ‘*De jure*.’) They are expected to have no attachment to wealth. In fact, I do not want them to be attached to this world by considerations of material wealth and things like that and we should not put more difficulties in the way of their spiritual duties so that they may be thinking of ‘pathakanikas’. As a matter of fact, lakhs of rupees are put at their feet but sanyasins as they are, they do not know anything about the money that is received; other clever people are there who take away that money. So, the sanyasi does not know how that money is spent. That is the experience. So, it is really to relieve the sanyasi of temporal matters, we propose, that the money shall be spent for purposes connected with the math. As I said, it is not he that spends the amount, but it is other people that are about him that spend the money. If he says ‘I have given a charity of a lakh of rupees for a particular purpose’ of course, nobody is going to question his discretion to spend, but let us know whether it is done for that purpose or whether it has been swindled by anybody else (Sri B. Narayanaswami Nayudu: ‘Or spent on a mistress.’) If charity for a mistress is a purpose connected with the math, according to my Friend’s explanation, then the sanyasi is perfectly entitled to do it, but it must be for purposes connected with the math, that is to say, the accounts must be seen by somebody, if so required. If the Commissioner has information to believe that it has not been spent for purposes connected with the math, but spent on a mistress, as Mr. Narayanaswami Nayudu fears, certainly he must know whether it has been done so. That is why the provision has been made that the accounts must be available for inspection if called for.

“Sir, these are some of the main objections that have been raised by hon. Members and I think I have generally answered them. Of course, Dr. Lakshmanaswami Mudaliyar criticised ‘profession of faith in Hindu Religion’ and asked ‘what is profession of faith?’ And you asked him, Sir, ‘You are a professor yourself’. He says that is the position in the Old Act. What is faith in Hindu religion, he asks. How are we to measure faith? It is difficult to say what is faith in one’s religion. We can only go by certain tests whether a person professes the Hindu religion or not. Of course, there must be some sort of yard-stick to measure faith and that is why we have provided that a person must be professing Hindu religion to enable him to be appointed to posts mentioned in the Bill. Another objection of Dr. Lakshmanaswami Mudaliyar is that the rule-making powers which are

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proposed to be taken under clause 106 are very wide and that the rule-making powers are powers galore. I may point out, Sir, that under the rule-making powers, no rules can be made which are inconsistent with the provisions of the Act. He said that clause 106 was the most outrageous one. The clause says—

‘If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.’

The wording is identical to that in the previous Act when it was amended in 1944; namely,

‘If any difficulty arises in giving effect to the provisions of this Act or of the said Act as amended by this Act, the Provincial Government, as occasion may require, may, by order do anything which appears to them necessary for the purpose of removing the difficulty.’

‘It does not mean that the State Government can legislate. It has been laid down by the Supreme Court, in respect of a legislation that was passed by this House and also by another State, where it was said that the Government could by notification, extend its life for another year, that that power was wrong. That is extension by order. When that is so, how can we do anything which will go against the fundamental principles of the Act. Then, why this provision has been made in the Bill is, we are repealing the original Endowments Act, the Tirumalai-Tirupati Devasathanams Act and half-a-dozen other Acts and so when the existing things have to be dovetailed into the machinery that has been created under this Act, we have to see that they are done in a way which will not be inconsistent with the existing law. That is the reason why they put in that clause in 1944 and that is why we also put it now in this Bill and it is not because we want to take any powers. In fact, even when the Legislature has given the power to extend the Act for a year it has been held improper by the Supreme Court. So, it is wrong to imagine that a clause like that is likely to be put into improper use. If that was the intention of the Government and the Government legislate like that, they would be facing every day litigations like that. So, Sir, whatever the nature of the Bill or any law that we pass, it will depend on the way in which it is being worked and the persons who work it. Let us hope, Sir, this Bill will be worked properly and we will get sufficiently good persons to work it.

“The whole difficulty was, when great teachers of religion came, no question of property arose, but when the question of property arises, question of administration and management comes in and when the question of administration and management comes in, the teachings of religious people of old have to be given the go-by. It has been said that St. Paul, the great apostle of Christ, was the person who went most against the teachings of his Master. Lord Christ did not want to punish a person who committed adultery. The old law was that the person who committed adultery was punished by stoning. But Lord Christ said to those who were present ‘Let him that hath not sinned cast the stone’.

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Everybody went away because they could not say they did not commit sin. The Lord then said ‘Go thy way and sin no more’. But, what did St. Paul say in the Epistle and in the Corinthians, when he was asked whether a member of the Church or the Priest who came in possession of property for administration and committed a mistake could be punished? He said ‘Punish him’ and he was against Lord Christ in saying that he was for punishing persons who committed sins. So, Sir, when the question of administration comes in, administration is a very material thing with which the State is concerned—it is for the State alone to see that the property given by great men for particular purposes are utilised for the purposes for which they were intended. We have a right to do that. Then, Sir, everything depends on the way in which it is being worked and on the persons who work it. Let us pray we work it properly and with proper persons.”

MR. CHAIRMAN:—“The question is—

‘That the Bill to provide for the better administration and governance of Hindu Religious and Charitable Institutions and Endowments in the State of Madras (L.A. Bill No. 10 of 1949), as passed by the Assembly, be taken into consideration at once.’”

The motion was carried and the Bill was taken into consideration.

MR. CHAIRMAN:—“Consideration of the Bill clause by clause will be taken up to-morrow.”

The House then adjourned to meet again at 11 a.m. on Tuesday, 23rd January 1951.

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APPENDIX I.

[Vide answer to starred question No. 166 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 22nd January 1951, page 309 supra.]

(a) Yes, Sir.

(b) Yes, Sir. The recommendations are as follows :—

- (1) Appointment of adequate number of Factory Inspectors and in particular, the appointment of Women Inspectors.
- (2) The appointment of full-time Medical Inspectors and the appointment of whole-time and part-time medical men as Certifying Surgeons.
- (3) The necessity of research into industrial health problems.
- (4) Improvement in methods for the prevention of accidents and collection of statistics concerning the subject.
- (5) Improvement in welfare amenities within the factory and the supervision of the provisions made.
- (6) Improvement in the efficiency of the inspection staff by release from other duties, where possible and improvement in training, pay and status.
- (7) Improvement in methods of work of the Inspectors.
- (8) The organization within the factory : Strict supervision personnel or labour management.

(c) Yes, Sir.

(d) A press note was issued in 1948 drawing the attention of the managements of factories to the recommendations of Sir Wilfred Garrett on safety measures and personnel or labour management in factories. Provision has also been made in the new Factories Act, 1948, for appointment of Welfare Officers in big factories.

(e) Yes, Sir.

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(f) A statement giving all details of the measures taken so far or under contemplation of Government is enclosed :—

STATEMENT.

Recommendations of Sir Wilfred Garrett.	Action taken by this Government.
(1) Appointment of adequate number of Factory Inspectors and in particular the appointment of Women Inspectors.	Factory Inspectorate consists of— (i) One Chief Inspector of Factories who is also the Commissioner of Labour. (ii) One Deputy Chief Inspector of Factories. (iii) Twenty-two Inspectors of Factories. (iv) Three Inspectresses of Factories. Recently one more post of Deputy Chief Inspector of Factories has been sanctioned by the Government. In addition to these full-time Inspectors, there are 199 Assistant Inspectors of Labour, who are appointed as Additional Inspectors of Factories under the Factories Act for inspection of non-power factories. For the present, this staff is considered adequate.
(2) Appointment of full-time Medical Inspectors and the appointment of whole-time and part-time medical men as Certifying Surgeons.	(2) The appointment of two full-time Medical Inspectors is under consideration of the Government. At present, all District Medical Officers and Assistant Surgeons are appointed as Certifying Surgeons.
(3) The necessity of research into industrial health problems.	(3) This will be done as soon as the two Medical Inspectors mentioned above are appointed.
(4) The improvement in methods for the prevention of accidents and improvement in the collection of statistics concerning the subject.	(4) and (5) Adequate provisions have since been made in the new Factories Act, 1948, for prevention of accidents in factories.
(5) Improvement in welfare amenities within the factory and the supervision of the provision made.	
(6) Improvement on the efficiency of the inspection staff by release from other duties, where possible and improvement in training, pay and status.	(6) At present, new Inspectors are given training for a month by Senior Inspectors. It is also proposed to send the Inspectors to other States and also to industrially advanced countries to gain experience.

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Recommendations of Sir Wilfred
Garrett.

Action taken by this Government.

As regards the improvement of pay and status of the Inspectors, the Government examined the question and have passed orders recently upgrading their scales of pay. The Factories department will be also reorganized. There will be eight Regional Inspectors of Factories (Grade I) on Rs. 450—700 scale and 14 Inspectors of Factories (Grade II) on Rs. 250—400.

- (7) Improvement in methods of work of the Inspectors and the collection of statistics.

(7) The department is being reorganized with a view to improving the method of work. The Regional Inspectors of Factories will inspect all big factories and also check the work of Factory Inspectors and Assistant Inspectors of Labour. The Inspectors will inspect all smaller power factories and also check the work of Assistant Inspectors of Labour. The Assistant Inspectors of Labour, who are appointed as Additional Inspectors of Factories, will inspect all small non-power factories, hotels and restaurants.

A conference of Inspectors was convened in 1949 with a view to instruct them regarding the administration of the new Factories Act and to consider the rules which were in the draft stage. Similar conferences will be convened whenever necessary.

- (8) The organization within the factory—
Strict supervision.
Personnel or labour management.

(8) Please see answer to clause (d) of the question.

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APPENDIX II.

[Vide answer to starred question No. 107 asked by Sri B. Bhima Rao at the meeting of the Legislative Council held on 22nd January 1951, page 310 supra.]

**Extract of paragraph 8 of G.O. No. 1435, Education,
dated 1st August 1940.**

The Government are against fixing a rigid communal proportion for admission into Government Arts and Professional colleges. They had however already issued a Press Communiqué, dated 29th March 1938, which is as follows :—

The Principals of Government Colleges are requested, while making selections for admission to all classes in their colleges, to exercise the greatest care in seeing that due representation is given to non-Brahmans, to all minority communities, to Muslims, to Scheduled classes and to women. The fact that candidates from backward communities do not possess equally high marks as candidates from forward communities should not stand in the way of deserving applicants from such communities being given due consideration. In the case, for example, of the Scheduled classes and of Muslim women, very few of whom ever reach the collegiate standard special consideration should be shown. In cases of doubt, the Principals of colleges may, if they consider it necessary, refer the cases to the Director of Public Instruction for decision.

The Government wish again to draw the attention of all Principals of Government colleges to this communiqué.

Extract of G.O. Ms. No. 1225, Education, dated 11th June 1947.

[Education—Reservation of seats for Harijan students in schools and colleges—Instruction issued.]

It has been represented to the Government that Harijan students are being refused admission into schools and colleges and that even if they are admitted they are not allowed to take groups of subjects of their choice. The Government consider that some seats should be ear-marked for Harijans in educational institutions. They accordingly direct that, with effect from the school or academic year 1947–48, 10 per cent of the seats in all secondary and training schools and Government Arts and Training colleges and the Law College should be reserved for Harijans as defined in G.O. No. 825, Development, dated 27th February 1947 and G.O. No. 850, Public (Elections), dated 18th March 1947. If Harijan candidates are not forthcoming in sufficient numbers to fill the seats within fifteen days from the re-opening of the institution, candidates of other communities may be admitted against them.

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If the number of Harijan applicants exceeds the number of seats reserved, as many of these applicants as possible should be admitted. This reservation will apply to subject groups also for which there is competition (for example, Science groups). Harijan candidates should be admitted only if they satisfy the minimum educational attainments required. The Director of Public Instruction is requested to issue instructions to the educational institutions accordingly. He is also requested to arrange with the managements of aided colleges to make a similar reservation of seats for Harijan students.

**Memorandum No. 53975-7/47 A, Education, dated
25th May 1948.**

[Education—Reservation of seats for Harijan students in schools and colleges—Further instructions—Issued. *Reference.*—G.O. No. 1225, Education, dated 11th June 1947.]

In G.O. No. 1225, Education, dated 11th June 1947, the Government directed that 10 per cent of the seats in all Government educational institutions should be reserved for Harijan candidates and that, in case Harijan candidates are not forthcoming in sufficient number to fill the seats reserved for them within fifteen days of the re-opening of the institution, candidates of other communities may be admitted against them. The Government now direct that the heads of institutions may relax the rules and admit late applications from Harijan candidates even after the time-limit of fifteen days, provided that there is a good chance of such late applicants being able to put in the attendance required under the rules.

M. V. SUBRAMANIAM,
Secretary to Government.

Appendix to G.O. No. 1773, Education, dated 12th June 1950.

[Colleges—Government—Advisory Committees—Reconstituted.]

Government are appointing Advisory Committees for their educational institutions so that there may be touch between the public and the institutions which will be conducive towards the better working of the institutions. It is not intended that the members of the Committee should interfere in the day-to-day administration of the institutions, but only discuss such general matters as will be conducive to the better conduct of these institutions. These Committees may induce the public to take enlightened interest in the students by contributing for the various extra curricular activities of the students such as sports, scouting, mid-day feeding for poor students, scholarships, enlargement of the libraries, putting up extra accommodation and such other services which will go to make the institution more efficient.

2. The Principal of the College will be the Convenor of the Committee. It will be presided over by a Chairman to be elected by the Committee. There shall at least be three meetings of the

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Committee in addition to the meeting for the selection of candidates for admission, one in each term. If necessary, the Principal may call for extra meetings to consider any urgent matters connected with the College.

3. The admission into the various groups and classes of the College shall be made according to the instructions issued by the Government or the Director of Public Instruction from time to time.

4. The Committee will advise the Principal on the opening of new courses of study and the provision of additional facilities for play and extra mural activities and also as far as possible arrange for contributions from the public for any extra activities they would like to advise.

5. In regard to admissions, the Committee shall first frame general principles for admissions and then proceed to make the selection. The Principal shall generally accept the advice given by the Committee and act on it subject to the standing orders and in case of doubt shall refer the matter to the Director of Public Instruction for his orders.

6. The Convenor shall keep a record of the minutes of the meetings of the Committee.

7. No travelling allowance or daily allowance will be paid to the members of the Committee.

APPENDIX III.

[Vide answer to unstarred question No. 10 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 22nd January 1951, page 318 supra.]

Number of secondary schools (districtwar and yearwar) in which the bifurcated courses have been introduced.

Name of the district.	Year.		
	1948-49.	1949-50.	1950-51.
(1)	(2)	(3)	(4)
1 Visakhapatnam, North and South	4	2	4
2 East Godavari	2	2	2
3 West Godavari	1	2	2
4 Krishna	2	1	1
5 Guntur	4	1	3
6 Nellore	1	1	1
7 Cuddapah	1	2	2
8 Kurnool	1	..	2
9 Bellary	..	1	1
10 Anantapur	2	1	1
11 Madras	6	7	4

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Name of the district. (1)	Year.		
	1948-49. (2)	1949-50. (3)	1950-51. (4)
12 Chingleput	..	2	1
13 Chittoor	..	1	2
14 North Arcot	..	1	2
15 South Arcot	..	2	..
16 Salem	..	1	2
17 The Nilgiris	..	1	2
18 Coimbatore	..	2	2
19 Tanjore	..	2	1
20 Tiruchirappalli	..	1	2
21 Madurai	..	2	1
22 Ramanathapuram	..	3	3
23 Tirunelveli	..	3	3
24 Malabar	..	4	4
25 South Kanara	..	5	3
Total	50	44	51

*Names of secondary schools and the kind of course introduced in each—
1948-49.*

1 Government Model Secondary School, Rajahmundry ..	Secretarial.
2 Government Madrasa-I-Azam, Mount Road, Madras ..	Do.
3 Queen Mary's Secondary and Training School, Visakhapatnam.	Domestic Science.
4 Lady Willingdon Training School for Women, Madras ..	Do.
5 Government Secondary and Training School for Women, Coimbatore.	Do.
6 Government Secondary and Training School for Women, Tirur.	Do.
7 Government Presidency High School for Girls, Egmore, Madras.	Drawing and Painting.
8 Government Mappilla High School, Malappuram ..	Engineering.

Local Body Schools.

9 Municipal High School, Srikakulam	Secretarial.
10 Municipal High School, Eluru	Do.
11 Municipal High School, Ootacamund	Do.
12 Municipal High School, Kurnool	Do.
13 Board High School, Repalle	Do.
14 Municipal High School, Anakapalle	Engineering.
15 Municipal High School, Salem	Do.
16 Board High School, Ramachandrapuram	Agriculture.
17 Municipal High School, Proddatur	Do.
18 Board High School, Vriddhachalam	Do.
19 Board High School, Puttur, South Kanara	Do.
20 Board High School, Pamarru, Krishna district. ..	Drawing and Painting.

Aided Schools.

21 Noble High School, Masulipatnam	Secretarial.
22 Stall Girls' High School, Guntur	Do.
23 Thyagarayanagar High School, Madras	Do.
24 Voorhees' College High School, Vellore	Do.
25 Zamorin's College High School, Kozhikode	Do.
26 C.B. Mission High School, Visakhapatnam	Do.
27 Hindu College High School, Guntur	Do.
28 The Kellet High School, Triplicane, Madras	Do.
29 C.M.S. High School, Srivilliputtur	Do.

[22nd January 1951]

Aided Schools—cont.

30 Schwartz High School, Ramanathapuram	Secretarial.
31 Swaraiya High School, Srivaikuntam	Do.
32 Caldwell High School, Tuticorin	Engineering.
33 Ramaseshaier High School, Pattamadai	Do.
34 Sarvajana High School, Peelamedu	Do.
35 Sri Sai Baba High School, Anantapur	Do.
36 St. Aloysius College School, Mangalore	Do.
37 The Canara High School, Mangalore	Do.
38 The Hindu High School, Triplicane, Madras	Do.
39 Chittal Achi Memorial High School, Kondanur, Ramanathapuram district.	Do.
40 L.M. High School, Gooty	Agriculture.
41 Sir P. S. Sivaswami Ayyar High School, Tirukattupalli.	Do.
42 Pasumalai High School, Pasumalai	Do.
43 Vivekananda Vidya Vanam Hindu High School, Tiruppallathurai.	Do.
44 Stall Girls' High School, Guntur	Domestic Science.
45 O.C.P.M. High School, Madurai	Do.
46 St. Agnes' High School, Mangalore	Do.
47 St. Ann's High School, Mangalore	Do.
48 Kasturi Devi Girls' High School, Nellore	Do.
49 St. Joseph's Girls' High School, Kumbakonam	Drawing and Painting.
50 Raja's High School, Kollengode	Music, Painting and Dancing.

*List of secondary schools which have introduced new courses—
1949-50.*

1 Government High School, Masulipatnam (Labour Department school).	Engineering.
2 Government Secondary and Training School for Women, Cuddalore.	Domestic Science.
3 Government Secondary and Training School for Women, Mettur Dam.	Do.
4 Government High School for Girls, Mangalore	Do.
5 Model High School, Teachers' College, Saidapet	Do.
6 Do.	Secretarial.

Local Bodies Secondary Schools.

7 Board High School, Parvatipuram	Engineering.
8 Board High School, Tanuku	Secretarial.
9 Municipal High School, Cuddapah	Engineering.
10 Municipal High School, Anantapur	Secretarial.
11 Municipal High School, Adoni	Do.
12 Board High School, Walajabad	Agriculture.
13 Municipal High School, Cuddalore	Do.
14 Board High School, Orathanad	Do.
15 Board High School, Koilpatti	Do.
16 Municipal High School, Cuddapah	Secretarial.

Aided Schools.

17 Maharaja's High School, Vizianagaram	Engineering.
18 A.F.D.T. High School, Malikapuram	Do.
19 Taylor High School, Narasapur	Do.
20 Hindu College High School, Guntur	Do.
21 B.S. Kannan High School, Chittoor	Do.
22 C.A.M. High School, Nellore	Do.
23 Thiagaraja Chetti High School, Washermenpet	Do.
24 St. Gabriel's High School, Broadway, Madras	Do.
25 Muthialpet High School, Madras	Do.
26 M.C.T. Muthia Chettiar High School, Purasawakam ..	Do.
27 Chintadripet Girls' High School, Madras	Domestic Science.
28 St. Joseph's High School, Chingleput	Secretarial.
29 Findlay High School, Mannargudi	Do.
30 Town High School, Kumbakonam	Engineering.
31 St. Joseph's College High School, Tiruchirappalli ..	Secretarial.
32 Bishop Heber High School, Teppakulam, Tiruchirappalli.	Do.
33 Sethupathi High School, Madurai	Engineering.

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Aided Schools—cont.

34 Union Christian High School, Madurai	Secretarial.
35 S.R.M. High School, Natturasankkottai	Do.
36 Kallal Murugappan High School, Kallal	Engineering.
37 Concordia High School, Vadakankulam	Secretarial.
38 Ramakrishna Mission Vidyalayam, Perinaickenpalayam.	Engineering.
39 St. Michael's High School, Coimbatore	Secretarial.
40 Rajah's High School, Chirakkal	Do.
41 Ottapalam High School, Walluvanveli	Do.
42 Providence Girls' High School, Kozhikode	Domestic Science.
43 Anandashramam High School, Ullad	Agriculture.
44 M.S.N.C. High School, Jaganaickpur	Engineering.

List of schools selected for the introduction of new courses.

1 Model High School, Teachers' College, Saidapet, Madras.	Engineering.
2 Government Secondary and Training School for Women, Anantapur.	Science.
3 Government Secondary and Training School for Women, Rajahmundry.	Do.
4 Lady Willingdon Training College High School, Triplicane, Madras.	Music.

Local Body Schools.

5 Board High School, Lalgudi	Engineering.
6 Board High School, Pedapalam	Do.
7 Board High School, Palakonda	Agriculture.
8 Municipal High School, Mayuram	Do.
9 Board High School, Pedanandipad	Do.
10 Board High School, Chandragiri	Do.
11 Municipal High School, Pollachi	Domestic Science.
12 Board High School, Rayachoti	Secretarial.
13 Board High School, Hubbathalai	Do.
14 Board High School, Gudur	Do.
15 Board High School, Uthiramerur	Do.

Aided Schools.

16 The Kumaraguruparaswamigal Boys' High School, Srivaikuntam.	Engineering.
17 High School, Pevlinganam	Do.
18 St. Mary's High School, Dindigul	Do.
19 Chintadripet High School, Madras	Do.
20 Hindu High School, Ambur	Agriculture.
21 Taylor High School, Narasapur	Do.
22 K.K. High School, Velur	Do.
23 Vidyadayinee High School, Suratkal	Do.
24 St. Joseph's Girls' High School, Kurnool	Domestic Science.
25 Hindu Nadars' Victoria High School, Sivakasi	Secretarial.
26 Maharaja's High School, Vizianagaram	Do.

Schools selected for introduction of "Teaching Practice" as one of the bifurcated courses of studies in 1950-51.

1 Government Secondary and Training School for Women, Cannanore.	Teaching Practice.
2 Syed Murthuza High School, Tiruchirappalli	Do.
3 Municipal High School, Proddatur	Do.
4 Municipal High School, Bellary	Do.
5 Board High School, Palakonda	Do.
6 Board High School, Polur	Do.
7 Board High School, Erode	Do.
8 Board High School, Manjoor	Do.
9 Wesley High School, Royapetta, Madras	Do.
10 Sherman Girls' High School, Chittoor	Do.
11 Shade High School for Girls, Rajahmundry	Do.
12 St. Mary's High School, Dindigul	Do.
13 St. Joseph's High School, Pavarratti	Do.
14 Kuttaparamba High School, Kuttaparamba	Do.
15 S.T.V.N. High School, Pentapadu	Do.
16 Besant National Girls' High School, Mangalore	Do.
17 C.C.M. High School, Idayankudi	Do.

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Schools selected for introduction of "Teaching Practice" as one of the bifurcated courses of studies in 1950-51—cont.

18 Little Flower High School, Salem	Teaching Practice.
19 Ganapathi High School, Mangalore	Do.
20 Thirthapathi High School, Ambasamudram	Do.
21 R.V.S.C.V. High School, Chilakaluripet	Do.
22 S.K.B. High School, Aruppukottai	Do.
23 A.V.N. College High School, Visakhapatnam	Do.
24 Noble High School, Masulipatnam	Do.
25 Cole's Memorial High School, Kurnool	Do.

APPENDIX IV.

[Vide answer to unstarred question No. 11 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 22nd January 1951, page 318 supra.]

Expenditure from Provincial Funds incurred during the years 1945-49.

Type of institution.	Expenditure incurred from State Funds on		
	Colleges (Government, local board and aided excluding University Colleges). *	Secondary Education.	Elementary Education.
	(1) RS.	(3) RS.	(4) RS.
1945-46.			
Government	27,93,503	9,92,195	27,44,253
Local board	6,477	8,36,066	1,24,84,001
Aided	17,81,842	23,91,120	1,37,00,149
Total expenditure for each grade of education from all sources.	1,23,10,355	2,03,12,837	4,59,93,760
1946-47.			
Government	41,85,052	15,42,521	30,91,767
Local board	4,792	8,60,339	1,48,34,201
Aided	7,61,088	34,57,293	1,92,24,776
Total expenditure for each grade of education from all sources.	1,10,89,996	2,47,61,999	5,72,06,936
1947-48.			
Government	40,30,775	12,10,735	24,35,598
Local board	4,773	9,66,833	1,40,83,064
Aided	8,85,992	33,31,661	2,67,14,675
Total expenditure for each grade of education from all sources.	1,19,45,066	2,59,06,475	6,65,52,876
1948-49.			
Government	38,30,045	16,44,754	23,58,412
Local board	4,050	14,31,788	1,51,32,857
Aided	25,28,205	48,49,987	3,28,23,553
Total expenditure for each grade of education from all sources.	1,67,48,051	3,36,19,899	7,41,79,226

Expenditure on buildings and equipment.

Year.	From State Funds.	Total expenditure.
	RS.	RS.
1945-46	9,88,289	53,99,761
1946-47	24,53,572	80,06,280
1947-48	46,58,186	1,18,46,663
1948-49	78,92,408	1,65,05,338

NOTE.—Particulars for 1949-50 have not been compiled yet.

* The amounts shown under column (2) do not include expenditure on University Colleges. A statement showing the grants sanctioned to the three Universities in this State has already been placed on the table of the House in reply to the Council Question No. 24.

LIST OF AGENTS FOR THE MADRAS GOVERNMENT PUBLICATIONS.

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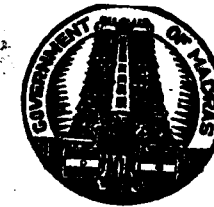
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**MADRAS LEGISLATIVE COUNCIL
DEBATES**

OFFICIAL REPORT

TUESDAY, 23RD JANUARY 1951

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THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 23rd January 1951.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

List of blackmarketeers.

* 112 Q.—JANAB ABDUL LATIF FAROOKHI: Will the Hon. the Chief Minister be pleased to state—

(a) whether the attention of the Government has been drawn to a report in the Press (vide 'Mail', dated 11th October 1950) that the Enforcement Branch of the Calcutta Police is preparing a list of blackmarketeers and profiteers in the State which will be submitted to the Government for action; and

(b) if so, whether this Government propose to take similar steps?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—“(a) Yes.

“(b) Under sub-clause (iii) of section 3 (a) of the Preventive Detention Act, 1950, the State Government is empowered to detain persons who act in a manner prejudicial to the maintenance of supplies and services essential to the community. Blackmarketeers are liable to be detained under this provision. The Government will resort to this provision whenever necessary.”

JANAB ABDUL LATIF FAROOKHI:—“When do the Government expect the list to be ready, Sir?”

THE HON. SRI K. MADHAVA MENON:—“I did not refer to any list in the answer at all, Sir.”

JANAB ABDUL LATIF FAROOKHI:—“Might I submit, Sir, that the answer to clause (a) is ‘Yes’ and in that question I had asked whether they knew that the Calcutta Police were drawing up a list of blackmarketeers.”

THE HON. SRI K. MADHAVA MENON:—“I did not say ‘Yes’ to that Sir.”

MR. CHAIRMAN:—“Presumably it is a reply to the question whether the attention of the Government has been drawn to it and you meant that the Government’s attention has been drawn to it.”

THE HON. SRI K. MADHAVA MENON:—“The question was whether the attention of the Government had been drawn to a report in the Press that the Calcutta Police is preparing a

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list of blackmarketeers and I said 'Yes' to that and I never said that we are preparing a list. What I said was that our attention has been drawn to it."

JANAB ABDUL LATIF FAROOKHI :—"Then the answer to clause (b) of the question must be 'No'."

THE HON. SRI K. MADHAVA MENON :—"I never said that this Government are preparing or are not preparing a list and even if we are preparing it, we cannot disclose it for it will be a notice to quit for those people. The answer to (b) explains what is the position under law and says that the Government will do such things as will become necessary."

JANAB ABDUL LATIF FAROOKHI :—"The first part of the question is whether the attention of the Government has been drawn to a Press report that the Calcutta Police is preparing a list of blackmarketeers and the second part asked :

'if so, whether the Government propose to take similar steps?'

which means to ask whether the Government propose to draw up a similar list also and that remains to be answered, Sir."

MR. CHAIRMAN :—"In reply to the question whether the list is going to be prepared or not, the Hon. Minister may say 'yes' or 'no'."

THE HON. SRI K. MADHAVA MENON :—"I must decline to say whether we are preparing a list or not."

SRI R. SURYANARAYANA RAO :—"Might I ask, Sir, whether there is an anti-Blackmarketing Staff attached to the Police Department?"

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

SRI R. SURYANARAYANA RAO :—"May I know, Sir, whether that staff has not sufficiently been long in service to be in a position to supply a list of people indulging in blackmarketing?"

THE HON. SRI K. MADHAVA MENON :—"I cannot disclose whether a list has been supplied by them or has been prepared by them; that Department has been working and they have been doing very good work."

SRI R. SURYANARAYANA RAO :—"May I know how many cases of anti-blackmarketing have been detected by this staff?"

THE HON. SRI K. MADHAVA MENON :—"I want notice, Sir."

Scale of pay of teachers in Corporation service.

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

(a) whether the Corporation of Madras resolved to increase the scales of salaries for the teachers of the Higher Elementary Grade and included the item in their Education Budget;

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(b) whether the Government have refused to give their consent to the increased scale and if so, what the reasons are;

(c) whether the Corporation has, at a special meeting convened for the purpose, reiterated its decision;

(d) whether the Government are pleased to agree to the revision; and

(e) what the policy of the Government is in regard to the approval or disapproval of the Education Budget of local authorities in general and of the Corporation of Madras in particular?

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

" (b) Yes. The existing scale of pay for higher elementary grade teachers under the Corporation is itself higher than the scale of pay applicable to similar teachers in aided schools in the City and in Government service. The proposal of the Corporation to raise the scale still further is opposed to the principle that one set of employees should not enjoy benefits which are denied to others of similar status in the same place.

" (c) Yes.

" (d) Not at present.

" (e) In general, the local bodies forward their Elementary Education Fund budget to the Government through the Director of Public Instruction. The Budgets as framed by local bodies if they are in conformity with the standing orders in a year, are approved as such. But if there is any variation, the relevant provision is deleted and the budget is balanced as far as possible. Even then, if there is any deficit, the question of granting a subsidy is considered in consultation with other departments.

The same procedure is adopted in the case of the Corporation Budget also."

SRI R. SURYANARAYANA RAO :—"May I know, Sir, whether the Corporation of Madras has, in submitting its proposals, asked for a grant to enable it to meet the expenditure on account of this item?"

THE HON. SRI K. MADHAVA MENON :—"That makes the position much worse; then it means the Corporation wants to give enhanced pay to their teachers at Government expense."

SRI R. SURYANARAYANA RAO :—"May I know, Sir, whether they asked for it?"

THE HON. SRI K. MADHAVA MENON :—"I am not sure, Sir; but if according to my hon. Friend's information the Corporation asked for it to meet the increased pay to its teachers, then that is an easy way of solving its responsibility."

SRI R. SURYANARAYANA RAO :—"My information is that it did not ask for any grant and wanted to find the necessary amount from its own general funds; may I ask, Sir, why the

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(b) if the answer to (a) is in the affirmative, how these representations have been disposed of;

(c) whether the Government have at any time prescribed scales of salaries and conditions of employment of teachers in aided colleges;

(d) if the answer to (c) is in the affirmative, what steps have been taken to enforce the scales of salaries and conditions of employment; and

(e) whether the Government have at any time prescribed the scales of salaries and the conditions of employment of teachers employed under the various Universities?

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

“(b) A copy^a of G.O. No. 2895, Education, dated 25th October 1950, wherein the Government passed orders on the subject is laid on the table of the House.

“(c) & (d) No. The attention of the member is invited to the answer given on the floor of this House on 13th October 1950 in reply to clause (c) of a previous question put by him on the same subject, numbered as question No. 58.

“(e) No. The Government do not have this power.”

SRI R. SURYANARAYANA RAO :—“In view of the fact that the Government give aid to these institutions, why should not the Government exercise this power in respect of aided colleges also while in respect of other institutions, elementary and secondary schools, they exercise this power?”

THE HON. SRI K. MADHAVA MENON :—“In respect of schools, the Government have the power to lay down the policy as also to make rules governing the conditions of service. Regarding the colleges, it is entirely left to the Universities; they being an autonomous bodies we have allowed them to see that they have proper scales and the proper scales are paid. So far as the Government are concerned, they pay a particular proportion of the deficit as grant for the Colleges.”

SRI R. SURYANARAYANA RAO :—“When the complaints reached the Government, may I know, Sir, whether the Government drew the attention of the Universities to the complaints?”

THE HON. SRI K. MADHAVA MENON :—“Apart from telling the persons who met me on deputation that they must see the Vice-Chancellor and get the remedy from him, the petition that was given to us, has been forwarded to the University for necessary action.”

“Food Bonus.”

* 116 Q.—**SRI K. MANATHUNAINATHA DESIGAR :** Will the Hon. the Minister for Food be pleased to state—

(a) the amount received from the Government of India as “Food Bonus” in 1948-49, 1949-50 and 1950-51;

^a Printed as Appendix II on pages 459-460 infra.

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(b) the amount expected to be got from the Central Government for 1950-51 as bonus;

(c) the amount of block grants received from the Central Government for 1947-48, 1948-49, 1949-50 and 1950-51;

(d) the amount spent under each head in 1947-48, 1948-49 and 1949-50 from the block grant amount;

(e) the amount promised for 1949-50 and 1950-51 as block grant by the Central Government;

(f) the amount spent till 31st October 1949 and till 30th September 1950 under that head; and

(g) the amounts which lapsed in 1947-48, 1948-49 and 1949-50 in the Block grants?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“(a) to (g) The answer^a is placed on the table of the House.”

SRI K. MANATHUNAINATHA DESIGAR :—“This is a lengthy answer and it contains lot of figures. May I suggest, Sir, that supplementary questions may be put on it some other day?”

MR. CHAIRMAN :—“That will be about two months hence; so, it is not feasible.”

SRI R. SURYANARAYANA RAO :—“Sir, if I am not mistaken, it is seen from the long answer given by the Hon. Minister to this question, that certain amounts of grant lapsed. In answer to clause (g) of the question it is seen that in 1947-48 a sum of 355.21 lakhs lapsed, in 1948-49 a sum of 95.06 lakhs lapsed and in 1949-50 a sum of 150.00 lakhs lapsed. May I know why Government allowed these sums to lapse?” 11-15 a.m.

THE HON. SRI J. L. P. ROCHE VICTORIA :—“I am not aware of the details of these grants. I want notice.”

SRI R. SURYANARAYANA RAO :—“In view of the fact that we are allowing such large grants to lapse, will not the Government of India be well advised in telling us whenever we ask for grants that we are always over-budgeting? In fact, from the figures furnished to us, it is seen that for the last three years, we should be considered as either over-budgeting or as incapable of spending what we get as grant. May I know whether the Hon. Minister will look into the matter and issue a communiqué, as these are likely to go into the papers, explaining the circumstances under which those grants lapsed?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“I have already said I want notice.”

Grants for Grow More Food.

* 117 Q.—**SRI K. MANATHUNAINATHA DESIGAR :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) the amounts received from the Government of India as grant for Grow More Food in 1947-48, 1948-49 and 1949-50;

^a Printed as Appendix III on pages 460-462 infra.

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(b) The amounts received from the Government of India as "Food Bonus" and spent for increased production in 1947-48, 1948-49 and 1949-50;

(c) The amounts that were allowed to lapse out of the grant for "Grow More Food" in 1947-48, 1948-49 and 1949-50;

(d) the expenditure incurred under each head in 1947-48, 1948-49 and 1949-50; and

(e) the grant sanctioned by the Central Government for 1949-50 for Grow More Food and the amount spent under each head till 31st October 1949 and 30th September 1950?

THE HON. SRI A. B. SHETTY :—“(a) to (e) The attention of the member is invited to the answer given for question No. 116 put to the Hon. Minister for Food. Printed copies^a of the answer have been placed on the table of the House.”

SRI K. MANATHUNAINATHA DESIGAR :—“Sir, I wish to put the same supplementary question put by Hon. Sri Suryanarayana Rao on the previous question, that is, I wish to know the reasons for allowing the grants to lapse.”

MR. CHAIRMAN :—“And he will be giving the same answer!” (Laughter.)

THE HON. SRI A. B. SHETTY :—“In 1949-50 the Grow More Food grant could not be earned as the schemes had to be financed initially from bonus fund and there was sufficient money available in that fund. I cannot explain at present what happened in 1947-48 and 1948-49.”

SRI R. SURYANARAYANA RAO :—“Sir, could not the Government anticipate these supplementary questions when notice of the main question is given and be prepared for these supplementary questions instead of asking for notice?”

MR. CHAIRMAN :—“The Hon. Minister has answered you.”

SRI R. SURYANARAYANA RAO :—“Only for one year he has answered. Even that I do not consider as an answer; I consider it only as an excuse. I want to know what the reasons are for the other two years.”

THE HON. SRI A. B. SHETTY :—“With regard to the Grow More Food grant, the reason given for one year applies to the other years also.”

SRI R. SURYANARAYANA RAO :—“Sir, is it not due to the fact that since this Government have not enough Grow More Food schemes they are not able to earn grant from the Government of India?”

THE HON. SRI A. B. SHETTY :—“We had a large bonus fund available. From the answers placed on the table of the House it will be seen that we had nearly 4½ crores for the three years put together, and this amount was utilized for Grow More Food schemes.”

^a Printed as Appendix III on pages 460-462 infra.

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SRI R. SURYANARAYANA RAO :—“May I know whether the bonus fund could not be utilized for increasing the procurement price instead of being wholly utilized for Grow More Food schemes?”

THE HON. SRI A. B. SHETTY :—“That is a question which the hon. Member should address to the Hon. Food Minister.”

Higher Judicial Service

* 118 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Chief Minister be pleased to state with reference to the answers to the main question No. 8, and the supplementary questions thereto given on 8th August 1950, whether the rules governing the Higher Judicial Service have since been framed and if so, what they are?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister) :—“No. The matter is still under consideration of Government.”

SRI R. SURYANARAYANA RAO :—“In view of the inordinate delay in issuing rules, will Government expedite the issue of these rules?”

THE HON. SRI K. MADHAVA MENON :—“We will certainly expedite the thing; but there are various matters to be considered in framing the rules.”

Intensive cultivation schemes.

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

(a) whether in the new set up, the intensive cultivation schemes are under different departments;

(b) what provision has been made for co-ordinating the activities;

(c) what circumstances necessitated the division of responsibility for Tank Improvement schemes between the Chief Engineer (Irrigation) and the Commissioner of Food Production;

(d) whether the duplication of authority and staff for Tank Improvement schemes is justified by the results achieved;

(e) whether it is a fact that even schemes formulated by the Chief Engineer (Irrigation) are scrutinized by the Board of Revenue and the proposals reach the Government with their observations;

(f) what the responsibility of the Director of Agriculture is in regard to agricultural schemes and whether in so far as these schemes are concerned, he works under the direction and control of the Commissioner of Food Production;

(g) whether in respect of fisheries schemes, the Director of Fisheries works under the direction and supervision of the Commissioner of Food Production; and

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(h) whether the Government will make a complete statement on the new set-up for food production, the responsibility of each department, in that regard and how it is proposed to enforce it?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“(a) to (h)

Answer^a is placed on the table of the House.”

SRI R. SURYANARAYANA RAO :—“Sir, is the Hon. Minister for Food aware that there are minor irrigation schemes under the Collector of each district, there are tank irrigation schemes under the Commissioner for Food Production, there are tank irrigation schemes under the Chief Engineer of the Public Works Department, and besides these, there are Food Production Irrigation Schemes under the Commissioner for Food Production and there are large irrigation schemes under the Chief Engineer for Irrigation? May I know what is the co-ordinating authority for the activities of these organizations? May I know what was the necessity to create a separate organization for food production and to carry out irrigation schemes for that?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“There is a Cabinet Sub-Committee on Food, which considers and sanctions schemes relating to food production. It allots work to each department and they are supposed to carry out those particular works. The Commissioner for Food Production is the co-ordinating authority.”

Promotion of Provincial Police Officers to the Indian Police Service.

* 120 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Chief Minister be pleased to state with reference to the answer to question No. 33 given on the 9th October 1950—

(a) whether it is a fact that the rules regulating the promotion of Provincial Police Officers to the Indian Police Service shall have to be framed by the Provincial Government in consultation with the Federal Public Service Commission;

(b) whether the State Government have framed promotion rules and if so, what they are;

(c) how many of the senior posts are now held by the Provincial Service Officers;

(d) whether junior posts are always filled up by direct recruitment as a result of examinations held by the Federal Public Service Commission;

(e) what is the number of posts held now by the Indian Police Service including those of the Old Indian Police Service in the State and that held by the Provincial Police Service Officers promoted to the Indian Police Service;

(f) how many among those referred to in (e) are temporary or officiating; and

(g) whether there are vacancies in the Indian Police Service in the State which have yet to be filled up by the promotion of this Provincial Police Service Officers and if so, why they remain unfilled?

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THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister) :—“(a) & (b) According to the Memorandum of Agreement constituting the Indian Police Service reached between the Government of India and the State Governments these rules shall be framed by the latter in consultation with the Union Public Service Commission but in order to ensure uniformity and to avoid delay the work of framing the rules has been undertaken by the Government of India in consultation with the State Governments. The rules have not yet been finalised and the matter is still under consideration of the Government of India.

“(c) Forty-seven senior posts are held by officers of State Police Service, either in permanent or officiating capacities.

“(d) The answer is in the affirmative except for a few persons taken in by emergency recruitment under special orders of Government of India.

“(e) & (f) The number of posts held by Indian Police or Indian Police Service officers is 17 of whom 8 are promoted from the State Police Service. Thirty-nine State Police Service Officers are besides officiating in superior posts.

“(g) There are five vacancies in the promotion quota of superior posts in the Indian Police Service cadre of this State. The question of filling up these vacancies will be considered as soon as the question of appointing certain State Police Service Officers to the Indian Police Service under the Emergency Recruitment Scheme which is under correspondence with the Government of India is finalized.”

Pay and allowances of teachers.

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

(a) what the steps taken by the Government are to ensure the scales of pay and allowances prescribed by the Government for teachers in aided (i) elementary schools, (ii) secondary schools, and (iii) colleges are being regularly paid;

(b) whether orders have been passed to ensure security of service to teachers in all aided institutions;

(c) whether the Government will place the relative orders on the table of the House; and

(d) whether the question of constituting an appellate tribunal to hear appeals against indiscriminate termination of service is under the consideration of the Government?

THE HON. SRI K. MADHAVA MENON :—“(a) to (d) The answer^a to the question is printed and laid on the table of the House.”

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SRI R. SURYANARAYANA RAO :—“ May I know, Sir, whether there is any proposal before the Government to constitute a committee to deal with the question of salaries of teachers on the model of the Birmingham Committee in England? ”

THE HON. SRI K. MADHAVA MENON :—“ No, Sir.”

SRI R. SURYANARAYANA RAO :—“ May I know, Sir, with reference to the reply to clause (d) of the question, why Government should not think of constituting an appellate tribunal to hear appeals against indiscriminate termination of service? ”

THE HON. SRI K. MADHAVA MENON :—“ There is no necessity to create an appellate tribunal in the case of aided institutions; because there is the Director of Public Instruction or Divisional Inspectors, who are appellate authorities already; and so there is no necessity for an appellate tribunal.”

SRI R. SURYANARAYANA RAO :—“ Are Government sure that the Director of Public Instruction possesses enough powers to order restoration of a teacher whose services have been terminated without proper grounds? ”

THE HON. SRI K. MADHAVA MENON :—“ He certainly possesses appellate powers, whatever be the sort of powers which my friend wants him to possess! ”

SRI R. SURYANARAYANA RAO :—“ Will Government see that he is given sufficient powers, or if there is no objection to entrust that to a private body, constitute an appellate tribunal consisting of representatives of private managements, of teachers as well as of Government? ”

THE HON. SRI K. MADHAVA MENON :—“ It is not possible to create an appellate tribunal for the whole State for the whole body of teachers from elementary schools, who number in lakhs.”

Health Inspectors' Training Centres.

* 122 Q.—SRI C. VEERABHADRA RAO : Will the Hon. the Minister for Health be pleased to state the number of centres where the Health Inspectors Training is now being conducted in this State and the period of such training?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Minister for Health) :—“ No training is conducted for Health Inspectors as such. Health Inspectors are selected from those who have obtained the Sanitary Inspector's certificate. A course of training for Sanitary Inspectors is conducted in the Madras Medical College and the Stanley Medical College. The theoretical instruction is given at the Colleges for a period of nine months from July to March, and the practical training in vaccination is given in the months of January and February. The theoretical instruction is followed by field training in Public Health in the months of April and May in the areas prescribed for the purpose from time to time.”

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SRI C. VEERABHADRA RAO :—“ May I know the number of students who are trained in that school? ”

THE HON. SRI K. MADHAVA MENON :—“ In what school? I said only in my reply that a course of training for Sanitary Inspectors is conducted in the Madras Medical College and the Stanley Medical College.”

SRI C. VEERABHADRA RAO :—“ May I know how many candidates are trained as Health Inspectors? ”

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

Licences for new drug shops.

* 123 Q.—DR. P. S. SRINIVASAN : Will the Hon. the Minister for Health be pleased to State—

(a) the number of licences for new drug shops that have been issued in the Kancheepuram taluk in Forms 20 and 21 after 1st October 1949;

(b) the number of such drug shops prior to 1st October 1949;

(c) whether such licences are given for the mere asking, if the fees are paid; and

(d) whether either the medical officers or the prohibition officers are consulted before the licences are given?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Minister for Health) :—“ (a) The numbers of fresh licences issued to drug shops in the Kancheepuram taluk in Forms 20 and 21 after 1st October 1949 up to 30th September 1950 were 15 and 5 respectively.

“ (b) The number of drug shops prior to 1st October 1949 was 29.

“ (c) The licences are issued if the applications satisfy the conditions laid down in the Madras Drugs Rules, 1945, and on payment of the prescribed fees.

“ (d) The former when there is suspicion of the bona fides of the applicant concerned.”

DR. P. S. SRINIVASAN :—“ May I inquire whether Government are not aware that these new drug shops are functioning only as liquor shops and are not dispensing any drugs at all? ”
(Laughter.)

THE HON. SRI K. MADHAVA MENON :—“ We are not aware that they are functioning as liquor shops. If any improper things are being done, we shall try to detect them and deal with them suitably.”

SRI S. B. ADITYAN :—“ May I know whether the 15 shops, to which licences were issued, are in addition to the 29 shops which formerly existed? ”

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

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Distribution of green manure seeds.

* 124 Q.—SRI K. MANATHUNAINATHA DESIKAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the target and the quantity distributed of green manure seeds in the years 1946-50; and

(b) the amount of profit or loss to Government in the purchase and sale of green manure seeds in each year from 1946-1950?

THE HON. SRI A. B. SHETTY:—

“(a)

Year.	Target.	Actual quantity distributed.
	TONS.	TONS.
1946-47	11,300	692
1947-48	13,800	1,161
1948-49	15,750	2,854
1949-50	2,000	945
1950-51	2,000	150 *

“(b) No pro forma accounts are maintained separately for green manure seeds and only one consolidated account under the head “Paddy and other seeds” is maintained. Separate figures of loss incurred in respect of green manure seeds are not therefore available. The following procedure has been adopted in the distribution of green manure seeds:—

1946-47—Sold at cost price excluding overhead and establishment charges which were subsidized by the Government.

1947-48, 1948-49 and 1949-50—A special subsidy of Rs. 6-8-0 per bag was given to seed farm ryots and half of this, viz., Rs. 3-4-0 per bag was recovered through the sale price, the other half being subsidized by the Government.

1950-51—The entire sum of Rs. 6-8-0 per bag paid to seed farm ryots is subsidized by the Government, i.e., this amount is not recovered through the selling price of seed.”

SRI R. SURYANARAYANA RAO:—“While the target appears to be very imposing, the actuals are most disappointing; and naturally, as the years went on, the targets also have become modest. May I know what is the difficulty felt by the Agricultural Department in distributing these green manure seeds in a large State like Madras?”

THE HON. SRI A. B. SHETTY:—“There were really no targets for the three years, 1946-47, 1947-48 and 1948-49. The targets were fixed with reference to the three-year plan of increased food production which began only in 1949-50. So the figures given for the previous years were only estimates and they could not be called targets really. The difficulty in distributing the number of green manure seeds is that green manure crops can easily be grown only in certain districts

* For four months from July to October 1950.

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like the delta districts, where there is moisture in the fields after the harvest is done. So the quantity to be distributed is necessarily not large.”

SRI R. SURYANARAYANA RAO:—“Are Government satisfied with the progress made in the distribution of green manure seeds?”

THE HON. SRI A. B. SHETTY:—“With regard to some green manure seeds like the Kolanji, it is only in the first years the seeds have to be sown. In the subsequent years, the crop grows by itself.”

SRI B. NARAYANASWAMI NAYUDU:—“May I know whether the Hon. Minister will stand by his answer that green manure can be grown only in delta areas? May I know whether Chittoor district is a delta district, and whether green manure is not grown there?”

THE HON. SRI A. B. SHETTY:—“Green manure can be easily grown in delta areas on account of the fact that there is moisture in the fields after the harvest.”

SRI B. NARAYANASWAMI NAYUDU:—“That is not the point; the Hon. Minister said that green manure can be grown only in delta areas; that means in non-delta areas it cannot be grown. I say, in Chittoor district, a non-delta district, green manure like nelli, pillipesara and others are grown.”

THE HON. SRI A. B. SHETTY:—“I did not say, they are not grown in other areas. I said there are greater facilities for growing green manure crops in delta districts. That is what I said.”

MR. CHAIRMAN:—“Evidently the Hon. Minister means 11-30 a.m. that ryots in the delta areas take more to the cultivation of green manure crops because the need for the manure is more there than in other areas.”

SRI B. NARAYANASWAMI NAYUDU:—“I applied to the Agricultural Demonstrator, Tiruttani, for pillipesara seeds more than a year ago. I am yet to get them!”

MR. CHAIRMAN:—“In Chittoor and some other districts, green manure is available in forests. Perhaps that is the reason why the hon. Member did not get the seeds.”

SRI MOTHEY NARAYANA RAO:—“May I know the varieties of green manure that are supplied by the Agricultural Department?”

THE HON. SRI A. B. SHETTY:—“Sun-hemp chiefly, in the Circar districts, and kolinji, daincha, pillipesara, etc., in other districts. There are other varieties of green-leaf manure plants like glyricidia.”

SRI B. NARAYANASWAMI NAYUDU:—“May I inform the Hon. Minister that sun-hemp is only a fodder crop and not a green manure crop?”

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THE HON. SRI A. B. SHETTY :—" It is cultivated as a green manure crop also. It can be used as fodder also just as pillipesara, for instance, is used."

SRI B. NARAYANASWAMI NAYUDU :—" It is used only as fodder."

MR. CHAIRMAN :—" The point can be settled by argument outside the House."

SRI K. MANATHUNAINATHA DESIGAR :—" May I know why the Government were not as liberal in granting subsidies during 1947-48, 1948-49 and 1949-50 as during 1950-51, especially when they have allowed so much of the Government of India grant to lapse?"

THE HON. SRI A. B. SHETTY :—" With the experience gained in the previous years, it was thought that subsidy should be given on a more liberal scale during 1950-51. That was why the entire sum of Rs. 6-8-0 per bag paid to seed farm ryots was subsidized by the Government during 1950-51, i.e., the amount was not recovered through the selling price of seed."

SRI K. MANATHUNAINATHA DESIGAR :—" Does it not amount to this that the State Government will not get any grant at all from the Central Government if they are not liberal and have not spent the grant allotted by the Centre?"

THE HON. SRI A. B. SHETTY :—" The Central Government's grant is limited to 50 per cent of the expenditure incurred by the State Government."

SRI R. SURYANARAYANA RAO :—" The point raised by Sri K. M. Desigar was that the grants allowed to lapse could have been utilized. Instead of allowing the grants to lapse, could not the Government have utilized them for subsidizing the sale of green manure seeds?"

THE HON. SRI A. B. SHETTY :—" Subsidy is given for approved schemes. To earn the Central grant the State Government have to find an equal amount."

SRI R. SURYANARAYANA RAO :—" Is not the distribution of green manure seeds an approved scheme?"

THE HON. SRI A. B. SHETTY :—" Yes, Sir. That is why a subsidy of Rs. 6-8-0 per bag is being given to the ryots during 1950-51."

SRI R. SURYANARAYANA RAO :—" In view of the important part that green manure plays in the Grow More Food Campaign, will the Hon. Minister ask the Commissioner of Food Production to distribute to the ryots as much of green manure seeds as possible?"

THE HON. SRI A. B. SHETTY :—" The utmost that is possible will be done. The hon. Member is aware of the drought conditions and the difficulty we are experiencing in this green manure campaign."

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SRI MOTHEY NARAYANA RAO :—" If it is not possible to supply the ryot with the seeds of the particular green manure variety that he wants, is he supplied with the seeds of some other green manure variety?"

Grants-in-aid under Rural Reconstruction Scheme.

* 125 Q.—SRI MOTHEY NARAYANA RAO : Will the Hon. the Minister for Rural Development be pleased to state the names of the institutions that have received the grants-in-aid sanctioned in G.O. No. 175, Firka Development, dated 25th March 1948, for intensive work connected with the rural reconstruction, from the date of the Government Order and the amount paid to each of them?

THE HON. SRI B. PARAMESWARAN :—" A statement showing the names of the non-official institutions to whom grants-in-aid have been sanctioned and the amounts sanctioned to each of the institutions under G.O. No. 175, Firka Development, dated 25th March 1948, is laid on the table of the House."

Information regarding the actual amounts drawn by the institutions is not readily available."

SRI MOTHEY NARAYANA RAO :—" What is the amount set apart for grants-in-aid?"

THE HON. SRI B. PARAMESWARAN :—" Rs. 6,00,000."

SRI MOTHEY NARAYANA RAO :—" May I know whether it is a fact that practically no grants were given last year on some technical ground?"

THE HON. SRI B. PARAMESWARAN :—" About Rs. 1,00,000 had been disbursed by the Collectors. If the institutions did not draw the grant, it was not the fault of the Government."

JANAB K. T. M. AHMED IBRAHIM :—" What is the basis on which the grants are given?"

THE HON. SRI B. PARAMESWARAN :—" I may refer the hon. Member to the Government Order."

SRI MOTHEY NARAYANA RAO :—" Which authority decides the amount of grant that should be given to a particular institution?"

THE HON. SRI B. PARAMESWARAN :—" The Government fix the amount and the Collector disburses it."

SRI MOTHEY NARAYANA RAO :—" May I know whether every item has to be approved by the Finance Department before the grant is disbursed and whether it is not a fact that there is a lot of difficulty in getting the approval of the Finance Department?"

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THE HON. SRI B. PARAMESWARAN :—" I do not think that any institution has pointed out any difficulty in getting the grant. If all the conditions are fulfilled, certainly the grants will be disbursed."

SRI MOTHEY NARAYANA RAO :—" May I ask whether the Director of Rural Welfare cannot be vested with the authority to choose the deserving institutions from among the applicants and also to fix the amount of the grant? "

THE HON. SRI B. PARAMESWARAN :—" Even now he has got a certain amount of discretion and he uses it properly."

SRI S. B. ADITYAN :—" Is it not a fact that the Gandhigram, Chinnalapatti, Madurai district, has applied for an additional grant? "

THE HON. SRI B. PARAMESWARAN :—" Grants have been given in respect of two or three items. The question is under consideration."

Government Press Workers' Union.

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

(a) whether the Government have received representations from the Government Press Workers' Union relating to the case of one C. Rajagopal, imposer in the Government Press, who was compulsorily retired in March 1944;

(b) if the answer to (a) is in the affirmative, what the representations were and how they have been disposed of;

(c) what the procedure followed in regard to the disposal of individual grievances of employees in the Government Press is; and

(d) whether a Works Committee has been constituted for the Government Press?

THE HON. SRI K. MADHAVA MENON :—" (a) The Government received representation from the Government Press Workers' Union regarding Sri C. Rajagopal, late imposer, Government Press. He was not compulsorily retired. He was examined by a Medical Board convened specially for him in 1944 which declared that his age was 55. Hence in the normal course he had to retire.

" (b) The Government Press Workers' Union claimed that Sri C. Rajagopal was born in 1899 and not in 1889 as entered in the service register. The Union was informed that the date in his service register corresponded with the certificate of the Medical Board and that the Government saw no justification for the alteration of the date of birth.

" (c) The usual procedure adopted in the case of other Government servants as laid down in the Memorial rules and relevant statutory rules is followed and the grievances are considered on merits.

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" (d) The constitution of a Works Committee for the Government Press, under rule 3 of the rules under section 38 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), in the manner laid down in rules 4 to 10, of the same rules, in the Government Press, is engaging the attention of the Government. The matter is under correspondence with the Superintendent, Government Press."

SRI R. SURYANARAYANA RAO :—" Should not the Government set an example to other industrial employers by constituting Works Committees in respect of their own industrial employees as soon as the Industrial Disputes Act was passed and the rules under it were framed? "

THE HON. SRI K. MADHAVA MENON :—" The matter is under active consideration and we are in correspondence with the Superintendent, Government Press."

SRI B. NARAYANASWAMI NAYUDU :—" The entry in the service register relating to the year of birth was changed from 1889 to 1899. How did this Kumbakonam occur? "

THE HON. SRI K. MADHAVA MENON :—" There is no question of changing the entry. The year of birth as entered in the service register was 1889 and the Union wanted it to be changed to 1899. Whether it is Kumbakonam or Masulipatam I cannot say."

SRI K. MANATHUNAINATHA DESIGAR :—" I protest against the use of the word. What is the meaning of the expression used by the hon. Member Sri B. Narayanaswami Nayudu? "

SRI B. NARAYANASWAMI NAYUDU :—" That is an expression used in the colloquial language, and its meaning is generally understood by everybody."

Recommendations of the Special Officer on the working of the Government Press.

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

(a) whether a Special Officer was deputed to go into the working of the Government Press;

(b) whether orders of Government have been passed on his recommendations and if so, what the orders are;

(c) whether it is a fact that there are large arrears of work necessitating printing in outside presses at considerable cost; and

(d) if so, what steps, if any, are proposed to be taken to make the utmost use of the Government Press to do all Government work? "

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

" (b) In January 1949, the Government appointed a Committee to examine the working of the Government Press and to

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suggest the ways and means to run it on efficient lines. The Committee submitted its report making recommendations for the rectification of the irregularities and for the improvement of the administrative machinery in the Government Press. The Government appointed a Special Officer to see that the Government's orders on those recommendations, which were designed to effect improvements in the administration of Government Press, are given effect to. Orders have been issued by Government, on some of the suggestions made by the Special Officer from time to time; a few are still under consideration. It will not be feasible to give a summary of all the orders issued by the Government, on the various suggestions of the Special Officer, in an answer to a question.

"(c) The work received in the Press in recent years has been very much more than what it could complete, with its present strength of staff and equipment. Some work has therefore necessarily to remain pending. Heads of Departments who could not wait, were therefore permitted to get certain items of work executed outside the Government Press. In all such cases, the departments call for tenders and consult the Superintendent, Government Press, on the quotations received. The Superintendent, Government Press, scrutinizes the quotations and verifies whether rates work out cheaper than in the Government Press. All quotations so far accepted were the lowest and they were cheaper than the cost in the Government Press.

"(d) Steps have been taken to ensure the efficient working of the Press. The Government's printing work has increased; and is steadily increasing to such an extent that it will not be possible for the Government Press to do all Government printing work."

SRI R. SURYANARAYANA RAO :—" May I know whether the Special Officer referred to is a Special Officer appointed specially to give effect to the recommendations of the Committee? "

THE HON. SRI K. MADHAVA MENON :—" The Collector of Madras was the President of the Committee. We thought that he was the most suitable person to give effect to the recommendations. So we appointed him as the Special Officer and he was in charge till he left Madras. To continue his work, the Government have appointed another Special Officer with the status of a Joint Superintendent."

SRI R. SURYANARAYANA RAO :—" May I know whether the Retrenchment and Reorganization Committee suggested the opening of a branch press in Mount Road? "

THE HON. SRI K. MADHAVA MENON :—" Yes, Sir, that has been suggested. Now that the Government have got the Pudukkottai Government Press also under their control, the question of making it a feeder press is under consideration."

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JANAB K. T. M. AHMED IBRAHIM :—" May I know whether the necessity for giving Government printing work to private press arises out of insufficiency of staff or machinery or the failure of putting the available machinery to the maximum possible use? If it is due to insufficiency of staff, will the Government be pleased to appoint the required extra staff? "

THE HON. SRI K. MADHAVA MENON :—" The Government's printing work has increased so much that the Government Press cannot cope with it with the existing staff or machinery. That is the reason why some Government printing work has to be given to private press."

Perusal of Secretariat records by Sri T. Prakasam.

* 128 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Chief Minister be pleased to state with reference to the answer to question No. 1 answered on the 7th August 1950—

(a) whether and in what circumstances Sri T. Prakasam and his associates were allowed to peruse the records in the Secretariat and other offices in connexion with allegations against some of the Hon. Ministers;

(b) whether they were permitted to interrogate some officers of Government in connexion with these allegations;

(c) under what provision of law or procedure Sri T. Prakasam and his associates were permitted to have either access to files or examination of officers;

(d) whether it is a fact that the privilege accorded to Sri T. Prakasam and his associates is being abused by openly referring to these files and to evidence of officers obtained; and

(e) whether Sri T. Prakasam and his associates are violating the provisions of the Official Secrets Act, and if so, what action the Government propose to take in the matter?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister) :—" (a) Certain files were shown to Sri T. Prakasam and others with a view to removing all misunderstandings on their part.

"(b) No. What happened was that the Chief Minister discussed certain points with some officers in the presence of Sri T. Prakasam and his associates in order to clarify matters.

"(c) The files were shown under the authority of Hon. Chief Minister.

"(d) Apart from what was stated in the debate in the other House, Government are not aware of any open references to the files, etc.

"(e) In view of what has been stated in answer to clause (d) Government consider that there has been no violation of the provision of the Indian Official Secrets Act."

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11-45 a.m. SRI R. SURYANARAYANA RAO :—“ May I know, Sir, whether, before these files were shown to these gentlemen, the Chief Minister took any undertaking from them that they would not use them for the purpose for which they had been used? ”

THE HON. SRI K. MADHAVA MENON :—“ There was no necessity, Sir, to take any such written undertaking from these gentlemen, because I think, the reason for not having done so by the Hon. Chief Minister was obvious.”

SRI R. SURYANARAYANA RAO :—“ Is it not a fact, Sir, that the Hon. Leader of the other House, confessed in that House that the Government had done a mistake in having allowed these gentlemen to have access to these files, without such an undertaking? ”

THE HON. SRI K. MADHAVA MENON :—“ Perhaps the Hon. Leader of the other House might have said so in that House; why should I deny it? ”

SRI R. SURYANARAYANA RAO :—“ In that case, did the Government relent for their action in having allowed these gentlemen access to these Government files, because of the oral undertaking given or that the implicit undertaking had not been adhered to? ”

THE HON. SRI K. MADHAVA MENON :—“ I do not exactly follow what the hon. Member means, but I cannot understand why we should relent in this matter. We did not regret for having shown the files to these gentlemen, because only then the mystery about it that there is something wrong could be dispelled and so, Sir, we did not regret our action in having done so.”

SRI B. NARAYANASWAMI NAYUDU :—“ May I know, Sir, whether there had been any missing or disappearance of papers, as reported by certain members in the other House? ”

THE HON. SRI K. MADHAVA MENON :—“ It is an incorrect statement, Sir, and if it is not unparliamentary, I must say, it is a false statement that has been made, because there has been no paper missing.”

JANAB ABDUL LATIF FAROOKHI :—“ May I know, Sir, whether the Government will be prepared to show these official files and papers, if other Members make similar allegations against the Ministers? ”

THE HON. SRI K. MADHAVA MENON :—“ It all depends on the circumstances, Sir.”

Sale of alcoholic preparations.

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

(a) whether the attention of the Government has been drawn to a report published in the *Mail*, dated 22nd August 1950, by its special correspondent that sale of highly alcoholic preparations

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has been going on on a large scale in Omalur taluk (Salem district) and that one person is said to have died and several others have been taken seriously ill on account of taking such stuff; and

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

THE HON. SRI N. SANJEEVA REDDI :—“ (a) Yes.

“ (b) It is observed from a report received by the Government in this matter that spirituous medicinal preparations were being sold in Omalur taluk by certain licensees under the Drugs Act. One Muthu Mudali, son of Angappa Mudali, Kolathur, Omalur taluk, who is alleged to have died of taking one of the spirituous preparations was examined by a private medical practitioner one hour after his death. The medical practitioner stated that Muthu Mudali might have died of hæmorrhage of blood vessels. It was not possible to ascertain definitely the cause of death in this case. As regards the report that several others were taken seriously ill, it was not possible to obtain any confirmation of the report. The Medical Officer, Mettur, has reported that no one was admitted in the hospital at Mettur due to illness by taking these spirituous medicinal preparations. As the Government received several reports of the widespread misuse of spirituous medicinal preparations, orders have since been issued imposing restrictions on the sale of B.P., B.P.C. and I.P. preparations containing spirit except Tincture Iodine and Tincture Benzoin. Such preparations will not hereafter be sold to the general public in pure form but only as an ingredient of a mixture.”

JANAB ABDUL LATIF FAROOKHI :—“ May I know, Sir, who was the medical practitioner who examined the body of the person who died at Kolathur? ”

THE HON. SRI N. SANJEEVA REDDI :—“ A local medical practitioner, Sir.”

JANAB ABDUL LATIF FAROOKHI :—“ Are the Government satisfied with the result of the examination of this medical practitioner, Sir? ”

THE HON. SRI N. SANJEEVA REDDI :—“ The man had been buried long before the incident came to the notice of the Government; they could not therefore take any action to verify the same.”

JANAB ABDUL LATIF FAROOKHI :—“ May I know, Sir, whether it has been brought to the notice of the Government that prohibition has failed in the Salem district? ”

THE HON. SRI N. SANJEEVA REDDI :—“ No, Sir. I do not accept the statement. Perhaps a few people think so about it, but I must refute it, Sir.”

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JANAB ABDUL LATIF FAROOKHI:—"Has it been brought to the notice of the Government that illicit distillation has been going on in that district and that offences under the Prohibition Act have increased in Salem?"

THE HON. SRI N. SANJEEVA REDDI:—"That only shows that we are more vigilant and more vigorous in our detection work and are trying to work the Act more effectively."

JANAB ABDUL LATIF FAROOKHI:—"Will the Government be prepared to hold an inquiry into this matter and find out what exactly has taken place? May I know, also, whether the Government have contradicted this report?"

THE HON. SRI N. SANJEEVA REDDI:—"No further inquiry is necessary, Sir, because the Government have accepted the medical report that the person concerned died of hæmorrhage of blood vessels."

JANAB ABDUL LATIF FAROOKHI:—"When the Medical practitioner who examined the body of the person pointed out that he did not die on account of that poison, why did not the Government contradict the report which appeared in the *Madras Mail*?"

THE HON. SRI N. SANJEEVA REDDI:—"There was no need for the Government to go on contradicting every silly thing concerning every individual appearing in the papers and if they begin to do so, there will be no end."

JANAB ABDUL LATIF FAROOKHI:—"Do the Government think that the question of life and death of people is a silly thing?"

THE HON. SRI N. SANJEEVA REDDI:—"I meant, Sir, statements appearing in the press without any basis."

JANAB ABDUL LATIF FAROOKHI:—"Sir, do the Government say that the statement that appeared in the paper that one person died and several others had taken seriously ill on account of taking such stuff, is a silly one?"

THE HON. SRI N. SANJEEVA REDDI:—"That, of course, need to be verified, before being published and we are satisfied in this particular case that the person died of hæmorrhage of blood vessels."

JANAB ABDUL LATIF FAROOKHI:—"Then, why not the Government contradict that statement, Sir? Why did they not contradict such a serious allegation?"

THE HON. SRI N. SANJEEVA REDDI:—"I do not accept my hon. Friend's suggestion that we should go on contradicting everything that is said in the press."

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

II—GOVERNMENT BILLS.

THE MADRAS HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS BILL, 1949 (L.A. BILL NO. 10 OF 1949), AS PASSED BY THE ASSEMBLY—*cont.*

MR. CHAIRMAN:—"The House will now take up the consideration of the Hindu Religious and Charitable Endowments Bill, 1949 (L.A. Bill No. 10 of 1949), clause by clause."

Clauses 2 and 3 were put and carried and formed part of the Bill.

Clause 4.

Sub-clause (a).

* SRI R. SURYANARAYANA RAO:—"Mr. Chairman, Sir, I move—

In clause 4 (a) add at the end the following words:—

"the administration of which for the time being is such in the opinion of the Government as to require such exemption or."

"Sir, in asking for the adoption of this amendment, I wish to point out to hon. Members of this House that the clause empowering the Government to grant exemptions in certain cases after consulting the Board finds a place in the old Act also.

"Another circumstance that I want to point out is that the old Act dealt with only religious endowments. This Bill is going to deal with charitable endowments as well. That is why I urge that this power should be given to the Government to exempt certain endowments and religious institutions under certain circumstances. Sir, even the Venkataramana Rao Committee which went into this question did not take objection to this power vesting in the Government, but all that it said was that they should be very careful in granting such exemptions and laid down certain conditions and circumstances under which such exemptions should be granted. That Committee did not suggest that this power should be taken away altogether from the Government.

"Sir, what would happen if the Government do not retain any such power of exemption in their hands? In that case, even such endowments like the Ramakrishna Mission may be brought under the provisions of this Bill. Sir, if I am not disclosing anything that happened in the Joint Select Committee, because I do not think that I am permitted to read from any papers which were supplied to the members of the Select Committee and which are not supplied to hon. Members of this House,—but, however, as this has a particular relevancy in this connexion—I may say, that my hon. Friend Sri T. S. Avinashilingam Chetty took strong objection to the insertion of this clause, because he felt that no charitable institution which is being conducted properly should be brought within the operation of this Bill. Sir, my submission is that we are

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vesting this power of exemption only in the hands of the Government and nobody else and it is simply restoring them the power which they once possessed in respect of religious endowments. Now charitable endowments are also being sought to be brought under this Bill. As such, I feel that this power also should vest in the Government, so that they might exercise it in suitable cases. Therefore, Sir, I feel that by accepting this amendment, they are in no way giving up the principle underlying this Bill, even as they are prepared to retain the power of exemption in respect of endowments under the Administrator-General or the Official Trustee. After all, Sir, the Government may exercise this power by notification, or they may not exercise it at all. The discretion to exercise it rests with them. Therefore there is no harm in having this power. If suitable cases are brought to their notice, they may exercise their power of exemption by notification. Otherwise they need not exercise that power at all. I strongly feel, Sir, that this is a power which the Government should have, to be used for a good purpose and in good cases.

"Some of my friends have been telling me that I seem to have a pathetic faith in the Government. I feel, Sir, that a Government is a Government, with full authority and power behind them, whoever may be occupying the Treasury Benches for the time being. Unless we have that faith in the Government in power, it will not be possible for the State to be properly administered. And here, Sir, I am asking only the Government to have the power in their hands, in order to use it in suitable cases. I am not asking them to use that power compulsorily, by using the word 'shall' instead of 'may' in my amendment. If the circumstances brought to their notice demand such exemption, they can exercise that power. I do not want to adduce many arguments in support of my amendment, because I want to get through this Bill as early as possible in order that it may be placed on the Statute Book. I plead once again, Sir, with the Government in all earnestness to accept this amendment which is not inconsistent with the provisions of this Bill."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—"I second the amendment, Sir."

* THE HON. SRI K. MADHAVA MENON :—"Mr. Chairman, Sir, I am sorry I cannot accept the amendment. My hon. Friend Sri R. Suryanarayana Rao said that some of his friends here were rather surprised at the pathetic faith he had in the Government and at his absolute confidence in them. But, Sir, I can say that there are also some people who have no confidence in the Government and who feel that the Government will never do the right thing and even such friends moved this identical amendment in the other House and their reason was, that though the Government may not be doing a wrong thing, yet they could be prevailed upon to grant exemptions in respect of certain endowments under certain circumstances. So when such friends who have no confidence in the Government also want such a power to

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be retained in their hands, we should be doubly careful; but all the same, we feel gratified that my hon. Friend Sri R. Suryanarayana Rao has so much confidence in the Government.

"Sir, it is true that a provision like this was there in the 1925 Act. There was also considerable opposition to it at that time, but the sponsors of that Bill wanted to go slow and so they made a provision that the Government might exempt such of the institutions as they thought proper. But now there is no necessity to have such a power in the hands of the Government. All the speeches made and all the objections raised in the general discussion of the Bill yesterday point to the fact that too much power is being retained in the hands of the Commissioner, the Deputy Commissioner and the Assistant Commissioners who were characterized as super-area committees and super-officers and hence, Sir, it is a great mistake to clothe the Government with this power also, because the same arguments will be extended in the case of the Government also. There is no necessity to make any exemptions even in the case of charitable endowments and my hon. Friend Sri R. Suryanarayana Rao is not right when he said that this power of exemption is more necessary to be vested with the Government on the ground that charitable endowments are also included in this Bill. What we have said in clause 3 which relates to the power of the Government to extend the Act to charitable endowments is this. Clause 3 says—

"Where the Government have reason to believe that any Hindu or Jain public charitable endowment is being mismanaged and are satisfied that in the interests of the administration of such charitable endowment it is necessary to extend thereto all or any of the provisions of this Act, and of any rules made thereunder, they may, by notification in the Fort St. George Gazette, extend to such charitable endowment the said provisions and thereupon the provisions so extended shall apply to such charitable endowment as if it were a specific endowment."

"Charitable institutions do not come within the purview of this Bill. The provisions of the Bill will have to be extended by notification to charitable endowments. Therefore, the exemption is there already. The Bill will apply to those charitable endowments which are notified by the Government. Therefore there is no necessity to take this power of exemption. If at any stage the Government should feel that there is need to have the power of exemption, the confidence that is now shown in the Government will encourage the Government to come to this House and ask for that power. I oppose the amendment, Sir."

MR. CHAIRMAN :—"The question is—

"In clause 4 (a) add at the end the following words :—

"the administration of which for the time being is such in the opinion of the Government as to require such exemption or." "

The amendment was lost.

Clause 4 was put and carried and allowed to stand part of the Bill.

Clause 5 was put and carried and allowed to stand part of the Bill.

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noon.

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Clause 6.

- * SRI R. SURYANARAYANA RAO :—“ Sir, I move—
‘ In clause 6 (19) insert the following words within brackets
after the word “ known ” :—
“ (including the Board of Trustees appointed under
section 39). ” ’

Sir, the words in the amendment which I have now moved were there in the Bill sent up by the Joint Select Committee. I do not know how these words came to be removed. I do not know whether these words were removed by an amendment moved in the Assembly. It may be argued that ‘ trustee ’ means any person or body by whatever designation known, and that the Board of Trustees being a body, is already there in the definition of the word ‘ trustee ’. It is only as a measure of abundant caution that the members of the Joint Select Committee suggested that these words ‘ including the Board of Trustees appointed under section 39 ’ should be put in brackets after the word ‘ known ’. I am only asking for the restoration of the recommendation of the Joint Select Committee, which does not in any way interfere with the scheme of the Bill. It only makes explicit what the Hon. the Minister may well say is already implicit in the clause. I may here speak on clause 7 also, Sir, because both these clauses are inter-related. In clause 7, I would like to add the words ‘ Board of Trustees ’ as one of the authorities prescribed. Like the Area Committees the Board of Trustees is an institution which we are introducing in respect of certain temples whose income is above a certain figure. The Board of Trustees is given certain powers in the Bill. We want that institution also to be mentioned as one of the authorities prescribed for the management of these temples. These words were introduced at the Joint Select Committee stage. I do not know how they came to be deleted when the Bill was passed in the Assembly. I am not aware whether the deletion of the words was because of an amendment to that effect. I had no time to go through the proceedings of the Assembly though the Government were pleased to supply us with the proceedings relating to this Bill almost in full. We were very particular at the Joint Select Committee stage that the Board of Trustees should be included in clause 7. The Board of Trustees is an authority that possesses certain powers and plays a certain part in the scheme of things adumbrated in the Bill. Sir, I suggest the addition of the words ‘ including the Board of Trustees appointed under section 39 ’ within brackets, in clause 6 (19). I also suggest the addition of the words ‘ Board of Trustees ’ in clause 7.”

MR. CHAIRMAN :—“ Why does the hon. Member think that the Board of Trustees is not included? ”

* SRI R. SURYANARAYANA RAO :—“ The Hon. the Minister may say that the term ‘ body ’ includes the Board of Trustees. But as a measure of abundant caution we wanted that the Board

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of Trustees should be mentioned as an authority in clause 7. We also suggested the addition of the words ‘ including the Board of Trustees appointed under section 39 ’ in brackets, in clause 6 (19). The addition of the words ‘ Board of Trustees ’ in clause 7 will show to the public that the Government are not taking all powers to themselves. Now people are thinking that the Government are taking all powers to themselves in the name of Area Committees. The Government, by including the Board of Trustees in clause 7, will show to the public that the association of the people in the management of the temples is not taken away. With these words, Sir, I move the amendments to clauses 6 and 7, together, because both are inter-related, though you may put them to vote separately. If one amendment goes the other amendment also goes. I wish to suggest that you may put the amendment to clause 7 to vote first and then the amendment to clause 6 (19). It is only a matter of adjustment. My amendment to clause 7 is—

‘ In clause 7, add as sub-clause (d) the following and renumber the existing sub-clause (d) as (e) :—
“ (d) Board of Trustees. ” ’

SRI M. D. T. KUMARASWAMI MUDALIYAR :—“ I second the amendments, Sir.”

* THE HON. SRI K. MADHAVA MENON :—“ Sir, the particular sentence referred to by the hon. Member Mr. Suryanarayana Rao was there in the Bill as revised Joint Select Committee. That was removed by an amendment deliberately moved by me for the reason that that sentence was absolutely unnecessary and redundant. ‘ trustee ’ is defined in clause 6 (19) to include any person or body by whatever designation known in whom or in which the administration of a religious institution is vested, and includes any person or body who or which is liable as if such person or body were a trustee. In clause 39 it will be seen that the Board of Trustees is a body to be created by the Commissioner. Further, the term ‘ trustee ’ is defined in clause 6 (19) to include any person or body in whom the administration of a religious institution is vested. The Board of Trustees automatically comes under this definition. Even though it may be implicit in the earlier portion of sub-clause (19), it is explicit in the later portion. Therefore, there is no necessary for the amendment. The hon. Member Mr. Suryanarayana Rao wanted the addition of the Board of Trustees in clause 7 as one of the prescribed authorities. The Commissioner and the Deputy Commissioner are controlling authorities, but the Board of Trustees is not a controlling authority. The authority of the Commissioner, Deputy Commissioner and the Assistant Commissioners is in respect of all temples taken together, while the Board of Trustees is only for individual temples and not for the State as a whole. If that were so, we will have to say that an executive officer is an authority and an archaka also is an authority. That is not what is meant. The authorities mentioned in clause 7 are those in whom powers of supervision over all temples in specified areas are vested, while Boards of Trustees are only for individual temples.”

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MR. CHAIRMAN :—" The question is—

' In clause 6 (19) insert the following words within brackets after the word " known " :—

" (including the Board of Trustees appointed under section 39)." "

The amendment was put and lost.

Clause 6 was put and carried and allowed to stand part of the Bill.

Clause 7.

SRI R. SURYANARAYANA RAO :—" Sir, I move—

' In clause 7, add as sub-clause (d) the following and renumber the existing sub-clause (d) as (e) :—

" (d) Board of Trustees." "

The amendment was duly seconded.

MR. CHAIRMAN :—" The question is—

' In clause 7, add as sub-clause (d) the following and renumber the existing sub-clause (d) as (e) :—

" (d) Board of Trustees." "

The amendment was put and lost.

Clause 7 was put and carried and allowed to stand part of the Bill.

Clauses 8, 9, 10, 11, 12, 13, 14, 15 and 16 were one by one put and carried and allowed to stand part of the Bill.

Clause 17.

* SRI R. SURYANARAYANA RAO :—" Sir, I move—

' After the words " of section 12 " insert the words " or the members of the Committee cease to function their term of office having expired " and after the word " abolition " insert the words " or the members of the Committee cease to hold office " .

Sir, clause 17 makes provision for the reconstitution or creation of a new Area Committee when one is abolished. My amendment seeks to impose on the Government the duty of reconstituting or appointing an Area Committee when the term of office of the members thereof expires. The term of office of the Committee, if I am not mistaken, is three years. When the Area Committee is abolished, of course the Government have to set up a new Area Committee. What I feel is this. When the term of office of an Area Committee expires, there is no obligation within six months at least to appoint another Area Committee. They may, of course, appoint and they will appoint. But here it is laid down that when an Area Committee is abolished, the Government must appoint a new Area Committee within six months. I want the Government

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to appoint also a Committee when one ceases to function by efflux of time. In the same way, I suggest also the insertion of the words ' or the members of the committee cease to hold office '. It is only to insist upon Government that within a particular period they should bring the new Area Committee into existence. I have not interfered with the period that is fixed. All that I wish to say is that it must be incumbent on Government to reconstitute a committee when the term of office of the committee expires. It is only in that view I have moved my amendment."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—" I second the amendment, Sir."

* THE HON. SRI K. MADHAVA MENON :—" Sir, there is no necessity for this amendment. Clause 17 makes provision for the constitution of a new committee where one has been abolished. My hon. Friend will see from the Local Boards Act and the District Municipalities Act that before the term of the council expires, the Government are bound to see that a new body is brought into existence. A special contingency may arise on abolition, because abolition of a committee may be for many reasons, say, misconduct or faction. Originally, the time fixed for reconstitution was one year. The Joint Select Committee reduced the period to six months. The maximum time now is only six months. But when the committee has served its term of office, other persons must be there to take up the position to which they are appointed. Therefore, no particular provision in this regard is necessary. The Government are bound to constitute a committee. I oppose the amendment."

* SRI R. SURYANARAYANA RAO :—" May I be enlightened whether there is no such provision in the Local Boards Act or in the District Municipalities Act? I think there must be a provision, in order not to leave things in the air, that the Government should reconstitute the Area Committee." 12-16 p.m.

* THE HON. SRI K. MADHAVA MENON :—" I cannot quote from memory, Sir, but my recollection is that there is no particular provision that it must be reconstituted. It is provided in clause 12 (1) (a) that the Government shall constitute an Area Committee for all temples."

MR. CHAIRMAN :—" If necessary, I think it may be provided in the rules framed under this clause."

THE HON. SRI K. MADHAVA MENON :—" If there is any doubt, we shall provide for it in the rules."

SRI R. SURYANARAYANA RAO :—" I hope that they will do it."

MR. CHAIRMAN :—" Yes, they will certainly do it."

The amendment was, by leave, withdrawn.

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Clause 17 was put and carried and allowed to stand part of the Bill.

Clause 18.

Sub-clause (4).

* SRI R. SURYANARAYANA RAO :—“ Sir, I move—
‘ For the word “ him ” wherever it occurs substitute the words “ the party ”.’

I am not a lawyer, Sir. It is said—

‘ The Commissioner shall not pass any order prejudicial to any party under sub-section (2) or clause (b) or clause (c) of sub-section (3), without hearing him or giving him a reasonable opportunity of being heard.’

If I am not mistaken, I think even the Area Committee comes in here. Therefore, the Area Committee also should be given a reasonable opportunity of being heard. Here the word ‘ him ’ may only mean the trustee. I do not know if lawyers will say that ‘ him ’ also includes the Area Committee. It is only with the object of including the Area Committee also for being given an opportunity of being heard that I have suggested this amendment.”

SRI M. D. T. KUMARASWAMI MUDALIYAR :—“ I second the amendment, Sir.”

* THE HON. SRI K. MADHAVA MENON :—“ Sir, I think this amendment only substitutes a noun for a pronoun. The word ‘ him ’ is quite sufficient for the purpose. I do not think the amendment is necessary. The word ‘ him ’ may possibly mean the Area Committee also. It has been provided in sub-clause (1) as follows :—

‘ The Commissioner may call for and examine the record of any Deputy or Assistant Commissioner, of any Area Committee, or of any trustee not being the trustee of a math or of a specific endowment attached to a math, in respect of any proceeding under this Act (not being a proceeding in respect of which a suit or an appeal to a court is provided by this Act), to satisfy himself as to the regularity of such proceeding, or the correctness, legality or propriety of any decision or order passed therein.’

The President of the Area Committee is the Assistant Commissioner. So, any action of the Area Committee will be taken through the Assistant Commissioner. Sir, the use of the words ‘ the party ’ here instead of ‘ him ’ is not happy.”

SRI R. SURYANARAYANA RAO :—“ What does ‘ him ’ mean? ”

THE HON. SRI K. MADHAVA MENON :—“ ‘ Him ’ means hearing the party. I think there is no difficulty in interpretation.”

SRI R. SURYANARAYANA RAO :—“ If it means the trustee, I agree it is all right. But the Area Committee is a corporate body which we are creating.”

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THE HON. SRI K. MADHAVA MENON :—“ Here the word ‘ him ’ refers to it also.”

MR. CHAIRMAN :—“ The opinion of lawyers always differs. The Government seem to think that ‘ him ’ also refers to party.”
The amendment was, by leave, withdrawn.

Clause 18 was put and carried and allowed to stand part of the Bill.

Clause 19 was put and carried and allowed to stand part of the Bill.

Clause 20.

SRI R. SURYANARAYANA RAO :—“ Sir, I move—
‘ Before the words “ the provisions of this Act ” insert the words “ the control of the Government and ”.’

Sir, as the Government have got general power of superintendence through their officer, namely, the Commissioner, in the original clause it was stated ‘ Subject to the control of the Government and the provisions of this Act ’. I do not know why the words ‘ the control of the Government and ’ have been omitted now. I do not know if it has been done with a view not to offend any Article of the Constitution.”

MR. CHAIRMAN :—“ I think the Commissioner is always subject to the control of Government.”

SRI R. SURYANARAYANA RAO :—“ I want that the old provision should be introduced again.”

MR. CHAIRMAN :—“ But why should you say it in the Bill? ”

SRI R. SURYANARAYANA RAO :—“ I do not know whether any Article of the Constitution will be offended against.”

MR. CHAIRMAN :—“ Government’s power of superintendence is also included in the Bill.”

SRI R. SURYANARAYANA RAO :—“ Therefore, I suggest the words ‘ subject to the control of the Government and the provisions of this Act ’ would read better.”

MR. CHAIRMAN :—“ The hon. Member may hear the Hon. Minister.”

The amendment was duly seconded.

* THE HON. SRI K. MADHAVA MENON :—“ Sir, the Joint Select Committee has recommended the provisions contained in

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Chapter II of the original Bill, namely, 'The Provincial Government and their powers'. Clause 7 of the Bill as it came to the Select Committee gave power of general superintendence to the Government. The clause provided—

'Such superintendence shall include the power to pass any orders which may be deemed necessary for the proper maintenance or administration of any religious institution or endowment.'

Clause 8 also gave power to the Government to call for records and pass orders. This Chapter was omitted by the Government by an amendment moved by us, on the advice of Legal Officers. Consequent on that, Sri K. Bhashyam moved an amendment that the words 'control of the Government' might be omitted. We felt that it was sufficient to say 'Subject to the provisions of this Act'. Whatever control is exercised can only be under the provisions of this Bill. There is no necessity for the words 'Subject to the control of the Government' to be there. This will be consistent with the amendment we have moved."

The amendment was, by leave, withdrawn.

Clause 20 was put and carried and allowed to stand part of the Bill.

MR. CHAIRMAN :—"The idea in putting to vote clause by clause is to give hon. Members an opportunity to speak on the clauses if they want. So, I will hereafter put together those clauses to which no notice of an amendment has been received and if any hon. Member wants to speak on any clause, he may do so."

Clauses 21, 22, 23, 24, 25, 26, 27, 28 and 29 were put and carried and allowed to stand part of the Bill.

Clause 30.

Sub-clause (2).

* SRI R. SURYANARAYANA RAO :—"Sir, I move—

'In line 4, omit the word "also" and add at the end the words "unless the Commissioner directs otherwise."'

The clause will then read as follows :—

'In incurring such expenditure, the trustee shall be guided by such general or special instructions as may be given by the Commissioner or in the case of an institution over which an Area Committee has jurisdiction, by such Committee, unless the Commissioner directs otherwise.'

Sir, I want the Area Committee to have real power in respect of institutions within its jurisdiction in regard to the incurring of expenditure. This and the other amendments that will follow are intended to strengthen the powers of the Area Committee and to give it as much voice as possible in the administration of the temples entrusted to its charge. In the case of an institution over which an Area Committee has jurisdiction, I suggest the trustee shall be guided by such Committee unless the Commissioner

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directs otherwise. The Commissioner has got over-riding powers. If he does not over-ride the decision of the Area Committee, its decision shall prevail. The omission of the word 'also' is intended to achieve this purpose. If not, the trustee will have to be guided by the instructions of the Commissioner as also the Area Committee. This may lead to a conflict. But if the Area Committee's decisions are allowed to prevail, unless the Commissioner otherwise directs, it will be in consonance with the purpose that we have in view. That is the object of my amendment."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—"I second the amendment, Sir."

THE HON. SRI K. MADHAVA MENON :—"Sir, if the amendment is accepted, there will be this difficulty."

MR. CHAIRMAN :—"The Commissioner will have no power."

* THE HON. SRI K. MADHAVA MENON :—"Over and above the instructions issued by the Commissioner, the Area Committees may also issue instructions, for instance, in respect of sanitation. They cannot be inconsistent with the instructions of the Commissioner. Since the Area Committee has jurisdiction over a smaller area, it may pass orders over and above the instructions issued by the Commissioner. The result of inserting the words 'unless the Commissioner directs otherwise' will be that the trustees are guided only by the instructions of the Area Committee and they cannot obey the Commissioner's orders unless they are contrary to the Area Committee's directions. That will create a difficulty that even the Commissioner's orders will not be valid in so far as there is an Area Committee."

MR. CHAIRMAN :—"The question is—

'In line 4, omit the word "also" and add at the end the words "unless the Commissioner directs otherwise."'

The amendment was lost.

Clause 30 was put and carried and allowed to stand part of the Bill.

Clause 31.

Sub-clause (2).

* SRI R. SURYANARAYANA RAO :—"Sir, I move—

'For the words "Deputy Commissioner" substitute the words "Area Committee".'

Sir, in respect of institutions which are under the control or within the jurisdiction of Area Committees, I would like the Area Committees to have the power of determining in what respects the surplus funds should be utilized. Otherwise, the Area Committees will be merely henchmen of the Deputy Commissioner and other

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officials. My object is to repose trust and confidence in these committees by giving them sufficient powers and an opportunity to show that they can shoulder responsibility and act in a responsible manner.

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"Over-riding powers are given to the Commissioner. He can always over-ride the decisions of the Area Committee. So, let the Area Committees be invested with powers and let them too play their part. As things are at present, we feel and suspect that these committees would not function properly and would not rise equal to the responsibility that we are giving them without some powers. That is my main idea."

The amendment was duly seconded.

THE HON. SRI K. MADHAVA MENON:—"The Deputy Commissioner will be more or less acting in a quasi-judicial capacity and so . . ."

MR. CHAIRMAN:—"The point is, whether the Area Committees are not even to be consulted in respect of certain matters."

* THE HON. SRI K. MADHAVA MENON:—"Of course, it is a matter to be considered and if necessary we shall provide for it in the rules. The idea is that the responsibility and initiative must come from the trustees and the Area Committee's jurisdiction comprises only in respect of temples and not other charitable institutions or maths."

MR. CHAIRMAN:—"Regarding diversions, I think it will affect the institutions under them."

* THE HON. SRI K. MADHAVA MENON:—"Those mentioned in this clause or clause 56 or so are perhaps unconnected with the temple or other institutions. So, the Deputy Commissioner is subject to an appeal. It is in a quasi-judicial capacity that the Deputy Commissioner acts."

MR. CHAIRMAN:—"I think the Area Committees can be consulted."

THE HON. SRI K. MADHAVA MENON:—"We shall try, Sir."

MR. CHAIRMAN:—"I think the hon. Member is not pressing his amendment."

SRI R. SURYANARAYANA RAO:—"Sir, I do not think that it can be provided in the rules as suggested by the Hon. Minister."

MR. CHAIRMAN:—"If the Area Committees are to be the authority to decide about diversion, then, certainly it must be provided in the Act. But if the Deputy Commissioner should be the authority ultimately to decide, he may consult anybody he likes."

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SRI R. SURYANARAYANA RAO:—"Sir, certain restrictions are there for diversion and other particular purposes."

The amendment was put and lost.

Clause 31 was put and carried and allowed to stand part of the Bill.

Clauses 32, 33 and 34 were put and carried and allowed to stand part of the Bill.

Clause 35.

* SRI R. SURYANARAYANA RAO:—"Sir I move—

'That in sub-clause (2) (d) (i) and (ii) and Proviso, for the words "District Collector" wherever they occur, the words "Board of Revenue" be substituted';

'that in line 2 of sub-clause (2) (f) for the words "District Collector", the words "Board of Revenue" be substituted.'

Since I gave notice of these amendments, I have seen the definition of the words 'District Collector' in the Estates Land Act, 1908. It means also Revenue Divisional Officers. It is curiously defined there like that. Still, I would like that in this matter an appeal should lie to the Board of Revenue as against the decision of the Collector. It is a question involving the property of inams, either resumption or regrant of inams. I am sorry that I have mentioned that the words 'District Collector' have been defined as Revenue Divisional Officer. It is not so. Only the word 'Collector' is defined like that. Therefore I suggest that wherever the words 'District Collector' occur, the words 'Board of Revenue' should be substituted so that an appeal may lie to the Board of Revenue."

MR. CHAIRMAN:—"In the Estates Land Act, is the word 'Collector' or the words 'District Collector' that is defined?"

* SRI R. SURYANARAYANA RAO:—"Sir, I made a mistake in saying first that the words 'District Collector' are defined there. But subsequently I have corrected myself and said that the word 'Collector' is defined there. The words 'Board of Revenue' may be substituted so that the persons aggrieved on account of resumption or regrant of inam lands intended for the performance of some charity or service may appeal to the Board of Revenue which is not influenced by local considerations; even in regard to the appointment of village officers, the Board of Revenue is the authority. I know that in respect of even assignment and alienation, all papers go to the Board of Revenue and finally in some cases to the Government too. I would therefore like the substitution of the words 'Board of Revenue' for the words 'District Collector' wherever they occur."

The amendments were duly seconded.

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* THE HON. SRI K. MADHAVA MENON :—“ Sir, for the very reasons given by Sri Suryanarayana Rao, I think the words ‘District Collector’ or the word ‘Collector’ must remain. Not only in the Estates Land Act, but also in the General Clauses Act it is like that. The definition of District Collector or Collector under section 3 of the General Clauses Act is also the same as that found in the Estates Land Act. Collector includes an officer who for the time being is authorized to exercise the powers of the Collector, District Collector or even the chief local officer in charge of the revenue administration of the district. If an order is passed by the Revenue Divisional Officer, then there is an appeal to the Collector. If according to the amendment, the words ‘Board of Revenue’ are substituted for the words ‘Collector or District Collector’, then there will be no appeal to the Collector. I therefore think that the present position is advantageous to the parties concerned.”

* SRI R. SURYANARAYANA RAO :—“ As I said, after giving notice of this amendment, I had occasion to look into the Madras Estates Land Act where the word ‘Collector’ is defined as a Revenue Divisional Officer. What I would like to suggest is this. If the rules permit, further appeal to the Board of Revenue can be provided. It is a question of a person losing the inam and a question of granting inams to others. It is a matter where property is involved. Cannot the Government provide for appeal to the Board of Revenue also?”

* THE HON. SRI K. MADHAVA MENON :—“ Sir, in clause (d), it is said, ‘any party aggrieved by an order of the Collector under clause (a) may appeal to the District Collector within such time as may be prescribed, and on such appeal the District Collector may, after giving notice to the Commissioner and each of the persons mentioned in clause (b) and after holding such inquiry as may be prescribed, pass an order confirming, modifying or cancelling the order of the Collector’. So, the difference is made very clear there itself. In fact all the orders that may be passed by the Revenue Divisional Officer will be subject to an appeal to the District Collector. Sri Suryanarayana Rao wants that there should be a further appeal to the Board of Revenue. We shall consider that suggestion. However, I do not think it would be necessary in such matters as resumption of inams and things like that. Anyway, we will see what can be done.”

MR. CHAIRMAN :—“ Usually, I think the Collector’s orders are subject to revision by the Board of Revenue.”

SRI B. NARAYANASWAMI NAYUDU :—“ There is right of suit.”

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* SRI R. SURYANARAYANA RAO :—“ I do not press my amendments, Sir. Moreover they will be absurd.” (Laughter.)
The amendments were, by leave, withdrawn.
Clauses 35, 36 and 37 were put and carried and allowed to stand part of the Bill.

Clause 38.

* SRI L. SUBBARAMA REDDI :—“ నా పేరు ఉన్నది ఈ సభ రజన నేను ప్రతిపాదింపచేస్తున్నాను—

‘After clause 38 insert the following new clause :—
“For every religious institution included in the list published under section 39, the Commissioner shall constitute a Board of Trustees and appoint a salaried Executive Officer, notwithstanding that the institution has hereditary trustee or trustees or that the scheme settled or deemed to be settled for the institution under this Act, contains provision to the contrary.”’

“జాన్తి వసుమతమ్మ వచ్చేంటివంటి అనేక దేవస్థానములు ఎంతవారంపర్యంగా ఉన్న trustee ల స్వాధీనములో ఉన్నవి. అనేక సంపర్కములలో ప్రాత్ర trustee లు, తాత్కాలిక ధర్మకర్తలుగా దేవాలయ మునులను రిడెప్టరీ కార్మికు యిచ్చినవాటిని ఇప్పటి ధర్మకర్తలు అన్యాయకాంతము చేయడం, విక్రయించడం, తమ పేరున స్వంత పట్టాలను పుట్టించుకొనడం జరుగుతోంది. దేవాలయాలు స్వీకరించు నడుపబడుతున్నవి. ఆదాయము దుర్వినియోగం చేయబడుతోంది. ఈ దేవాలయాల స్వీకరణ నిర్వహణానికి, దేవాలయ భూములు పాడైపోతున్నా దూడదానికి ప్రభుత్వమువారు ప్రయత్నించాలని నా మనవి. కాబట్టి, నా సవరణ ఆంగీకరించ వలసినదిగా మంత్రిగారిని కోరుచున్నాను.”

SRI N. VENKATACHALAMAJI :—“ Sir, I second the amendment.”

MR. CHAIRMAN :—“ I think that it would be better if this amendment comes as an amendment to clause 39 instead of to clause 38. The hon. Member wants the constitution of a Board of Trustees and the appointment of a salaried Executive Officer in respect of every religious institution included in the list published under section 39. So, I think that this amendment must come only under clause 39. What does the Hon. Minister think about this?”

THE HON. SRI K. MADHAVA MENON :—“ I think this amendment must legitimately come under clause 39, Sir.”

MR. CHAIRMAN :—“ So, let us consider this amendment of the hon. Member along with his other amendment for clause 39. Now let us dispose of clause 38.”

Clause 38 was put and carried and allowed to stand part of the Bill.

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Clause 39.

Mr. CHAIRMAN :—" Let hon. Member Sri L. Subbarama Reddy move his amendment."

The amendment shown under clause 38 on previous page was, by leave, withdrawn.

* SRI L. SUBBARAMI REDDI :—" Sir, I move—

' For clause 39 substitute the following new clause :—

" 41 (1) Where the institution in the list aforesaid has no hereditary trustee, the Board of Trustees shall consist of not less than three nor more than five persons appointed by the Commissioner.

(2) Where the institution has a hereditary trustee or trustees, such trustee or trustees, or where their number exceeds five, five of them elected by the whole body of the hereditary trustees in such manner as may be prescribed, shall be members of the Board; and in addition to them, the Commissioner shall appoint to the Board a number of non-hereditary trustees exceeding the number of hereditary trustees by one.

(3) Every trustee appointed under sub-section (1) or sub-section (2) by the Commissioner and every hereditary trustee elected as aforesaid shall hold office for a term of five years, unless in the meanwhile the trustee is removed or dismissed or his resignation is accepted by the Commissioner or he otherwise ceases to be a trustee."

" ఈ సభకును నేను ప్రతిపాదించుచున్నాను. Hereditary trustee లు ఒకరు కాని, అంతకుమించిగాని ఉన్నప్పుడు వారందరు కలసి వారిలోనుంచి అయిదు నుండి మింపకుండా ఎన్నుకుని, వారిని ఒక ఏర్పాటు చేయవలెను. ఈ బోర్డులోనికి 2 విధముగా ఎన్నుకొనబడిన వారి సంఖ్యకన్న ఒక్కరు ఎక్కువగా సభ్యులను ప్రభుత్వమువారు nominate చేయించి బోర్డును ఏర్పాటు చేయించవలెను. ఈ విధంగా చేయడంవలన Hereditary trustee లు ఇప్పటివలె దేవాలయాల వరుసనాన్ని దుర్వినియోగం చేసే పరిస్థితులు తొలగిపోయి ఈ విల్లుయొక్క ఉద్దేశము నిరవేరగలదని మనవి చేయచున్నాను."

12-45 THE HON. SRI K. MADHAVA MENON :—" Though the p.m. amendment is not seconded I will explain the position, Sir."

Mr. CHAIRMAN :—" The Hon. Minister can take it that all the amendments are seconded."

* THE HON. SRI K. MADHAVA MENON :—" I will explain the position. Identical clauses as suggested in the amendment were there in the Bill as it emerged from the Joint Select Committee, namely, the old clauses 40 and 41. My hon. Friend

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will see they are in clarendon type. But these were omitted by the Government by specific amendments. If I had the power I would have certainly insisted on the clauses remaining there as it came from the Select Committee. But we were definitely advised that where there are hereditary trustees, to remove them and then put in their place any nominated trustees would be a violation of Article 26 (d) of the Constitution and the clause will be invalidated altogether. So there was no other way. In case the hereditary trustees did not manage the properties properly there is a provision in the Bill to notify the temple or religious institution and the Deputy Commissioner can then frame a scheme. I understood from the Telugu speech of my hon. Friend that without this particular clause as suggested by him, the whole Act will be useless because the hereditary trustees in many cases are guilty of so much of misconduct and mismanagement. As regards very many of the temples, if it is so, we have provided for the notification of these temples and the framing of schemes for such temples and religious institutions in which case fresh trustees will come in. The clause as it stood in the original Bill and the amendment now suggested by my hon. Friend will offend the Constitution. That is why the original clause was given up."

* SRI R. SURYANARAYANA RAO :—" My hon. Friend the mover of the amendment does not intend to take them away without proper reasons but it is only to add to the hereditary trustees . . ."

Mr. CHAIRMAN :—" The amendment practically suggests taking away the hereditary trustees. That is the first amendment of the hon. Member."

The amendment was, by leave, withdrawn.

Clause 39 was put and carried and allowed to stand part of the Bill.

Clause 40 was put and carried and allowed to stand part of the Bill.

Clause 41.

Sub-clause (1)—Proviso.

* SRI R. SURYANARAYANA RAO :—" Sir, I move—

' That in proviso under sub-clause (1) of clause 41 before the word "appoint" in line 2, insert the word "either" and add the following words at the end :—

" Or a board of trustees consisting of not more than three persons."

" Sir, I do not know why the Government should think of restricting the discretion of the Area Committee when they

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decide to appoint the trustees. The Government have given the power to the Area Committee to appoint the trustees but where there is no hereditary trustee they say that the Area Committee should appoint only one single trustee. The Government say: 'Provided that the Area Committee may, in the case of any institution which has no hereditary trustee, appoint a single trustee.' If it is necessary, in the case of a temple or an institution, where there is no hereditary trustee, the Area Committee if it thinks of appointing more than one trustee if the properties involved necessitate that, and want to bring together a number of people interested in the temple or the institution to take interest in them, why should the Government restrict the discretion of the Area Committee, by asking them to appoint only a single trustee? If they appoint a board consisting of more than one trustee it does not in any way offend the Act or the scheme adumbrated in the Act. My amendment simply says: 'Give the power to the Area Committee to appoint a single trustee or a board of trustees consisting of not more than three persons.' That is all the purpose of my amendment. The appointment of a single trustee or a board of trustees will be dependent on the circumstances of each case. If they think that three should be appointed they must be able to do so. But to tie down the hands of the Area Committee and say: 'You shall not appoint more than one trustee' is not fair to the Area Committee. I think the Area Committee should be allowed to use its powers in order that the temples placed in its charge may be properly managed and by proper persons. That is the object of my amendment, Sir."

The amendment was duly seconded.

* THE HON. SRI K. MADHAVA MENON :—" Sir, my hon. Friend has read the proviso only without reading sub-clause (1) of Clause 41. This vests in the Area Committees power to appoint trustees similar to that vested in the Commissioner under Clause 39, that is, not less than three and not more than five persons, for any temple within its jurisdiction. There may be very small temples for which there may be no necessity to have three to five trustees. So, under the proviso, an additional power is given to the Area Committee to appoint a single trustee, where the temple or the institution concerned is small or insignificant. Clause 41 says: '(1) In the case of any religious institution over which an Area Committee has jurisdiction, the Area Committee shall have the same power to appoint trustees as is vested in the Commissioner in the case of a religious institution referred to in section 39.' This power the Area Committee has and, in addition, power is given to it to appoint a single trustee also where the temple concerned is small and it is unnecessary to have three to five trustees and where there are no hereditary trustees. It is not restricting the power of the Area Committee."

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SRI R. SURYANARAYANA RAO :—" Does this not restrict the powers of the Area Committee? "

THE HON. SRI K. MADHAVA MENON :—" It does not, Sir. It gives additional powers. The Committee is not bound to appoint five trustees. In the case of small temples it may even appoint one."

SRI R. SURYANARAYANA RAO :—" I do not accept the interpretation of the Hon. Minister."

The amendment was put and lost.

Clause 41 was put and carried and allowed to stand part of the Bill.

Clauses 42, 43 and 44 were put and carried and allowed to stand part of the Bill.

Clause 45.

Sub-clause (3).

* SRI R. SURYANARAYANA RAO :—" I do not propose to move the amendments to sub-clauses (1) and (2) of clause 45. I move the amendment to sub-clause (3) that—

'In sub-clause (3) of clause 45, after the words "The Deputy Commissioner" in line 2, insert the words "in consultation with the Area Committee in respect of a religious institution over which an Area Committee has jurisdiction."

" Sir, the sub-clause as per the amendment suggested by me will read :

'(3) Pending the disposal of the charges framed against the trustee, the Commissioner or the Deputy Commissioner, in consultation with the Area Committee in respect of a religious institution over which an Area Committee has jurisdiction, may place the trustee under suspension and appoint a fit person to discharge the functions of the trustee.'

All that I say is that the Area Committee should be consulted in all such cases. That is also the principle that the Government have accepted and enunciated, namely, that the Commissioner or the Deputy Commissioner should not do anything without consulting the Area Committee or obtaining its views. It is only in a consultative capacity that I want the Area Committee to be recognised in such matters."

* THE HON. SRI K. MADHAVA MENON :—" I cannot accept the amendment, Sir. You will find in clause 45, Sir, that in respect of any action that is to be taken, it is provided that the Deputy Commissioner in the case of any religious institution over which an Area Committee has jurisdiction, shall also consult the Area Committee before passing the final order under sub-section (2). Sub-clause (3) envisages an immediate necessity of putting a man under suspension. Suppose a particular matter involving misappropriation and mismanagement comes to the

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notice of the Commissioner or the Deputy Commissioner; he cannot wait to consult the Area Committee in such cases. The result of such waiting and consultation will be to lose the chance of recovery of the amount misappropriated and of setting right the things that might be possible on immediate action being taken, and enable the man to continue the mischief until the consultation of the Area Committee is over."

SRI R. SURYANARAYANA RAO:—"At least for appointing a fit person, why not the Area Committee be consulted?"

* THE HON. SRI K. MADHAVA MENON:—"Sir, sub-clause (3) only says: 'Pending the disposal of the charges framed against the trustee, the Commissioner or the Deputy Commissioner may place the trustee under suspension and appoint a fit person to discharge the function of the trustee.' In the disposal of the charges the Area Committee will be consulted. But immediate action may be necessary for suspending an officer who has defaulted and against whom charges are to be enquired into. Suspension pending enquiry is the thing which has to be done immediately and we cannot wait for the consultation of the Area Committee. I cannot therefore accept the amendment, Sir."

The amendment was put and lost.

New sub-clause (6).

* SRI R. SURYANARAYANA RAO:—"Sir, I move—

'After sub-clause (5) add the following new sub-clause (6):—

"In respect of a trustee of a religious institution over which the Area Committee has jurisdiction, the Commissioner shall also consult the Area Committee before modifying, annulling or confirming the order of the Deputy Commissioner."

"Now, Sir, what I suggest is that before final orders are passed by the Commissioner, the Area Committee should be consulted. That is all. I am not asking that their view should prevail. I want to give a particular status to the Area Committee so that the Area Committee may function properly. Several clauses of this Bill show that the Government suspect the Area Committees as they did the temple committees. That is my reading of the whole situation. While the Government agreed to the constitution of the Area Committees, because there was overwhelming opinion in favour of it, they are indirectly making the Area Committees worthless by giving over-riding powers to their officers, over-riding powers even without consulting these Area Committees. All this the people can read and see what is behind these provisions. These Area Committees will be only nominal. There are the Commissioner, the Deputy Commissioners and the Assistant Commissioners. Anybody can do anything but the Area Committees are powerless.

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Why should these officers not act in consultation with the Area Committees? After all it is the Area Committees that have to supervise the management of these institutions and if they fail the Government will hang them saying that they have failed. Other officers pass orders and these Committees are asked to father them and act according to those orders. It is very unfair—the way in which the Area Committees have been dealt with in this Bill. It looks as though they are concessions that the Government have given because there was pressure. They do not seem to be anxious at all to give the Area Committees the opportunity to play their part. Should this be the attitude of the Government which wants to set up panchayats in every village under the adult franchise? I am really surprised, at their attitude in respect of a matter in which they have always the power to over-ride, the power to over-ride the Area Committee, over-ride the trustee. They have the ultimate power. But even then they should not be consulted, given the status of a consultative body. This attitude sounds to me rather queer. All my amendments are meant to make the Area Committee as far as possible a real body in whom the Government can and will trust powers to exercise them. When these Committees go wrong, the Government have the general powers to over-ride the decision. With these words I move that even the Commissioner before he passes an order on the recommendation of the Deputy Commissioner should consult the Area Committee."

MR. CHAIRMAN:—"The Commissioner is the appellate authority. The Deputy Commissioner passes orders in consultation with the Area Committee. Is it not?"

SRI R. SURYANARAYANA RAO:—"The Deputy Commissioner may be an overzealous person. He may not heed the views of the Area Committee."

MR. CHAIRMAN:—"What I am saying is the views of the Area Committee are already there on record."

SRI R. SURYANARAYANA RAO:—"But why not, Sir, the Commissioner consult the Area Committee?"

MR. CHAIRMAN:—"Why again consult the Area Committee?"

* SRI R. SURYANARAYANA RAO:—"The point is I want the Government to give due respect to these Area Committees. The Commissioner might ask the Area Committee: 'Well, have you anything to say in this matter? The Deputy Commissioner has expressed this view. What is your point in this matter?' After all they have to manage the temples. The Deputy Commissioner passes orders only on the day-to-day administration that has to be attended to by the Members of the Area Committee."

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* THE HON. SRI K. MADHAVA MENON :—" Sir, you have already answered on my behalf. The eloquence of my hon. Friend would have been more useful in another case. Under sub-clause (1) the Deputy Commissioner will consult the Area Committee before passing orders and under sub-clause (5) an appeal against such order may go to the Commissioner. At every stage the Area Committee is consulted. In another clause an appeal is provided even against the orders of the Commissioner. First the Deputy Commissioner consults the Area Committee and then orders are passed and the records go to the Commissioner at that stage. These are cases of malfeasance, misfeasance and misappropriation. If still some clarification is necessary, the Commissioner may consult the Area Committee and the Deputy Commissioner and pass orders. So, Government do not accept the amendment, Sir."

MR. CHAIRMAN :—" The question is—

' After sub-clause (5), add the following new sub-clause (6) :—

" (6) In respect of a trustee of a religious institution over which the Area Committee has jurisdiction, the Commissioner shall also consult the Area Committee before modifying, annulling or confirming the order of the Deputy Commissioner."

The amendment was lost.

Clause 45 was put and carried and allowed to stand part of the Bill.

Clauses 46 and 47 were put and carried and allowed to stand part of the Bill.

Clause 48.

Sub-clause (4).

MR. CHAIRMAN :—" The motion is—

' That clause 48 do stand part of the Bill.' "

* SRI R. SURYANARAYANA RAO :—" Mr. Chairman, Sir, I beg to move—

' After the words " against the order to " in lines 3 and 4, of sub-clause (4), insert the words " the Area Committee in respect of a religious institution over which the Area Committee has jurisdiction and in other cases to." '

Sir, this is in respect of orders passed by the trustees. Sub-clause (4) with my amendment will read like this :

' (4) Any person affected by an order of the trustee under sub-section (3) may, within one month from the date of the receipt of the order by him, appeal against the order to the Area Committee in respect of a religious institution over which the Area Committee has jurisdiction and in other cases to the Deputy Commissioner.'

I want that this Area Committee should have some voice whether in making appointments or in dealing with the office-holders and

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servants of a religious institution over which they have control. All that I suggest is that an aggrieved party must first appeal to the Area Committee in respect of the institution under the control of the Area Committee and in other respects to the Deputy Commissioner."

MR. CHAIRMAN :—" I think there will be an Area Committee for all institutions getting less than Rs. 20,000 income."

SRI R. SURYANARAYANA RAO :—" That is why I suggest that the appeal should go first to the Area Committee."

MR. CHAIRMAN :—" But, why do you say ' in other cases to '."

SRI R. SURYANARAYANA RAO :—" I will make only a distinction."

The amendment was duly seconded.

* THE HON. SRI K. MADHAVA MENON :—" My objection is this, Sir. The functions under clause 48 are judicial and quasi-judicial. The rights of a hereditary trustee, whether a person is the proper guardian in the case of minors, etc., are all essentially judicial and quasi-judicial functions which a Commissioner or a Deputy Commissioner performs and it is not proper that we should entrust these functions to the Area Committee. In all these matters, an appeal is provided against the order to the Deputy Commissioner and then to the Commissioner. It is better that such matters are entrusted to persons like the Deputy Commissioner and the Commissioner who may be in a position to judge better than the Area Committee."

MR. CHAIRMAN :—" The question is—

' After the words " against the order to " in lines 3 and 4 of sub-clause (4), insert the words " the Area Committee in respect of a religious institution over which the Area Committee has jurisdiction and in other cases to." '

The amendment was lost.

Clauses 48 and 49 were put and carried, and allowed to stand part of the Bill.

Clause 50.

* SRI R. SURYANARAYANA RAO :—" Mr. Chairman, Sir, I gave notice to move—

' For the words " notwithstanding anything contained in " substitute the words " subject to ", and delete the words " to the contrary " in line 3.' "

THE HON. SRI K. MADHAVA MENON :—" Sir, can a negative amendment be moved? "

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SRI R. SURYANARAYANA RAO :—" That is one way of moving amendments, Sir."

MR. CHAIRMAN :—" Yes, it is a negative amendment."

* SRI R. SURYANARAYANA RAO :—" Sir, I do not think we will be wise in interfering with any decree or usage, which may lead to further litigation. I thought, Sir, that decrees or usages or schemes settled under the Act, should be respected. I thought, Sir, that this clause was going beyond the powers of this House. I feel it may lead to litigation which is not worthwhile."

The Hon. Sri K. Madhava Menon rose.

MR. CHAIRMAN :—" Hon. Member Sri Suryanarayana Rao has only opposed the clause and not moved his amendment."

Clause 50 was put and carried, and allowed to stand part of the Bill.

Clause 51.

Sub-clause (4).

* SRI R. SURYANARAYANA RAO :—" Mr. Chairman, Sir, I beg to move—

'That in sub-clause (4), for the words "Deputy Commissioner", substitute the word "Commissioner".'

Sir, I would like that an appeal from the Area Committee should go to the Commissioner. The sub-clause with my amendment will read thus—

'(4) Against an order made by the Area Committee under sub-section (3), the trustee or any person having interest may, within one month from the date of the receipt of the order by the trustee, appeal to the Commissioner.'

This is an important matter dealing with the fixing of the standard of scales of expenditure and when the Area Committee tries to interfere with it, perhaps for good reasons,—and the Area Committee constituted under the Act is entrusted with certain duties and responsibilities,—and thinks it necessary to interfere with the dittam or the scale of expenditure, it is a serious matter which should be dealt with only by the Commissioner and not by the Deputy Commissioner. Sir, I may say why not the matter be dealt with by the Government themselves, if it is possible. But the Government will be flooded with applications. Therefore, I suggest, Sir, that the appeal should be to the Commissioner and not to the Deputy Commissioner. The people aggrieved can go and appeal to the higher authority, but the person to deal with, as against the Area Committee, should be the Commissioner. As I already said, Sir, my anxiety is to make the Area Committee as important a body as possible.

The amendment was duly seconded.

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* THE HON. SRI K. MADHAVA MENON :—" Sir, it is practically impossible for a Commissioner who has jurisdiction throughout the State, to hear appeals from the Area Committees. The Commissioner has revisionary powers on the orders passed by the Deputy Commissioner and can send for the records for review and revision. Any party aggrieved may move the Commissioner for review and revision. But, if appeals are to go to the Commissioner, I am afraid one Commissioner may not be sufficient and we may have to provide for half-a-dozen Commissioners."

MR. CHAIRMAN :—" Officially the Deputy Commissioner also may help him."

THE HON. SRI K. MADHAVA MENON :—" The Commissioner has got the revisionary powers, Sir."

MR. CHAIRMAN :—" The question is—

'That in sub-clause (4), for the words "Deputy Commissioner", substitute the word "Commissioner".'

The amendment was lost.

Clause 51 was put and carried, and allowed to stand part of the Bill.

Clause 52 was put and carried, and allowed to stand part of the Bill.

Clause 53.

Sub-clause (1).

* SRI R. SURYANARAYANA RAO :—" Mr. Chairman, Sir, I beg to move—

'That in sub-clause (1), for the words "the Assistant Commissioner" in line 12, substitute the words "the Commissioner or the Deputy Commissioner".'

This chapter is a very important chapter which seems to have exercised the minds of many Members of the other House. Here I would like you, Sir, and the hon. Members of this House to read clause 53 carefully. It is about filling up of vacancies in the office of the trustee of a 'math', not an ordinary temple or a small religious endowment. Who is given the power? It is the Assistant Commissioner, the man in the lowest rung of the ladder. All I suggest is that it should be the Commissioner or the Deputy Commissioner."

THE HON. SRI K. MADHAVA MENON :—" It is only with regard to custody of the property."

* SRI R. SURYANARAYANA RAO :—" When it can be Assistant Commissioner, why not a Deputy Commissioner? I

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have not put 'Commissioner' because his headquarters will be at Madras and it is difficult always to run up from Madras and take charge of the property."

MR. CHAIRMAN :—" Assistant Commissioner, I suppose, 'is the man on the spot'."

* SRI R. SURYANARAYANA RAO :—" He is a small man, Sir. We are dealing with 'maths'. If all the other provisions apply to 'maths' without a separate chapter, that is a different matter. I am not a follower of a matadhipathi or anybody. When many specifically recognized maths deserve a special consideration as separate institutions, should we not at least see that a higher officer of the position of a Deputy Commissioner or Commissioner takes this action? Large properties and endowments will be involved. If a trustee dies and if there is nobody to succeed to take possession of the properties immediately, the Deputy Commissioner can take action. Is the Assistant Commissioner going to be available on the spot? He too has jurisdiction over some districts and he too cannot run to the place immediately. I feel it is an important matter and the man who is to take possession of the property should have some status."

MR. CHAIRMAN :—" How many Deputy Commissioners will there be? I think there will be more than one for the entire department."

SRI R. SURYANARAYANA RAO :—" There are going to be more Deputy Commissioners than we imagine there would be."

MR. CHAIRMAN :—" Will there be more than one? "

THE HON. SRI K. MADHAVA MENON :—" There will be more than one. Sir, here the Assistant Commissioner is asked to take steps for the *temporary* custody and protection of the endowments of 'math' and forthwith report to the Commissioner regarding further action to be taken. We cannot leave the property to be destroyed and some person who is easily available will certainly be the Assistant Commissioner and not the Deputy Commissioner who may have larger jurisdiction than the Assistant Commissioner. The *temporary* custody must be taken by the person who is immediately available and that is necessary, Sir."

MR. CHAIRMAN :—" The question is—

'That in sub-clause (1), for the words "the Assistant Commissioner" in line 12, *substitute* the words "the Commissioner or the Deputy Commissioner".'

The amendment was lost.

Clause 53 was put and carried and allowed to stand part of the Bill.

1-15 Clause 54 was put and carried and allowed to stand part of the
p.12. Bill.

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Clause 55.

Sub-clause (2).

* SRI R. SURYANARAYANA RAO :—" Sir, I move—
'Omit all the words after the words and figure "sub-section (1) "'.

" Sir, I contend that the Government have no business to introduce the words and the figure 'sub-section (1)', as they were not adopted by the Joint Select Committee. I do not know how they crept in. It may be said that this addition is consequential. But, I remember that the Select Committee simply said, on the motion of my hon. Friend Sri Adityan, that the matadhipathi should be asked to keep accounts of all receipts and disbursements on a complaint from the sishyas that a matadhipathi is not using the endowments he gets as pathakanika for the purposes connected with the math. But here the provision is that the accounts are to be produced before any person authorized by the Commissioner. I would have accepted it if the provision had been to the effect that the Commissioner can call for accounts. As it is, any person, the Assistant Commissioner and even the Inspectors can call upon the matadhipathi to produce his accounts. It is not fair that this should be done."

MR. CHAIRMAN :—" But he may not demand the accounts in an offensive tone." (Laughter.)

* SRI R. SURYANARAYANA RAO :—" When men are clothed with authority, they adopt such a tone even against all of us and much more so against the poor matadhipathi who may not know, as the Hon. the Minister for Law said, what sort of accounts are kept by his agent. If such accounts are to be produced before the Commissioner, there can be no objection. But, to ask the matadhipathi to produce his accounts before any officer authorized by the Commissioner is not fair."

MR. CHAIRMAN :—" Not before 'any officer', but before 'any person'."

* SRI R. SURYANARAYANA RAO :—" We had no idea of asking for the submission of accounts when Sri Adityan moved that pathakanikas should be accounted for, etc. It is not from an orthodox point of view that I am asking that this should be deleted. We never wanted this. First of all, in the Select Committee we wanted to exclude pathakanikas from the accounts and then Sri Adityan suggested that these should be included in the accounts. But we never authorized any person to call for accounts."

MR. CHAIRMAN :—" I suppose the accounts must be capable of being looked into by somebody. You are not objecting to the whole clause."

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SRI R. SURYANARAYANA RAO :—" I am agreeable to sub-section (1)."

MR. CHAIRMAN :—" What is the offending portion? "

SRI R. SURYANARAYANA RAO :—" I am opposed to the last three lines."

MR. CHAIRMAN :—" You are not opposed to accounts being looked into when occasion arises."

* SRI R. SURYANARAYANA RAO :—" Whenever necessary, let them put in, as the Select Committee did not take any decision on this point. But how did they introduce these words in the Select Committee report? It is a very serious matter. If you refer to the report, you will find it stated there: 'The Legal Department may draft suitably.' They added one more power to the Commissioner by the insertion of the words 'any person authorized'. I am not against the keeping of accounts. But we never gave this power either to the Commissioner or to any person authorized by him. In fairness to the Joint Select Committee, they ought not to have introduced these words. I would like the Government to stand by the report and withdraw this addition."

* THE HON. SRI K. MADHAVA MENON :—" Sir, in this matter also there are various amendments. If we are to take the view that the purpose of this Bill is to cause annoyance, indignity, trouble and harassment, then no clause will be acceptable to anybody. On the other hand, if we take a sympathetic attitude, we will readily agree that the purpose behind the Bill is to help proper management of our religious institutions so as to create confidence and faith in them, and the feeling that the Bill causes indignity will disappear."

"Now, what is the meaning of the words in the second line of sub-clause (1), 'for purposes connected with the math'? If we simply say: 'The trustee of a math shall be entitled to spend at his discretion', he can do anything with the funds. The Select Committee, therefore, put in the words 'at his discretion for purposes connected with the math'. But, who is to decide whether a certain purpose is one connected with a math or not? I was asked yesterday by Sri Narayanaswami Nayudu whether a particular act of a matadhipathi will be treated as coming within his discretion."

MR. CHAIRMAN :—" What happens if the sums are paid as Hasthakanikas and not as Pathakanikas? "

* THE HON. SRI K. MADHAVA MENON :—" We do not contemplate such things. Even if a kanika is put on the head, it goes by the name 'pathakanika'. As the head is considered too sacred to be touched, the offerings are made at the feet."

MR. CHAIRMAN :—" There are also cases of pathabhishekam."

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* THE HON. SRI K. MADHAVA MENON :—" That is the reason for putting in the words 'for purposes connected with the math'. The Legal Department was asked to carry out the intention of the Select Committee. Their intention can only be that there must be somebody to look into it. If Sri Suryanarayana Rao's amendment is accepted things will be left vague. Our intention has to be made clear. 'Any person authorized by the Commissioner' does not mean that the matadhipathi will take the accounts or keep the accounts himself. We have provided that he must appoint a manager or other person to do this and he will have at least a peon to take the accounts to the Commissioner. It may even be that the Commissioner will go and see the accounts himself. What we have provided is that there must be at least someone authorized by the Commissioner to see the accounts. If this is viewed in this light, there will be nothing in it to find fault with. The authors and the Legal Department have done nothing against the wishes of the Select Committee. The department has only faithfully carried out the directions given to them."

The amendment was put and lost.

Clauses 55, 56 and 57 were put and carried and allowed to stand part of the Bill.

Clause 58.

Sub-clause (1).

* SRI R. SURYANARAYANA RAO :—" I beg to move—
'After the words "a religious institution" wherever they occur, insert the words "other than a math or a specific endowment attached to a math."'

"Sir, I agree that it is good to give power to the Deputy Commissioner to frame schemes in respect of institutions other than maths or specific endowments attached to a math too. My first amendment is to the effect **that**, when the Deputy Commissioner has reason to believe that in the interests of the proper administration of a religious institution other than a math or specific endowment attached to a math a scheme should be settled, he should have power to settle a scheme. As regards the maths and specific endowments, I have given notice of another clause. I gave notice of this amendment because under clause 54, even in fixing the standard of expenditure or dittam, the Commissioner is not the ultimate authority."

THE HON. SRI K. MADHAVA MENON :—" Is my hon. friend moving an amendment to sub-clause (1) or to sub-clause (3)? "

SRI R. SURYANARAYANA RAO :—" I am moving an amendment to sub-clause (1)."

THE HON. SRI K. MADHAVA MENON :—" But that sub-clause does not apply to maths."

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* SRI R. SURYANARAYANA RAO :—“ But unless I exempt them here, under sub-clause (3) it will become a general question and all these clauses can be applied to these endowments.

“ In clause 54, in respect of maths, even the scale of expenditure has to be sanctioned by Government and their orders are final. In preparing a scheme, the Government may be the final authority in respect of a math. In clause 58, in the place of sub-clause (3), I have suggested that—

‘ When the Commissioner has reason to believe that in the interests of the proper administration of a math or a specific endowment attached to a math a scheme should be settled for the institution or when five or more persons having interest make an application in writing, stating that in the interests of the proper administration of the math or the specific endowment attached to a math, a scheme should be settled for it, the Commissioner shall consult in the prescribed manner the trustee and the persons having interest, and if, after such consultation, he is satisfied that it is necessary or desirable to do so . . . ’

“ These are the words taken from their own clause

‘ . . . he shall frame a scheme of administration for the institution and submit the same to Government who shall pass orders thereon.’

“ It would be consistent with the principle if in respect of maths, even the scale of expenditure is to be approved by Government. When they want to prepare a scheme in respect of an institution other than a math or specific endowment attached to a math, let there be the existing provision. I have suggested new clause 58-A in place of sub-clause (3) which includes all the sub-sub-clauses of sub-clause (3). Under it, it is only the Government that will decide these things. A distinction is made by me in respect of maths and specific endowments connected with maths. In respect of these a scheme shall be framed by the Commissioner and sanctioned by the Government. My amendment to sub-clause (3) in order to understand the whole scheme which is different from clause 58. We have to put together all the maths under sub-clause (3) as also the general scheme for other religious institutions. I am separating them by having a separate clause 58-A. It is consistent with the position we have taken in regard to maths that special consideration should be shown to them. When a scheme has to be prepared and the appointment of an executive officer has to be made, the Government should be the final authority. This will remove a lot of unnecessary discontent created by the manner in which officers have been empowered to deal with the maths for which we want to show special consideration and have devoted a separate chapter. That is my whole point in this consequential amendment. I have also suggested a consequential amendment, namely—

‘ Renumber sub-clauses (4) to (7) as sub-clauses (3) to (6) and omit sub-clause (8).’

Sub-clause (8) says—

‘ (8) The powers conferred by this section shall, in respect of maths, be exercised by the Commissioner or by a Deputy Commissioner to whom powers in this behalf have been delegated by the Commissioner under section 10, sub-section (2).’

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I want to give even that power to the Government. The Government should settle the scheme in respect of maths and specific endowments. That is the whole scheme that I have put forward.”

SRI S. B. ADITYAN :—“ Sir, this is one of the clauses in which it was decided that the Government should have no power. Now, the hon. Member Sri R. Suryanarayana Rao argues that the Government should take the power to frame the schemes. That matter was fully considered and it was decided that the court should have a final say in the matter.”

SRI R. SURYANARAYANA RAO :—“ I am also going to give it to the court.”

* THE HON. SRI K. MADHAVA MENON :—“ We have ourselves given it to the court, Sir. This is a judicial function and we cannot ask the Government to do a judicial function. The Government have not got the final voice. There is a right of suit given and this is a judicial matter. The Deputy Commissioner may initiate the matter, but the parties aggrieved have got a right to go to court.”

The amendment was put and lost.

Clause 58 was put and carried and allowed to stand part of the Bill.

MR. CHAIRMAN :—“ It looks as if we will take the rest of the day for this Bill. The food debate can come off to-morrow. We have gone through half the Bill. The House will now adjourn and re-assemble at 2-30 p.m.”

(After lunch--2-30 p.m.)

The House re-assembled at 2-30 p.m. with the Deputy Chairman (Sri K. Venkataswami Nayudu) in the Chair.

Clause 59.

* SRI R. SURYANARAYANA RAO :—“ Sir, I move the following amendment :—

(1) In clause 59, for the words “ Deputy Commissioner ” wherever they occur, substitute the word “ Commissioner ”.

(2) At the end of clause 59, insert the following proviso :—
“ Provided in respect of a math or a specific endowment attached to a math, the order of the Commissioner shall be subject to the approval of the Government.”

If the clause is amended as I have suggested, it will read—

‘ 59. (1) The Commissioner may, on being satisfied that the purpose of a religious institution has . . . become impossible of realization . . . by order, direct . . . ’

(2) The Commissioner may, at any time, by order, modify or cancel any order passed under sub-section (1).

(3) The order of the Commissioner under this section shall be published in the prescribed manner and on such publication shall, subject to the provisions or section 61, be binding on the trustee, the executive officer and all persons having interest.’

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"The object of my first amendment is this. This Chapter deals with inquiries, and any order passed must be by an appropriate authority. This clause deals with appropriation of endowments and it is better that the orders are passed by a more responsible officer like the Commissioner. It may be argued that an appeal lies to the Commissioner. You will see, Sir, I have later on provided for appeals to the Government. My amendment to substitute 'the Commissioner' for 'the Deputy Commissioner' does not disturb the plan of action proposed in the Bill. Only in cases where severe action has to be taken, I want that a more responsible officer should take such action. On that, there should be an appeal to the Government. Therefore, I want, Sir, that wherever the words 'Deputy Commissioner' occur, the word 'Commissioner' should be substituted."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—"I second the amendment."

* THE HON. SRI K. MADHAVA MENON :—"Clause 59 is the same as clause 64 in the Bill appended to the report of the Select Committee. The amendments of Sri R. Suryanarayana Rao to clauses 59, 60, 61 and 62 are all more or less the same. He wants that wherever the words 'Deputy Commissioner' occur the word 'Commissioner' should be substituted and wherever the word 'Commissioner' occurs, the word 'Government' should be substituted. It goes against the scheme of the Bill in regard to this matter. In clause 59, we are dealing with institutions whose purpose has from the beginning been, or has subsequently become, impossible of realization. In such cases, the Deputy Commissioner may direct that the endowments of the institution be appropriated to all or any of the purposes mentioned in the clause. In such cases, the initial work need not be done by the Commissioner or the Government. It can be done by a responsible officer and we have suggested that the Deputy Commissioner should initiate proceedings, that there should be an appeal to the Commissioner and that the matter should be finally decided by the court. Why should the Government come in here? The Government should not come in here at all. The final authority is the court in this matter. The Deputy Commissioner initiates proceedings and there is an appeal to the Commissioner. In clause 99, the Government have got revisionary powers. Finally, any party aggrieved by the order may file a suit in court and we have provided for an appeal also to the High Court. But the initial duty should not be cast on a higher officer. It will be against the scheme of the Act to substitute the word 'Commissioner' for the words 'Deputy Commissioner'."

The amendment was put and lost.

Clause 59 was put and carried and allowed to stand part of the Bill.

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Clause 60.

* SRI R. SURYANARAYANA RAO :—"Sir, I move the following amendment:—

'For the words "Deputy Commissioner" wherever they occur, substitute the word "Commissioner."

'Add the following proviso at the end of clause 60:—

"Provided in respect of a math or a specific endowment attached to a math the order of the Commissioner shall be subject to the approval of the Government."

"Sir, I have to advance the same arguments which I advanced in connexion with the previous clause and the Hon. Minister for Law will advance the same counter-arguments. My whole object is, as was the object of the original Bill, to avoid litigation as much as possible. If a higher officer passes orders and they are subject to the approval of the Government, the prospect of people going to a court of law will be lessened. I do not say that there are not cantankerous trustees who will go to courts for no reason at all. But if the orders are passed by persons of superior status, and if in cases where a math or a specific endowment attached to a math is concerned, the orders are subject to the approval of the Government, it would be difficult for a party to indulge in litigation. My object is to make the authority as high as possible and thereby lessen the prospect of litigation. It is with that object I gave notice of the amendment to clause 59 and I have given notice of the same amendment to this clause also. The fact that the party can go to a court need not prevent us from making such arrangements as to make the order passed by the authority undisputed and frivolous litigation impossible. Even the courts will hesitate to give injunctions, if they are sought by aggrieved parties, when the order has been issued by the Government or when the Commissioner's order has been subject to the approval of the Government. Thereby the prospect of orders being set aside will be lessened. It is with this idea I gave notice of the amendment. It will not disturb the plan of action proposed in the Bill if we substitute the words 'Deputy Commissioner' for the 'Commissioner' and make the order of the Commissioner subject to the approval of the Government."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—"I second the amendment."

DEPUTY CHAIRMAN :—"Does the hon. Member want to press his amendment?"

SRI R. SURYANARAYANA RAO :—"The Government themselves may realize later on that I am wiser, Sir."

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* THE HON. SRI K. MADHAVA MENON :—" It is not a question of anybody being wiser in this matter. Clause 60 refers to defunct institutions. There again the question is, who should initiate proceedings and whether a higher authority should initiate them. We say that the Deputy Commissioner may initiate the proceedings. In clause 61, an appeal is provided to the Commissioner. In clause 99, power of revision is allowed to the Government in any matter for which a suit or appeal is not provided. Whatever the hon. Member Sri Suryanarayana Rao wants—appeal to the Commissioner and the Government—are all there. Of course, the language used is not 'appeal' to the Government. It is revision by the Government. There is appeal to the Commissioner and revision by the Government. Clause 62 provides that any party aggrieved by an order passed by the Commissioner may file a suit in the court against such an order and then appeal to the High Court also. If you put the Commissioner instead of the Deputy Commissioner, you may be avoiding one tier in this series. But these defunct institutions may be in any part of the State and the Commissioner cannot initiate proceedings in respect of all of them; it is enough if the initial proceedings are taken by a responsible officer. We have said that it should be done by the Deputy Commissioner. The Government should not come in with regard to such matters, because we have said that the court must deal with such matters as right to property is involved."

The amendment was put and lost.

Clause 60 was put and carried and allowed to stand part of the Bill.

Clause 61.

THE HON. SRI K. MADHAVA MENON :—" The amendments of Sri Suryanarayana Rao to this clause also go automatically."

Clause 61 was put and carried and allowed to stand part of the Bill.

Clause 62.

THE HON. SRI K. MADHAVA MENON :—" The amendments to this clause also go. They are consequential."

Clause 62 was put and carried and allowed to stand part of the Bill.

Clause 63.

Clause 63 was put and carried and allowed to stand part of the Bill.

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Clause 64.

Sub-clause (5).

* SRI R. SURYANARAYANA RAO :—" Sir, in this amendment which I move, I have suggested the addition of another sub-clause, viz., 2-45 P.M.

'After sub-clause (4), add the following new sub-clause (5) :—

"(5) Any party aggrieved by the notification may, within ninety days from the date of its publication, file an application in the court against such notification; and the court may confirm, modify or cancel such notification."

While the Government have no doubt taken the power to, 'at any time, on an application made to them, cancel the notification', the notification will be in force for a period of five years from the date of its publication. What I suggest is that an aggrieved party may be allowed to file an application in the court. With regard to suits and appeals under clause 62, I find no reference is made to this clause which relates to notification. I feel, therefore, that a provision like this giving the aggrieved party a right to go to a court of law in case he is not satisfied and in case even when he moves the Government, he has not got redress, is necessary. As the Hon. Minister knows, this has been subjected to a good deal of criticism. All that I seek is that the Commissioner should possess the powers that are vested in him, but if an aggrieved party wants to go to a court of law, he may be enabled to do so and assert his rights, if he has any."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—" I second the amendment."

* THE HON. SRI K. MADHAVA MENON :—" Sir, to give the court plenary jurisdiction in a matter like this which is purely temporary in its nature will defeat the very purpose of the measure in case of proved mismanagement. You will find, Sir, in clause 63 :

'Where the Commissioner has reason to believe that such institution is being mismanaged and is satisfied that, in the interests of its administration, it is necessary to take proceedings under this Chapter, the Commissioner may, by notice published in the prescribed manner, call upon the trustees and all other persons having interest to show cause why such institution should not be notified to be subject to the provisions of this Chapter.'

Even if he uses the power to notify and takes steps to manage the institution, it automatically lapses at the end of a fixed period, or the Government may cancel the notification even before the period lapses. The very idea of notification is to rectify mistakes and mismanagement, and it is only for a temporary period. If we are to give plenary powers to the court even in cases of temporary arrangement, then, the very object of the notification will be destroyed. The present Act of 1926 specifically includes a similar provision. As I said, the very object is to rectify and meet a temporary emergency and you cannot make it more temporary by saying that the court can interfere with it."

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* SRI R. SURYANARAYANA RAO :—" If I may be permitted to say a few words, Sir—I have no right of reply—I may say that as a result of this clause 64, a number of consequences will ensue, such as those mentioned in clauses 65 and 66 relating to the appointment of salaried executive officers, etc. The period of five years is not short; it is the maximum no doubt; but if an aggrieved party thinks that there is no case of mismanagement, that the Commissioner has been misled and has not got sufficient reasons to justify the action—of course from his own point of view—he can go to a court. If the Commissioner has sufficient materials to proceed in the matter, he can satisfy the court and the court will not easily be led away by the aggrieved party to grant him relief unless it is satisfied that the Commissioner's order is not justified in the circumstances. I therefore feel it will remove a great deal of heart-burning if my amendment is put in, and that is why I have stated . . ."

THE HON. SRI K. MADHAVA MENON :—" I don't think he can make a regular reply, Sir."

The amendment was put and lost.

Clause 64 was put and carried and allowed to stand part of the Bill.

Clauses 65, 66, 67, 68 and 69 were put to the House and carried and allowed to stand part of the Bill.

Clause 70.

Sub-clause (4).

* SRI R. SURYANARAYANA RAO :—" Sir, this is again an attempt on my part to give a better status to the Area Committees. When an Area Committee passes an order, I want that an appeal should lie to the Commissioner and not to the Deputy Commissioner. My object in giving notice of this amendment is to improve the status of the Area Committee and make it a real Area Committee with a status worthy of the responsibilities thrown on it. It is with that purpose that I have suggested that the appeal should lie to the Commissioner and not to the Deputy Commissioner, against the order passed by the Area Committee. I move—

'That in sub-clause (4) of clause 70, for the words "Deputy Commissioner" the word "Commissioner" be substituted.'

SRI M. D. T. KUMARASWAMI MUDALIYAR :—" I second it."

* THE HON. SRI K. MADHAVA MENON :—" On a former occasion in connexion with a similar amendment, I have explained the position. If you put an appeal for every order of the Area Committee to the Commissioner in the matter of budget for instance, it will end in a breakdown, because an officer like the Commissioner will not be able to attend to the work, since the

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number of temples with an income of less than Rs. 20,000 is large. At present when the Area Committee or the Assistant Commissioner passes an order, the trustee is given the right to appeal to the Deputy Commissioner. We know that the Area Committee is presided over by the Assistant Commissioner; and if the appeal is to the Commissioner and not to the Deputy Commissioner, then it means that the Commissioner will have to hear the appeal for years together and the whole administration will practically come to a standstill. In all these matters an appeal can certainly be taken to the Deputy Commissioner who can *suo motu* call for the records. If however an appeal is to be provided for to the highest authority, the work will become impossible."

The amendment was put and lost.

Clause 70 was put and carried and allowed to stand part of the Bill.

Clauses 71, 72 and 73 were put and carried and allowed to stand part of the Bill.

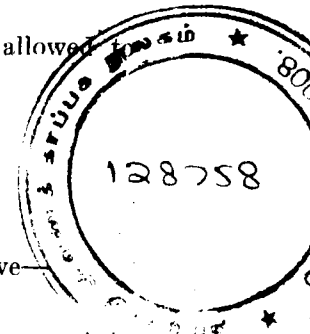
Clause 74.

Sub-clause (6).

* SRI R. SURYANARAYANA RAO :—" Sir, I move—
'Omit sub-clause (6).'

This power vested either in the court or in the Government to stop the coming into operation of an order pending disposal of the application or appeal, is being sought to be taken away by this sub-clause, and it is wrong to do so. I think lawyers will agree that it is necessary that the court or the Government should have this power to stop an order which *prima facie* may be considered to be beyond the powers of the authority passing the order or is not desirable in the interests of the institution in respect of which the order is passed, pending the disposal of the application or appeal. After all, it may be concerned with a rectification of defects disclosed in audit or an order of surcharge against the trustee. Even in the District Municipalities Act and the District Boards Act, surcharge orders are passed by the Inspector of Local Fund Accounts and the Government do withhold them—if I remember aright—pending further consideration. Or if an appeal is filed in court, the court grants an injunction pending final disposal of the appeal against the order. I am not suggesting anything novel, but I am only suggesting a procedure which is already followed in respect of other institutions. Why in the case of these institutions the same privilege should not be accorded I am not able to understand. I therefore move that sub-clause (6) of this clause 74 be omitted."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—" I second it."



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* THE HON. SRI K. MADHAVA MENON :—“ Sir, we have already passed clause 62. Sub-clause (1) of that clause says that ‘the court shall have no power to stay the Commissioner’s order pending the disposal of the suit.’

If this is right in that particular clause, it is much more necessary in this case where a surcharge is made after enquiry and after giving an opportunity, after the audit report and after the recommendations of the Area Committee and when the Commissioner is satisfied that the ‘trustee or any other person was guilty of misappropriation or wilful waste of the funds of the institution or of gross neglect resulting in a loss to the institution’, and also after ‘considering his explanation’. There is no use giving him more time. We have already given him the power to appeal to the court against the Commissioner’s order, and he may choose either the court or the Government for appeal, and when he takes one remedy, he cannot take the other. A specified time is given to him to do it. After that, it is stated here that the court or the Government should not stop that order, so that the money that has been illegally taken away may be taken back as it belongs to a trust or religious endowment; we must necessarily guard against any possible loss of the money. That is why it is necessary that although he may have the right of appeal or any other remedy, the order of the Commissioner should not be set aside pending disposal of the appeal. As a matter of fact, this power is more necessary here than in clause 62.”

The amendment was put and lost.

Clause 74 was put and carried and allowed to stand part of the Bill.

Clauses 75, 76 and 77 were put and carried and allowed to stand part of the Bill.

Clauses 78 and 79 were put and carried and allowed to stand part of the Bill.

Clause 80.

* SRI R. SURYANARAYANA RAO :—“ Sir, I move—

‘That at the end of sub-clause (3) (c), the following be added :—

“subject to such delegation of powers as the Government may by general or specific order provide.”’

Sir, this clause relates to a temple with which you are connected. If I remember aright, in your criticism of the provisions relating to the Tirumalai-Tirupathi Devasthanams, you stated that at present this Devasthanam enjoys a certain privileged position which is now sought to be taken away. The only good thing the Government have done is to say that the Deputy Commissioner and the Assistant Commissioner shall not visit this Devasthanam with all their orders. Their powers and duties under the Act have been assigned to the Commissioner instead. But

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I want that even the Commissioner should exercise only such powers as are delegated to him by the Government. The importance of the position of the Devasthanam Committee—which in future is to be called the Board of Trustees—does deserve better consideration at the hands of Government. It is granted that the Deputy Commissioner and the Assistant Commissioner will not have anything to do with the Board. It may be argued that the Commissioner under the present Bill will possess more powers in respect of the Devasthanam than now; but what I want is that the Commissioner should exercise his powers in the future only in so far as they have been delegated to him by the Government either by general or specific order.

“It may be that by a general order the Government may say 3 p.m. the Commissioner shall exercise all the powers under this Act in respect of this Devasthanam or they may say, in respect of some matters only the Commissioner may exercise the powers, but I am not so much in favour of the Commissioner being given all the powers that are now given under the Act to the Deputy and Assistant Commissioners, and in addition to the powers which he has under the Act as the Commissioner. That is the only thing I wanted to say. On the other hand, if the Government think they can repose confidence in their Commissioner, they may give him all the powers they possess, but I would like, at least for some time to come, the Government not to hand over all their powers to the Commissioner, but allow the Board of Trustees of the Tirumalai-Tirupathi Devasthanam Committee to function without undue interference by the Commissioner.”

SRI M. D. T. KUMARASWAMI MUDALIYAR :—“ I second it, Sir.”

DEPUTY CHAIRMAN :—“ Is the hon. Member moving the other amendment? ”

* SRI R. SURYANARAYANA RAO :—“ Sir, I also move the other amendment of mine—

‘To sub-clause (4) of clause 80, add at the end of sub-clause (4) the following words :—

“subject to the final approval of the Government.”’

“The same arguments I have advanced in respect of the previous sub-clause holds good here also. Even here I would like the orders of the Commissioner to be subject to the prior approval of the Government, because, as you said, this Devasthanam is a peculiar institution with large endowments. So, I feel that in respect of this Devasthanam before any orders are passed by the Commissioner and they are given effect to Government should have a say in the matter.”

SRI M. D. T. KUMARASWAMI MUDALIYAR :—“ I second it, Sir.”

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* THE HON. SRI K. MADHAVA MENON :—“ Sir, what my Friend means was not quite clear when I read the amendment. The result of passing the amendment will be just the reverse of what he intends. Under clause 60 and other clauses, wherever the Deputy Commissioner is mentioned, he wants the substitution of ‘Commissioner’. Here his intention seems to be that wherever the Commissioner is mentioned, it should be only the Government. Now, let us see what he proposes in the amendment. He wants at the end of sub-clause (c) to add the words: ‘subject to such delegation of powers as the Government may by general or specific order provide’. If this is read with the clause, it reads thus:

‘All powers and duties assigned by the provisions aforesaid to a Deputy or an Assistant Commissioner shall be deemed to have been assigned to the Commissioner instead, subject to such delegation of powers as the Government may by general or specific order provide.’

“ ‘Provide’ to whom, Sir? Is it to the Commissioner? The intention of the hon. Member is that only the Commissioner must act and for that he must have specific authorization. If the Commissioner wants to act, it will be by a general or specific order provided. If that is the intention and if it should be by a general or specific order, it spoils the whole effect of it, because the Government may by general order authorize the Commissioner. (Sri R. Suryanarayana Rao: ‘As I said the Government may do.’) I do not think it is necessary. Certainly we have given a separate status to the Tirumalai-Tirupathi Devasthanams. Though the designation of the person may be the executive officer, instead of the Commissioner now, hereafter the position he will enjoy under this clause will be almost analogous to the position which the Board holds now and nothing more. So, we have not given any more powers to the Commissioner than the Board has over the Tirumalai-Tirupathi Devasthanams now. So, I do not think that in all these matters the Government should come in in the initial stage, but the Government should be the final authority. Clause 99 gives the power of revision to the Government. So they should be the final authority and not the only authority.”

The amendments were put and lost.

* SRI B. NARAYANASWAMI NAYUDU :—“ Sir, before you put the clause to vote, I just want to know one thing. Sub-clause (2) (c) says: ‘The Government shall have power to appoint a salaried executive officer for the Devasthanams, and shall have power to suspend, remove or dismiss him from office.’ So far as the Tirumalai-Tirupathi Devasthanams is concerned, the power of appointment of the executive officer is vested in the Government. I suppose that is correct. With regard to other institutions the super-matadhipathi has got the power, but that so far as the Tirupathi Devasthanam is concerned, the super-super authority has got the power of appointment. I just want to know what is the position of the executive officer. As at present constituted, there is no executive officer for the Tirupathi Devasthanam. He

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will come into being after this Bill becomes an Act, but what is to become of the person who is at present holding the executive authority and what becomes of his appointment after this Bill becomes an Act and comes into force? With regard to the appointment of other officers, it is said ‘for such period as the Commissioner may determine’, but so far as this Devasthanam is concerned, this clause does not specify any period. It simply says, ‘the Government shall also appoint a salaried executive officer For what period? Nothing is mentioned. Is it for all time that he should hold office? Is there any limitation? Again, what happens to the person who now holds the position of executive authority? Does he become defunct, or should he go home or beg of the Government? What is it that has been provided in respect of these matters? I want to know these things before I give my assent to this clause.”

* THE HON. SRI K. MADHAVA MENON :—“ Sir, under the present Tirumalai-Tirupathi Devasthanams Act, section 18, the Provincial Government shall appoint a Commissioner who unless sooner removed by them for sufficient cause, shall hold office for a period of three years. The outgoing Commissioner shall be eligible for reappointment. Here in clause 81 of the Bill, we have provided ‘If the executive officer is an officer in the service of the Government, the Devasthanams shall pay his salary, allowances and such contributions towards his pension, provident fund and leave allowances as may be required under the rules prescribed by the Government in this behalf.’ Again items (a) to (c) of sub-clause (2) of clause 100 relate to the Tirumalai-Tirupathi Devasthanams and the qualifications, method of recruitment, pay, grant of leave, leave allowance and travelling allowance, personal conduct and punishment of officers and servants constituting the establishment of the Tirumalai-Tirupathi Devasthanams. So, Sir, qualifications, terms, pay, etc., can be determined by the rules to be made hereafter under the Act.

“ My Friend asks me, what is to become of the present incumbent. I am not an astrologer to make any prophesy in this matter. Sir, the legal position is, the present incumbent is only a temporary person, because under section 18 of the existing Act, his appointment is ordinarily for a period of three years unless determined earlier. The Government can continue him if they want or appoint a fresh person instead. Whatever it is, the question of the present incumbent is not a matter which we need worry about now. But, in regard to the other things, they are to be decided by rules. We have specially provided rule-making powers in regard to this Devasthanam and under those powers service conditions and other things will be drawn up and the present incumbent will come under those conditions. As I said the executive officer for the Tirumalai-Tirupathi Devasthanams will be appointed by the Government.”

* SRI R. SURYANARAYANA RAO :—“ Sir, the rule-making powers deal only with the qualifications, method of recruitment,

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etc., of the officers and servants constituting the establishment of the Tirumalai-Tirupathi Devasthanams, but there is nothing relating to the executive officer. Since there is a lacuna, why not the Government make the necessary provision as they did on another occasion?"

THE HON. SRI K. MADHAVA MENON :—" It is specifically laid down that the executive officer shall be appointed under the provisions of this Act."

* SRI R. SURYANARAYANA RAO :—" I think it is not the intention of the Government to treat this executive officer in the same way as other executive officers are treated, but in a different manner. I think, my hon. Friend, Mr. Narayanaswami Nayudu raised a pertinent point in regard to the existing officer. It is left to the Government to appoint him to the new post or remove him; but, as the new appointment has to be made soon after the Bill is passed, they should define the period of his appointment."

THE HON. SRI K. MADHAVA MENON :—" I have nothing more to add to what I have already stated, Sir."

Clause 80 was put and carried and allowed to stand part of the Bill.

Clauses 81 and 82 were put and carried and allowed to stand part of the Bill.

Clause 83.

Sub-clause (3).

* SRI R. SURYANARAYANA RAO :—" Sir, I move the following amendment which stands in my name, namely :—

'For the word "Commissioner" in line 3, substitute the word "Government".'

"Sir, my amendment, I think, has your sympathy, but you cannot show it, because you are sitting now in the Chair. I only suggest that any appeal against the orders of the Board of Trustees may lie to the Government and not to the Commissioner. Now that we are treating the Board of Trustees of the Devasthanams in a different manner, I suggest that in the matter of appeal against the orders of the Board of Trustees, who are a responsible body whom you are going to appoint to manage the temples of this huge Devasthanam, it should not be to the Commissioner, but to the Government. That is the whole point of my amendment, Sir. I am sure, Sir, if you are not sitting in the Chair, you would have supported my cause. After all, it is agreed that an appeal should lie against the orders of the Board, but what I say is, it should be to the Government and not to the Commissioner."

SRI M. D. T. KUMARASWAMI MUDALIYAR :—" I second the amendment, Sir."

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* THE HON. SRI K. MADHAVA MENON :—" Mr. Deputy Chairman, Sir, the position is that what powers the Board possessed are now taken by the Commissioner and I do not see anything derogatory in it. We have taken away the powers of the Board practically and the powers that are exercised by the Board are to be exercised by the Commissioner because he takes the place of the Board. I do not feel that has made any difference."

* SRI R. SURYANARAYANA RAO :—" There is one appeal provided by the clause to the Board; against the orders, if any, of the executive officer and against that of the Board the appeal lies to the Commissioner."

THE HON. SRI K. MADHAVA MENON :—" It is the Board of Endowments now."

* SRI R. SURYANARAYANA RAO :—" The position of the Board of Endowments is that of a quasi-judicial body; though the Hon. Minister said that the Deputy Commissioner is going to act in a quasi-judicial manner, I feel that he is nothing more than an executive officer of the Government. In a like manner, the Commissioner also will be just like any other head of a department or the Director of Agriculture or the Commissioner of Labour or the Director of Industries. Only we are delegating to him certain powers under the Act. Therefore, I felt, Sir, that against the orders of the Board of Trustees, a second appeal must lie to the Government because the Board of Trustees is an important body created for the purpose of managing the affairs of the Tirupathi Devasthanams."

The amendment was put and lost.

Clause 83 was put and carried and allowed to stand part of the Bill.

Clauses 84 and 85 were put and carried and allowed to stand part of the Bill.

Clauses 86, 87 and 88 were put and carried and allowed to stand part of the Bill.

Clause 89.

Sub-clauses (4) and (5).

* SRI R. SURYANARAYANA RAO :—" Mr. Deputy Chairman, Sir, I am against the compounding of offences contemplated in sub-clauses (4) and (5). 'The Commissioner may accept from any trustee who has committed or is reasonably suspected of having committed any of the offences . . . by way of composition of such offence, a sum of money not exceeding one thousand rupees.' I feel, Sir, it is very unfair to allow this. If the trustee has committed any offence and has failed to comply with the provisions of the Act, he should be dealt with as anybody else and why should the Commissioner be given the power of compounding the offences? I know there are such provisions in the Forest

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Act but I do not think that it must find a place here. Even taking the question of compounding the offences, why should there be a restriction on the discretion of the Commissioner by saying that he shall only take Rs. 1,000? Having regard to the nature of the offence, he may take Rs. 2,000 and let him take as much money as possible. The idea of the Government may be that they do not want to have prolonged prosecutions before a court of law; I appreciate their position but I do not think that this power of compounding of offences can be allowed to be there. I move, Sir,—

'Omit sub-clause (4) and omit the words "or any money payable by way of compensation under sub-section (4)" in lines 1 and 2 of sub-clause (5).''

* THE HON. SRI K. MADHAVA MENON :—“ Mr. Deputy Chairman, Sir, I very much want my hon. Friend Sri Suryanarayana Rao to consider what the offences are in respect of which compounding is permissible; it is not for misappropriation or loss of property. What is meant is only neglect or failure to comply with sections 25 and 26, namely, maintenance of registers, verification of the registers, submission of returns and so on. If he neglects or refuses to submit the returns or does not submit them in time, action will be taken under this clause, not in respect of the first default. It is not a case of falsification of accounts for that will be an offence under the Indian Penal Code. If he fails to submit the returns or causes obstruction to the inspection by the Commissioner, these are not offences involving moral turpitude and can be settled in the first place by administering a warning and if things do not improve, instead of taking the matter to court and getting him fined, the Commissioner puts the fine. These are not serious matters, as I said, in which moral turpitude or loss of property to the institution is involved and so, we say, instead of the magistrate doing the thing, the Commissioner makes the enquiry and goes into the matter and says: ‘You should not do things like this’ and he compounds it. An offence of this nature does not seem to be a case where we need be very much against compounding.”

The amendment was put and lost.

SRI B. NARAYANASWAMI NAYUDU :—“ Mr. Deputy Chairman, Sir, the Hon. Minister said that this is another way of fining the trustee. Instead of saying that this is another way of fining him, why not you straightway take the power of fining him? You can prosecute him and if you want, you may not do it and take some money by way of composition. I say, Sir, this is an extraordinary way of what is called blackmailing. Is it not Sir? You say they must submit returns. Well and good. Why not you fine immediately you see they do not do it? That will be a direct way of doing it. You fine them and be done with it. On the other hand, what is it that you do here? You put the threat of prosecution over his head for failure to submit returns and so on and naturally he wants to escape. At that moment, you

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say: ‘let there be a composition; give me so much and I will not take action against you. Otherwise, I will haul up before a court of law.’ Jurisprudence I have known but the ingenuity of the Government to make provisions of this sort passes my comprehension. It must be deemed to be an abuse of the powers vested in Government to say like this. You fine and be done with it: why do you give him a threat and say: ‘Come along and salaam me and pay me something and I will not take you before a court; but do not do it in future.’ Why not, I ask, Sir, have the courage of taking the thing to court, prosecute and get a conviction? This is not a half-way-house. I must say, Sir, that even Henry VIII did not devise this kind of imposts.”

THE HON. SRI K. MADHAVA MENON :—“ Mr. Deputy Chairman, Sir, my hon. Friend said that it was blackmailing but let me point out to him that it is very easy to use such words. My Friend must have remembered the very many occasions on which he would certainly have appeared for the parties in which according to the provisions of the Abkari Act and the Forest Act composition would have been effected and he would himself have advocated it then. Is that blackmailing, Sir? It is not as if we are saying: ‘We will prosecute you if you are not going to pay so much; you have committed an offence and it is open to me to send you to jail.’ It is not, Sir, after all a case in which you should either go to the magistrate or send the trustee concerned to prison. What he will be told is only this: ‘You have committed an offence; you must pay for that so that you may not do it hereafter.’ Is that blackmail, Sir? If the dictionary meaning is taken, you will find that it must always be accompanied with threats which is not in existence here. The person must also say: ‘I shall tell something about you which is not true’, and secondly, money must be taken by unfair and improper means; then it is blackmailing. Of course, Sir, this provision may not be to the interests of the person concerned, but that is a provision in law according to which money is taken and it cannot at all be blackmailing. I may also submit, Sir, that even my hon. Friend Sri Suryanarayana Rao did not interpret this provision so badly. In the alternative amendment suggested by him, he wanted the power to compound the matter before or even after the institution of proceedings. It is not, I submit, blackmailing but a legitimate and right way of doing things. As I submitted, Sir, it is not as if on the very first occasion of default this will be thought of and he will be sent to jail at once if no composition is effected. That may be the jurisprudence and the conception of law of my hon. Friend and that may be the law of Medes and Persians of those days and probably of Henry VIII but not of the present day where we have different conceptions of treating offenders in such matters.”

Clause 89 was put and carried and allowed to stand part of the Bill.

Clauses 90, 91 and 92 were put and carried and allowed to stand part of the Bill.

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Clause 93.

* SRI R. SURYANARAYANA RAO :—" Mr. Deputy Chairman, Sir, the first amendment which I propose will perhaps be accepted, because the mistake has crept in due to the printer's devil. I propose, therefore, that—

' In sub-clause (2) of clause 93, omit the semi-colon after the words " in this Act " in line 4.'

It is wrongly printed and I hope that the Government will at least accept the amendment and that perhaps will be the only amendment with which you will be prepared to go to the other House as the amendment suggested and accepted in the Upper House."

THE HON. SRI K. MADHAVA MENON :—" I need not go to the other House to correct a printer's mistake."

* SRI R. SURYANARAYANA RAO :—" In the House of Commons, Sir, I have known occasions when a Bill had to be taken back to it for want of proper punctuation.

" Sir, I move the next amendment—

' Add the following as new sub-clause (2) to clause 93 :—

" (2) Nothing contained in this section shall affect the right of the trustee of a religious institution to institute a suit to enforce the pecuniary or proprietary rights of the institution or the rights of such institution as beneficiary."

" This defect was pointed out to us in some of the literature handed over to us in connexion with this Bill. I felt, Sir, that while barring suits, for purposes of enforcing the pecuniary or the proprietary rights of the institution, the general right of every trustee of a religious institution to go to court should not be taken away. I also felt that the addition of this sub-clause will not in any way take away the force of the present clause 93. The Legislature must recognize that in case the right of a trustee has been affected by any order issued under the provisions of this Act, he should be entitled to go to court to establish his claim."

The motion was duly seconded.

3-30
p.m.

* THE HON. SRI K. MADHAVA MENON :—" Sir, the semi-colon is a printer's devil. But that does not in any way affect the meaning of the clause. So at any time it can be corrected. When the Bill is being printed afresh after it is passed in this House, that mistake can be corrected. So I do not wish to accept the amendment formally for the purpose of saying that an amendment has been accepted in this Council and so the Bill should go back to the other House before being finally passed.

" Then, Sir, regarding the other amendment, I do not agree that matters relating to pecuniary rights or proprietary rights of an institution should be referred to courts to be decided. Further, the clause is delightfully vague. If this clause is to be accepted,

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first the courts will have to decide whether pecuniary rights or proprietary rights of an institution are involved, and then only courts will have to decide the suit on the merits of the case. Sir, this clause gives a roving permission to file a suit. Sir, on a previous occasion, Mr. Suryanarayana Rao said that in passing this Bill, we should see that as far as possible unnecessary litigation should be avoided. Now, if we are to accept this amendment we will be only giving room to unnecessary litigation. Sir, we have in other places said that courts shall have jurisdiction only over such and such matters. Beyond that, we are not going to concede. So, Sir, we cannot accept this amendment."

The amendments were put and lost.

Clause 93 was put and carried and allowed to stand part of the Bill.

Clauses 94, 95, 96, 97, 98 and 99 were put and carried and allowed to stand part of the Bill.

Clause 100.

DEPUTY CHAIRMAN :—" I will put clauses 100 to 104 to the vote of the House."

SRI B. NARAYANASWAMI NAYUDU :—" Sir, with your permission I have to submit that I am not going to accept clause 104; I am going to challenge it to a division."

DEPUTY CHAIRMAN :—" Then I shall put clauses 100 to 103 to the vote of the House; the hon. Member may then speak on clause 104."

Clauses 100, 101, 102 and 103 were put and carried and allowed to stand part of the Bill.

Clause 104.

SRI B. NARAYANASWAMI NAYUDU :—" Sir, I oppose the passing of clause 104. For, this clause proposes to abolish the Hindu Religious Endowments Board, which has been in existence for the last 25 years. The whole establishment of it also goes with it without notice. The entire servants of that establishment also go out of office with it. Their services are terminated without notice. The President and the Commissioners and such of their subordinates as Government may consider suitable may be appointed by Government in their discretion to any offices. Government might like to appoint some of them, and the services of the rest of the staff shall be deemed to have been terminated. My submission is, this is absolutely unwarranted. There are several institutions which Government have scrapped or taken over; and have they not provided for those staffs elsewhere? Are there not corporations created by statute and have not their staff got a status? Even so, this Hindu Religious Endowments Board and their staff. The Board and the staff have been in existence for the last 25 years;

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and so, they cannot be abolished without notice. Otherwise, what is the meaning of the words 'the services of the rest shall be deemed to have been terminated'. Sir, when the British Government quitted this country, what did they do with their huge establishment? Did they say, the services of their staff shall be deemed to have terminated, the moment they quit India, and did they say the huge establishment should run after the Prime Minister of India for being appointed? So, I ask, is this the way of dealing with the establishment of the Board? My friend, Mr. Suryanarayana Rao, has not left one opportunity to champion the cause of elementary school teachers in this Council. He has taken care to table a number of amendments on this present Bill under several clauses. But strangely enough, he has accepted the stand of Government in the present clause. I wonder how it has escaped his notice and he has not given any amendment to this clause. Is it good for a popular Government, is it wise for a popular Government to terminate the service of the establishment of the Board and make their appointment afresh a matter at the pleasure of the Government? Sir, I cannot accept this clause. I oppose it with all my force."

* SRI R. SURYANARAYANA RAO :—" Sir, Mr. Narayanaswami Nayudu was perfectly justified in questioning why I have not tabled any amendment to this clause. Sir, if he has only the patience to go through the proceedings of the Select Committee, he would have seen that Member after Member moved amendments and he would have seen also what amount of discussion there was then, in order to safeguard the interests of those who are already in the service of the Board. He will be surprised to see that we took great interest, in fact, much more interest than he has done, by tabling several amendments. And as a result of a great deal of consideration, Government themselves brought forward this present clause, embodying therein the suggestions we made. Though we felt the Government amendment was not quite satisfactory, yet we felt that Government were fairly considerate in the treatment of the establishment. For, look at sub-clause (3) of the present clause. It says : 'To those not so appointed the Government may accord such relief by way of pension, gratuity, provident fund or leave with allowances as they may in their discretion deem fit.' Again look at sub-clauses (z) and (aa) of clause 100. They grant pensions or gratuities to officers and servants of the Board who retired before the commencement of this Act and gratuities to the heirs of deceased officers and servants of the Board including those who had retired before the commencement of this Act. So when the Government had come forward with such a generous offer, we in the Select Committee thought that Government would use their discretion very fairly and justly, and so we accepted this clause.

"Then, Sir, I may also tell my hon. Friend that we in the Select Committee consulted those who are likely to be affected by this clause and they felt that in view of the assurances given by

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the Government they had no objection to it. Then, Sir, I do not know whether another point has been noted by hon. Members. We pointed out to Government that they have made rules for the absorption of persons employed in the several zamindari estates when those estates are abolished. We found them somewhat generous and so we suggested to the Government that on those lines, rules may be framed with regard to the Board's employees so that they may not be hard hit. Since the Government promised to consider their case sympathetically, I did not want to disturb the present clause, and that is why I did not table any amendment to it. Mr. Narayanaswami Nayudu was perfectly right in asking us why we did not table any amendment to this clause and we owe him an explanation for it. I think, in the Select Committee stage, almost the whole of half a day was spent in discussing this matter. Government, as far as I can see, were anxious to do justice to them. We considered the relevant clause in Mr. O. P. Ramaswami Reddiyar's Bill as well as in Dr. Rajan's earlier Bill. With a view to meet all the points of view, Government came forward with the present clause, which we felt was reasonable as well as the sub-clauses I referred to in clause 100 above. I thought Government had conceded a great deal, and we wish they would do more than what is contained in clause 104. I therefore plead that this clause is not so harsh, nor are the Government so hard-hearted as my friend thinks they are."

* SRI M. NARAYANA MENON :—" Sir, on general principles, when an institution ceases to exist, its employees must cease to be employed. That is the first principle. But in this matter Government have taken a very fair stand in providing them, if possible, with employment. Not only that, Government want to employ the officers of the Board not necessarily in the machinery to be set up in the place of the present Board, but they want to provide for them, if possible, in the institutions to be formed under the new Act. Then there is the provision for giving pension, gratuity and such other things. Therefore it is clear Government have not forgotten the employees under the present Board. It is also clear that they want to provide them with employment or give some relief to them. So it is not fair to call this Government as unsympathetic or unfair."

THE HON. SRI K. MADHAVA MENON :—" Sir, Mr. Narayanaswami Nayudu has threatened dire consequences as he proposes to call for a division of the House under this clause."

SRI B. NARAYANASWAMI NAYUDU :—" Perhaps the Hon. Minister has no idea of the results of the exercise of constitutional weapons! "

THE HON. SRI K. MADHAVA MENON :—" Certainly a threat like that cannot easily deter me from my path."

SRI B. NARAYANASWAMI NAYUDU :—" Nor do I expect it." (Laughter.)

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* THE HON. SRI K. MADHAVA MENON :—“ But that apart, Sir, my hon. Friend said that Government do not care for the staff of the Board which has been in existence for the last 25 years, and so he wants the deletion of this clause. The House should for one moment consider what will be the consequence if we accept his suggestion. The consequence will be that all the staff will go without any employment; because when this Bill is passed, the Endowments Board will be abolished and the whole establishment will be thrown out of employment. So unless something is provided for them, the ordinary law of the land will prevail. So the consequence of the acceptance of his suggestion will be the very thing which he wants to avoid. The entire establishment of the Board will be stranded in the streets.”

SRI B. NARAYANASWAMI NAYUDU :—“ I do not want that to happen.

3-45
P.M.

* THE HON. SRI K. MADHAVA MENON :—“ Merely saying that he opposes this clause, that the clause should not be passed and that he will ask for a division on the motion that the clause do stand part of the Bill will not achieve the object which Sri B. Narayanaswami Nayudu has in view. I can understand his asking for a mandatory provision to the effect that the staff of the Hindu Religious Endowments Board should be absorbed under this Act. A mere negative demand to omit the clause will not achieve his object. Abrogation of this clause is a very dangerous thing and it will go against the desire of all of us because we want to see that the staff of the Board who have been serving faithfully and doing their work properly should not be thrown out of employment because of the accident of the Government passing a new Act to replace the existing Hindu Religious Endowments Act. That is only proper and natural justice. Those appointed to the posts of the members of the Board and the Commissioner are not permanently appointed; they are appointed for a term of three or five years as the case may be. Even without this Act, it is open to the Government to continue their services, as they have done in the past, beyond the term for which they are appointed, if their work is found satisfactory. We have provided that the tenure appointment-holders also might be absorbed as far as possible. Certain saving clause like that might be there, as Sri R. Suryanarayana Rao wanted. Clause 90 of the Bill as introduced provided that on the coming into force of this Act, the Board shall be deemed to have been abolished and the service of all its subordinates shall be terminated. Many Members of the Joint Select Committee made various suggestions and moved amendments to provide that the persons who have been serving the Board for the last so many years should not be sent away because of the accident of the passing of a new Act. Hon. Members will find in the Bill as amended by the Joint Select Committee the relevant clause, clause 104, printed in clarendon type. In the place of the provision in the original Bill providing for the termination of the services, we have provided that as many

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as are qualified may be absorbed. We have even gone further and provided that the conditions of service of persons so absorbed shall be regulated as if they had entered the service of the Government on the date of their first appointment under the Board and that to those who are not absorbed, the Government may accord such relief as they may in their discretion deem fit. Of course, the discretion is left to the Government. The Government must be expected to act reasonably and use their discretion properly. The very object of inserting this clause is to see that the services of the members and staff of the Board are not terminated but continued under this Act, credit being given for the services that they have already put in. So there is no need to remove the clause from the Bill.”

SRI B. NARAYANASWAMI NAYUDU :—“ My legal adviser tells me that I should stand corrected and therefore I stand corrected.”

Clause 104 was put and carried and allowed to stand part of the Bill.

Clauses 105 and 106, Schedules I, II and III and Clause 1 and the Preamble were put and carried and allowed to stand part of the Bill.

* THE HON. SRI K. MADHAVA MENON :—“ Sir, I move—
‘ That the Bill be read a third time and passed.’

“ I do not want to make any long speech at this stage of the Bill. We have had exhaustive discussion in the other House and very good and helpful discussion in this House. Very little heat has been generated over this Bill in this House as compared with the other House. I must say that the discussion in this House went on on an absolutely different line altogether and with the object of trying to understand and improve the Bill and not from the point of view of any vested interest affected by the Bill. It is really gratifying. It is not with the idea of attacking any vested interests that this Bill has been brought forward. The Bill has gone through various vicissitudes. I was told that the Bill which became the 1927 Act was the one Bill in the annals of the Madras Legislature for which were tabled more than three hundred amendments. For this 1949 Bill, we had four hundred or even more amendments and we have scored a mark. That shows that the Bill has considerable stakes.

“ If we go through the history of this Bill from 1938 onwards, we will find that changes have been made at every stage. After the working of the Hindu Religious Endowments Act of 1927 for a number of years, the Hon. Dr. Rajan when he was a Minister in 1938 found that a new Act was necessary because the objects with which the 1927 Act was passed could not be fully achieved with the powers that that Act gave to the Board or the Government. It was found that without further powers, nothing substantial could be done. So a Bill was prepared. But it could

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not be moved as the Ministry resigned and the Advisers' regime came into existence. Even the Advisers' Government, who would not like to interfere in a religious matter especially when there was no legislature, passed an Amending Act in 1944 as they found that the 1927 Act did not give sufficient power to the Board or the Government to act in a way that will be for the good of religious institutions. We went on renewing the Act year after year and it is due to expire on 31st April 1951. Before the expiry of that Act, we have brought forward this Bill. When this Bill was drafted, our Constitution was practically on the anvil. As we proceeded with the Bill and the Joint Select Committee was considering it, a good portion of the Constitution had been passed though the Constitution as a whole had not been passed. After the Constitution was passed, we had to re-examine the Bill as it emerged from the Select Committee. It is with considerable care that the Government have been proceeding with this Bill. We have been working on the principle that it is better not to do any harm though we cannot do anything good. I must once again say that the idea behind this Bill is to preserve the religious institutions in all their pristine purity and glory and to maintain the faith that we have got in the temples. Towards that end we must work. We are taking for granted that everything that is there is bad. It is wrong to take a prejudiced view like that. Our idea should be to work the Bill for the good of religious institutions. If that idea is understood, we can certainly see that the Bill can be worked for the good of the religious and charitable institutions and through them for the good of the community as a whole. If we suspect that everything has been done with a motive and that no good could come out of it, then we see only bad and dangerous things. It is very difficult to satisfy people who want to see only bad aspects. People who view the Bill with sympathy and understanding can take it from me that the Government's idea is to use the Bill for the proper management, improvement and safety and not for destruction of the religious institutions in our country which we have been holding sacred for the past so many generations."

* SRI R. SURYANARAYANA RAO :—" Sir, the other day the Hon. Sri Madhava Menon said that Dr. Rajan was hoping to be present in the House before our deliberations on this Bill would be over. We are very sorry that he is not able to be present on this occasion. Those of us who were associated with this Bill in the Select Committee stage, as I said the other day, know the amount of hard work that he had put in in connection with this Bill and the tact he displayed in getting through the work without in any way preventing those who had a point of view to express it forcibly and allowing the Select Committee to consider it. I hope the Hon. Sri Madhava Menon will convey to Dr. Rajan our feeling as to how much we miss him to-day. I was told that he felt that this Bill was his life as it were and that before he retired from politics he was very anxious to put the religious and charitable

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institutions in a position wherein their good administration would be ensured. We are very grateful to Dr. Rajan. In spite of his age and poor health, he piloted the Bill in all its stages during the last two years.

" We are also grateful to the Hon. Sri Madhava Menon, who as his trusted lieutenant, has dealt with all the amendments that we moved. Whether we agreed with his point of view or not, he was fair to those who moved the amendments. Especially in this House he must have been surprised to find that most of the amendments should come from one who is not opposed to the Bill. My object in moving the amendments was to improve the Bill and make it as less offensive as possible to those that are opposed to any reform in the management of religious institutions. As I followed the proceedings of the Select Committee, I felt that the force of most of the criticism might be taken away if the Bill was improved in the manner in which I wanted it to be improved. Even now I wish that the Government had accepted at least those of my amendments relating to maths, as that would have in a way satisfied many of those who wanted the Chapter relating to maths to be removed altogether from this Bill.

" However, Sir, I am grateful to the Government for 4 p.m. the patient hearing they gave in the various stages of the Bill and I once more request my Hon. Friend Sri K. Madhava Menon to convey to the Hon. Dr. T. S. S. Rajan the regret we have felt for his inability to be present here to-day on account of his illness and also our wish and prayer that we all hope to see him again when the Council meets next, hale and hearty, coming forward with some other Bill of the department with which he is now concerned."

* SRI M. NARAYANA MENON :—" Mr. Deputy Chairman, Sir, the Bill is good so far as it goes and my desire is, and I am sure that is the desire of many hon. Members who have anything to do with these religious institutions and endowments, that the law on the subject should go further and deeper so as to conserve all the properties of these religious institutions in order to foster the growth and development of the Hindu religion and Hindu culture and Hindu thought. As has been stated very emphatically by my Hon. Friend Sri K. Madhava Menon, who is now the Leader of this House, this Bill is only intended for helping these institutions to carry on with their work properly and efficiently and it is our wish and hope that all the matadhipathis and trustees of these religious institutions would co-operate with the Government and see that the working of this Bill is made a great success."

* THE HON. SRI K. MADHAVA MENON :—" Mr. Deputy Chairman, Sir, let me also associate myself with the sentiments expressed by my hon. Friend Sri R. Suryanarayana Rao and others regarding my Hon. Colleague Dr. T. S. S. Rajan who is the sponsor of this Bill. The speeches that he made in the Assembly when he originally introduced this Bill and subsequently when he

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introduced the report of the Joint Select Committee and also his speech at the third reading of the Bill,—all these will show, as my hon. Friend Sri R. Suryanarayana Rao has said, that he considered this measure as a sort of his life's ambition and as a crowning piece of work in his long and useful career of service to the country and that is why he has taken the deepest interest and the greatest concern for the welfare and proper administration of these temples and religious institutions, because he is anxious to see that they retain their ancient glory and usefulness. I am sure, Sir, that it will certainly gladden his heart to read in the papers about the passage of this Bill through this House and how his services have been appreciated by this House and how the work which he began two years ago, and which he pursued with such astute cleverness, courage and tact has been crowned with success, and how the deep interest and enthusiasm and wonderful patience which he displayed through the various stages of the Bill, whether in the Select Committee, or whether in the course of the examination of witnesses or whether in following the long course of discussions in the other House, have all been appreciated by hon. Members of the House—all these things which will appear in the papers will considerably hearten him and restore him to health much more quickly than we have wished for.

“Sir, let me also take this opportunity to thank my hon. Friend Sri O. P. Ramaswami Reddiyar who was the sponsor of the original Bill and whose enthusiasm for the reform of religious endowments is so well-known. Though the present Bill has undergone certain material changes from the Bill he originally introduced and though some of the provisions in the present Bill may not be to his entire satisfaction, yet, nobody will question the sincerity of his intention to see that the religious institutions and charitable endowments are administered properly, and I am sure, he will also certainly feel glad that the Bill, which he was so anxious to see put on the Statute Book, has been passed by this House and therefore it is our duty to express our gratitude to him also on this occasion, for the efforts he has taken in this matter.”

DEPUTY CHAIRMAN:—“Before I put the motion to the vote of the House, I should also like to associate myself with the various sentiments expressed by hon. Members of the House for the great work which Dr. T. S. S. Rajan has achieved in getting this Bill through both the Houses of Legislature. It is perhaps a sheer accident of luck that I happen to occupy the Chair at this juncture, particularly when this Bill, of which I am most concerned, is being passed into law. I know that my Hon. Friend Dr. T. S. S. Rajan who is a great devotee himself, has taken the keenest interest in this matter and it was the greatest liking of his heart that this Bill should be passed through both the Houses of Legislature as quickly and as smoothly as possible and placed on the Statute Book, and therefore, I am sure, he will be very glad to hear that it has passed through this House also within the shortest possible time. At the same time, we must also thank the

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Hon. Minister for Law, who has so ably piloted this Bill through this House and who has helped us in the quick passage of the same and finally I should say that both the Hon. Dr. T. S. S. Rajan and the Hon. Sri K. Madhava Menon as well as the Members of the Joint Select Committee have shown their greatest concern for public opinion and whatever concessions were possible have been given and so we are grateful to all of them. And lastly, I must also thank hon. Members of this House for the way in which they have co-operated with the Government to get this Bill through this House as quickly as possible. It is certainly a great credit to our sense of adjustability and our deep concern for this measure and in particular, we must be thankful to my hon. Friend Sri R. Suryanarayana Rao who has taken such a great interest in this Bill and given notice of a number of amendments, with the sincere desire of making the Bill as perfect as possible, and though his amendments were not accepted, yet I am sure, it is he who feels the greatest satisfaction in seeing that this Bill has been passed. Let us all pray that this measure will prove to be a great harbinger for the good of our religion and for the good of our community as a whole. Now, I have great pleasure in putting the motion to the vote of the House. The question is—

‘That the Madras Hindu Religious and Charitable Endowments Bill, 1919 (L.A. Bill No. 10 of 1919), be read a third time and passed’.

The motion was carried and the Bill was passed.

DEPUTY CHAIRMAN:—“I now adjourn the House to meet again at 11 o'clock to-morrow to discuss the Food Situation in the State.”

The House then adjourned to meet again at 11 a.m. on Wednesday, 24th January 1951.

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APPENDIX I.

the answer to starred question No. 114 asked by Sri Mothey Narayana Rao at the meeting of the Legislative Council held on 23rd January 1951, page 382 supra].

Statement showing the number of hand boring sets and power drills working in each of the districts of the State.

District.	(1)	Number of hand boring sets.	Number of power drills.
Vishakapatnam		8	..
Krishna		14	1
Guntur		4	..
East Godavari		4	..
West Godavari		14	1
Nellore		7	..
Bellary		3	2
Kurnool		3	2
Cuddapah		2	..
Anantapur		2	1
North Arcot		12	1
Chittoor		7	2
Malabar		3	..
South Kanara		2	..
Coimbatore and Nilgiris		15	4
Salem		4	..
South Arcot		26	5
Tanjore		11	..
Tiruchirappalli		4	..
Madurai		6	2
Ramanathapuram		3	1
Tirunelveli		2	..
Madras		2	1
Chingleput		16	1
Total	..	174	24

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APPENDIX II.

[Vide answer to starred question No. 115 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 23rd January 1951, page 383 supra.]

Copy of G.O. Ms. No. 2895, Education, dated 25th October 1950.

ABSTRACT.—Education—Association of University Teachers—Representation—Orders passed.

Order—

The following orders are passed on the requests of the Association of University Teachers :—

(1) *Recognition of the Association.*—The Government regret that they cannot accord recognition to the Association. The Association must seek recognition from the Universities who exercise control and supervision over the colleges. The Government will, however, consider any suggestions from the Association on matters which are purely within the purview of the Government, e.g., dearness allowance to the staff.

(2) *Condition of Teachers in Aided Colleges.*—Questions relating to the scales of pay of the teachers in aided colleges are those that relate to the managements of the colleges and the University concerned. The University has already fixed the scales of pay of the teaching staff in the various aided colleges. The Government regret that they cannot interfere in these matters.

The question of the non-payment of increase of pay to the staff in the Pachaiyappa's College, Madras, should be taken up with the authorities of the college.

As regards the incidents relating to the assault on Sri A. Ramanathan, M.A., a member of the Pachaiyappa's College staff, the management of the college has already taken action against persons concerned.

In regard to the conditions of service of the teaching staff in the colleges, Universities being autonomous bodies, the Government cannot accept the suggestion of the Association to insist on the Universities to set right these matters.

(3) *Conditions of Teachers in the Annamalai University.*—The scales of pay of the teaching staff of the Annamalai University have been revised by the University.

As regards the order of the Commissioner, Salem Municipal Council, the Association is informed that, subject to the provisions of Rule 22 of the rules relating to Personal Conduct of Officers and Servants of Municipal Councils, the staff of the Salem Municipal College may be considered to be free to participate in meetings.

[23rd January 1951]

(4) *Request for payment of grant to aided institutions on the lines of grants to the Universities.*—The Government regret that they cannot accept the suggestion of the Association to treat the aided colleges on a par with the Universities in the matter of making grants.

(5) *Payment of Dearness Allowance to the Staff.*—The Association is informed that the managements of aided colleges are paying dearness allowance to their staff at Government rates. Government cannot insist on the managements of aided colleges paying house rent allowance at Government rates.

APPENDIX III

[Vide answer to starred questions Nos. 116 and 117 asked by Sri K. Manathunainatha Desigar at the meeting of the Legislative Council held on 23rd January 1951, pages 385-386 supra.]

(a) The Food Bonus Scheme has been in vogue from 1st November 1947 to 30th June 1950. The scheme has been extended for a further period of six months from 1st July to 31st December 1950 and is not likely to be extended beyond 31st December 1950. The Government of India have sanctioned a total bonus of Rs. 4,47,88,645 earned by this State during 1st November 1947 to 30th June 1950, on three different occasions as shown under—

	RS.
(i) In April 1949	2,10,42,995
(ii) In April 1950	1,06,74,204
(iii) In September 1950 (balance for the period ending 30th June 1950).	1,30,71,446
Total ..	4,47,88,645

The bonus earned for the period 1st July to 30th September 1950 and likely to be earned during 1st October to 31st December 1950 are—

	RS.
(i) Bonus earned during 1st July to 30th September 1950.	18,75,617
(ii) Bonus likely to be earned during 1st October to 31st December 1950.	30,43,046
Total ..	49,18,663

[23rd January 1951]

Steps are being taken to obtain the sanction of the Government of India for the above amounts also.

(b) The amount expected to be got from the Central Government for the second and third quarters of 1950-51 is Rs. 49,18,663 as stated already. The amount earned during the first quarter of 1950-51 is included in the total amount of Rs. 447 lakhs already sanctioned by the Government of India referred to in the answer to clause (a) above and the bonus scheme in its present form is likely to be discontinued by the Government of India with effect from 1st January 1951.

(c) By reference to "block grants" it is presumed that the grants for "Development schemes" and grants for "Grow More Food schemes" are both referred to.

Block grant sanctioned by the Central Government for 1947-48.—The grant sanctioned for 1947-48 was Rs. 625 lakhs made up of Rs. 234 lakhs relating to prepartition period (1st April to 14th August 1947) and Rs. 391 lakhs for the post-partition period (15th August 1947 to 31st March 1948).

Block grant sanctioned for 1948-49.—A block grant of Rs. 4.42 crores originally sanctioned for this State was subsequently reduced to Rs. 3.25 crores by the Government of India. The actual grant was to be limited to 50 per cent of the expenditure incurred by the State Government on approved Development and Grow More Food schemes.

Block grant sanctioned for 1949-50.—The grant of Rs. 5 crores originally announced by the Government of India was subsequently reduced by them to Rs. 4 crores made up of a maximum grant of Rs. 2.5 crores towards Development schemes and a minimum grant of Rs. 1.5 crores towards Grow More Food schemes. But the Grow More Food grant of 1.5 crores could not be earned on account of the availability of a large amount of the bonus fund, as is explained in the answer to clause (d) below.

Block grant for 1950-51.—The Government of India have stated that no grant will be given for Post-War Development schemes for 1950-51. The Grow More Food schemes of 1950-51 are financed initially from the bonus fund and if the available bonus fund is not sufficient to meet the entire subsidy cost thereof, the Government of India will sanction a grant equal to half of the balance of the subsidy cost.

(d) *Amount spent from the block grants in 1947-48* was Rs. 269.79 lakhs, made up of Rs. 229.41 lakhs under Post-War Reconstruction schemes and Rs. 40.38 lakhs under Grow More Food schemes.

Amount spent from the block grant in 1948-49 was Rs. 229.94 lakhs, made up of Rs. 186.91 lakhs for Post-War Reconstruction schemes and Rs. 43.03 lakhs for Grow More Food schemes.

Amount spent from the block grant in 1949-50 was Rs. 282.01 lakhs, made up of Rs. 250 lakhs under Post-War Development schemes and Rs. 32.01 lakhs under Grow More Food schemes, as provisionally adjusted by the Accountant-General, Madras,

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during the year. This adjustment has been made against a total expenditure of over Rs. 6 crores under Post-War Development schemes and a total subsidy cost of Rs. 1.94 crores towards Intensive Cultivation schemes during the year 1949-50. As the total expenditure under Post-War Development schemes is more than twice the maximum grant of Rs. 250 lakhs fixed by the Government of India, there will be no question of refunding any portion of the sum of Rs. 250 lakhs already adjusted to the credit of this Government and it may be taken that this grant was fully utilized. The subsidy cost of Intensive Cultivation schemes has to be met first from the bonus fund. Under the revised instructions of the Government of India for financial assistance for Grow More Food schemes, only the excess of the total subsidy cost, if any, over the bonus fund can be met from the separate Grow More Food grant. During 1949-50, as there was a large balance in the bonus fund that had accrued in favour of this State, the total subsidy cost of Rs. 1.94 crores incurred under Grow More Food schemes could be counted only against the bonus fund. Hence there was no question of meeting any part of the expenditure under Grow More Food schemes from the separate minimum grant of Rs. 150 lakhs. The amount of Rs. 32.01 lakhs provisionally adjusted during 1949-50 against the minimum grant of Rs. 150 lakhs will therefore have to be refunded.

(e) The information given against clauses (c) and (d) covers this.

(f) The answers to clause (d) above gives particulars of the expenditure during the three previous financial years. Separate figures regarding the utilization of grants up to 31st October 1949 in 1949-50 or up to 30th September 1950 in 1950-51 are not available, as the accounts are generally settled only with reference to the financial year periods ending March.

(g) The amounts that lapsed were—

					Rs. LAKHS.
1947-48	..	..	..	..	355.21
1948-49	..	..	..	..	95.06
1949-50	..	..	..	..	150.00

APPENDIX IV.

[Vide answer to starred question No. 119 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 23rd January 1951, page 388 supra.]

(a) No. All intensive cultivation schemes in the three-year Food Production Plan, 1949-1952, are under the control of the Commissioner of Food Production, Madras.

(b) In order to co-ordinate the Food Production activities of the several departments, in connexion with the three-year plan, the Commissioner of Civil Supplies who is a member of the Board

[23rd January 1951]

of Revenue has been designated as the Commissioner of Food Production. This officer is generally responsible for taking steps for the proper execution of the intensive cultivation schemes relating to all the departments [fuller details are given in the answer to clause (h) below].

(c) There is no division of responsibility for the three-year plan. The Commissioner of Food Production is in overall charge of all irrigation schemes in this plan, including tank improvement schemes, whether executed by the Chief Engineer (Irrigation) or by the Superintending Engineer (Food Production). Government irrigation sources are divided into two classes, viz., sources which have an ayacut of more than 200 acres and those whose ayacuts do not exceed 200 acres. The former class of sources is known as "major irrigation sources" and these are in charge of the Public Works Department. The latter category of sources is classified as "minor irrigation sources" and these sources are in charge of the Revenue Department. There are over 33,000 irrigation tanks in this State, of which a little over 29,000 are Government tanks. As a result of silting up over a number of years, many of these tanks, particularly in zamindari areas, have lost a considerable portion of their storage capacity and consequently they are not irrigating fully the registered ayacuts under them. It is only for effecting repairs and improvements to these tanks that the Government have sanctioned the tank improvement scheme and created a Superintending Engineer with seven executive divisions to work under the Commissioner of Food Production, Madras.

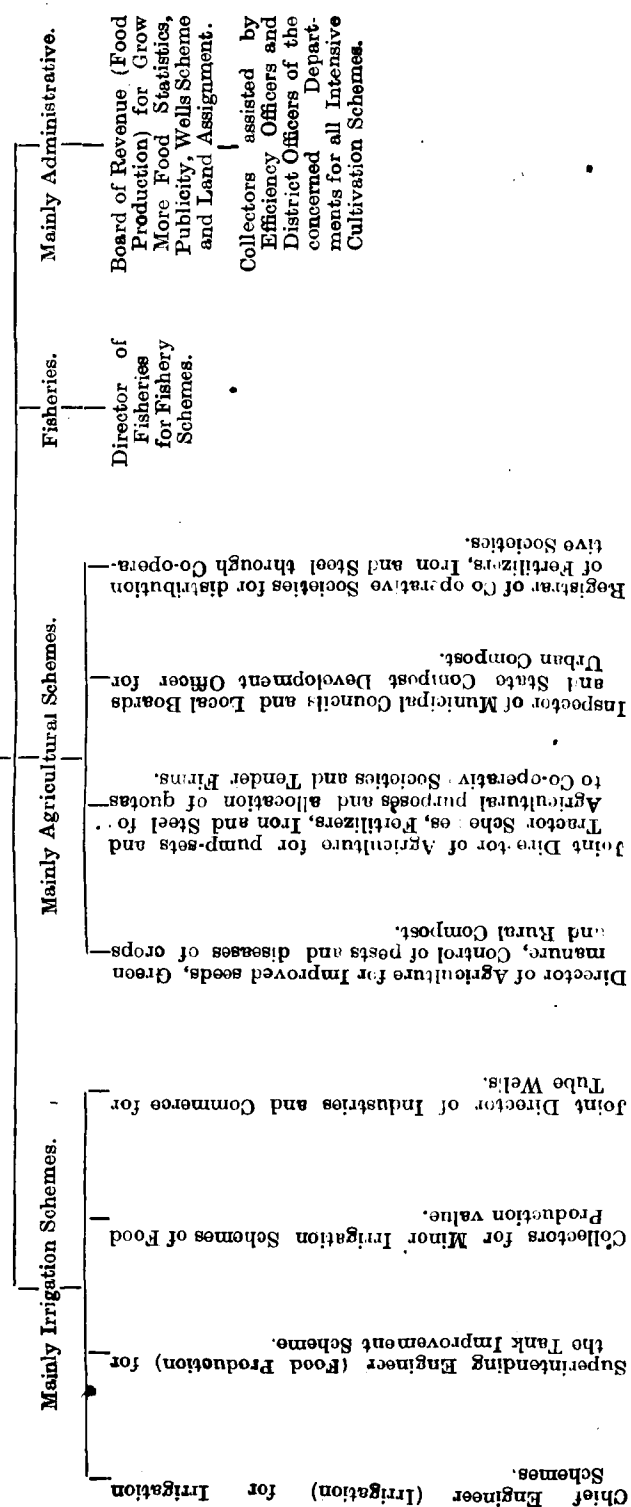
(d) There is no duplication of authority. One hundred and two tank improvement works in charge of the Public Works Department are being executed by the Chief Engineer (Irrigation) under the general direction of the Commissioner of Food Production. As regards other tank improvement works, particularly in the zamindari areas, the Superintending Engineer for Food Production works under the direct control of the Commissioner of Food Production. Work began late in 1949-50. The complete staff became available in 1950 and the results are shown in the statement of progress of work for 1950-51 up to 31st October 1950 (Annexure I).

(e) The Board of Revenue examines the revenue aspects of all irrigation schemes. It is only in cases where the amount of the estimate for improvements exceeds his powers of sanction, that the Chief Engineer (Irrigation) submits his proposals to the Government in the Food and Agriculture (Food Production) Department (the Commissioner of Food Production being the Ex-Officio Secretary) for approval and such proposals are generally placed before the Government.

(f) As regards the formulation and implementation of the intensive cultivation schemes relating to the Agricultural Department, the Director of Agriculture is under the direction of the Commissioner of Food Production, Madras, who is also the

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ANNEXURE II.
Government of Madras.
(Cabinet Sub-Committee for Food Production.)
(Commissioner of Food Production.)
(Ex-Officio Secretary to Government.)



[23rd January 1951]

APPENDIX V.

[Vide answer to starred question No. 121 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on 23rd January 1951, page 389 supra.]

(a) (1) *Elementary schools*.—The Inspecting officers assess monthly grants towards the pay and dearness allowance to teachers according to the scales prescribed by the Government and pay the amounts to the managers of schools. According to Rule 13 of the Rules for Aid to Elementary Schools, the managers are required to pay the entire teaching grant to the teachers by way of salary and dearness allowance. With a view to seeing that the managers do so regularly, they are required to submit a certificate to that effect along with their monthly returns to the Deputy Inspector. The inspecting officers have been instructed to scrutinize teacher's acquittance registers in the schools with a view to satisfying themselves that the pay and dearness allowance due to the teachers are being regularly paid to them.

In all cases of complaints from teachers regarding non-payment of salary and dearness allowance by the managers, immediate investigation is made and arrangements are also made to disburse the amounts due to teachers. Where the managers are found to blame, they are dealt with suitably, the action taken ranging from a cut in the maintenance grant to the total withdrawal of aid and recognition to their schools, according to the gravity of the cases against them.

(2) *Secondary schools*.—The orders of Government requiring managements to allow the members of their staff at least the revised scales of pay applicable to local body schools on the promise of the basis of assessment of grant being raised from 1/2 to 2/3 have been brought to the notice of managements, and any management not complying with the orders would be doing so at the risk of losing the excess grant. Provision exists for carrying out an investigation into the financial resources of managements. In practically all schools, either local body scales of pay or in many cases even Government scales of pay have been introduced.

In the matter of dearness allowance provision has been made for financial investigation and reduction of grant and withdrawal of recognition if the management fails to implement the Government scales of dearness allowance.

(3) *Colleges*.—Government have not prescribed the scales of pay and allowances for teachers in aided colleges. The matter is mainly within the purview of the two Universities (Andhra and Madras) in so far as colleges are concerned. The Syndicate of both the Universities have prescribed the scales of pay for teachers in affiliated colleges. The Government have passed orders insisting on the payment of dearness allowance at Government rates.

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(b) *Elementary and Secondary Schools.*—Yes.

Colleges.—The General Inspection Commission (Madras University) has indicated the conditions of service which should be uniformly observed in aided colleges. As both the Universities have taken action in the matter, the question of the Government issuing orders on the subject does not arise.

(c) Government are unable to lay the copies of the various orders and rules issued by Government and the provisions of the Grant-in-Aid Code, since the rules, etc., are far too many and it is difficult to collect them. But any specific point which may be raised will be answered.

(d) No.

APPENDIX VI.

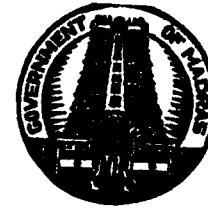
[Vide answer to starred question No. 125 asked by Sri Mothey Narayana Rao at the meeting of the Legislative Council held on 23rd January 1951, page 395 supra.]

Statement showing the names of the non-official institutions to whom grants-in-aid have been sanctioned under G.O. Ms. No. 175, Firka Development, dated 25th March 1948.

Serial number and name of the institution.	Amount sanctioned. RS.
1 Constructive Workers' Sangh, Chinnalapatti, Madurai district.	10,000
2 Gandhi Ashramam, Kilumungiladi, Chidambaram, South Arcot district.	5,000
3 Gandhi Seva Sadan, Peruramsam, Walluvanad taluk, Malabar district	7,900
4 Gandhiniketan Ashram, T. Kallupatti, Madurai district.	5,000
5 Grama Seva Samithi, Perdala village, Kasaragod, South Kanara district.	375
6 Grama Seva Mandiram, Timmapuram village, Kalyandrug taluk, Anantapur district.	4,100
7 Anandashram, Somapuram village, Proddatur taluk, Cuddapah district.	5,000
8 Gandhi Kazhagam, Dhonavur, Nanguneri taluk, Tirunelveli district.	650
9 Grama Seva Kendram, Kalapatti, Malabar district.	5,000
10 Rural Service Colony and Adult Education Centre, Deenabandapuram, Tiruthani taluk, Chittoor district.	5,000
11 Hindustani Premi Mandali, Alur, Bellary district.	5,000
12 Harijan Sevak Sangh, Ernad village, Kasaragod taluk, Harijan Colony, South Kanara district.	400
13 Desiya Mahila Samajam, Nattika, Ponnani taluk, Malabar district.	500

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Serial number and name of the institution.	Amount sanctioned. RS.
14 Seva Mandir, Hindupur, Anantapur district ..	5,000
15 The Hindi Premi Mandali, Najunad, the Nilgiris district.	5,000
16 All-India Spinners' Association, Tiruppur, Coimbatore district.	2,387
17 Cottage Industries Improvement Co-operative Society, Cuddalore, South Arcot district.	1,250
18 Khadi Vidyalayam, Gurzala, Guntur district ..	500
19 Nileshtar Shaka Samithi of Dakshina Bharat Hindi Prachar Sabha, Nileshtar, South Kanara district.	246
20 Gandhigram, Chinnalapatti, Madurai district ..	4,400
21 Ramakrishna Mission Vidyalayam, Coimbatore district.	1,800
22 Seva Mandir, Porto Novo, South Arcot district ..	5,000
23 Sri Balasaraswathi Sthri Samaj, Tanuku, West Godavari district.	2,600
24 Vivekananda Ashram, Appakkarai village, Madurai district	255
25 Harijan Sevak Sangh, Tamil Nad Branch, Madras.	3,750
26 Sri Thakkar Baba Harijan Khadi Vidyalayam, Guntur.	500
27 The Cottage Industry, Production Centre, Kollengode, Malabar district.	2,000
28 Sri Prakasam Chenetha Charka Sangam, Duvva, West Godavari district.	1,500
29 Andhra Basic Training School for Women, Tiruvur, Krishna district.	1,000
30 Kolnad Grama Sangham, Puthur taluk, South Kanara district.	102
31 Gandhi Memorial Hindi and Cottage Industries School for Women and Children, Razole, East Godavari district.	200
32 Rural Reconstruction and Demonstration Centre, Muthupettai, Ramanathapuram.	396
33 The Brahma Samaj Seva Sangh, Trivattur, Chowghat, Malabar.	380
34 Gandhiniketan Co-operative Industries, Limited, Madurai district.	5,000
Total ..	96,591



3874

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MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

WEDNESDAY, 24TH JANUARY 1951

VOLUME III—No. 5

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THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 24th January 1951.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Appointment of Collector for Chingleput district.

* 129-A Q.—SRI R. SURYANARAYANA RAO (on behalf of Janab Abdul Latif Farookhi): Will the Hon. the Chief Minister be pleased to state—

(a) whether any permanent Collector has been appointed for the District of Chingleput after the death of Janab Abdul Sattar Sahib in December 1950; and

(b) whether the Personal Assistant to the Collector has been discharging the duties of the Collector of Chingleput in addition to his own, in the above vacancy, if so, whether his work has been satisfactory?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—“(a) Orders have been issued posting Sri R. Koteswara Rao Nayudu, Deputy Secretary to Government, Development Department, as Collector of Chingleput.

“(b) Yes. Government are unable to express any opinion as the period for which Sri R. Rajagopala Mudaliar held additional charge was too short.”

Appointment of Professor in Pharmacology in Andhra Medical College.

* 130 Q.—SRI C. VEERABHADRA RAO: Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the person recently appointed as Professor in Pharmacology department in the Andhra Medical College in place of Dr. K. P. Parthasarathy who is to leave for England, is not having necessary qualifications and is recruited from among outsiders;

(b) if so, the reasons for and the terms of his appointment and whether his appointment is on an agreement basis or whether he has been taken in regular service; and

(c) if he has been appointed in regular service, what the position of the Assistants who are working for years and qualified themselves with necessary degree courses, will be?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Minister for Health):—“(a) The officer newly appointed possesses all the qualifications prescribed for the post of Professor of Pharmacology. He holds the degree of M.S.

CONTENTS

I Questions and Answers

II Acknowledgment of condolences restriction on the death of Sardar Patel

III Government Motion—
Motion under rule 24 of the Madras Council Rules

IV Food situation in the State

V Announcement re Business of the House

[24th January 1951]

(Pharmacology) of the Yale University, a first-class University, having undergone advanced training abroad on a World Health Organization fellowship. He was not previously holding any appointment under this Government but was working as Assistant Professor in the Christian Medical College, Vellore.

“(b) No qualified officer was till now available for appointment to the post and the Andhra University had also objected to an unqualified person continuing to be in charge of the post. Though the new officer is fully and well qualified, he has for the present been appointed only under the emergency provisions. The intention is that the Madras Public Service Commission should recruit, for regular appointment, the best candidates available in the country after advertising the vacant posts and calling for applications.”

“(c) Does not arise.”

Prohibition in Salem district.

* 131 Q.—SRI B. BHIMA RAO: Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether the Government have seen the judgment in appeal in the Madras High Court from Salem district (published in the ‘Indian Express’ of the 8th November 1950) in which Their Lordships have observed that “either several people have not taken to it (prohibition) seriously or prohibition is a failure”.

(b) whether they have received similar reports of cases from other districts;

(c) if so, whether they have considered the fact of occurrence of such cases in other districts also; and

(d) if so, what decision they have arrived at in the matter?

THE HON. SRI N. SANJEEVA REDDI:—“(a) The newspaper report has come to the notice of the Government.

“(b) No.

“(c) & (d) Do not arise.”

SRI R. SURYANARAYANA RAO:—“May I know, Sir, whether the Government have taken steps to examine how far the Hon. Judges of the High Court were justified in making these remarks in a case that came up before them?”

THE HON. SRI N. SANJEEVA REDDI:—“As I said in the Assembly, I think the remark was most uncharitable and was not necessary.”

SRI R. SURYANARAYANA RAO:—“Sir, have the Government brought to the notice of the High Court how they view these remarks—they are extra-judicial and not relating to the case before them?”

THE HON. SRI N. SANJEEVA REDDI:—“No, Sir, we have not done that up till now.”

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D.D.T. spraying operation in Malanad tracts in Karkal taluk.

* 132 Q.—SRI D. MANJAYA HEGDE: Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the D.D.T. spraying operation has been extended to the Malanad tracts in Karkal taluk of South Kanara district this year;

(b) if so, whether the Government have provided more money for further extension of D.D.T. spraying operation;

(c) if not, why not;

(d) whether it is a fact that the present D.D.T. spraying operation has been found less effective than that of last year; and

(e) whether it is a fact that the D.D.T. spraying solution has been made less concentrated for the sake of economy?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Minister for Health):—“(a) D.D.T. spraying has been extended to 24 villages in Karkal taluk of South Kanara district during December 1949 to June 1950. It is also proposed to take up about 25 more villages in the taluk during the next spraying season, (i.e.) December 1950 to June 1951.

“(b) & (c) The answer is in the affirmative.

“(d) & (e) The answer is in the negative.”

Telugu Facilities Committee.

* 133 Q.—SRI MOTHEY NARAYANA RAO: Will the Hon. the Minister for Education be pleased to state—

(a) whether a committee called the Telugu Facilities Committee was appointed by the Government;

(b) the purpose for which the committee was appointed;

(c) whether the committee concluded its enquiry;

(d) whether a report has been submitted to the Government; and

(e) if so, what steps have been taken to implement the findings of the committee?

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

“(b) The committee was constituted to report on the adequacy of the educational facilities for children in the City of Madras whose mother-tongue is Telugu.

“(c) & (d) Yes.

“(e) The Government have passed suitable orders on the recommendations of the committee.

“A note* showing the action taken upon the recommendation of the committee is laid on the table.”

[24th January 1951]

SRI MOTHEY NARAYANA RAO :—" May I know, Sir, whether the instructions given are being implemented by the various schools? "

THE HON. SRI K. MADHAVA MENON :—" We have not received any complaint that they have not been implemented."

SRI R. SURYANARAYANA RAO :—" Will the Government consider the desirability of reducing the number of pupils in the three forms of secondary schools to 30 as in the case of elementary schools? "

THE HON. SRI K. MADHAVA MENON :—" That will not be possible. We said 45 pupils for the three forms in the case of secondary schools. It comes to fifteen per class. It will be very difficult to hold a class for less than fifteen pupils. The expenses will be very high to hold a class for less than fifteen pupils."

Grants to aided schools.

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

(a) what the orders of the Government are in regard to advance increments (weightage);

(b) whether these orders are applicable to aided schools also; and

(c) whether the extra expenditure incurred on this account is taken into consideration in assessing grants to schools of all grades?

THE HON. SRI K. MADHAVA MENON :—" (a) Under the orders of the Government advance increments in the revised scales of pay should be granted as indicated below :—

(i)—For a service of 4 years and more but less than 8 years. One advance increment.

(ii) "or a service of 8 years and more but less than 12 years. Two advance increments.

(iii) For a service of 12 years and more but less than 16 years. Three advance increments.

(iv) For a service of 16 years and more. Four advance increments.

(b) & (c) The Government have not insisted on the grant of advance increments to teachers in aided elementary schools; nor has the expenditure, if any, on this account incurred by managements been taken into consideration in assessing grants to these schools.

In the case of teachers employed in aided secondary schools also, the grant of advance increments is not insisted on. It is, however, left to the managements to give such weightage

[24th January 1951]

provided that it is not more liberal than that admissible to teachers employed in Government schools and in such cases the expenditure on the grant of weightage is taken into account for purposes of teaching grant payable to the schools concerned."

SRI R. SURYANARAYANA RAO :—" What is the difficulty in asking the aided managements to give effect to the orders of the Government in regard to the advance increments in their schools in view of the fact that the Government themselves are prepared to take this into account in assessing the grant payable to the secondary schools? "

THE HON. SRI K. MADHAVA MENON :—" Since the managements themselves have to bear one-third of the expenditure, they should take steps in the matter. Wherever they have done this, we have allowed them to take this into account for purposes of teaching grants. A considerable number of the schools has done so."

SRI R. SURYANARAYANA RAO :—" Why not all these facilities be extended to aided elementary schools also? "

THE HON. SRI K. MADHAVA MENON :—" It is not possible because of the present financial stringency."

Breaches of the Payment of Wages Act in the Government Press.

* 135 Q.—SRI P. R. K. SARMA : Will the Hon. the Minister for Education be pleased to state—

(a) whether there have been any breaches of the Payment of Wages Act in the Government Press, Madras, resulting in suits before the Commissioner of Labour, Madras, and if so what the nature of the suits was and what the findings and directions of the Commissioner of Labour are;

(b) the person responsible for wrongful deductions, if any, and the action the Government propose to take;

(c) whether there have been similar breaches of the Payment of Wages Act in regard to a large number of employees in the Government Press, and whether the deductions made from their salaries will be refunded in view of the Labour Commissioner's findings and directions in the case under reference; and

(d) what the costs incurred by the Government in the suits are and whether the Government intend to recover them from the officers responsible for the wrongful deductions?

THE HON. SRI K. MADHAVA MENON :—" (a) A suit was filed by one Sri S. Doraiswami, line operator, Government Press, Madras, in the Court of the Commissioner for Workmen's Compensation, Madras, for a sum of Rs. 18 as unlawfully deducted from his wages of Rs. 98 per mensem for the wage periods from November 1949 and ending on 28th February 1950. Orders were passed by the Commissioner

[24th January 1951]

for Workmen's Compensation on 12th August 1950, awarding the applicant Rs. 14-11-0 as deducted wages, Re. 0-8-0 as costs and Rs. 5 as pleader's fee.

"(b) None of the officers in the Government Press is responsible for the deductions as recovery was made under orders of Government.

"(c) There are other cases also similar to the applicant and the question of ordering the refund is engaging the attention of Government.

"(d) The costs awarded to the party by the court was Rs. 5-8-0. The claim from the Government Pleader for his appearance on behalf of Government is Rs. 100. The question of recovery from any of the officers of the Press, does not arise in view of the answers given to clauses (a) & (b)."

SRI R. SURYANARAYANA RAO :—" Sir, in view of the fact that the Government have themselves found out that these deductions were wrong, and they were made under their orders, will the Government kindly examine if there are any such orders so that they may not become liable to payment on account of costs, as it has happened in this case."

THE HON. SRI K. MADHAVA MENON :—" Sir, the answer to clause (c) is : 'There are other cases also similar to the applicant and the question of ordering the refund is engaging the attention of Government'."

Ayurveda Pasu Vaidya.

* 136 Q.—SRI MOTHEY NARAYANA RAO : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government have any plan to encourage Ayurveda Pasu Vaidya; and

(b) if so, whether any efforts have been made in the above direction?

THE HON. SRI A. B. SHETTY :—" (a) None at present.

"(b) Does not arise."

SRI MOTHEY NARAYANA RAO :—" Are the Government taking steps to collect statistics and verify the efficacy of the system of indigenous drugs? "

THE HON. SRI A. B. SHETTY :—" Under the auspices of the Indian Council of Agricultural Research some investigation is being done in regard to the efficacy of indigenous drugs at the Madras Medical College. If any one of them is found useful, we will certainly bring it under modern medicine."

SRI MOTHEY NARAYANA RAO :—" Are the Government aware that there is a school at Tenali where this kind of education is imparted? "

THE HON. SRI A. B. SHETTY :—" There may be a school there, but I do not think it has been recognized by the Government."

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SRI MOTHEY NARAYANA RAO :—" May I know, Sir, whether that school has applied for any assistance to the Government at any time? "

THE HON. SRI A. B. SHETTY :—" One Mr. Sriramulu Choudry was given a grant of Rs. 1,200 for running an Ayurvedic dispensary in Dendalur firka of West Godavari district for a year and it was proposed to continue that grant last year also, but he was unwilling to abide by the conditions imposed on making this grant."

SRI MOTHEY NARAYANA RAO :—" What is his objection, Sir? "

THE HON. SRI A. B. SHETTY :—" He did not want this work to be supervised by veterinary officers and probably he did not also like the condition imposed on him to render proper accounts to the Collector."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, whether Mr. Choudry is conducting a Pasu Vaidya Sala according to any scientific method or according to crude methods? "

THE HON. SRI A. B. SHETTY :—" It is being done according to the old methods."

SRI MOTHEY NARAYANA RAO :—" May I know, Sir, if the Pasu Vaidya is not very popular in the villages? "

THE HON. SRI A. B. SHETTY :—" It may be popular where the modern system of veterinary treatment is not available."

SRI MOTHEY NARAYANA RAO :—" Is it not the duty of the popular Government, Sir, to see that popular things in the country are encouraged? "

THE HON. SRI A. B. SHETTY :—" I have already said that an investigation is being made to find out whether there are useful drugs, and if so, to make use of them."

SRI R. SURYANARAYANA RAO :—" After the investigation is completed, is it not better that the Government provide scientific medical aid instead of allowing those, at present considered quacks, to continue their treatment? "

THE HON. SRI A. B. SHETTY :—" Scientific aid is being given. We have about 144 veterinary hospitals and dispensaries, and about 165 touring billets which are now being converted into minor dispensaries."

SRI R. SURYANARAYANA RAO :—" Is there any proposal to increase the touring assistance as well as the veterinary dispensaries in the next year? "

THE HON. SRI A. B. SHETTY :—" Yes, Sir."

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Betterment tax on irrigation schemes.

* 137 Q.—SRI MOTHEY NARAYANA RAO: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have decided to collect betterment tax on all irrigation schemes;

(b) if so, the schemes on which betterment-tax was levied; and

(c) the amount of tax collected from each of them?

THE HON. SRI H. SITARAMA REDDI:—“(a) The Government have under consideration a proposal to include necessary provisions in the Comprehensive Irrigation Bill, which is under consideration, to enable them to levy betterment fee in respect of irrigation projects.

“(b) & (c) No betterment fee in respect of irrigation works has so far been levied in this State.”

11-15
a.m.

SRI R. SURYANARAYANA RAO:—“May I know, Sir, whether the Government will announce their tentative proposal so that public opinion may express itself on this vexed question of betterment fee, before they finally undertake legislation?”

THE HON. SRI H. SITARAMA REDDI:—“The Bill is being got ready and the public will have sufficient opportunity to express their views when the Bill is published.”

Appointment of Labour Officer for the Government Press.

* 138 Q.—SRI P. R. K. SARMA: Will the Hon. the Minister for Education be pleased to state—

(a) the number of workers that are employed in the Government Press, Madras;

(b) whether there is a separate officer to deal with the staff and labour problems in the Press as required by the Government rules; and

(c) whether the Government propose to appoint early a Labour Officer for the Government Press, Madras?

THE HON. SRI K. MADHAVA MENON:—“(a) The number of workers in the Government Press is nearly 2,324.

“(b) & (c) No.”

SRI R. SURYANARAYANA RAO:—“In view of the fact that a large number of persons are employed in the Government Press, will the Government themselves set an example to other employers by appointing a separate Welfare Officer to deal with labour problems?”

THE HON. SRI K. MADHAVA MENON:—“There is an Employees' Union which is looking after their interests properly and the Government themselves are very particular in looking after their interests. Apart from that, the rules under the Act have not yet been framed. As and when they are framed and got ready, we will consider the question of appointing Welfare Officers.”

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Representation from the members of the Process Department of Revenue Department.

* 139 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received any representation from the members of the process establishment employed in the Revenue Department in various districts as regards their position as a result of the introduction of the Zamindari Abolition Act;

(b) whether the revenue process fees are still being recovered and if so, from whom;

(c) whether those served with notice of discharge have been granted pension or compassionate gratuity;

(d) whether G.O. Ms. No. 238, Finance, dated 2nd March 1950, is applicable to these members of process establishment;

(e) what steps, if any, have been taken to absorb those members of the process establishment in other departments;

(f) whether the question of granting pension in lieu of discharge in the case of those who have completed the period of eligibility for pension has been considered; and

(g) whether the Government will make a full statement on the present position of the process establishment, its future and other cognate matters?

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

“(b) Yes, from the parties before the Revenue Courts.

“(c) No.

“(d) No.

“(e) to (g) The process establishment in Revenue Courts is recruited on a non-pensionary and temporary basis. The strength of the establishment varies according to the amount of work under the Madras Estates Land Act. In view of this and especially in view of the abolition of estates, the Government have considered that there is no case for making these establishments permanent and pensionable and for absorbing them in the Revenue Department. The question whether the process establishment can be absorbed in the Judicial Department is under the consideration of the Government.”

SRI R. SURYANARAYANA RAO:—“Are not the rules framed by the Government in respect of employees in these estates applicable to the members of the process establishment, especially as they were employed under the Government?”

THE HON. SRI H. SITARAMA REDDI:—“I do not think the rules will apply.”

SRI R. SURYANARAYANA RAO:—“In view of the fact that the Government want to be generous to the employees in estates and that the members of the process establishment were employed under the Government, will they consider the desirability of giving

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gratuity or pension in the case of those who have completed the necessary period of service and such other amenities which these hardworking employees with long service deserve?"

THE HON. SRI H. SITARAMA REDDI :—" The Government are aware of the difficulties of these people in view of the change that has taken place. As I said, the Government are examining the question of absorbing them in other departments."

SRI R. SURYANARAYANA RAO :—" If such absorption is not possible in all cases, will those cases in which people who have completed their service are concerned be considered sympathetically and those persons given some gratuity or pension?"

THE HON. SRI H. SITARAMA REDDI :—" I will consider the suggestion of the hon. Member."

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

II.—ACKNOWLEDGMENT OF CONDOLENCE RESOLUTION ON THE DEATH OF SARDAR PATEL.

MR. CHAIRMAN :—" I have to inform the House that I have received the following reply from Sri Dahyabhai Vallabhbhai Patel, son of late Sardar Vallabhbhai Patel, in reply to the Condolence Resolution passed by this House :—

'We are grateful for your message of condolence. After his association with Gandhiji, the Congress and the country had become his family. We are conscious how real the loss is to us all. May God give us the strength to bear it and the Light to be worthy of him.'

III.—GOVERNMENT MOTION.

MOTION UNDER RULE 24 OF THE MADRAS COUNCIL RULES.

* THE HON. SRI K. MADHAVA MENON :—" Sir, I move—
'That rule 24 of the Madras Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the 24th January 1951.'

Ordinarily to-day should be a non-official day, but the House is particular to have a discussion on the food situation. Our work was over yesterday but since the House wanted to discuss the food situation, we are meeting to-day. I request the House to agree to convert this non-official day into official day. Though it will be converted into an official day, practically it is non-official work because it is the desire of the House that there should be a discussion on the food situation."

MR. CHAIRMAN :—" The question is—

'That rule 24 of the Madras Council Rules be suspended and the House do resolve to transact Government business on Wednesday, the 24th January 1951.'

The motion was carried and the House resolved to transact Government business on Wednesday, the 24th January 1951.

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IV.—FOOD SITUATION IN THE STATE.

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

'That the Food situation in the State be taken into consideration.'

Sir, we have already placed on the table of the House a statement* on the present food situation in the Madras State and I am sure hon. Members would have gone through that statement by this time and known where we stand at present with regard to food. The attention of the hon. Members of this House has to be drawn to only two important matters, namely, the present policy adopted by the Government in regard to derationing in the rural areas and the Government of India's proposal to impose a cut of 25 per cent in the overall scale of ration so that all the States of the Union may meet the present situation equally."

SRI B. NARAYANASWAMI NAYUDU :—" What will be the scale of ration after the 25 per cent cut?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Now the overall ration is 12 oz.; after the cut, it will be 9 oz.

"Regarding the question of derationing, this was a step taken on representations received from different parts of the State and also after having considered the matter in a full debate in the other House. At the time of the Food Ministers' Conference in Bombay, the matter was also placed before the Union Government and they also approved of it with a view to meet the present situation. In taking that course, the Government knew that they were taking a very drastic step in this matter but at the same time they were also confident that though there might be some difficulties in the initial stage, they could be overcome by making necessary arrangements to suit the conditions prevailing in the different districts of the State. That is why arrangements vary in different parts of the State. The whole State has been divided into five portions and each portion is going to be dealt with in a slightly different way so that the State as a whole may be able to meet the situation. While we are proceeding with those arrangements, the proposal has come from the Union Government to reduce the overall ration by 25 per cent. That matter is also engaging the attention of the State Government and as mentioned in the statement, representations have already been made to the Union Government. But now that the matter is placed before the hon. Members, Government would also like to hear their views.

"The proposal to effect a cut of 25 per cent in the overall ration was also considered at the Food Ministers' Conference in Bombay, but it was said that such a drastic step affecting all the States in the country would be taken only in case of grave emergency, e.g., if war broke out in the world and if there were difficulties with regard to getting foodgrains from other countries, and that all the States, whether surplus or not, must fall in line with the common policy and common rationing arrangements.

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But it was not expected that such an emergency would arise so soon in the early part of this year. We were not prepared for such a cut in the beginning of this year. Anyhow, if it is necessary to make such a change, it will be done after taking a final decision on this matter.

“ With regard to imports from other countries, I may mention that the Government of India have agreed to import much larger quantities than in former years and their policy of self-sufficiency announced last year will not stand in the way. The only difficulty seems to be in respect of bringing those foodstuffs from other countries owing to want of shipping facilities and other conditions prevailing there. So much so, the Government of India are not strictly sticking to their original policy of self-sufficiency; otherwise they would not have agreed to import much larger quantities. Having agreed to this, they also gave an assurance which was embodied in the statement issued after the Conference, that even if they fixed a target of the period within which to attain self-sufficiency, they would always take care of the deficit areas even after the target period in the matter of supply of foodgrains. With that assurance we parted at the Conference in Bombay. But now this cut has come about and it has been said that it will be only a temporary cut for a few weeks. I do not know whether we will have to do the same thing as other States have already done. Anyhow as I have said, this State Government have not come to any final decision on this matter because we are still in communication with the Union Government. With these words, I beg to invite suggestions from the hon. Members, taking into consideration the prevailing conditions in the State. It may be that there are complaints here and there but some of the Collectors have said that they have started well on this matter. Their only fear is about the lean months but my personal knowledge also through a visit to some of the deficit areas goes to show that the initial difficulties can be got over and we can make a success of the new scheme which we have just now introduced. I would very much like hon. Members give the Government all support by their suggestions and advice.”

SRI B. NARAYANASWAMI NAYUDU :—“ What about placing on the table of the House the correspondence between the State Government and the Union Government? ”

11-30 a.m. THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The hon. Member spoke to me yesterday privately and wanted to see the correspondence between this Government and the Government of India regarding these allotments and so on. It is not possible to place on the Table of the House the whole correspondence that passed between this Government and the Central Government, because, most of the matters dealt with in the correspondence have already appeared in the statement placed before the House. If any particular point further information is required, I shall be able to give that information.”

SRI R. SURYANARAYANA RAO :—“ What is the objection to the hon. Member looking into the correspondence? ”

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THE HON. SRI J. L. P. ROCHE VICTORIA :—“ It is not going to help the hon. Members in any way. On the contrary, the position of the Government may be made more difficult if the correspondence is made public.”

MR. CHAIRMAN :—“ What is the information that the hon. Member wants? ”

Sri B. Narayanaswami Nayudu rose.

MR. CHAIRMAN :—“ Let the hon. Member use the mike. The Press always complain that Sri Narayanaswami Nayudu is not at all audible as he does not use the mike. Let not the hon. Member ignore the mike.” (Laughter.)

SRI B. NARAYANASWAMI NAYUDU :—“ Sir, yesterday I wanted to know what the requirements of this State are, on what materials this Government submitted information to the Central Government with regard to the allotments to be made by them to this State, how this Government are faring with regard to procurement, on what basis, i.e., whether on a scale of 8, 9, 10 or 12 ounces this Government made their demands for foodgrains on the Central Government, what did the Government of India say, how much did they allot to us and what their reasons are for refusing to give us the full quota required by the State Government. These are most important questions which should be answered. We are not so much concerned with the general question.”

MR. CHAIRMAN :—“ The hon. Member wants to know the basis on which this Government formulated their demands to the Central Government, on what basis the Central Government cut down this Government's demands and what is the quantity that they are going to give this Government? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Our demand was made on the basis of 8 ounces of rice ration, and 4 ounces of other grains such as wheat, milo, etc., making an overall ration of 12 ounces, when we submitted our requirements to the Government of India at the conference in Bombay. That was based on the old system taking into consideration the rural rationing and conditions prevailing at that time. Later on, since the monsoon also completely failed, we had increased our demand to 10 lakhs of tons whereas our original demand was 7½ lakhs of tons based upon 8 ounces. That 7½ lakhs included not only rice, but also wheat, millet, etc., to cover the 12 ounces overall ration. Even that was not sufficient to meet our requirements. Therefore we had to increase our demand to about 10 lakhs of tons of foodgrains, out of which naturally about 4 lakhs of tons was expected to be in the form of rice. That was the basis on which we sent up our requirements to the Central Government.”

SRI N. VENKATACHALAMJI :—“ Sir, . . . ”

MR. CHAIRMAN :—“ I want to make one point clear. I have not yet announced that the subject is open for discussion. If any

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hon. Members want to put some short questions, they can do so. But before the matter is taken up for discussion by the House, I would like to have some information from the Hon. Minister."

"So far as the deficit districts are concerned, is it the idea to allow free movement of foodgrains inside the districts?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—"Yes, Sir."

MR. CHAIRMAN :—"If that is the idea, you say here that it will be done through licensed merchants and it will not be left to be done by anybody else. Then, are you going to insist on price control also inside the deficit districts?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—"The price control will be there."

MR. CHAIRMAN :—"It is said that the licensed merchants will do the job and price control will be there. How are the Government going to enforce it if such a rule is to be observed?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—"The stock will be allowed to circulate within a certain area. Since we are allowing it to be purchased only by licensed dealers, it is quite possible to watch that it is not sold at an exorbitant price. For the present, we are not disbanding the whole staff that we have during the regular rationing period. They will be also there to watch the situation and to meet the difficulties whenever they occur."

MR. CHAIRMAN :—"The result of this abolition of rural rationing is that procurement will stop. Suppose the licensed merchant goes to a person for getting paddy or some other foodgrains, and that person refuses to sell the foodgrains to him. What is the remedy in such cases?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—"We are making arrangements to see that at least the big producers declare their stocks."

MR. CHAIRMAN :—"Under what provision are the Government going to enforce this?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—"We are still having Food Rationing."

MR. CHAIRMAN :—"We know that at present there are what are called black-market prices. Now, there is some sort of control and to some extent people are prevented from selling their grains in black-market. If all these controls are removed and derationing is introduced, how will it be possible to prevent the prices going up very high. This will not, in a sense, be good to the district. On the contrary it will be detrimental to the interests of the district concerned if you do not allow really free movement of grains. How are the Government going to improve matters in such circumstances?"

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THE HON. SRI J. L. P. ROCHE VICTORIA :—"The position is that, even during the rationing period, some quantities were still available in open market and people were buying them. Now by removing certain restrictions and allowing the grains to circulate in a particular area, it is hoped that the producers will willingly part with the produce, because they will not be allowed to export it. At the same time, if they do not sell it to the licensed dealers or to those who want it, then they will have to be dealt with according to the present Foodgrains Control Order, which will still be in force. Though of course we have stopped procurement, we can at any time requisition the stocks from any producer or even from the stock holders."

MR. CHAIRMAN :—"What is the objection to remove all these controls in deficit areas and allow the grains to move freely, wherever they are available? I think that is the only way in which the Government can bring out all the grains available with the producers. When there are the controls, people may not be willing to sell their grains to the licensed merchant and will only sell in the black-market and the position will be bad. From my own experience I can tell the House this. The other day, there was no grain in my village for the Pongal festival and grain was brought from so many places and was sold at Rs. 30 and 35. If that had not been done, no grain would have been available in my place for Pongal."

THE HON. SRI K. MADHAVA MENON :—"Sir, we are placed in an awkward position when the Chair cross-examines us like this."

MR. CHAIRMAN :—"I request the Hon. Minister not to take it as cross-examination. I was only asking for some information from the Government so that we may know the real position. With regard to derationing, unless the Government allow free movement without any control over prices, there may not be much improvement in the situation. That is why I am asking . . ."

* THE HON. SRI K. MADHAVA MENON :—"With regard to any suggestions that the Chair might wish to give, it will be easier for us, if it is done in your Chambers. Otherwise, we are placed in an awkward position. There is a lot of difference between some hon. Member asking for information and the Chair asking for information. Even under the rules, we can say in respect of a question of an hon. Member, that we are unable to give the information for the present. But it is awkward for us to say that when the Chair wants information in the House. That is our main difficulty here, Sir."

MR. CHAIRMAN :—"This is not a matter of putting the Government in an embarrassing situation or anything like that. We are now discussing the food situation in the country which is a very important one. I wanted to make some points clear so that the Government may tell the country what it is that is being done

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by them. If I thought that by doing so I will be placing the Government in a delicate or embarrassing position, I would certainly have not done so. What I thought was, that as everybody is interested in this subject, some more information will really be useful."

* THE HON. SRI K. MADHAVA MENON :—" Even then, Sir, just like you gave your suggestions in respect of the *Estates Land (Reduction of Rent) Amendment Bill*, after the discussions were over, it would be better if you give your suggestions on this subject also after the discussions are over and not before."

MR. CHAIRMAN :—" I wish to make it clear that it is not my intention to embarrass the Government. I only thought that as this is a very important subject, hon. Members would also like to have certain points cleared. That is all."

SRI B. NARAYANASWAMI NAYUDU :—" Derationing merely means that there will be no rationing and no supply of grains by the Government; but the Movement Control Order, Price Control Order and all other Orders relating to the tightening of stuffs will be existing. There will be no obligation on the part of the Government to send rice. Is that the position? "

THE HON. SRI B. GOPALA REDDI :—" There will be no procurement in deficit taluks."

SRI B. NARAYANASWAMI NAYUDU :—" I would like to know the real position. It is not a question of surplus or deficit districts. Even though the Chair may not put questions and elicit information, I think there will be sufficient number of Members to be on their legs for this purpose."

* SRI R. SURYANARAYANA RAO :—" All the information is given in the 4 pages of the statement that we have to discuss just now. Now we have to discuss the various points contained in the statement and give our suggestions and then the Hon. Minister will have an opportunity to reply. The position in the various areas, what orders will be in force in each area and other information is contained in the statement. We may say that those orders may not be applicable and cannot be enforced in a particular area. But in fairness to the Hon. Minister, I must say that all the information that we want is furnished in that statement."

MR. CHAIRMAN :—" The motion is—

'That the Food situation in the State be taken into consideration.'

"It is open to any hon. Member to make a motion or speech on this subject."

11-45 a.m. * SRI B. NARAYANASWAMI NAYUDU :—" Mr. Chairman, Sir, I request permission to move the first two amendments—of the four I have given notice of—together."

MR. CHAIRMAN :—" The hon. Member may do so."

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

'Add the following at the end :—

"1. And on such consideration this Council resolves—

'That legislation about prices, procurement, movement, milling, etc., as now obtaining by means of orders of the Government of Madras promulgated under the *Essential Supplies (Temporary Powers) Act* should be discontinued hereafter and should be effected only by way of ordinary Bills submitted to and passed by the Legislature of the State and that so far as the existing orders in regard to the above subjects are concerned, the same should be introduced and passed by the Provincial Legislature in the next session, failing which the Government should be censured for such default at the next session;'

2. and this Council resolves on such consideration that the orders of the Madras Government regarding the following matters should be modified by a Special Committee of the Provincial Legislature, the said modifications to be accomplished before the next session of the Legislature :

- (a) Price of foodgrains and compulsory payment for them when offered by producers;
- (b) Abolition of zonal system as promulgated in *Krishna District*;
- (c) Polishing of rice;
- (d) Renewal of embargo on the setting of new paddy or rice mills and imposition of embargo on the export of paddy from the surplus districts of the *Circars*;
- (e) Permission for ryots to deliver paddy or rice according to the quantity fixed;
- (f) Collector's or his nominee's orders fixing the quantity of procurement should be with the concurrence of a *District Co-ordination Board*."

I may at once point out, Sir, that the present procedure of acting under orders promulgated under the *Essential Supplies Act* is wrong. Every order is promulgated in the exercise of powers conferred by Section 3 of the *Essential Supplies (Temporary Powers) Act* read with the notification of the Government of India issued on the subject. This is the law under which matters like price control, movement of foodgrains, milling of foodgrains, delivery of paddy, etc., are dealt with. Procurement is also done not under any legislation passed by the Legislature but by virtue of notifications issued under the *Essential Supplies Act*. What I propose and request the Hon. House to do is to let the power of legislating on important and vital matters like food, be vested in the Government of Madras, so that the Government may be in a position to take us into confidence and take into consideration the opinions expressed by us while enacting such measures. Are we content,

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I ask, with the present methods—with the present orders on the subject of procurement, with regard to the present price of paddy, with regard to milling of paddy, polishing of rice, procurement and delivery of paddy or rice as dictated by the Collectors or their agents? Should all these things be done by what I may call, indirect legislation? Why should not we do these under direct legislation? This is the first point I raise.

“My second point is, even supposing the Government do not want to do what I have just now said, should there not be a committee of both the Houses of Legislature to see that the Bills brought forward in this regard by the Government or the orders that they issue have the confidence and sanction of such a committee so that it may be in a position to remove any objectionable features that may be found in those Bills or orders? Such a committee will go into the root of the matter and examine the competence or incompetence of the Government to handle such affairs and the desirability or the undesirability of empowering the executive officers like the Commissioner of Civil Supplies and others to act on their own initiative in matters where the Legislature must necessarily have a say. This is a vital matter and, therefore, must be within the competence of this House to legislate upon. It should not be made merely a party question but must be left to the free vote of the House. My question is whether the Food Minister is responsible to this House in the same sense in which the Food Secretary sitting over there is responsible to the Food Minister, or is he not responsible to this House but to some alien or foreign authority, federal, imperial or the Central Government, whatever it is? Does he issue these orders subject to the approval and assent of this House or does he act independently of either this or the other House? Does he act on his own responsibility and does it mean that we cannot question him? Can he issue orders on such important subjects which, as I have already said, require the express sanction of this House? Therefore, Sir, procurement, movement, price, etc., are subjects on which we do not have any power to legislate. The Government derive powers from the notification issued by the Government of India and act. What is the position of the Government then? They cannot act on their own initiative but under direction by the Government of India. I want to know whether the Madras Government are incompetent to legislate on such matters independently and therefore, they are taking action under the Essential Supplies Act. Even granting they are acting under directions from a central authority, are they to act only as agents; cannot they be responsible to the Legislature of the State? I feel that even now the Government can deal with these matters by way of legislation being introduced and got passed by the Legislature. Let us take a simple case with regard to price of foodgrains or procurement of foodgrains. Under what law are we now acting? Under what law are we now fixing the prices? Does this Legislature authorise the Government to act in the manner they are acting now? No it does not do it. The Government say that they are acting under the provisions of the Essential Supplies (Temporary Powers) Act . . .”

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MR. CHAIRMAN :—“I would like to know how many hon. Members would like to take part in the discussion so that I may fix a time-limit for each hon. Member. Does Dr. Srinivasan also want to speak?”

DR. P. S. SRINIVASAN :—“Yes, Sir.”

MR. CHAIRMAN :—“I suppose it is not the intention of the House to sit beyond to-day.”

SRI S. JAYARAMA REDDI :—“That is what we would like to know.”

MR. CHAIRMAN :—“It is in your hands. But I think it is not necessary to go beyond to-day. Probably, some eight or ten hon. Members are willing to speak and we have got nearly four hours. Let us not take more time.”

* THE HON. SRI K. MADHAVA MENON :—“Even the other day, when Janab Uppi wanted to know how long this question would be debated, I said we did not want to hurry it up in two hours.”

SRI B. NARAYANASWAMI NAYUDU :—“It is not a question of two hours. It is a question of realising the importance of the subject.”

MR. CHAIRMAN :—“The hon. Member need not make matters worse. Each Member will have twenty minutes.”

SRI B. NARAYANASWAMI NAYUDU :—“I have no objection and I am not bothered about the time-limit.”

MR. CHAIRMAN :—“I shall allow the hon. Member twenty minutes.”

SRI B. NARAYANASWAMI NAYUDU :—“What I am asking, Sir, is, does this Legislature want the ryots to deliver their paddy as and when the . . .”

MR. CHAIRMAN :—“The hon. Member will straightaway say what he wants and confine himself to the reality of the question instead of asking: ‘are you functioning independently, are you responsible to this Council or not,’ and so on.”

SRI B. NARAYANASWAMI NAYUDU :—“Facts as they are and facts as they should be, both need mention. I want to know whether we act on our own responsibility at all.”

THE HON. SRI B. GOPALA REDDI :—“Suppose it is a concurrent subject. What shall we do then?”

MR. CHAIRMAN :—“In the matter of food, the hon. Member knows we are directly under the control of the Government of India. Let him make suggestions to the Government, if he has any to make.”

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SRI B. NARAYANASWAMI NAYUDU :—“ What I say is, make it a Provincial subject and deal with it by means of legislation as other subjects are dealt with. This House will have a chance of examining it and give it sanction . . . ”

THE HON. SRI B. GOPALA REDDI :—“ If it is a concurrent subject? ”

SRI B. NARAYANASWAMI NAYUDU :—“ What if it is a concurrent subject? Before publishing the various orders in the *Fort St. George Gazette*, why not the Government place them before this House? It is not a question of concurrent jurisdiction or any other thing.

“ Then I come to my second amendment which I have moved. If it is not possible to place such matters before the Legislature, why not have a special committee? I may be asked why we should have such a committee. The reason is this. In the food procurement drive, the ryot is asked to deliver paddy to certain persons but the mill-owner is not bound to take it when offered. Delivery can be effected only when the miller wants. I submit there ought to be a thorough re-orientation in this regard.

“ I next come to the abolition of zonal system as promulgated in the Krishna district. Milling can be done only in certain mills and not in any mill so that the ryots and the producers are at the mercy of the millers. This arrangement was voted against at a meeting of the District Food Committee but on the other hand, the Commissioner of Civil Supplies—I do not know how far this is a fact—issues an order tying the producer to certain millers. This is a fundamental question, whether the producers should be tied to a particular miller and that too, by whom? It is the Commissioner of Civil Supplies that does it. That is the legislation . . . ”

MR. CHAIRMAN :—“ There is no legislation. It is not a legislation.”

SRI B. NARAYANASWAMI NAYUDU :—“ Yes, Sir, it is not legislation but a penal legislation. If I am asked to deliver to A and if I deliver to B, I am liable to be charge-sheeted and not only fined and imprisoned but all my paddy will be confiscated by the Government under the Act . . . ”

MR. CHAIRMAN :—“ Under what Act is it done? ”

SRI B. NARAYANASWAMI NAYUDU :—“ Under the Central Act. But it does not say so. It empowers the local Government to make laws and I say that these laws must be made by us or with the concurrence of the special committee I have suggested.”

MR. CHAIRMAN :—“ Is there any provision for such kind of thing in the Central Act? ”

SRI B. NARAYANASWAMI NAYUDU :—“ There is a provision empowering State Governments to take action.”

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Section 3 (3) of the Essential Supplies (Temporary Powers) Act says—

‘ An order made under sub-section (1) may confer powers and impose duties upon the Central Government or officers and authorities of the Central Government, notwithstanding that it relates to a matter in respect of which the Provincial Legislature also has power to make laws’.

MR. CHAIRMAN :—“ This is what I want to impress upon the hon. Member. The Government are acting under certain provisions contained in the Central Act. If it is the case of the hon. Member that such action as is taken by the Government thereupon should be brought to the notice of the Legislature before it is taken, he may say so by way of suggestion. But he cannot say, ‘ why don't you do it ’? ”

SRI B. NARAYANASWAMI NAYUDU :—“ What I am asking is whether the Commissioner of Civil Supplies is the final authority in such matters as procurement of grains, fixation of the price of paddy, milling, polishing, etc. Let us take polishing. What is this polishing business, I do not understand. An order in this connection says: ‘ you cannot husk paddy except to a certain extent ’. The Government say that there must be the rice and husk together so that the six or eight ounces that the Hon. Minister says the Government are giving as ration is not really rice at all, but it is really rice plus husk. There is a law in this State which says that paddy should not be husked more than once in order to see that they, the Government, may be enabled to discharge their duty of giving the ration so that the ration is only rice and husk and not rice in any real sense. The hon. Member from Visakhapatnam once put some sample of rice on the table of the House and said: ‘ Here is the rice you are giving. It is really the rice authorized, promulgated and directed to be delivered under these orders ’. You cannot get good rice at all. Though the Board of Revenue said that the rice was not fit for feeding even beasts, still these orders say you must give such rice only and if it is polished it will be an offence. I have conducted prosecutions under these orders and there are special officers to supervise whether the milling is done according to Government orders. There is an expert also and if the polishing exceeds the limits set, people are convicted and the rice is confiscated.

“ Then, Sir, there is the suggestion ‘ permission for ryots to deliver paddy or rice according to the quantity fixed.’ What is this legislation which says that they should give only paddy? The ryots say that there is loss in selling as paddy and therefore they would give rice instead of paddy. I ask, Sir, why should the miller alone get it? These are matters which would come before this House for discussion if the concerned legislations are placed before them.

“ The last suggestion in the first part of my amendment is ‘ Collector's or his nominee's orders fixing the quantity of procurement should be with the concurrence of a District Co-ordination Board ’. The main point is we have a number of orders

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passed and published in the *Fort St. George Gazette* no doubt but without the knowledge of or the concurrence and appreciation of the Legislature which is the ordinary authority. Even though the subject may be a Central Subject in which we have no power, even in such cases I say the Government should consult the Legislature at least before they pass such orders. Or there should be a Committee of the two Houses in order to advise the Government on these legislations and issue all these orders. Therefore I submit that this goes to the root of the matter because we know the Government of India is not going to help us in this matter of our requirements of foodgrains, unless we put up a stiff fight both from the administrative side and the other side. We cannot allow ourselves to be driven like dumb tools by the Government of India. How are the Government going to fight the Government of India if they do not come before this Council and ask our permission to do so? As a matter of fact I won't be surprised to know that many of them do not even know the existence of these laws. Therefore I say, Sir, that the Government should follow the ordinary procedure of passing legislation and place before this House matters relating to price of foodgrains, abolition of zonal system, polishing, raising of embargo, etc., as ordinary business for legislation. They should at least be placed before the other House, the Legislative Assembly, which would advise them on these matters. Therefore, Sir, I say that these matters should be left to the consideration of the House."

JANAB ABDUL LATIF FAROOKHI :—" Sir, shall we discuss the matter generally."

SRI B. NARAYANASWAMI NAYUDU :—" I want you to put my motion to the vote of the House, Sir."

MR. CHAIRMAN :—" It will be put. There is a discussion going on. My point is, if every hon. Member has to speak on this, he would again be speaking on subsequent motions . . ."

SRI B. NARAYANASWAMI NAYUDU :—" They won't be speaking. I have not travelled outside the two clauses."

MR. CHAIRMAN :—" All the same, hon. Members will speak again on the later part of the motion, items 3 and 4. What I am suggesting is the hon. Member may move items 3 and 4 also now, then others will follow in the discussion."

SRI B. NARAYANASWAMI NAYUDU :—" Sir, I move clause 3 of my motion, namely—

'and this Council resolves on such consideration that concurrently with the abolition of rural rationing the Government should with the concurrence of the Food Committee of the State earmark foodgrains for rural areas and place the remainder only of its stocks of foodgrains for statutory rationed areas.'

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" Sir, questions have been put to the Hon. Minister for Food which were said to be embarrassing and ought not to have been put by the Chair. The same questions I take the privilege to repeat. What is the meaning of abolition of rural rationing? Is there any meaning in that? What is rural rationing and what is statutory rationing? Questions were put as early as on the 14th of September of last year after the food debate and knowing the inability of the Government to get the answers I put those questions now. They were with reference to the rural rationing business. This is what I asked then: What is the population in the areas under statutory rationing and informal rationing? What is the total quantity of rice, wheat and millets supplied during the years 1946-47, 1947-48, 1948-49 and 1949-50 in the statutory rationed area and the informally rationed area? We want to know what it is that you supplied in the statutory rationed area and what it is that was supplied in non-statutory rationed area. Does the Food Department require more than three months to know how much they have given to the statutory rationed areas and non-statutory rationed areas? The charge that I am levelling against the Government is that they are supplying only in the statutory rationed area and they are giving nothing at all in the non-statutory rationed areas. At least now some supply is given in what are called rural rationed areas. After the lifting of the rural rationing there will be no ration card, and no establishment to give ration in the rural rationed areas. The ration order says that in the rationed area every ration card-holder shall be supplied with the ration by the retail dealer. The abolition of rural rationing means there will be no retail dealer who will be obliged according to the ration order to supply the specified quantity of ration to the ration card-holder. Now, I ask this question. Before abolition of rural rationing, did the Government assess their liability to supply foodgrain to the rural areas? How much did the Government supply them these three years? Did the Government supply them enough, or was the demand great or nil? How can the Government proceed with a debate of this kind, when questions asked three months ahead in order to know the facts of the situation and possible results of abolition of rural rationing, remain unanswered? What was the demand of the rural areas? How much were the Government able to give? Are these informations to be given on the floor of the House or is it embarrassing and should be given only in the chambers or somewhere else or given to nobody? These are very pertinent to this motion. According to my Hon. Friend there would be freer movement but the price control will still be there—free movement in the district but not beyond the district. But the Hon. Minister says they might turn the tap on any time they pleased and turn the tap off any time they liked. But I say that is the difficulty in having executive legislation in the matter. One month, movement control is lifted and the next month they will not turn the tap on. So also with procurement, except with regard to the wheat producers as my Hon. Friend the Finance Minister said. Why this law in rural rationing areas? Can I not sell to

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whomsoever I please? Is that a restriction or not, I ask? That is why I have submitted in my Motion that the Government should with the concurrence of the Food Committee of the State earmark foodgrains for rural areas and place the remainder only of its stocks of foodgrains for statutory rationed areas. What is the total extra quantity you require? Is it seven lakhs or ten lakhs of tons that you are going to demand from the Government of India? How much are the Government giving to the statutory rationed areas? Are they retaining anything at all out of this quantity for supply to rural areas? How can we discuss a question like this unless the Government place all their cards on the table? Let them say, so much is the demand and out of this they are going to give so much to the rural rationed areas. Then we shall say that they should not abolish the rural rationing and that they should take them also along with the statutory rationed areas. What I submit is this. When you have procured the total quota earmark a quantity of that to the rural area and send out the balance. There should be no question of leaving it to the discretion of the Civil Supplies Commissioner. The earmarked quantity should go to the villages. Only the remainder should be given to the statutory rationed areas.

“ Sir, the last clause is clause 4, namely—

‘ and this Council resolves on such consideration that if the Government of India does not import and make available to the Government of Madras all the quantity required to keep the people of rationed and non-rationed areas at least on a ration of 8 ounces of rice without husk.’

Sir, why I say ‘ without husk ’ is this. I do not want this beast of a thing, 8 ounces of rice plus husk. It is not that which I want. I want only rice.

‘ . . . the Government of Madras should dissociate itself from the administration of the Food Department and relinquish the same to the Government of India.’

“ The whole question really comes to this. Now the overall ration is 12 ounces. The Government of India say, ‘ No, no. We are not going to give 12 ounces or anything like that. You give only nine ounces ’. I ask in how many States of the Indian Union is there, what is called, this rationing, rural or otherwise? Are there no States at all in this Union where there is no rationing? Of course, my hon. Friend, the Minister for Food said that it was decided at the Bombay conference that everybody should sacrifice something and share the burden. What about Uttar Pradesh, Assam, and Madhya Pradesh? There is no rationing at all there and no procurement at all. They eat what they can and give only what they will. Is that the sacrifice that the Government of India demands of the States in order to make the Madras State go along with them, and make those States eat what they can and give only what they will whereas even 8 or 9 ounces should not be given to us? Another thing is about this import business. It is said that we cannot import. Sir, I am much obliged to the office for securing me the orders on this subject. This is what I see from the files. First of all with

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regard to Movement Control Order, there was no export of paddy. There is an executive order of the Government of Madras to this effect. Then an amendment is made (I do not know why), to the effect that one cannot import without the permission of the Civil Supplies Commissioner. The whole question is this. There is an order authorizing the import of foodgrains. But that order the Civil Supplies Commissioner will not issue except presumably under the directions at Governmental level. I wanted to know from the Government of Madras when I asked for the correspondence in the matter, how much they want to import to meet the situation. Did they explore the reasons why the people should now be allowed to import from other countries? Is it a question of shipping difficulties or financial or exchange difficulties? In that case I would further ask the question: What is the foreign exchange that this State has acquired in trade and commerce, and how much of it is given to us and how much is taken away by others? With regard to the shipping difficulty also I would ask: Why not restrict the other articles and import only food articles? Sir, this is the order in regard to this import business. In the first order—Madras Foodgrains Movement Control Order, 1947—it is stated: ‘ Unless there is anything repugnant to the subject or context, export means, to take out of the Province of Madras to any other Province in British India and so on ’. Now they have put in: ‘ Provided that nothing in this clause shall apply to the export of ’ and then added ‘ import of ’. And it further says: ‘ also provided further that the Commissioner may by general or special order exempt from the provision of the clause export of foodgrains hereto obtained ’. They have now added ‘ import of foodgrains ’. I ask, Sir, is this not a matter to be placed before the Legislative Council or the Assembly?

“ There were no imports even in 1947 and I am not able to trace when the imports were introduced. Even now it is in the hands of the Government of India to authorize imports of foodgrains. I am submitting this because the Government of India are not going to meet our full demand. The Government may ask for 10 lakhs or 15 lakhs or whatever it be, but the Government of India are not going to supply us more. They have gone a step further now and said. ‘ We give you this much and nothing more at all ’. Even that quantity may be rice, or rice and husk together. Therefore, what is the position of this Government? I would like to know what the hon. Members of this House will do. Will they give this small quantity to their children and keep quiet or will they ask the butler to get this and distribute it to the children? If they ask more, the Government can prosecute them and put them in jail. ‘ You give to your people 4 ounces; if they complain about it, put them in jail and don’t ask from us any further supply.’ This is the mandate which the Government of India wish to give to this Government of Madras. I will say, Should we administer this? Is this a mother administering the food to the children? Or is this a step-mother administering the food to the children? Therefore, this Government themselves should import and they should exercise their right of importing

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now. Will this Government exercise that right? Or are they going to follow the policy of hunger until they produce? There is now a grave situation of deficit of foodgrains facing the country and this Government must bring this to the notice of the Government of India. Don't think that I am stating this as what may be called a 'threat'. The Hon. Sri K. Madhava Menon said, 'I know all these threats'. Sir, I am a man here having only one seat for myself. Therefore, I have no power to threaten the Government. It is not a bluff on my part because I don't command sufficient number to support me. Therefore it is not at all a bluff or a threat. It is merely a registering of my protest, a right given by the Constitution and of which the Chairman is the guardian. But, when the Hon. Sri K. Madhava Menon says, 'I know all these threats,' I know what it is. That means, 'We have the power; what will you do?' I will go further and say, 'We will blackmail you; so, don't do it because if you do it, I will get my majority.' The Government have got blocks, block No. 1, block No. 2, block No. 3 and block No. 4. I don't have even benches. Therefore, if they want to blackmail, let them ask me to sit down."

SRI S. B. ADITYAN :—" Is it in order to use the word 'blackmail' against an Hon. Minister? "

SRI B. NARAYANASWAMI NAYUDU :—" It is quite in order."

MR. CHAIRMAN :—" I don't know if anybody is being threatened. Hon. Sri Narayanaswami Nayudu imagines that somebody has threatened him, and is replying."

SRI B. NARAYANASWAMI NAYUDU :—" Therefore, I submit, Sir, I am not blackmailing this Government. I am not bluffing this Government. I am simply saying that this Government should not tamely submit to the Government of India when they ask us to give husk and rice to our children or 6 ounces or 4 ounces of foodgrains. Is it worthwhile? I therefore submit that this Government should withdraw the administration of food from their control and hand it over to the Government of India. The Governments of Madhya Pradesh, Uttar Pradesh and others are giving more than 20 ounces. But this Madras Government only should give less. What is this line of demarcation like the 38th parallel between North Korea and South Korea? "

SRI R. SURYANARAYANA RAO :—" I want to . . ."

SRI K. MANATHUNAINATHA DESIKAR :—" I want to know whether all the amendments should be moved now and discussion held thereafter."

MR. CHAIRMAN :—" Yes."

* SRI R. SURYANARAYANA RAO :—" I formally second the amendment moved by my hon. Friend Sri B. Narayanaswami Nayudu and I reserve the right to speak."

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* SRI K. MANATHUNAINATHA DESIKAR :—" Mr. Chairman, Sir, I beg to move—

' Add the following at the end :—

" and on such further consideration, the Legislative Council urges upon the State Government—(a) that they should secure at least 10 lakhs of tons of foodgrains from the Union Government for 1951;

(b) to maintain large stocks of foodgrains at all taluk and sub-taluk headquarters in all the deficit districts; in places like Tiruvadanai, Aruppukkottai, Koilpatti, Palladam, etc.;

(c) to arrange to make available at least 8 oz. of rice each day to people in the deficit districts till November 1951;

(d) not to introduce the statutory rationing in any municipal town of surplus districts;

(e) and to impress on the Union Government the utter impossibility of attaining self-sufficiency by 1951-52."

In (b) I have given only the names of places in Tamilnad and my Andhra friends may give some names in the Andhra area.

" Sir, I am quite aware of the fact that much water has flown down the bridge. There was a detailed discussion in the Legislative Assembly about the relative merits of rationing and derationing and the Hon. Minister himself has accepted at the beginning of the discussion that the Government have taken a drastic step and that they are watching the situation with all precautions just to see that the situation does not go out of hand. First of all, I have got one or two doubts regarding the present situation. The Government of India have just now informed that they will be imposing a cut of 25 per cent in the ration. Taking into consideration the latest policy adopted by the Government on derationing in so many zones as detailed in the statement, what will be the basis of calculation of the total demand that this Government will be putting before the Government of India? What will be the basis on which they will ask their requirements, i.e., for zones Nos. (iii), (iv) and (v) of the statement?

i.e., (iii) More or less self-sufficient districts, viz., Madurai and Tiruchirappalli.

(iv) Highly deficit districts, viz., Madras, Malabar and the Nilgiris.

(v) Other deficit districts, viz., the remaining districts in the State.

Of course, regarding zone No. (iv), the Government may have figures as they do not deration in that zone as they propose to do in other parts of the State. Regarding zones Nos. (iii) and (v), what is the basis on which the Government are going to calculate their requirements and put forth that figure before the Government of India? I request the Government to enlighten me on this point in their reply.

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"The Hon. the Minister for Food agreed that the present machinery is going to be kept intact to see that the distribution by the merchants is done properly as it was done when rationing or informal rationing was existing till now in the deficit districts and I am glad the Government will carry out that policy to their utmost efficiency and see that those areas are not thrown to the wolves in the coming lean months. Then there is the other important question to which I would like to draw the attention of the Government, and that is regarding the stopping of foodgrains subsidies granted by the Union Government till now except in relation to major municipalities or important towns which they have mentioned in their order. This will lead to increased prices of foodgrains and incidentally of other commodities. The combined effect of this increase in the price of foodgrains and other commodities as a sequence to this order and as a result of derationing, will make the prices in the deficit districts beyond the reach of the common man. Of course, the Government have just now informed that they will keep the machinery to see that the prices do not soar high. But, I would like to know the basis on which they are going to meet this subsidy—whether they are going to meet from their own provincial funds (Sri B. Narayanaswami Nayudu 'by prosecuting') so that the prices may not go high. The subsidy which the Government of India have refused, may work out to about 8 : 1 or 2 : 2, I don't remember correctly. Are they going to meet the whole burden from the State finances? I like to urge that, if necessary, the Government should be prepared to draw from the Revenue Reserve Fund for this purpose. I request a definite reply may be given to-day or at least even in a month just to allay the fears of the people of those districts.

"Then, Sir, my next amendment is 'to arrange to make available at least 8 oz. of rice each day to people in the deficit districts till November 1951'. It may look as if I am speaking to have the ration shops again which the Government have just now abolished in the deficit districts. It is only just to assure a ration of 8 oz. of rice per day. It may not fit in with the policy which the Government have just now launched which they themselves have admitted as a drastic step. Subject to all the inconveniences and difficulties in carrying out this request, I urge that they should make available 8 oz. of rice. It may be that luckier people who can afford to purchase even at the outset a larger quantity of ration from a free market that is going to exist now after the enforcement of this policy, will be able to eat more. Subject to that, I once again urge upon the Government to see that 8 oz. of rice is assured through either fair shops or relief shops which they propose to introduce. In this connexion I wish to draw the attention of the House to page 4 of the Statement on the Food Situation wherein it is stated—

"Some of the Collectors stated that prices have started to rise while some others said that as a result of derationing in the rural areas, the blackmarket prices have gone down. The detailed steps to be taken to implement the new policy were discussed and Collectors were given the necessary instructions. Public opinion on the new policy as expressed in the several representations received by the Government seems to favour the new policy . . .

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After the above Statement was issued by the Government, I read in the papers—I cannot vouch for its accuracy—that the District Collector of Ramanathapuram has informed the Food Department that, unless rationing is introduced and large imports are rushed to the district, he cannot meet the demand. I know as a matter of fact, that famine conditions prevail in Dharapuram, Palladam and Tiruppur taluks of the Coimbatore district and the District Congress Committee is taking prompt steps to bring it to the notice of the Government. So, this will be the position that we will be faced with in graver and graver forms in the coming months. I would like to warn the Government, therefore, to be cautious in the matter of introducing statutory rationing in any municipal town of surplus districts. This is one of the steps that seems to have been under contemplation in the latest policy of the Government. One can understand the adoption of the well-known principle of introducing rationing throughout a State for meeting any shortage. But, having once decided to give up that principle, if you attempt rationing anew only in municipal towns in surplus districts, you may not be able to help anybody. This policy might fit in with the scientific theory that it may prevent prices soaring up in the rural parts. But, as all the arguments in favour of introducing rationing have been given the go-by by our Government, I do not think this step is necessary. Numerous representations have been made by the populace of the towns and, recently, the Food Committee of Tanjore has passed a resolution that they do not want rationing in the municipal towns. This will not cause any hardship to anybody, except to the scientific theory which we have given up for the whole State.

"Lastly, I want to tell the House and the Union Government that it is utterly impossible to attain self-sufficiency by 1952. It is an admitted fact that with the present rate of increase in population, it is futile to talk of self-sufficiency. I should like to urge upon the Government to take a practical view of the prevailing conditions and plan realistically.

"Sir, I would in this connexion read out a few extracts from the report of the Famine Enquiry Committee. 'India's population of about 400 millions still continues to increase. During the intercensal period of 1931-41, the population increased on the average by about 5 millions a year . . .'

"During the three years that have elapsed since 1941-42, there has, therefore, been an increase in consumption due to this cause of nearly 2 million tons. Another six years have elapsed and the increase in food production might safely be taken as about 6 million tons.

"Then the report says—

'Experience during the last two years also points to the conclusion that India still needs imports of foodgrains . . . Apart from their intrinsic value, imports have a great psychological effect . . . Indian opinion is, however, still extremely nervous on the subject of food supplies and any indication of an unfavourable turn in the supply position leads to the slowing up of procurement operations and is likely in some parts of the country to give rise to sharp changes in the price level. It is essential that public confidence should be maintained. In this matter imports play a most important role and we have little hesitation in affirming that the stoppage of imports would place the food position . . . in India in serious jeopardy.'

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"Thus it will be seen that it is inadvisable that, in season and out-of season, statements should be made by responsible people that anyhow the country is going to attain self-sufficiency. We have been seeing the achievements of the Grow More Food Campaign and the results obtained by intensive cultivation schemes under two or three heads, and we know what we can expect in the next three years. We are aware also that there are no reserves at all at present. We therefore depend upon imports only."

MR. CHAIRMAN :—" I think Mr. Munshi has said that he is prepared to import for 1951 also."

* SRI K. MANATHUNAINATHA DESIKAR :—" The point was about attaining self-sufficiency within 1951-52."

MR. CHAIRMAN :—" You were referring to self-sufficiency. You may take it that the Government of India are prepared to import. Why do you worry? "

* SRI K. MANATHUNAINATHA DESIKAR :—" Anyhow we do our duty."

MR. CHAIRMAN :—" You have done your duty."

* SRI K. MANATHUNAINATHA DESIKAR :—" There are no reserves now and we do not know whether the State will be allowed to import or not. We need not waste time giving suggestions about imports from Indo-China, Burma or Canada. I request Government to make a categorical statement in regard to this matter. Time and again we read statements in the press from responsible gentlemen that if they are permitted, they will import any amount of foodgrains, boiled rice, broken rice and so on from Burma, Indo-China and so on. To give a quietus to these irresponsible or responsible statements made to the press, this Government should make a categorical declaration as to how far it will be possible for them to give permission to these persons, how far these persons are justified in making such statements and so on. I request the Government to take up this matter seriously and solve the problem once for all.

"With these few words I request the House to accept my amendment."

* DR. SYED TAJUDDIN :—" I formally second the amendment. Sir, both the Central Government and our State Government are suffering from three kinds of major head-aches. The food question is the worst of these three, because food is the very basis of life. They say that even an army crawls or moves on its stomach. This is more true in the case of civil population. Therefore the situation with regard to food calls for very serious and anxious consideration and thinking. The present situation is not merely serious, it is even critical. We have now got a crisis and yet both the Governments are dealing with it in the same old hum-drum fashion. They do not realize that they are passing through a revolutionary situation as it were. They are merely thinking of ordinary farming alone. They seem to have forgotten that there

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are four important branches in agriculture besides ordinary farming, such as dairying, poultry-keeping and lastly gardening for fruits and vegetables. Besides grain there are ever so many articles of food which could be grown properly and to the required extent."

SRI K. MANATHUNAINATHA DESIKAR :—" There is nothing said about fisheries."

* DR. SYED TAJUDDIN :—" The sea is full of fishes. As my hon. Friend, a vegetarian Member reminds me of fish, we have not tapped this source of food from the sea to any large extent. I am afraid the Fisheries department has not done its best for us. The other day when I had some guests, I wanted to buy some fish and was told that it was not available. Sir, there was a time when fish was available in plenty here in the City. But to-day in this respect, Madras is worse than the cities like Bombay where one could, in spite of its larger population, get the required quantity of fish of various kinds.

"During the last four centuries, the population of India has not merely doubled, but it has multiplied four-fold. This fact you should not forget. You have got the same extent of land that you had, but your population has increased by leaps and bounds. However one hundred and sixty-seven million acres of waste lands are still lying uncultivated and expecting the plough. Madras State also has got its own share of waste lands. We all know that the quantity of food available can be increased only in two ways—by extensive and intensive cultivation. For extensive cultivation, we must try to bring waste lands under cultivation; for intensive cultivation, we must go in for mechanization. We need not fear that if mechanization is adopted, a large section of the population will become unemployed . . ."

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MR. CHAIRMAN :—" May I point out to the hon. Member that the occasion for this debate is the present policy of the Government of derationing certain areas and keeping rationing in certain other areas? I think the hon. Members who have given notice of certain amendments have proceeded only on those lines. I think it is better we restrict our discussion to this point and not deal with intensive cultivation, extensive cultivation and so on. That will lead us nowhere."

* DR. SYED TAJUDDIN :—" I want to show, Sir, that there is no use merely apportioning what we have and what we get from outside all the while forgetting the fundamental fact that the problem can be solved only by increasing the production. If the Government do not do their best to increase production . . ."

MR. CHAIRMAN :—" There is no doubt about that. I do not think anybody questions the axioms mentioned by the hon. Member. But for the present, it is better we discuss the present policy of the Government and how it affects the country, whether it is good or bad and whether the hon. Member has any suggestions in the matter."

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* DR. SYED TAJUDDIN :—“ The Government have not adopted a comprehensive policy. Without laying down a comprehensive policy and implementing it, we cannot solve that problem at all. The population is increasing by leaps and bounds. Other hon. Members have talked on the general aspects of the question. I only want to impress on the Government that unless they adopt a comprehensive policy and implement it fully, the problem cannot be solved. That is my point, Sir.”

* SRI R. SURYANARAYANA RAO :—“ Mr. Chairman, I rise to support the amendment of my hon. Friend Sri Narayanaswami Nayudu to the main motion of the Hon. Minister for Food that the food situation in the State be taken into consideration. The point raised by Sri Narayanaswami Nayudu is very important. He said that under the Essential Supplies Act of the Central Government, power had been delegated to the State Government. He did not deny it. When that power is used by the State Government for promulgating orders—sometimes orders are promulgated and sometimes orders are withdrawn—he wanted that such orders should be subject to the scrutiny of this Legislature. I think, Sir, I have understood the meaning of my hon. Friend correctly. He did not question the legality of the orders. The State Government are perfectly entitled to pass any order they like. But as those orders affect the interests of the State and the people of the State, the representatives of the people of the State should have an opportunity to debate all these matters, and to make suggestions for amendments or even to ask for their complete cancellation. I think, Sir, that this is a very reasonable request.

“ For example, Sir, this Government made an order called the levy order which was made applicable to the district of Coimbatore. But the levy system failed and they withdrew the order. Now the Hon. Minister is trying to introduce the levy system again in some districts according to the statement which has been circulated to the House. The Government will promulgate another levy order. What the hon. Member Sri Narayanaswami Nayudu says is, when the Government promulgate or withdraw these orders, let the people and the representatives of the people concerned be consulted before either their promulgation or their cancellation or modification. That is a legitimate request.

“ Sir, the Hon. Minister may turn round and say that they have the Provincial Food Advisory Committee and that Committee is consulted on all matters. I am a member of that Committee and my hon. Friend the Leader of the Opposition will soon sit with me on that Committee. There is more desultory talking there than coming to grips with the questions that are to be settled. At the last meeting of the Committee there was no question of derationing, but all the members went on talking about derationing. In the agenda the question of derationing was not there. If the Hon. Minister wants to twit me by saying that they consult the Provincial Food Advisory Committee, I ask him, Sir, why he did not call for a meeting of the Committee and place this important question of derationing before it. I will show you, Sir, how this important question of derationing has been tackled by this Government

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without any knowledge of the serious consequences that are going to follow. Why were not the representatives of the people consulted? That is the point of my hon. Friend Sri Narayanaswami Nayudu.

“ As regards derationing, Sir, he asked what would be the consequences. What efforts have the Government made to find them out? Do not the Government take responsibility for feeding the areas that are being derationed? Does their responsibility stop with feeding only the statutorily rationed areas? Are they not the Government of both the derationed and rationed areas? Will they leave the derationed population to their fate; if not, what efforts are they making to feed them? He asked these pertinent questions, because there is a feeling, and I think that that feeling is quite right, that most of the procured and imported grains are being supplied to statutorily rationed areas only and the informally rationed areas have been starved. There is a feeling like that especially in the rural areas. They feel that whatever the Government try to obtain is being sent to the statutorily rationed areas, especially to Madras City to feed its population, while the informally rationed areas are being starved, and that the breakdown of informal rationing recently is due to that fact. Sir, the hon. Member wanted certain figures. I am sure those figures are available in the Secretariat. It is easy to know the consumption in the rationed areas. They know what they get. If they deduct from that what they supply to the rationed areas, the balance is supposed to have been supplied to the informally rationed areas. The hon. Member wanted to know what the quantity is. He wanted to assist the Government, to have those figures for the purpose of showing that the informally rationed areas have been starved and that the Government have not taken care of them as well as the statutorily rationed areas. He wanted to assist or criticise the Government, Sir, but the figures are not forthcoming. (Interruption.) It may be of assistance or it may go against the Government, but let us know the facts. My purpose in seconding the amendment of Sri Narayanaswami Nayudu is that the public should know the facts and only then condemn the Government if they are wrong. Without facts how can we say one way or the other?

“ Sir, there is an astounding passage in the statement of the Hon. Food Minister which has been circulated to the House. It says—

‘In view of the growing public opinion, it was considered that a new orientation in regard to the procurement and rationing policy might tend to solve the existing difficulties and relieve the rural population of their worries.’

Are the Government going to relieve the rural population of their worries? No, Sir, they are going to add to the worries of the rural population by what they have done.

“ Sir, what the Government have done might satisfy people who have been against rationing of any kind. If you take a vote in the other House and this House, it may be they will all vote against rationing of any kind including statutory rationing. But the Government have their responsibility to the people. There are many people who say that we may remove statutory rationing and why not we remove it in Madras. But the Government as a

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responsible body know what the consequences will be. After saying all this in support of the amendment of my hon. Friend Sri Narayanaswami Nayudu, I shall deal with the general food situation.

"The Hon. Minister in all his previous statements has said that normally this State is deficit to the extent of five lakhs of tons and that during the pre-war years we were importing five lakhs of tons from outside. Since the pre-war years, the population of this State has increased. Therefore, if during the pre-war period we were importing five lakhs of tons, in view of the increase of population, even if the production is considered to be normal, the need for imported stuff must be much more. I am not sure production has kept pace with the increase in population. The figures given in the statement show that in a normal year this State produces 49 lakhs of tons of rice and 26 lakhs of tons of millets and that during this year owing to the failure of the seasons, only 41.5 lakhs of tons of rice and 20 lakhs of tons of millets are expected to be produced. Therefore, he has arrived at the figure of a deficit of 13½ lakhs of tons, forgetting the fact that during the pre-war period this State was in a deficit of 5 lakhs of tons and that that deficit must have increased by now. Even if we accept the pre-war figure, our deficit is 18.5 lakhs of tons. If so, why did this Government ask for only 7½ lakhs of tons from the Government of India? Why did they under-estimate their needs when they, as a matter of fact from the figures in their possession, know that they were deficit to the extent of 18.5 lakhs of tons? They may say, Sir, that they took 12 ounces ration into account. What business had they to take 12 ounces as the normal ration in this State? How long are they going to feed this population on 12 ounces ration? For how many years are they going to emasculate the people of this State? The Government must stand up and tell the people concerned that it is impossible to maintain this population on 8 ounces or 12 ounces and that they should have at least one pound of ration. Why not the Government stand up for it? Whether their efforts succeed or fail, whether they are able to carry conviction or not, why don't they stand up for it? I ask this, Sir, in all seriousness.

"Sir, the Government of India have agreed to give us four lakhs of tons. On the basis of a deficit of 13½ lakhs of tons, even the 7½ lakhs of tons asked for would be enough only for a ration of 8 ounces of rice and 4 ounces of other grains. But if the Government of India do not give even that and actually give so little, is not Sri Narayanaswami Nayudu perfectly justified in asking this Government to tell the Government of India that if this was the manner in which they were going to treat their requests, they had better be independent of them. We may starve, Sir. It does not matter. After all, Sir, the Government of India are expected to be considerate to all the component States, but they are unreasonable. Not only that. Without consulting this Government and the other State Governments, the Government of India have announced a further cut of 25 per cent in the ration. Did they take a decision at the conference held in December 1950? Has the war broken out, although war clouds may be there? Have all efforts been made without success between December when the conference was held and the 16th or

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18th of January when the Hon. Food Minister Mr. Munshi announced the cut? Have they exhausted all the resources for getting foodgrains before they announced this reduction? Could they not have asked the State Governments as to what effect this would have on the law and order position in the States? Did they not think it was a serious matter? If food riots take place, whose responsibility was it? It is the State Government that will have to put down the riots; did they ask this Government about it? So, Sir, the way in which the Government of India have been treating this Government is really peculiar. We have complained about it in this House and in the other House and also in the Provincial Food Committees, and it is that complaint which is now represented by my hon. Friend Mr. Narayanaswami Nayudu, and it is perfectly legitimate.

"Then I come to the question of derationing. So long as there is scarcity and short supply, I am a believer in rationing. All over the world when essential commodities are in short supply, the best method of arranging for equitable distribution is admittedly by means of rationing. It has been recognised to be so. There was plenty of literature during the war on this subject. If that is so, have we come to the stage when we can abolish even what you call 'informal rationing'? According to the statement here, there has been failure of crops; there is not enough stock in the country and the imported stuff that you are going to get is not likely to be enough even to feed the statutory rationed area. Then how are the rural people to be maintained? Who is going to take the responsibility, if you are not going to take the moral responsibility to feed the rural people? I am glad to find that the Collectors who were called in conference were bold enough to tell the Government—I think all the Collectors told them—that 'unless you assure us that you would divert some of the imported stuff, it would not be possible for us to maintain peace and order'. Some Collectors even complained, as mentioned in the statement, that derationing might lead to very bad results. And it has. Take my district of Bellary. What has happened there? The Hon. Minister knows that a bag of cholam of 100 seers, the procurement price of which was Rs. 21-10-0 previously is now sold for Rs. 40, and the retail price is 2 seers per rupee. That is the result of your derationing, the immediate effect of it. Did you not expect that this would be the consequence if there were not enough stocks of cholam in the Bellary district before you derationed, before you abolished informal rationing? Then the price of rice was As. 8 a measure; it is now Re. 1-4-0 per measure. The price control orders are only on paper, as my hon. Friend Mr. Narayanaswami Nayudu said. How are you going to enforce all your orders which you do not want to withdraw unless you have some hold? That hold can be had only if you have informal rationing. How are the people in those areas to subsist if as a result of your derationing no grain is available for their consumption?

"In this connexion, Sir, I may say I was one of those who were associated with rationing in the City from its very inception. You may remember there was firewood rationing in the City of Madras;

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but the distinguished predecessor of the Hon. Mr. Roche Victoria decided to deration firewood. What did he do? He first of all built up stocks of twenty or thirty thousand tons and he used the ration shops themselves as fair-price shops, filled them up with firewood and then decontrolled it, although price control was there. What was the result? In the course of a month or two, there was no need to maintain the fair-price shops themselves as the supply and price were automatically controlled, because there was good stock of firewood with the Government. In this case also, have you built up such stocks before you derationed? Firewood derationing was more successfully done in the City of Madras, and it was done by this very Government. Could you not have copied that example before you wanted to deration any particular area now? It was done in this City itself and it was done so well. Sir, all of us are not for all these kinds of controls that exist to-day. We want them to go; but there is a method by which you can withdraw them and successfully withdraw them, without inflicting any hardship on the consumers. What have you done in this case? You simply come here, throw up your hands and say 'we have removed informal rationing'. Sir, this is not fair to the rural population who were sometimes expected to get rationed articles in the ration shops—it may not be throughout the week but on certain days whenever grain was available they were getting it—but that has now stopped.

"Another point which I wish the Hon. Minister for Food to examine is whether rationed and derationed areas can exist together in the same district. You introduce rationing particularly in municipal areas and you deration the outside areas in the district. Lately I have been reading accounts which show that as a result of this derationing grain flows from the villages into the rationed areas, because the ration that you give in the rationed area is not enough. So far as the villager is concerned, not only the Government do not take upon themselves the moral responsibility of giving him his ration, but he is also subjected to the other disability of the grains that are available in his village being taken into the rationed area through the black-market. Is the Hon. Food Minister not aware that the population of this City has not been subsisting only on the ration he is giving in the ration shops? Most of the card-holders get their rice from the black-market. It is a well-known fact, and it has been published in the papers. The vigilance of the Rationing department has also unearthed so many black-markets in rice. But how long can you be vigilant? That is the evil of having derationed and rationed areas in the same district. Either have rationing throughout the State and also control, or remove them altogether and let there be chaos for some time—it does not matter. You cannot put down corruption, you cannot put down black-market so long as you have non-rationed and rationed areas side by side. In that case, the evils are bound to continue.

"My Hon. Friend the Food Minister thinks that we shall always reach the procurement targets that he puts down on paper: we never reach those targets. Neither he nor the producer is responsible for it, because the fluctuations in seasons have unfortunately been so great in our State that it is not possible to say that

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a crop which looks fair and good would yield what we expect when it is harvested. Sir, agriculture is a gamble really and a gamble it has become. So, when the crop is actually harvested, we may not be able to procure all that we expected to procure before the harvest. Therefore, I submit we should be conservative in estimating our procurement targets and not generous as we have been, and because of that generosity we have suffered in this State. We should be more generous in regard to the consumption figures and less generous in regard to the procurement figures; because nobody, not even Government can say what the seasons will be like.

"The Hon. Minister for Food in his statement placed before the Legislative Assembly in December last, rightly pointed out:

'Needless for me to mention that the results of the Grow More Food schemes will make themselves felt only when the additional production actually exceeds this loss due to poor seasonal conditions.'

The word 'felt' was italicised. That is a fact which you must impress on the Government of India. Simply because they are giving you some grants, and simply because we are spending large amounts on the Grow More Food schemes, we are not going to get additional grains to-morrow. It will take years to get them. Besides that, we know it is a long-term policy, these Grow More Food schemes. And whatever the Agricultural department may say, that by using more manure, better seeds and green manure, we are going to have better yield and all that, we are not going to have more for sometime to come. Again, that is possible only when there is water available: when there is no water, nothing can be grown. So, all that was shown up to now as additional production due to the Grow More Food schemes must have been written off when the seasons failed. As a matter of fact, even the water in the wells has dried up on account of lack of rains during the past three or four years. That being the case, how can you grow crops on our lands? If rain fails, what can we do? That is our misfortune. So, we must impress this fact on the Government of India, and we are not exaggerating; let us send them our rainfall reports, our season reports; let them come and see whether any green blade of grass has grown in the areas where we used to have food crops in plenty; let them see for themselves how for want of proper rain and timely rain, the crops have become stunted or have withered away. Sir, it is wrong on the part of the Government of India to continue this indifferent attitude towards this State. After all, although we may belong to a Federal Republic, we are not subordinate to the Central Government in the sense that the Advisers' Government and the other previous Governments were to the Government of India. We have now certain powers and also certain duties and responsibilities; and it is up to you, this Provincial Government, to tell the Government of India that you have to discharge your duties and responsibilities, and that as the Government of India have taken out of your hands the subject of import of foodgrains, it is their duty now to supply this State with the foodgrains that we require. After all, they are not giving any free grant of grain; the consumers are actually paying a heavy price for it as compared to the price they paid before the war. If these foodgrains are subsidized by any Government at all, it is by the Provincial Government and not by

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the Government of India; and if the Central Government allot to us certain quantities, they do so from their stocks and for payment. Sir, in talking on this subject, I have used some strong language; but I do want this Government to feel that they owe a duty to the people of this State, and not merely to the Government of India. This Government must impress on the Government of India the serious consequences that will result if at least 12 oz. are not assured to the people of this State. It may be all right in the other Pradheshes—the Uttar Pradesh, the Madhya Pradesh, the Vindhya Pradesh and other Pradheshes—it is rather difficult, having learnt them in Geography as Central Provinces, United Provinces, etc., to pronounce them now as Vindhya Pradesh, Madhya Pradesh, Uttar Pradesh and all that—to reduce the ration to 9 oz., because they were never under 12 oz. for a long time now—at any rate I think in the Uttar Pradesh, people were given more than 12 oz. all along. But, Sir, people in the Uttar Pradesh were never under 12 oz. ration for a long time. I think they were never fed on 12 oz. but we have been fed on 12 oz. sometimes on 10 oz. and sometimes no ounces at all. So, why should we be brought under the cut of 25 per cent? It is very unfair. Do they want us to emasculate further the people of the State of Madras? That cannot be the intention of the Government of India. Therefore, Sir, I want this Government to urge on the Government of India—both the Houses of the Legislature will be with the Government to any extent they go in order to meet the needs of the population of this State—that whatever might be the consideration that made them think of cutting down the ration in other parts which were never under 12 oz. ration, they should not insist on the reduction of rice in this State.

(At this stage, the bell was rung to indicate that the hon. Member's time was up.)

"Sir, there are many other points, but these are the most important points. There is one more point I would like to deal with before I finish and that is about the levy system. It was announced that the levy system had proved a failure in Coimbatore. Then, why is it the Hon. Minister is trying again to introduce it in what are called self-sufficient districts and more or less self-sufficient districts. Sir, I am very grateful to the Hon. Minister, as the information that is given in this note is very complete and I wish Mr. Narayanaswami Nayudu had taken more time to read it. In that note, they have dealt with each zone and they have also divided the area into zones—that is the yard-stick they use. I read the other day that the Collector of Madhurai announced in the Food Committee that there would be a levy system. When it has failed in Coimbatore, why do they want to reconsider the matter? I think even the Collectors who met has been followed for so many years and why introduce a new system, especially when so many changes are taking place even in the content of ration. So, Sir, I want the Hon. Minister to reconsider the matter again. I think even the Collectors who met him might have been somewhat hesitating to express to him all that they felt. Their responsibility is very great. Let the Government realize that and not take any steps without consulting the

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Collectors. I want to know whether the Collectors were consulted before this informal rationing was abolished. In fact, they were called here after issuing the orders. Is it fair, I ask, that persons who are asked to maintain law and order, should be treated in that manner? We are not treating our services in the manner in which we should do. That is why we say, they are inefficient and the Hon. Minister Mr. Madhava Menon is reported to have said the other day, there is slackness in the services. How can there be anything but slackness in the services unless you make them feel their sense of responsibility. Did you ask them before derationing? Why did not the Government bring the Collectors together before the Cabinet sat and issued orders abolishing rationing in rural areas? Why did they not ask the Collectors what their difficulties were and what was the position in each district and to what extent they could deration? Therefore, Sir, I feel that a great responsibility rests with the Government. Having themselves taken the step without prior consultation with the officers who are asked to carry out their policy, a great responsibility rests on the Government, to stand by those officers if any trouble arises and assist them in all possible ways, so that they are not held responsible for any consequences that might happen as a result of their policy."

SRI N. VENKATACHALAMAJI:—"Sir, before I make my speech, I would like to have some information from the Hon. Minister."

MR. CHAIRMAN:—"The hon. Member may ask for the information in his speech and the Hon. Minister will give it in his reply."

*SRI N. VENKATACHALAMAJI:—"అధ్యక్ష, ప్రజలు ఆహార పాత్రాన్ని రక్షించుటకు రిద్దు చేయవలసినదని ప్రభుత్వమువారికి పదేపదే విన్నవించుకుంటున్నాము. ఈ మన సుదూరము గలవర్ష మెంటువారు వారి మొరలను ఆంకించినట్లు కనుపించుటలేదు. రేషనింగు తీసివేయడమూ, ఉంచడమూ అనే విషయము నెంట్ల గవర్నమెంటువారు మనమీద విధించినప్పటికి ఇంకా సందిగ్ధావస్థలోనే యున్నది. అటో ఇటో ప్రభుత్వము వారు ఒక నిష్పాదాని ప్రాయానికి రాలేకపోతుంటే చోచనీయమైన సంగతి. మా సర్కార్ లోని మిగులు జిల్లాలలో మునిసిపాలిటీలలో తప్ప గ్రామాలలో రేషనింగు రద్దుచేశారు. మునిసిపాలిటీలలో రేషనింగు ఆమలు పరచడంతో ప్రభుత్వమువారి అభిప్రాయమే మూ అర్థం కావడంలేదు. ఈ పథకము ఆచరణ సాధ్యమని నాకు తోచుటలేదు. మిగులు జిల్లాలలోని పట్నములలో రేషనింగు ఉంచడంవల్ల black-market అభివృద్ధి అవుతుందే గాని ప్రజల కష్టాలు తీరవు. విశాఖపట్నం జిల్లా కరువు జిల్లా. బెటిషు ప్రభుత్వ కాలములో మా జిల్లా ఆంధ్ర కరువు జిల్లాగా ఉండేదికాదు. ప్రతి తాలూకాలోను కొద్ది గొప్ప కాలువలు ఉండడంచేత చాలావరకు మేము ఆహారపదార్థాల విషయములో స్వయంపోషకముగా ఉంటూ ఉండేవాళ్లము. ఇప్పుడు విశాఖపట్నం జిల్లాను రెండు జిల్లాలుగా విభజించిన తరువాత, పాతపట్నం, పాలకొండ తాలూకాలు ప్రీకాకుళం జిల్లాలో చేర్చబడినవి. ఈ రెండు తాలూకాలు delta తాలూకాలు. పాలకొండ తాలూకాను న్యాయంగా విశాఖపట్నం జిల్లాలో చేర్చవలసియున్నది. ఆ విధంగా చేయకపోవడం వలన మా జిల్లా deficit district అయిపోయింది.

[Sri N. Venkatachalamaji] [24th January 1951]

“ఇప్పుడు ప్రభుత్వంవారు 12 టౌన్సుల రేషను ఇస్తున్నామంటున్నారు. ఈ 12 టౌన్సులలో 6 టౌన్సుల బియ్యము, 2 టౌన్సుల గోధుమలు, 2 టౌన్సులు నెహిరినా, 2 టౌన్సుల కొట్టి అని Board of Revenue Commissioner గారు ఉత్తర్వులు జారీ చేసినారు. వేరకు 12 టౌన్సుల రేషనేగాని, ఎంతయిదికి పూర్తి రేషను ఇవ్వబడుతుందో ప్రభుత్వమువారికి తెలియవలసినది విషయముకాదు. ఎవరు 6 లేక 8 టౌన్సుల కన్నా హెచ్చుగా Ration shops నుంచి తీసుకోలేకపోతున్నారు. నామమాత్రంగా ఉన్న ఈ 12 టౌన్సుల రేషనులోను 25% తగ్గిస్తామని అంటే ప్రజలు ఎంతటి బాధలకు లోను గావలసి వస్తుందో ప్రభుత్వమువారు ఊహించవలసినదని కోరుతున్నాను. కేంద్ర ప్రభుత్వమువారి ఆదేశానుగుణంగా తగ్గించదలచిన ఈ 25% రేషను భాగము బియ్యములో నుంచి తగ్గిస్తారా? గోధుమలలో నుంచి తగ్గిస్తారా? నెహిరినాలో నుంచి తగ్గిస్తారా? కెరెంట్ నుంచి తగ్గిస్తారా? లేక అన్నిటిలో నుంచి ఒక నిర్దిష్ట పరిమాణంలో తగ్గిస్తారా? అనే విషయము ప్రభుత్వంవారు మనకు విశదపరచి యుండలేదు. అసలు ఇప్పుడు ఇస్తున్న 6 టౌన్సుల బియ్యము ఎంతమాత్రము సరిపోవు అని ప్రజలు గోలవెడుతుంటే, ఇంకా ఇందులో తగ్గిస్తామంటే ఇది చాలా శోచనీయమైన విషయము గా. మినిష్టరుగారు మనకిచ్చిన స్టేట్మెంటులలో ఇతర రాష్ట్రాలనుంచి మనకు గోధుమలుగాని తదితర గోధుమకు సంబంధించిన పదార్థాలుగాని మనకు కేంద్రప్రభుత్వమువారు supply చేసినప్పుడు మన రాష్ట్రంలోని rural areas లో fair price shops ఏర్పాటు చేస్తామని చెప్పియున్నారు. అంటే, మనకు గోధుమలు వచ్చినప్పుడే ఈ fair price shop ఏర్పాటు చేస్తాము, లేకపోతే ఏర్పాటుచేయము అని వారి అభిప్రాయమేమో నాకు బాధపడటం లేదు. అంటే జాకుండా, మనకు వై నుంచి గోధుమలు వస్తే rural areas లో ఏర్పాటుచేసే fair price shop ల ద్వారా ఒక్క గోధుమలను మాత్రమే supply చేస్తారా, లేక గోధుమలతోపాటు బియ్యమును కూడా supply చేస్తారా అన్న విషయము తెలియజేయవలసినదని కోరుతున్నాను. ఈ fair price shops ద్వారా ఒక గోధుమలు మాత్రమే సరఫరా చేయదలస్తే ఈ సాధనను ఏర్పాటుచేసే ప్రయోజనము చూడము. Fair price shops లో ప్రభుత్వమువారు ఇవ్వదలచిన బియ్యము కొద్దో గొప్ప ప్రజలకు సక్రమంగా ఇప్పిస్తే సేదసాడలు గంట కాకుండాపోతే నా నీయముంది.

“Deficit జిల్లాలలోని వర్తకులు surplus జిల్లాలనుంచి అహారధాన్యాలను తీసుకొని వచ్చుటకు permits యిస్తామని గవర్నరుంటువారు అన్నారు. ఈ permits ఇవ్వడము ఇంతకు ముందుగా చేసియుంటే కొంత ఫలితము కనిపించి ఉండేది. గ్రామాలలో రేషనింగు ఎత్తిచేసిన తరువాత వర్తకులకు permits ఇస్తే, వారికి ధాన్యము కొనుటకు పొరుగుకుటలేదు. కొందామన్న విపరీతమైన హెచ్చుధరలు ఇవ్వవలసివస్తుంది. హెచ్చుధర పెట్టి మిగులు జిల్లాలలో కొని తరుగు జిల్లాలలో ప్రభుత్వమువారు నిర్ణయించిన ధరలకు అమ్మాలంటే ఎంతమాత్రము గట్టలేదు. ఏమైనప్పటికీ వెంటనే permits ఇప్పిస్తే కొంత ప్రయోజనము ఉండగలదని అనిపిస్తున్నాను.

“ప్రతి సంవత్సరము మన రాష్ట్రపు జనాభా 30, 35 లక్షలు జాస్తి అవుతుందని ఈ అధికపు జనాభాకు సరిపోయే ఆహారపదార్థాలు అదనంగా పండించుచున్నట్లు కృషి చేస్తున్నామని ఆహార కమిషనర్ గారు అంటున్నారు. ఇప్పుడు ప్రభుత్వమువారు 6 టౌన్సుల బియ్యాన్ని ప్రజలకు ఇస్తున్నారు. దీనితో ఎవరైనా తృప్తి పడుతున్నారా అనే విషయము సందేహాస్పదమైనది. ఎవరు కూడా 6 టౌన్సుల బియ్యము మీద ఆధారపడి జీవించలేదు. విదేశీవిధముగా తమకు కావలసిన సరకును ఎంత ధర అయినా ఇచ్చి కొని ప్రజలు కాంక్షించుగా చేస్తున్నారు. అటువంటి పరిస్థితులలో ప్రభుత్వంవారి తక్కువ సరికావని చెప్పవలసి వచ్చినందుకు విచారించుకొన్నాను.

[24th January 1951] [Sri N. Venkatachalamaji]

“ప్రభుత్వంవారు రైతుల వద్దనుంచి ధాన్యము ఒక్క 19 రూపాయలకు కొని consumers కు రేషను సాఫల్య ద్వారా 27, 28 రూపాయలకు విక్రయిస్తున్నారు. ఈ రేడా అంతా మధ్యవర్తులకు పోతున్నది. రైతుకా సరిఅయిన ధర కావడము లేదు. Consumer హెచ్చుధర యిచ్చి కొద్దిపాటి బియ్యానే కొనుగో గలగుతున్నాడు. రైగా తనకు కావలసిన అదనపు బియ్యాన్ని విపరీతమైన ధరలకు blackmarket లో కొనుక్కోవలసిన అవస్థకు లోను అవుతున్నాడు. రైతును, consumer ను ఇన్ని ఇబ్బందుల పాలుగాకుండా చూడాలంటే rationing ను, controls ను వెంటనే ఎత్తివెయ్యాలి. దానివల్ల వంట పండించే రైతుకు గిట్టుకావున ధర వస్తుంది. Consumer కు తనకు కావలసిన బియ్యము ఇప్పటి ధరకన్నా తక్కువకే చిక్కుతుంది. ఈ విషయాన్ని ఇప్పుడైనా ప్రభుత్వమువారు గమనించి controls ను తొలగించవలసినదని కోరుతున్నాను.

“జనానులో ఒక యకరానికి పండే పంట మన దేశములో 3 ఎకరాల భూమిలో పండే పంటంత ఉంటుందని experts అంటున్నారు. జనానులో అంత హెచ్చు పండటానికి మన దేశంలో ఇంత తక్కువ పండటానికి కారణాలేమిటో జనానువారి వ్యవసాయ పద్ధతులేమో, మన లోటుకాల్లేమో సరిగా పరిశీలించే నిమిత్తము కొంతమంది experts ను ప్రభుత్వమువారు జనానుకు పంపించి వారి సలహాలను తీసుకొని మన దేశంలో కూడా హెచ్చు పంటపండే పద్ధతులను అమలులో పెట్టినై కుంచి దని మనవి చేస్తూ ఇంతటిలో నిలిచిస్తున్నాను.”

The House was then adjourned for lunch.

(After lunch—2-30 p.m.)

SRI MOTHEY NARAYANA RAO :—“Mr. Chairman, Sir, I must say at the outset, Sir, that I am conscious that not much will result or nothing will result from this discussion on the floor of the House because we have had food debates quite a number of times and the advice given by hon. Members of this House is generally neglected, not only the advice given in this House but in the other House. Food Committees have been constituted in every district and we pass resolutions but they are never given effect to. Suppose we pass resolutions in the Food Committee and communicate them either to the Government or to the Commissioner of Civil Supplies; replies are not even sent by them though ordinary courtesy requires that replies should be given to the demands made by the Food Committees. That is the fate of the resolutions of Food Committees and I do not know how far discussions in this House will produce any result.

“The food question comes up from time to time and from year to year although we have been hoping for better times all through. The Government seem to feel that something should be done but they were not able to follow any definite policy up till now. They have had rationing, derationing, partial rationing and have conducted all sorts of experiments in the distribution of food in this country; they have not been able to show any results as they had been groping in the dark; in spite of their experts, the Government, both the State Government and the Union Government, do not seem to have any definite policy. It may be due to the fact that there may be scarcity allround but still we must have a definite

[Sri Mothey Narayana Rao] [24th January 1951]

plan. For instance, in Russia, they have a systematized plan of rationing. Have a strict systematic rationing though it may mean a little bit of violence and rigour or give up rationing and leave the people to take care of themselves. We all fondly hoped that after the war there will not be any scarcity and especially after the attainment of Independence we shall be very happy and contented so far as the food question is concerned; but now, Sir, things have taken a different turn entirely and we are put to a great deal of difficulties in finding our minimum requirements of food and cloth. Government are, of course, handicapped for want of finance and for want of materials. Now what have the Government done? They have revised their policy and decided upon derationing in some of the areas mentioned in the statement. In the statement, the Hon. Minister says—

'The proposals for derationing in the rural areas received considerable support from many hon. Members of the Assembly who definitely were of the view that it will be a beneficial measure.'

But I am sure, Sir, nobody ever contemplated this kind of derationing; they never thought that there will be licensed dealers, there will be procurement and there will be restricted distribution and the Government will have their hand in the business at every stage. What we thought was that there will be complete decontrol and the people will be left to take care of themselves. The Government ought to be able to take the bold step of derationing in the whole province and allow free movement of foodgrains from one place to the other and if there is any gap, import as much as possible from other countries. That probably would solve the problem to a very great extent. I do not believe that there is so much scarcity as the Government imagine. I believe that not even 10 per cent of the people live on the 8 or 10 ounces of food that they get from rations. Somehow or other, they are purchasing the balance in the black or the fair market, whatever it may be; though the Government say that we must eat within the 8 ounces, I do not think even the Members of the Government or the Government officials take this 8 or 10 ounces only and nothing more. (Sri A. Gopalakrishniah: 'No.') My hon. Friend also agrees with me. This shortage, Sir, therefore is more imagined than real. Shortage exists, I agree but it is not so much as is imagined by the Government. So, Sir, instead of derationing in this area and that, leave the people to themselves and things will adjust in due course. I agree, the people will have to pay a higher price for some time but things will get right after some time and if there is any gap, it may be made good by imports from abroad. I would advise the Government to take a bold step and introduce it, keeping the necessary stocks ready if necessary, in case there is a breakdown; let them try the experiment of derationing in the whole of the State and allow free movement of grains; I think they will succeed. See, Sir, now, a portion of the district is under rationing whereas another portion is not. There is procurement in some districts and there is no procurement in some districts; even in the surplus districts, there are some upland taluks which are deficit and grains from the surplus areas are not allowed to go into the deficit areas as there are restrictions everywhere. In

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surplus districts, there should be free movement of grains. The so-called zonal system, that you should not purchase from a particular zone and you should not take grains from one particular zone to another is not going to help the Government. You have derationed in certain areas but you have not allowed foodgrains to be taken from surplus places; in such a case, I am suggesting, Sir, that there should be free movement of grains in surplus districts; there is no objection to the procurement operations going on there as usual. As I said, Sir, at the beginning, when the system of derationing in the whole State is introduced, prices will rise. But, Sir, are we not paying very heavily for the blackmarket rice that we are getting in order to supplement the rations? As was pointed out by my hon. Friend Mr. Narayanaswami Nayudu, of the six ounces that is given by way of rations, chaff, husk, stones and dirt account for nearly fifty per cent and people are not living on the three or four ounces that they are thus given from rations. Of course the overall ration is given out as 12 ounces but the balance over the rice portion is seldom given and the dealers always plead that they have no stock. Can you imagine that a labourer or even an ordinary person lives on this three or four ounces of rice? If he eats he eats sumptuously, and is even prepared to go hungry if he is not able to get a full meal. It is very difficult for a labourer to carry on with the rations given to him. He requires sixteen ounces and for the balance he pays exorbitantly; when the rations cost him annas six per seer, he will be paying from 9 to 12 annas for the balance that he is buying. Recently, Sir, I happened to go to Chirala. There rice is selling in the open market though there are so many restrictions. They go to the West Godavari district, purchase rice, they do not generally purchase any tickets and they bring head-loads of it and offer it for sale in the open market in the very eye of the Government officials and they are selling rice at 9 to 10 annas per seer. Do you think people grumble buying it? No, Sir, they buy it and they are happy and quite willing to buy it because they are able to get whatever they want. Do you call that blackmarketing? If so, what action have you taken against that and if you propose to take any action do you think it will be effective and you will be able to stop the sale and you will be able to stop the people carrying head-loads of rice to that place for purposes of sale in a statutory rationed area? Even in Madras, rice is taken from house to house and sold. Do you think you can stop it? If you cannot stop it, then the only way is to call it the fair market or the white market. I do not know why you should call it the blackmarket and at the same time allow it to continue. For instance, the Government want to have statutory rationing in the major municipalities of surplus districts. Do the Government think that they will be able to stop the flow of rice or paddy into the rationed urban areas from the surrounding non-rationed rural areas? I do not think they will be able to stop it. They will be only enabling some Government servants to practise corrupt methods and make money. That has been our very sad experience. The Government have posted their servants in all corners of the district. I know that persons who are paid ten or twelve rupees as salary by the Government

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have earned thousands of rupees. The more the Government servants, the more the corruption. If there are fifty servants, fifty bags are smuggled into the rationed areas and if there are one hundred servants, one hundred bags are smuggled. There is no use of experimenting with ration. Statutory rationing should go at least in the towns of the surplus districts because the Government will not be able to effectively stop the flow of rice or paddy into the rationed areas from the adjoining non-rationed areas. In the name of maintaining law and order, the Government will only drive people to indulge in blackmarket transactions and immoral methods.

"Fixation of price in derationed areas also should go. Let the people pay a little higher price; they are willing to pay. The quantity that the Government are supplying at a fair price is very little and for the rest of a person's requirements, he is purchasing by paying more. If the price in the Government depot is six annas, he is willing to pay ten annas and purchase in the open market. I think it is better that the Government tack on every surplus district to a deficit district and say that the surplus of the surplus district should go only to the specified deficit district. For example, West Godavari district can be tacked on to the Malabar district. Merchants will rush in whenever there is need. If one hundred merchants rush in, naturally there will be a slump and price and other factors will adjust themselves.

"Further, I do not know why the growers of essential food-stuffs alone should be handicapped for want of a fair price for their produce. Recently the price of cloth has gone up. The price of every other foodstuff has gone up. I do not understand why paddy growers alone should be penalized by the fixation of a comparatively low price for the trouble they take in producing foodgrains and feeding the people. They should be amply rewarded for all their trouble by suitably raising the price of paddy and rice.

"The rationed areas of even the surplus districts are allowed the same scale of ration as is allowed to the deficit districts. There is a lot of discontent among the people of the surplus districts because they are not allowed to retain enough out of the food that they themselves produce and also because of the trouble to which they are subjected by procurement and other forms of control. It was said in the course of the discussion this morning that there was no ration and no procurement in Uttar Pradesh and Madhya Pradesh. Just because those States produced, the people there were allowed to take as much as they wanted. The analogy of those States should apply to the surplus districts of this State. I feel that the surplus districts that grow and supply food to deficit districts must be allowed to take a little more ration than what is given to the other districts.

"As I said in the beginning, this sort of partial rationing is no good at all and I think it is going to be a failure. But the Government officials are intent upon saying that what the Assembly and Council Members say is going to be a failure. If the Government want to deration, let them deration completely.

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Let there be free movement of foodgrains and let the price level adjust itself. If anything serious happens, then the Government can step in and adjust things. The adoption of zonal system in surplus areas is going to be a great hardship. The produce of a particular area should be sold within a particular zone. We know what humanity is and what merchants are. There is already discontent among the cultivators that even the price fixed by the Government is not paid to them."

MR. CHAIRMAN :—"It is time for the hon. Member to conclude."

SRI MOTHEY NARAYANA RAO :—"Sir, I will conclude in a minute.

"There was a complaint in the last meeting of the Food Committee of the West Godavari district that even the price fixed by the Government for paddy was not paid to them by the millers. If the zonal system comes into existence, the cultivator will be at the mercy of the person who purchases and it will be a very great hardship. I do not think this zonal system is going to be of any advantage to the people. Let the procuring agents be allowed to procure from wherever there is stock. We always express very great sympathy for the ryot and I think it is all lip-sympathy. There is already discontent and dissatisfaction and the adoption of the zonal system will only aggravate it. I hope the Government will take the advice given by the Members of this House and do what they want and not what they do not want."

* JANAB K. T. M. AHMED IBRAHIM :—"Mr. Chairman, Sir, I would like to begin with the last paragraph of the statement placed before the House by the Hon. Food Minister. Though it is the last paragraph, I think it is the most important paragraph in the present context. It refers to the cut sought to be imposed by the Central Government in the food ration of the various States. I do not know whether the Madras Government have yet received the full details. It is said in that paragraph that the Government have become aware of the cut only from the report of the broadcast of the Union Minister for Food which appeared in the issue of the '*Hindu*', dated 20th January 1951. The broadcast was actually made on the 19th January. From reports we learn that this Government received telegraphic intimation from the Government of India on the 22nd January about what was announced to the public on the 19th. This Government are still expecting the details, as it is said that necessary steps would be taken on receipt of the details. I would like to know what status this State has with the Central Government. Something is announced to the whole world in a broadcast. Even then this Government are not apprised of the step that is proposed to be taken. The whole world knows what officially this Government do not know. Even to-day when the food position is being discussed in this House, I do not know whether the Hon. Minister knows the details. It was said that originally the Central Government consulted the various State Governments about the proposed twenty-five per cent cut. This Government also should have given

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their opinion. What is the importance that the Central Government attached to the opinion given by the Local Government? We have heard even bureaucratic Governments say that the opinion of the man on the spot should be given greater importance. This Government is responsible for the administration of food policy in this State. Only in the last session of the Parliament, State Governments were given a rebuff for going to the Centre very often for help in regard to food. It was pointed out that the responsibility for food rested with the State Governments and that therefore they ought not to be going to the Centre for help very often. If that is so, have the State Government been given the necessary power to discharge that responsibility? The final voice even with regard to the polishing of rice rests with the Centre. That is why I want to know whether this Government has received the details. I do not think it has received the details. If it has received, the Hon. Food Minister would have given them to the House this morning. That is the way in which this Government is being treated. Why should not this Government stand up and point out to the Centre that this is not the way to treat this Government which is held responsible to the people with regard to their food especially when it was pointed out in the Parliament that the responsibility for feeding the people lay with this Government? This position has developed because our State has been taking lying down whatever insults have been levelled at it by the Centre. I am sorry that our State Government should have allowed things to progress like that. Only the other day it was said that the subsidy given to imported food so far would be stopped except for the four industrial towns. But this statement does not give any information about the effect of the stoppage of the subsidy by the Government on the food situation of this State. I am told that that will increase the cost of food by 15 per cent. What is the attitude taken by this Government with regard to that matter? Even before the broadcast of the Hon. Minister for Food in the Centre, Bombay seems to have had an inkling of the proposed cut. It had imposed the cut already. I do not know whether the imposition of the cut in Bombay was due to the information which Bombay received in advance or whether the Central Government followed the Bombay Government. Anyhow, Bombay has had some special treatment. I would like to impress upon the Government that unless we stand up and assert our rights, the food situation of this State will grow from bad to worse. It is an admitted fact that the minimum food which is necessary for an ordinary person is 16 ounces per day. Nutrition experts are unanimous on that point. We have been promised 12 ounces. But actually we get only 6, 4 or even 3 ounces. I can say without fear of contradiction that even in the City of Madras 12 ounces is not the order of the day; people get only 8 ounces and 6 ounces only. When such is the case, what will be the position of the man-in-the-street if a further cut of 25 per cent is imposed? As Sri Mothey Narayana Rao said, rice is available in the blackmarket and some people go from door selling rice. People who can afford to pay can purchase paying a high price in the blackmarket. But can the ordinary man-in-the-street afford to purchase at that high price? "

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SRI MOTHEY NARAYANA RAO :—" Is not rice purchased even at that higher price? "

* JANAB K. T. M. AHMED IBRAHIM :—" The hon. Member Sri Mothey Narayana Rao and I can purchase. But can a poor man afford to purchase paying a high price? "

Sri Mothey Narayana Rao rose in his seat.

MR. CHAIRMAN :—" Let there be no interruption."

* JANAB K. T. M. AHMED IBRAHIM :—" It is true, Sir, 3 p.m. that there is blackmarketing in rice, but we cannot help it. It was pointed out by an important member of the Parliament the other day in the course of a debate in that very House, that this blackmarketing has become a boon and a blessing. That statement is quite true, Sir. Also, the chairman of an important municipality in the South told me the other day, 'Rice is being sold in blackmarket in my municipality freely, and if that is to be stopped, I am sure, every day there would be some three or four deaths due to starvation. For God's sake, please don't plead for the stopping of the blackmarket in rice.' He added further that in his municipality alone, every day, an average of Rs. 3,000 worth of rice was being sold in blackmarket.

" Now, Sir, I would ask the Hon. Minister for Food whether he proposed to the Central Government, on reading this broadcast of the Food Minister of the Indian Union to reduce the ration in this State to 10 oz. and that out of it, 8 oz. should be rice. Of course, I am quite conscious of his anxiety to provide the maximum food for the people and I have not the least doubt about his sincerity and of the efforts he is putting forth to secure the maximum allotment from the Centre. Sir, I do not understand the basis on which the proposed ration of 10 oz. was fixed as sufficient for people to get on. Does the Hon. Minister think that by taking 10 oz. of foodgrains, people would be able to maintain their body in proper condition? Even the other day, as soon as the Hon. Prime Minister of India arrived in Bombay from his important mission in England, he said in a press conference, referring to the food situation in this country, that the present scale of food-ration in India would probably affect the productive capacity of labour in many cases. Why has he referred to labour alone, Sir? As a matter of fact, it will affect everybody. Does our Minister for Food in the Central Government think that this 10 oz. ration is sufficient for anybody? It may be true that there may not be deaths due to starvation immediately, but this inadequate ration will lead to malnutrition, under-nourishment and sap our vitality and ultimately result in premature death. The process will be gradual deterioration of health among the people and as pointed out by our Prime Minister himself, it will lead to inefficiency and also reduce the productive capacity of the entire nation."

MR. CHAIRMAN :—" I think, it is a thing to be desired, is it not? "

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* JANAB K. T. M. AHMED IBRAHIM :—" I am not able to hear what you say, Sir. Well, Sir, there is no use in pointing out that though the Government give 10 oz. or 6 oz. of food, still people are somehow able to get on and live. Yes, they are living somehow, but for what purpose? They are living the life of weaklings, without being able to do anything, and this will only end in premature death. (Laughter.) Sir, my hon. Friends on the other side may laugh, but let them go to the villages in our State and find out what the feelings of the ordinary labourers are and how they live and what they think of us and of the Government. They will then find in what a sad predicament they are and how, most of the families are not able to feed their children properly."

" Sir, it may be pleaded on behalf of the Government that on account of the policy of self-sufficiency in food, which is being followed by the Central Government or on account of the failure of the monsoon and other natural calamities, we have been landed in this present condition. But I would ask, would it not have been possible for the Government to avoid the situation if they had taken adequate steps in proper time? It was only the other day, Sir, that Prof. Gadgil, the Director of the Gokhale School of Politics and Economics, Poona, pointed out that the present prices in the country are only man-made and explained how they have been so. I do not want to deal with that subject at any length or repeat the arguments which he had adduced in support of this contention, because I am conscious that you, Mr. Chairman, will come down upon me and ask me to finish my speech as soon as possible."

MR. CHAIRMAN :—" Whose speech is the hon. Member referring to? "

JANAB K. T. M. AHMED IBRAHIM :—" Sir, I am referring to the remarks made by Mr. Gadgil, the Director of the Gokhale School of Economics and Politics."

MR. CHAIRMAN :—" If the hon. Member can prove that statement, he is at perfect liberty to do so."

* JANAB K. T. M. AHMED IBRAHIM :—" Sir, every word of what Prof. Gadgil has said can be proved if time is given to me. If the Chair will be pleased to give me time and opportunity, I shall certainly be able to do so."

MR. CHAIRMAN :—" That means not to-day."

* JANAB K. T. M. AHMED IBRAHIM :—" But I do not wish to take up the time of the House now by trying to prove it. So, Sir, I want to know whether this Government have impressed on the Central Government the necessity for maintaining at least the present ration and of their inability to reduce the rice-content of the same, so far as this State is concerned. On the other hand, I would have wished them to have made out a case for increasing the ration by urging for greater allotment from the Centre. Now Sir, the Hon. Mr. Munshi has not made any strong case for

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reducing the present ration. He simply said that there has been an emergency and on account of that, this cut has got to be imposed. I have read the broadcast of the Hon. Mr. Munshi again and again but I am not able to find out anything therein to show what the emergency is and how it has arisen. It seems to me that it is only to provide for a hypothetical contingency that this cut has been sought to be imposed. In the last paragraph of his broadcast, he said, ' This cut is calculated to improve the situation, to give us a sense of urgency in the matter of the food crisis, provide an urge to people not to hoard, not to waste, and the discomfort now suffered will in the end improve our food resources and enable us to face the period from July to October with some sense of confidence.' That is to say, it is for the purpose of teaching the people a wholesome moral and salutary lesson that this cut has been imposed, so that the serious discomfort caused by this cut may stand in good stead if war breaks out or if any other emergency arises. Therefore, there is no immediate emergency, so far as we can gather from his broadcast speech, to warrant the imposition of this 25 per cent cut. That is quite evident on the fact of it. Even the Hon. Prime Minister of India has said that if war breaks out, we must be prepared to face the situation. That is the only idea behind this cut, but no such situation has actually arisen. The Hon. Mr. Munshi further said, ' If this cut is imposed for a few weeks, we will be able to meet the difficult situation from July to October, because on account of this, the stock position on April 1, 1951, would improve by over 2 lakhs of tons providing a sure guarantee against the difficulties of the subsequent lean months in case our expectations of imports are not fulfilled.' But at the same time, in another portion of his broadcast speech, he has said, ' unless a war crisis intervenes, I do not expect any difficulty in purchasing 3.7 million tons of foodgrains, which we have decided to buy from our foreign exchange resources. Both U.S.A. and U.K. are doing their best to see that we tide over this difficulty. There are definite signs that our shipping position may be easy in the near future. I, therefore, hope that this cut will be restored within a few weeks.' That being the case, I ask, why all this harassment to the people, why all this serious discomfort to them? Have this Government raised their voice of protest against this cut based on no facts, but only on imagination, so far as this State is concerned? I do not know why this Government should reduce their demand from the Centre, by restricting themselves to this 10 oz. ration. Do they think that it is possible for the people to live on this 10 oz. ration? There is our friend, the hon. Lady Member Mrs. Mona Hensman, who would be able to tell us from her own experience of the kitchen, whether this ration of 10 oz. is sufficient for our people.

" Then, Sir, with regard to the cut in the subsidy, this statement of our Hon. Food Minister does not contain a word about the attitude of this Government in the matter. Are they going to meet the deficit from out of the funds of this State or are they going to discriminate between the so-called industrial towns and

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other towns and villages, by increasing the foodprices in the latter? I should like to have some clarification on these points, Sir. While imported foodgrains will be sold at a less price in these four industrial towns, they will be sold at a higher price in other places. Is this the policy they are going to adopt? The statement of the Food Minister does not contain anything with regard to the attitude of this Government in this respect. Sir, I have got something more to say. (Bell rings twice.) Am I to sit down, Sir?

“ Mr. CHAIRMAN :—“ Yes.”

MRS. MONA HENSMAN :—“ Mr. Chairman, Sir, I think that this food debate has enabled us to express our views on the policy of food-control pursued by the Government, both the Central and the State, and has proved a most useful thing in this House. Especially do I think that to-day, when there is a great concern throughout the country in the matter of food, it is not proper on our part to detach ourselves from what is going on in the country. The newspapers have been full of news regarding the food situation in the country and of criticism against the Government policy of food-control, but, Sir, I feel that perhaps our Hon. Minister for Food has not been able to do all he could to improve the situation, even so far as our State is concerned, because I think he has not been helped to the fullest extent possible by that great body of women in our State, whom I, at this moment, happen to represent in this House. Sir, as I said, the newspapers have of late been full of criticism regarding the Government policy of food-control and some time ago, I noticed a certain paragraph in one of the newspapers, mentioning the activities of the Provincial Food Council. I was wondering whether there were any women representatives in that body, but to-day I have satisfied myself that there is no woman representative therein. And so, Sir, I think it is perhaps my duty to mention this to the House, because I have always felt that if there had been any women representatives therein, it would have been possible for that Committee to get their point of view and to enlist their co-operation in solving this problem. I feel, Sir, that one of the surest ways of making our State better and more self-sufficient in the matter of food, is to put in two or three women representatives in that Committee, and to enlist the co-operation of women of this State to tide over the present difficult period. Sir, I am not a sentimentalist, nor am I one who is a specialist in the kitchen, but when it comes to a question of food, of cooking and of kitchen administration, to which my hon. Friend over there, just now referred, you will be able to appreciate what I am going to say in a moment, namely, that the actual presence of a few women representatives in that Committee will greatly help in the matter of popularizing the use of a larger quantity of vegetables in the daily menu and in preparing non-cereal diet, especially at this time when foodgrains are scarce. The present shortage of food and the larger consumption of foodgrains are due to the fact that we have been brought up all these days by larger use of cereals and foodgrains and less of vegetables, fruits and leaves, in our daily

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diet and having been accustomed to such a kind of diet, the preparation of which has been the main duty of our womenfolk, we now find it difficult to change our food habits and that is the reason for all our present troubles and difficulties.

(At this stage the Deputy Chairman occupied the chair.)

“ Now, Sir, a great duty has been cast on our womenfolk. Now we are trying to educate our womenfolk in the preparation of non-cereal menu and insist on them to use more vegetables, fruits and the like, in our laboratories, in our kitchens, and in our classes on domestic science in the Women's Christian College and in all other educational institutions as well, so that these womenfolk and women students, when they run their own homes, may be able to change the food-habits of their menfolk and their families. It is in this way, Sir, that the women of our State will be able to come to the help and rescue of the Government in the present situation, because it is they who will be able to prepare tasty dishes without rice and cereals, and by using the things which are available, and thereby change the food-habits of the people of our State, without detriment to their general standard of health. Unless, therefore, the State enlists the co-operation of the womenfolk in their efforts to tide over this critical period, and try to change the food-habits of the people, in the manner I have suggested, I do not think, it will be possible for the Government to tackle this problem with any degree of success. Sir, we all know that our State is not self-sufficient in foodgrains. I think, Sir, that the Hon. Minister for Agriculture will agree with me when I say that we should grow more vegetables and things like that in our State and popularize vegetable diets more and more among the people to be combined with the little rice ration that is made available to them, and thereby manage to tide over the present food crisis.

“ Sir, one of our friends on this side of the House, this morning, said that part of our trouble is due to over-population. He rather demurred at the increase of India's population during the past years. We women have to bring up the children, and, therefore, it is a problem for both of us. 3-15 p.m.

“ At a conference of women held in this very city, two points of view were put forth about derationing in rural areas. We discussed it on a reciprocity basis. It was said by one side that derationing would improve matters, because those who had the rice would, after derationing, feed themselves well. On the other side it was stated that all the rice that was now available was being distributed to everybody equally, and, after derationing in rural areas, the ryots in those places would not get anything to eat. We have been hearing this from persons who know this very well from first-hand experience. We have been hearing that in the non-industrial areas and rural areas, there has been very great trouble, and that cereals, rice in particular, have not been available, that starvation is rampant, and that there is very little hope of improvement. I suppose that after the next harvest there will be a certain amount of improvement. Perhaps, with

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the monsoon failing, there may not be a very rich harvest, but there will probably be more hope in the rural areas at any rate for the people to feed themselves. Perhaps in another six months we will meet here and ask that the harvest in the rural areas be set apart by some Government Order or otherwise for consumption in the city area so that we may get our food. Sir, the hon. Member, Mr. Narayanaswami Nayudu, has moved four amendments, and they should be very carefully considered at this juncture. I would ask the Government to allow imports first to come into the country. The import system should be built up so that we are sure of what is coming in and not so sure of what is in the country. Imports must first be available before we ask that the rural areas be given 8 ounces, and the remainder brought to the industrial areas and cities. I know our Minister for Food is a most chivalrous gentleman. He is not one to make his opinion felt controversially or bitterly or resentfully. He is a man of peace. But I feel that we should, through him as our representative, ask that we should be allowed to import rice, say, from Siam through Government channels and co-operative channels. We do not ask for private enterprise. We do not ask for capitalism or for anything that would forge black-market. But what the Government of India should do is to give licences and allow Government co-operative societies to import rice direct, on a favourable basis, from such countries as Siam. International co-operative meetings lately held in Lucknow, in Ceylon and in Karachi were attended by representatives from Madras. Madras had been able to prove its point of views at these meetings. If we, as a State, could be allowed to manage our food situation ourselves, instead of the Government of India getting rice from Siam and then distributing it to the States from New Delhi, it would solve all our food problems. We should increase the procurement price to the paddy grower. Rs. 4½ crores have been spent for getting food. Probably it was due to unforeseen circumstances. After spending that money we got our rice from Uttar Pradesh, and we had to sell it here not at that enhanced price but at subsidized rates. It has been the custom to subsidize and sell at lower prices. Therefore, should we not be prepared in this State to give a better price to the paddy grower? Now we buy rice at Re. 0-12-6 per Madras Measure in the ration shop. The blackmarket price which has been referred to here is probably Re. 1-6-0 or Re. 1-8-0 per Madras Measure. I ask why should we not give the paddy grower one rupee per Madras measure, in which case he would be more likely to part with his surplus stocks to the Government? Procurement would not then be a battle. It will be a co-operative enterprise. We would get on very well in future also. Could we not urge on the Government of India to give licences to persons in the Madras State to import rice? It was published in the papers that broken rice was not allowed to be imported from Burma, that Burma was trying to export her broken rice, and that it was not possible to import that rice into this country. Could not the position be considered and the Government of India urged to give licences to private enterprise or co-operative societies to import rice on a suitable basis from other countries.

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"Finally, Sir, I feel that we should, as other hon. Members said, at this time very firmly protest against the 25 per cent cut if it is going to be levied on us, because, already our cut has been more than 25 per cent, and we have come more into line with the 25 per cent cut during the last so many months than anybody has done. Therefore, if this Government would be good enough, firm enough, and co-operative enough to take the will of the people of this State to the Government of India and ask that Madras should not come under the 25 per cent cut, then indeed we will prevent a great deal of distress and desolation that may be forthcoming in the next few months."

* DR. P. S. SRINIVASAN:—"Mr. Deputy Chairman, Sir, almost in every session we have a debate on food, and we are repeating the same thing over and over again. But the effect of all this debate has not been appreciable. The local Government and the Central Government have been trying to do their best in the matter of giving more food to the people. But it has not been possible for them to do so. Of course there are talks here as well as outside that people should be allowed to import rice from Siam, Rangoon and other places. But I am sure those points have been very well answered by our Prime Minister in one of his broadcasts that it is not possible to get rice from Rangoon because of very many reasons. The economic condition of our country does not permit us to buy rice at the price they want. It is not a pleasure for the Prime Minister or the Food Minister in the Centre to see that Madras starves or the people of Madras State suffer. Our Food Minister has given us a statement explaining everything in detail, and why rationing in rural areas is introduced. Rationing has been introduced not because the Hon. Minister wanted it. But the people were clamouring for it, and to satisfy them he introduced rationing. People want rationing not because there is enough rice in the country, but because they want to get out of the rigours of the rationing rules and the harassment by the rationing officials. When the poorer people take a measure or two of rice from one place to another, they are caught and they are given all sorts of trouble. But the man who owns a number of acres and who produces a lot of paddy, is left free. From him one or two bags of paddy are taken, and he is left to flourish in the black-market. Not only that. People are not at all satisfied with the quality of the rice that is issued. They have to polish the rice. They do not want rice that smells bad and which is mixed with stones. They feel that when rationing is removed from rural areas they will be at least free to buy whatever rice they require and also get the best quality rice. Even if people want to polish the rice and take away the bad smell and the husk, the rationing rules make that an offence. When they do polish the rice, they are punished. As the Government say, if rice is polished it will grow less in weight, and there is also the question of devitaminisation. They say that rice contains vitamins which will be lost by polishing, and as a consequence, men will suffer from various diseases. A friend of mine once asked me 'why mix husk with rice; we will take rice and husk separately if need be'.

[Dr. P. S. Srinivasan] [24th January 1951]

The Government do not allow the people to polish rice. They want, as the hon. Member Mr. Narayanaswami Nayudu pointed out, to give husk also in the six ounces ration. When it is polished, six ounces will become five ounces or even less. In the villages rationing has almost become a failure. They were not able to give rice to the people. Hence, Government thought that it would be better to take away rationing in the villages. No doubt it may be that after a time people in the villages will suffer for want of rice. I do not know what the Government are going to do then, unless it be they open relief shops or fair price shops in the villages to supply rice to the people.

“Sir, the hon. Member Mr. Narayanaswami Nayudu asked this Government to dissociate themselves from the Central Government in the matter of supply of rice. He also asked this Government to non-co-operate with them. I do not know whether that would be possible, since food is a Central subject. (Sri B. Narayanaswami Nayudu: ‘No.’) At any rate I understand that it is a Central subject. We are not allowed to get our requirements of food from abroad ourselves. The Government of India have the control over this matter, and I do not know whether it will be possible for us to dissociate ourselves from the Central Government in this regard. All these troubles are due, so far as I can understand, to the evils or defects in rationing. The private owners’ ration shops are very badly managed. They do not issue rice and wheat. Sometimes they issue rice and ask the people to come another time for wheat. Sometimes they issue wheat and ask people to come later for rice. Sometimes they ask the people to take both rice and wheat. When the people ask the shop owners when they would issue wheat (or rice) they simply answer saying ‘we do not know’. So, what is actually being done is that the people are able to get only 6 ounces of rice and nothing more. I asked the Rationing Officer whether he could not instruct the ration shop-keeper to supply 6 oz. of rice in the first instance and supply wheat later in the week if it becomes available. But he said that there was no provision in the ration card for making a separate mark and so it was not possible. All these small things give much trouble. People have now become accustomed to wheat. There was a time when people said that they were not used to wheat, that they did not know how to make wheat preparations and that wheat was not suitable for them. To-day everywhere in the villages people want wheat but they are not able to get it.

“The hon. Member who preceded me said that the 25 per cent cut was imposed specially in the case of Madras and Bombay alone. But I find here in the statement it is stated that the cut is applicable to all the States. I do not know whether this is correct or whether what the hon. Member who preceded me spoke is correct.”

* JANAB K. T. M. AHMED IBRAHIM :—“Sir, everyone is aware that the cut is an all-India one. The hon. Gentleman has only misunderstood the speech of the hon. Member who preceded him.”

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* DR. P. S. SRINIVASAN :—“I may be excused, Sir, but the hon. Member who spoke before me said that people in Madhya Pradesh were getting 16 oz. and we were only getting 6 oz. It is not the intention of the Government to mark out Madras and give less rice. What they have said is that if a war breaks out they may not be able to get steamers to bring rice from the United States to India and it may not be possible for us to expect anything from outside and we should be careful to preserve what we have got and ration it among ourselves. That is what the Prime Minister said in one of his broadcasts. The Government will not allow one State to have 18 oz. and another State 8 oz. It is in that way the cut is imposed. So far as I can see, there is nothing wanting on the part of this Government or the Government of India in trying to get as much rice as we want. But the real fact is that they are not able to get.”

* SRI S. JAYARAM REDDI :—“Mr. Deputy Chairman, Sir, my purpose in participating in this debate is to impress upon the Government only one point. I come from Ramanathapuram which is a heavily deficit district. But in the statement it is shown that Malabar and the Nilgiris alone have been taken as heavily deficit districts. I have also toured Malabar in connexion with the Malabar Tenancy (Amendment) Bill along with some other friends recently. But compared to my district, my impression is that they are much better off. (Laughter.) (The Hon. Sri K. Madhava Menon: ‘No, no.’) (Sri R. Suryanarayana Rao: ‘It is dangerous to have taken them there.’) Sir, I request the Hon. the Law Minister to visit my district and see the prevailing conditions. It will be a very sorry state of affairs in those districts where derationing has been introduced. At least if some taluks have produced something and others have not, there will be a chance for movement of grains. (Sri B. Narayanaswami Nayudu: ‘There will be black-market.’) There is blackmarketing; we do not deny it. As one supporting the Government always, I confess there have been black-marketing and illicit selling also. But taking into consideration the special circumstances in which the Ramanathapuram district is placed, it must be treated under a separate category. I do not want to say that it must be classified as a heavily deficit district, but I want that special consideration should be shown to it. In Mudukulattur, Tiruvadanai and Paramakudi taluks, even dry cultivation has completely failed. Our hon. Friend Sri Desigar’s place is very near to Ramanathapuram district. In previous years people owning even 50 or 60 acres of land had some grains with them. Particularly this year there is no fodder and it is a very pitiable sight that people with big families and some status in life are moving from one district to another. I am not exaggerating things to embarrass the Government. Already Press statements are being issued. I presented a memorandum to the Hon. the Chief Minister the other day and I even put in a suggestion for permission to publish it. He said that it should not be published. Immediately I refrained from doing anything. Many people are

[Sri S. Jayaram Reddi] [24th January 1951]

doing it for the sake of publicity. It is for that purpose that I am very keen to make my representations on the floor of this House.

"Some hon. Friends who know something of agriculture suggested that pumping sets could be installed alongside the rivers and this could be adopted as a temporary measure for cultivating some lands. I hope the Government will take it seriously and give it a trial.

"There is always an offer from our Chettiar friends who say that rice is in abundance in Burma and that the State Food Minister and the Union Food Minister are sleeping over the matter and that they are irresponsible. I do not think for a moment that the Food Minister here or the Union Minister is less sympathetic towards the people. No man who wants to continue in public life would like it to be said of him that he is irresponsible especially at this time. We cannot play with the problem of food 'பசி வந்திட பத்தும் பறந்து போம்.' That is a very ordinary thing which everyone knows. So nobody wants to be irresponsible. The Government are doing all that is possible to relieve the distress of the people. When I asked some of my friends about the question of imports, they told me that in this respect several factors had to be taken into consideration, e.g., exchange policy, dollar position of the country in order to purchase wheat and other foodgrains from dollar countries. Even statements by the Prime Minister sometimes go a long way to relieve the fear and suffering of the people in the matter of food. If we extend support to the Korean War, then something is said against us. This is what takes place whenever the Prime Minister makes a statement. In such circumstances people like the hon. Gentleman Sri B. Narayanaswami Nayudu should not go on saying that this State Government should dissociate themselves from the Centre and take a different attitude. If, as Sri Nayudu says, we are to dissociate ourselves from the Centre, what are we to do so far as the currency problem is concerned? There are other such problems also which will confront us. Therefore, I request well-informed people not to make such statements which will create scare among the people who may think that the Government are not caring for the people. I hope, Sir, the Government will give some special relief to our district."

*SRI L. SUBBARAMA REDDI :—“అధ్యక్ష, ప్రభుత్వమువారు గ్రామాలలో రేషనింగును రద్దు చేయడమువలన ప్రజలంతా చాలా సంతోషపరిచుకొన్నారు. ఇదివరలో రేషనింగు ఉండుటవల్ల ఒక గ్రామంనుంచి మరొక గ్రామానికి ఆహార ధాన్యాలు తెచ్చుకొనకుండా ఉన్న నిర్బంధము తొలగిపోవడంతోటి వీడసాడలకు ఎంతో ఖర్చు తగ్గినట్లుంది. ఇదివరకువలె కాకుండా ధరలన్ని black-market లో వియ్యము కొనుక్కోవలసిన అవసరము ఇప్పుడంతగా లేదు. ప్రభుత్వమువారు నిర్ణయించిన ధరకు ఏ కొద్ది హెచ్చు రేటుతో ప్రజలు తమకు కావలసిన్న వియ్యాన్ని సంతోషించుకొనగలుగుతున్నారు. ఈ కొద్దిపాటి వ్యత్యాసముకూడా మహా సూలులు అయిన తరువాత తొలగిపోగలదు. ఇది ఈనాడు మా జిల్లాలలోని ప్రజల అభిప్రాయము. దానినే నేను తమకు మనవి చేయుచున్నాను. ఇక మునిసిపాలిటీల విషయములో ప్రభుత్వమువారు

[24th January 1951] [Sri L. Subbarama Reddi]

అవలంబించిన విధానము ప్రజాభిప్రాయానికి విరుద్ధంగా ఉన్నది. మిగులు జిల్లాలలోని మునిసిపాలిటీలలో మాత్రమే రేషనింగు ఉంచి మిగతా ప్రాంతాలలో రేషనింగును రద్దు చేసినారు. మునిసిపాలిటీలలో రేషనింగు ఉండుటవలన black-market అభివృద్ధి అభ్రతుండగానే వేరే ప్రయోజనము ఏమీ ఉండదు. చుట్టుప్రక్కల గ్రామాలనుంచి విశేషంగా వియ్యము పట్టణాలలోనికి రవాణ్యంగా తీసుకొనిరాబడి ఆస్తుబడును. ఈ విషయము తెలియకముందటి కాదు. కాబట్టి మిగులు మునిసిపాలిటీలలో కూడా రేషను తీసివేయవలెను.

"Derationing వేసినప్పటికీ కూడా, ధాన్యపు రవాణా కంట్రోలును ప్రభుత్వమువారు పరుగు జిల్లాలలో అమలుపరచుచున్నారు. ఈ కంట్రోలువల్ల రైతులకు చాలా నష్టము కలుగుతుంది. గతసంవత్సరము వర్షములు కంట్రోలు రేటుకు రైతుల బద్దనుంచి ధాన్యము కొన నిరాకరించియున్నారు. ఈ మధ్యవర్తలవల్ల రైతుకు న్యాయంగా కావలసిన ధర గిట్టటంలేదు. ఈ మధ్యవర్తలద్వారా కాకుండా ప్రభుత్వోద్యోగులే రైతులబద్దనుంచి ధాన్యము తీసుకోవడం చాలా మంచిది. ఈ విధంగా procure చేసిన ధాన్యాన్ని deficit areas లోని municipalities కు, ఇతర పట్టణాలకు సరఫరా చేస్తే మంచిది.

"ఈనాడు మద్రాసు ప్రభుత్వమువారు నిర్ణయించిన ధాన్యపు ధర చాలా తక్కువ. రోజురోజుకు వ్యవసాయపు ఖర్చులు పెరిగిపోతున్నాయి. ఇతర జీవనావసర వస్తువుల ధరలకూడా అధికమవుచున్నవి ఇటువంటి పరిస్థితులలోకూడా సాత రేటునే ధాన్యాలకు నిర్ణయిస్తే రైతు ఏ విధంగా సంతృప్తిగా వ్యవసాయము కొనసాగించగలడో అర్థము కావటంలేదు. వ్యవసాయ పరిశ్రమ నానాటికీ నీసికట్టుగా ఉన్నది. వ్యాపారి పైరులు పెట్టడం తప్ప, రైతుకు వరిసాగు ఎంతమాత్రము లాభదాయకముగా లేదు. కూలి రేటు పెరిగిపోయింది. ఇతర వ్యవసాయ పనిముట్లు వెల విపరీతంగా ఉన్నది. తన ఆవసరాలన్నీ రైతు black-market ద్వారానే సంతోషించుకొనాలిగాని control rate కు ఏది దొరకటంలేదు. పిత్తులు, ఎరువులుకూడా విపరీత ధరలకే అమ్మబడుతున్నాయి. పరిస్థితు లీలా ఉంటే పెట్టుబడికైనా గిట్టుబాటుగాని వ్యవసాయము రైతు ఎలా కొనసాగించగలడో తెలియటం లేదు 1948-49 వ సంవత్సరంలో 22½ బెంగాల్ వజ్రగుల ధాన్యము ధర 204 రూపాయలంటే, ఈ సంవత్సరము అదే పరిమితిగల ధాన్యము ధర 210 రూపాయలకు నిర్ణయించారు. ప్రతి వస్త్రపు ధర దినదినాభివృద్ధి చెందుతుంటే ఒక్క పరి ధాన్యము ధరే తగ్గించడము చాలా అన్యాయము. రైతులలో ఉత్సాహము పోతున్నది. Grow More Food campaign ఇప్పుడే దశకొన్న ఫలితాలు ఇవ్వలేకుండా ఉన్నది. రైతు సంతోషంగా అభివృద్ధి సాగించాలంటే అతని కష్టానికి తగిన ఫలితము ఉండాలి. లేనినాడు ఎంత ప్రచారము చేసినా వ్యర్థా ప్రయాణే. కాబట్టి మద్రాసు ప్రభుత్వమువారు రైతు కష్టనష్టాలను గురించి ధాన్యము ధర హెచ్చించవలసిన అవసరాన్ని కేంద్ర ప్రభుత్వమువారికి విన్నవించి వారి అంగీకారాన్ని పొంది, రైతులకు ప్రోత్సాహపరచవలసిందని కోరుతున్నాను.

"ప్రభుత్వమువారు ఇప్పుడు procurement సందర్భంలో zonal system అను ఒక పద్ధతిని అమలు పరుస్తున్నారు. దీనివల్ల రైతుకు చాలా నష్టము కలుగుతుంది. ఆయా ప్రాంతాలలోని mill యజమానలందరు కలిసి ఒక association గా ఏర్పడి కంట్రోలుకన్న తక్కువ ధరకే రైతులవద్ద కొంటారుగాని కంట్రోలురేటుకూడ ఇవ్వటం లేదు. ఈ విధంగా అయితే రైతులకు పుట్టికే రెండు రూపాయలవరకు తక్కువ ధర వస్తుంది. అసలే ప్రభుత్వము నిర్ణయించిన ధర తక్కువ అని రైతులు గోలపెడుతుంటే, అందులో కూడా కొంత mill-owner లు తగ్గించాలని చూస్తుంటే, రైతు ఎన్ని ఇబ్బందు

3-46 p.m.

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will cut the ration by 25 per cent'. Of whose rations, they are going to cut 25 per cent is the question. Twenty-five per cent of the rations will be cut for people to whom the Government are now giving rations. What about the other people about whom the Government were saying that they have no responsibility to feed them?

"In the statement issued by the Hon. Food Minister of this State, a reference has been made to the Collectors conference. It is mentioned therein that some Collectors have warned this Government that there will be very great difficulty if they are to start derationing. But other Collectors are stated to have remarked that as a result of derationing in the rural areas, the blackmarket prices have gone down. I would like the House to note the significance of the latter views. We can very well imagine what these blackmarket prices are. Everyone of us who go through the papers know what these blackmarket prices are in different parts of the State. In Arni, it was reported in the papers that rice was being sold at Rs. 2 per measure. The other day, we read in the papers that our Friends from the Ramanathapuram district waited in deputation on the Hon. Chief Minister and the Food Minister to explain the very alarming position in their district with reference to derationing. What is the position at present? The actual position is that the Government are saying that those people who are really the producers of foodstuffs will not have food. That is, the people who live in rural areas are the actual producers and not the people who live in municipalities and towns. The Government have provided for people who live in towns and municipalities and to those people who live in rural areas, they say that they are not responsible to supply them food. Why are the Government not responsible to supply food to them? Is it because, they unfortunately happen to be the tillers of the land who give us the foodgrains? They are the people on whom we will have to depend in future if there is a good monsoon for our food requirements. The Government now say to them, 'Well, look after yourself; we cannot help you.' I can understand if this was said at a more propitious and more opportune moment. The present is the most inopportune moment. We have had consecutively failure of monsoons for four years. You cannot do this now and it would have been better if the Government had taken this step on some other occasion, I mean, on some other more auspicious and more propitious occasion. You will remember that about three years back, people prevailed upon the Father of the Nation, Mahatma Gandhi and he insisted upon the Government to deration and there was deration for some time. What was the result? I asked the then Food Minister, Dr. Rajan. 'Well, Dr. Rajan, only about a week back you said that the food situation was serious. Now you come forward with the plea that there must be deration. What is the matter? What miracle has taken place since your previous statement?'

4 p.m. "If anybody refers to my speech on that occasion he will find that what I said then has proved correct. There was derationing. What was the result? The result was that after some time the Government reverted to the old position. Now I submit that the

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same will be the position and the Government will have to revert to rationing. They will be forced to revert to rationing. My only regret is that they are going to do this at the sacrifice of people, that is, after loss of life has been sustained due to derationing, after great starvation, after great misery and hardship and perhaps, as I have said, after there have been starvation deaths. Is that not going to be the case, I ask. I wish it were not so. Our only anxiety is that this Government should take into account public opinion.

"Then, Sir, our Prime Minister, our great, respected and revered Prime Minister, in one of the statements that he made while abroad, said that he had to treat this question of food on a war basis. Sir, if there is going to be a war, are we going to import food from outside? This is a typical question he put and it sounds logical also. I submit that the same argument could be extended to the other side also; if there is going to be a war, are we going to be stringent with regard to money? Are they going to say, 'we shall not subsidise for food but save the several crores of rupees which we are now spending on feeding the people. We will not be able to spend anything more on food.' If they say so, Sir, what will be the result? Suppose there is a war. Can this emasculated nation of ours which cannot ensure even half a meal per individual per day stand a war for one day? Are we going to be slaves on this account, I ask, again? Should we not have a courageous and strong army? Can we continue to remain an emasculated, dejected, half-dead nation? I am certain that the Food Minister of our Government as well as the Food Minister of the Central Government will not under-estimate the gravity of the situation. But the only difficulty is that they are not able to study the situation—they are not allowed to study—properly. Whenever the Central Ministers for Food come and go round, things are prepared for them. The ground for discussion is prepared for them. They are made to understand that everything is alright. On one occasion, Sir, when some Member of the Executive Council in the former days, came to inspect certain famine-affected areas, somebody wrote—I think it was the leader of the Justice Party—that when he went round, he wore green spectacles. (Laughter.) Our Ministers and officials of the Food Department, whenever they go to villages, are made to wear green glasses. (Laughter.) They see everything through those glasses and all looks green. (Laughter.) They do not see what the actual situation is. When Mr. Munshi recently visited Madras to apprise himself of the situation here and returned to Delhi, he made a statement that in Madras everything was alright and that there was no scarcity of grains. (The Hon. Sri K. Madhava Menon: 'No, no.') Dealing with the question of starvation deaths, he said so. We on this side of the House want the Government to place their cards before us, whatever be the position. My hon. Friend, Sri Narayanaswami Nayudu has given notice of certain questions which have not yet been answered. He has asked questions on the quantities of rice and millets received by this State during the years 1948-49 and 1949-50 from other States in the Union and the prices charged therefor in rupees

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per bag of two imperial maunds, quantities of rice and millets received by the State during the year 1948-49 and 1949-50 from overseas together with the prices paid therefor per bag of two imperial maunds and the quantities—total quantities—of rice and millets procured from the several districts in the State, district-war, during 1946-47, 1947-48, 1948-49 and 1949-50 together with the prices paid for procurement as also the minimum and maximum procured in each district. This is a very ordinary thing which could have been answered easily by the Government. Is this the courtesy to be shown to the Opposition? I only implore the Government to be more courteous to the Opposition. When respected, responsible and highly educated members of the Opposition put certain important questions with regard to public matters, they must be answered immediately. But the question I have referred to remains unanswered for several months and I am very sorry that such a state of affairs should continue still.

“ Sir, I shall now take up procurement. The Government say that they have stopped procurement in deficit districts. That is the statement which the Hon. the Minister for Food has made. But the Government will have power to control and requisition stocks. Sir, does this mean stoppage of procurement? Whenever they want, the Government can ask the Collectors to go on with procurement work. The hon. Gentleman, Sri Mothey Narayana Rao, made very good suggestions with regard to procurement. He said: ‘Leave the whole thing to the people; allow them to go their own way; it will be deficit for some time and later it will be alright.’ The Government have created a great confusion in the minds of the people. During the days of rationing, the rural people were left with nothing more than a week’s rations at the most—in many villages the rationing system itself was a failure—and now, when they have no stocks even for a day, they are asked to procure their food from somewhere else where there is no food. That is a situation which no reasonable authority can contemplate with equanimity and yet it has come about. This confusion ought not to have been brought about. The Government should have provided for relief shops. Relief shops must have been opened the moment rationing was ordered to be withdrawn. Rice is no doubt being sold now and I have also seen in many places bags of rice being offered for sale. But my own apprehension is that this will not continue for a long time. Whatever steps the Government have now taken towards the stopping of procurement, yet harassment by food officials will go on until all the stocks now offered for sale come out. How can the Government expect such people to continue to feed us if they are subject to such harassment? If such a thing goes on, I am afraid, there will be no blood left in them finally to be sucked and the result will be starvation of not only the producers but the people at large. This question must be seriously examined by the Food Department as well as the Hon. the Minister for Food.

“ I shall be failing in my duty, Sir, if I do not express my appreciation of the work done by some of the Food officials in

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the districts of which I know something. They are doing their very best to see that the food problem is easily solved. I am, however, sorry that the Government are not able to assess the value of the work done by one of their officers connected with the food procurement work. I am referring to the acting Collector of Chingleput. The Hon. the Minister in reply to a short notice question put by me this morning said that he could not assess the value of the work done by this officer in view of the short period for which he had been acting as Collector. Let me assure the Government, Sir, so far as I know he is an efficient officer and I can vouchsafe for the fact that during this short period he has done his best and has performed his duties in a manner that should evoke the admiration of all people. I assure the Hon. the Minister for Food, as I assured him the other day when I moved the adjournment motion, that there is not the least intention on the part of the Opposition to censure or attack the Government. All that we are anxious to do is to help the Government in solving this question of food early and satisfactorily. We know that the Food Minister and the Food officials are anxious to do something in this connexion. We want to help them in the work and we are not doing it for the sake of propaganda or for securing a few votes. We are doing our duty. Every Minister, let me say on the floor of this House, is doing his duty. We are proud of our Government and of our Ministers. I do not know if the Ministers of other States receive so much support and praise from the Opposition as do the Madras Ministers. We want to strengthen the hands of the Government in the present crisis. We know that the Food Minister is trying his best to prevail upon the Government of India to give this State as much foodgrains as possible. We are here only to support you in your appeals to or protests against the Government of India. All that we say is that the Government of India will not be justified in withholding help by saying that they would allot only four lakhs of tons as against a demand of ten lakhs. They will not be justified in withholding help and thus encouraging blackmarket.

“ My hon. Friend, Sri Narayanaswami Nayudu, was referring to the rice that was got from the Uttar Pradesh and the price we paid therefor. He said that we had lost several millions or several crores of rupees on this transaction. I want to know whether this was not a blackmarket transaction? The Uttar Pradesh Government charged such a high rate because they knew that we were placed in such a critical position that we would be prepared to pay any price. Therefore, it is up to the Government of India to try to help us in our hour of need. Let them procure food for us to the extent we require. If they cannot, let them allow us to get it from wherever we are in a position to get. If they do neither, then it means that they are persistently bent upon refusing to meet our food requirements in spite of the fact that they profess to be a national Government.

“ With these few words, Sir, I hope that the Government will do all that is possible to relieve the distress of the people of the State as early as possible.

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4-15 p.m. * THE HON. SRI K. MADHAVA MENON :—“ I am intervening in this debate mainly to answer the point raised by the hon. Member Sri B. Narayanaswami Nayudu and to explain the position in regard to legislation on these matters, to which he has referred in his amendment and said that the Government should not use the Essential Supplies (Temporary Powers) Act enacted by the Centre, but that the Government should have their own laws regarding food. I may not be quoting the exact words of his amendment. His amendment is before the House. Before referring to this aspect, I want to refer to one or two general points and the main points raised during the debate will be answered by the Hon. the Minister for Food.

“ Sir, so much has been said about the Government of India, and the hon. Leader of the Opposition, Janab Abdul Latif Farookhi ended by saying: ‘ If the Government of India cannot help us, let us give up the Government of India and let the Government of India allow us to do things freely as we would like or as we would want to’. I can appreciate the despair, the anger and the annoyance we feel at the food position. It is true that the position is bad and each one of us knows the conditions to some extent. We have vague notions about many places, but we have some definite ideas about the situation in the areas with which we are familiar. When the hon. Member Sri Narayanaswami Nayudu speaks, he does so with the knowledge of the condition in Krishna in particular, Andhra in general and the general condition of the State, in a way. The problem, however, may not be the same everywhere as in Krishna.

“ Sir, the hon. Member Sri Mothey Narayana Rao suggested giving up the ration system altogether but attaching some deficit district to a surplus district. This may be a very good thing to attempt provided mathematics agree. As it is, if Malabar were to be added to West Godavari, whether the total deficit due to Malabar will be supplied by West Godavari is a thing which has to be seen. But nevertheless, whoever may advocate derationing completely, I for one will never agree that we should have derationing in Malabar until we are assured that we will not starve. As was pointed out by the hon. Member Dr. Tajuddin in another connexion unfortunately we are producing a good deal of men and women, not food. (An hon. Member: ‘ That intensifies the food problem.’) We have an area of nearly six thousand square miles with a population of about 45 lakhs. In spite of the fact that many go outside the district, we still have a population of about 45 lakhs. The entire production, even if every grain produced in Malabar were to be collected, would supply the needs of Malabar only for four-and-half months or five months at the most in a year and for about seven months in the year we have to depend upon imports and I fear the whole of the production in West Godavari may not be sufficient to meet our requirements. The monthly offtake in Malabar is about 25,000 tons. S, I for one would not agree for derationing in Malabar. Whether it is nine ounces or six ounces, whether the rice supplied is bad, whether we are underfed, we

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will at least get this 6 ounces of rice with which we can take some tapioca that is available, and get on. This will be something. Even this will not be available to us if there is no rationing. In this connexion I want to refer to one matter. I must thank Pandit Hirday Nath Kunzru. He was visiting the district in the year 1942 or so when there was famine and starvation took a toll of 45,000 of the population. The deaths were said to be due to cholera. It was because of Pandit Hirday Nath Kunzru who sent a report to the Madras Government to the effect that if they did not supply compulsory ration in Malabar, the death roll would mount up to lakhs, that the Advisers' regime started rationing in Malabar while there was no rationing in any other place. I am not telling you all this out of a parochial feeling for Malabar. The condition is the same in the Travancore-Cochin Union and in some other States also. While derationing may be perfectly alright for some places and areas and it may be necessary also, the same yard-stick should not be used in all cases. I myself often get annoyed when I don't get sufficient food. More so must be the case of people who may not be able to supplement their ration. Every one feels so desperate about it, so annoyed at it that they want to fix the fault on somebody else and make a scapegoat of the Government of India.

“ Sir, the food problem is not an Indian problem alone. There is scarcity and starvation all over the world. We must realize this. The hon. Members might have read of an incident that was reported in the newspapers. While the Minister in charge of Supplies in England was going about, a small school girl asked him: ‘ Why is it that America is not giving food in spite of the fact that they have much more than they require and why is it that they are asking for exorbitant money.’ The paper said: ‘ The Minister evaded to answer and went away’. That is the position in England. The difficulty relating to food is a world problem. There is scarcity all over the world and in our despair, in our annoyance, we should not forget the condition in the entire world of which we are a part.

“ Much was said about importing foodgrains. ‘ Give us permission, we will bring food from Burma, Siam, Indo-China’ and so on. These are all very easily said. There are many things behind that about which I do not want to deal now. I do not myself know the entire problem. But I do know certain things which, for various reasons, I do not want to disclose at this stage. It was said, Sir, that there was lot of money of these Chettiyars there and that they would bring the rice here. That may give an opportunity to these Chettiyars to bring their money that is locked up there which otherwise they cannot according to the existing laws. Whether we will be able to get more rice than what we are now getting, by allowing them to do so, is doubtful. As a means of circumventing the rules of currency and other rules governing the transfer of funds from those places to India, this may be alright. But that is a different matter and whether we would be allowed to do so is also extremely doubtful.”

SRI B. NARAYANASWAMI NAYUDU :—“ If you have anything confidential, call a confidential meeting and place your entire cards on the table.”

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* THE HON. SRI K. MADHAVA MENON :—“ There is nothing secret in this and there are no cards either to be placed on the table. Whether these Chettiyars bring the rice or somebody else, you are not going to get one grain more than what the Government of India are getting by contract from those Governments. They say : ‘ What the Government of India are bringing, we shall invest our money and bring ’. They are not saying that they would bring more rice than what the Government of India are bringing.”

* SRI K. MANATHUNAINATHA DESIKAR :—“ On a point of information, Sir. If I understood the hon. Member Sri Ramanathan Chettiyar aright, he was saying that they offered to bring as much rice as possible to enable the State to give ration at the rate of 16 ounces of rice. Bearing this in mind, the Hon. Minister may answer.”

* THE HON. SRI K. MADHAVA MENON :—“ That is what some of them say, Sir. But the Hon. Mr. Munshi has replied to that challenge and said that they cannot bring more rice than what the Government of India are now bringing. Whether it is Chettiyars or anybody else, they cannot bring more than what the Government of India have contracted to bring. I may tell you, Sir, what happened as a result of some of these people attempting to bring rice. Some people from the South, from Madras, went to Rangoon and through their agents in Burma purchased rice paying two or three rupees more than what the Government of India had contracted to pay to the Government of Burma, and brought the rice to Pondicherry. The result was that the Government of Burma said : ‘ Yes; we agreed to give you at a particular rate, but the merchants from Madras have given three rupees more; so we will deliver the balance to you only if you pay at that rate and not at the contract rate ’. That is what ultimately happened due to the interference of these private merchants.

“ Sir, the trouble in each area is bad enough but that should not blind us to the position that what is prevalent in one place will be the same in quite another place. The Government of India are trying their best. They wanted to attain self-sufficiency by a certain period. They have now said that they have given it up and the Hon. the Finance Minister of the Government of India the other day said that they have given up the attempt to attain self-sufficiency and that they are trying to see that at least one food ship touched every harbour in India on each day. The food we require has to be obtained from other places and the Government of India are trying their best to help us. Madras State is not the only State where there is this difficulty. The hon. Member Sri Narayanaswami Nayudu said that there was no rationing in the Uttar Pradesh, Madhya Pradesh and Assam and that they were getting 16 and 20 ounces. It may be true. But what is the use of my saying that I am only getting 6 ounces of ration and that my friend in Vijayavada in the Krishna district should also get only 6 ounces. There is no use of my saying that. It is they who produce the rice. The producers will never allow themselves

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to be starved and allow the produce to be taken to other places. They should have the entire one pound per head and then only they will part with the balance. Therefore there is no use of saying that people in the Uttar Pradesh, Madhya Pradesh and Assam should eat only 6 ounces or 8 ounces. It would be as futile an attempt as my saying to the Godavari and Krishna people that they should have only these 6 or 8 ounces. Even in the rationing rules we have said—I speak from recollection and therefore subject to correction—that in the producing areas, the producer is entitled to keep one pound for himself and give only the balance. We have been wise enough in that matter. Discretion is the better part of valour. It would be an unwise policy to ask the producer to starve and give us the entire quantity that he produces.

“ Sir, the hon. Member, Mrs. Hensman, said that we should give more price to the producer. It would mean the cost of rice would increase. When this puts up the index of prices naturally labour will be asking for increased wages and then the prices of many other articles would go up. It is a vicious circle.

“ So, Sir, it is not the fault of the Government of India alone. The Government of India are also creatures of other circumstances in relation to other matters. It is not also that the Government of India is not apprised of the difficulty of this Province. Government of India is not after all a thing which does not consist of people who do not feel about things. There are people belonging to our State also functioning at the Centre and they are anxious to help us. Therefore I want that the trouble, annoyance and the difficulty that we feel should not blind us to the realities of the situation. No doubt we must express our feelings, and express them strongly; strongly expressing our feelings in this House does good but at the same time we must realize the difficulties of others also. So far about this general matter.

“ Sir, the hon. Member, Sri Narayanaswami Nayudu, has given an amendment about prices, procurement, milling, etc., now obtaining by means of orders of the Government of Madras promulgated under the Essential Supplies (Temporary Powers) Act. The wording of the amendment is : ‘ That legislation about prices, procurement, movement, milling, etc., as now obtaining by means of orders of the Government of Madras promulgated under the Defence of India Act should be discontinued hereafter and should be effected only by way of ordinary Bills submitted to and passed by the Legislature of the State and . . . ’ The question is whether it can be done. Assuming for arguments’ sake that we can bring the question of food under entries 26 and 27 of the State List . . . ”

SRI B. NARAYANASWAMI NAYUDU :—“ I want that the order the Government want to promulgate should be placed before the House and then they can issue the order. It is a subject not only in the Concurrent List, but also in the notification of the Essential Supplies Act.”

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* THE HON. SRI K. MADHAVA MENON :—“ Any legislation may be passed under items 26 and 27 of the Seventh Schedule, State List II, i.e.,—

‘ 26. Trade and commerce within the State subject to the provisions of entry 33 of List III.

‘ 27. Production, supply and distribution of goods subject to the provisions of entry 33 of List III.’

We can say that ‘ goods ’ includes food supplies also. What is the legal position to-day? Article 369 of the Constitution Act under Temporary and Transitional Provisions, says—

‘ 369. Notwithstanding anything in this Constitution, Parliament shall, during a period of five years from the commencement of this Constitution, have power to make laws with respect to the following matters as if they were enumerated in the Concurrent List, namely :—

(a) trade and commerce within a State in, and the production, supply and distribution of, cotton and woollen textiles, raw cotton (including ginned cotton and unginned cotton or kapas), cotton seed, paper (including newsprint), foodstuffs (including edible oil-seeds and oil), cattle fodder (including oil-cakes and other concentrates), etc., etc.’

That is, practically for the next five years, from the 26th January 1950, food is a subject in the Concurrent List. When there is a concurrent legislation by the Government of India like the Essential Supplies (Temporary Powers) Act, any legislation that we make will be subject to the concurrent legislation and so until five years elapse or the Government of India withdraw that, it will not be possible for this Government to bring legislation on that.”

SRI B. NARAYANASWAMI NAYUDU :—“ The Madras Foodgrains Control Order has not been passed by the Government of India. It has been passed by the local Government.”

* THE HON. SRI K. MADHAVA MENON :—“ The Madras Foodgrains Control Order has been passed by the Government of Madras under the delegated powers of the Essential Supplies (Temporary Powers) Act. It is only under the delegated power that the Madras Foodgrains Control Order was passed by this Government. It is not even power for legislation. Legislation has already been done. Model orders have been given which the State Governments are entitled to pass and we have for these purposes adopted those model orders with some modifications to suit our conditions. So, as long as that Act stands, no legislation can be passed by this Government even if it is a subject under the Concurrent List. Even if this Government can bring legislation, permission of the Government of India should be obtained beforehand which they are not likely to give. Even if they give permission, any legislation that we undertake will be invalid or cannot override the legislation passed by the Government of India. That is the position as it stands now.

“ I can understand the demand of Mr. Narayanaswami Nayudu that the orders that we pass should be placed before the House for discussion. We shall examine the position whether it is possible and how far it will be feasible. It is not possible for this Legislature

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to make legislation on that now. So, I would request Mr. Narayanaswami Nayudu to omit the reference to this from his amendment, i.e.,—

‘ and that so far as the existing orders in regard to the above subjects are concerned, the same should be introduced and passed by the Provincial Legislature in the next session, failing which the Government should be censured for such default at the next session.’

It is not possible to bring legislation in the next session. So, I request him to defer his censure.”

SRI B. NARAYANASWAMI NAYUDU :—“ No, it will not be deferred.”

* THE HON. SRI K. MADHAVA MENON :—“ Then, Sir, Mr. Narayanaswami Nayudu goes further and says—

‘ and this Council resolves on such consideration that the orders of the Madras Government regarding the following matters should be modified by a Special Committee of the Provincial Legislature, the said modifications to be accomplished before the next session of the Legislature.’

I do not think that it will be possible to give any such undertaking, Sir. The Provincial Food Advisory Council which is a representative body—I do not mean any derogation to this House of which I am a member has considered all the rules and orders and discussed them.”

SRI R. SURYANARAYANA RAO :—“ Sir, I may say that no orders or rules had been placed before the Provincial Food Advisory Council.”

* THE HON. SRI K. MADHAVA MENON :—“ I don’t mean that, Sir. All these orders were in the possession of the members when the discussions took place. So, it will not be possible to give any undertaking for any Special Committee of the Provincial Legislature. But, we shall examine all the suggestions given by the hon. Members of this House.”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Mr. Chairman, Sir, the Hon. the Minister for Law has already explained one or two points with regard to the amendments moved by my hon. Friend Mr. Narayanaswami Nayudu. But, with regard to the other points, I have to say a few words.

“ Sir, the ceiling prices of foodgrains for procurement are fixed by the Government with the approval of the Government of India. These prices are liable to reduction by the procurement agents on account of transport from the village to the godowns and if the grain offered by the producer contains any foreign matter or is in a wet condition. Also the price offered for the grain is decided by negotiation between the producer and the procurement agent with reference to its quality within the ceiling price. So, it will be impossible for the Government to fix anything more definitely as there are various degrees of reduction in these prices. Therefore, Sir, it will not be possible to accept the suggestion contained in the amendment because, as already explained, these prices are fixed in consultation with the Government of India.

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"Then, Sir, with regard to the zonal system, some difficulties have been expressed by hon. Members and they are also a bit worried that this will create all sorts of difficulties. The only reason which made the Government to think of this new method of procurement is to get more grains from the surplus areas. Formerly the producers were complaining that they were losing large quantities of grains which could also be procured if the procurement system was slightly modified. According to the original system, Sir, a producer could go and sell his produce anywhere throughout the district. But, according to the zonal system, he is tied down to one or two areas. Even in those areas, we have not actually asked one procurement agent or one miller to procure all the foodgrains from only particular producers. There will be two or three procurement agents in one zone with a certain amount of quota fixed for each procurement agent. The Government are of the opinion that this will lead to better procurement. We have to procure as much as possible from the surplus areas to keep the statutorily rationed areas as well as the industrial areas supplied according to the statutory rationing system which we are going to follow hereafter. But anyhow, whatever difficulties there are as expressed by the hon. Members in this House—representations were also made to me during my tour recently in the West Godavari and Krishna districts which are under consideration now—I can assure the hon. Members that they will be certainly looked into. Whatever we do, it is only in the interests of more efficient work and also in the interests of better procurement and it is not our intention to harass or create any further difficulties to the producers.

"With regard to polishing of rice, this rule regarding single polish is there ever since the control system has been in force in the State and in spite of that rule several polishes are being made before the consumers use the grains supplied to them. But, anyhow there is no harm. Medically it has been stated that single-polish rice is much better than the locally polished rice."

SRI B. NARAYANASWAMI NAYUDU :—"For animals and not for human beings!"

THE HON. SRI J. L. P. ROCHE VICTORIA :—"In certain areas, people do not like highly polished rice and that is why the Government are trying to encourage as far as possible hand-pounding in several areas. If this could be followed in all the areas, that will be not only reducing the polishing, but at the same time the quality of rice will improve. It is in accordance with this view that the Government are putting some restrictions with regard to erection of new mills. In several areas, the ryots have option to deliver their surplus either in the shape of paddy or rice and there is no difficulty except if it is a small quantity."

SRI B. NARAYANASWAMI NAYUDU :—"They have no option."

THE HON. SRI J. L. P. ROCHE VICTORIA :—"They have the option to supply in the shape of rice."

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"The surplus grain that can be given for procurement is fixed by the Taluk Supply Officer after allowing the producer all his requirements. So, Sir, all his requirements are taken care of, i.e., his requirements of seeds, agricultural expenses, domestic consumption, etc. The scale of procurement in each district is fixed by the Collector in consultation with the District Food Committee taking into consideration the local practices and customs. Therefore, no separate Board or Committee is necessary for dealing with such matters. This arrangement has been going on for many years. But, if there are any difficulties they will be looked into by the district authorities themselves. No separate Committee is necessary on this account.

"Then, Sir, in towns and industrial areas 85 or 90 per cent of the population are non-producers and about the same percentage of the population in the rural areas are connected with lands and are producers. Hence, with de-rationing in rural areas, adequate stocks have to be first of all earmarked for supplies to towns and industrial areas. But, at the same time it is not proposed to neglect the needs of the rural areas also. As I have already said in the beginning, only surplus grains after meeting the requirements of the producers will be procured. In calculating our requirements to be got from the Government of India, we have taken into consideration the full requirements of the rural areas. My Hon. Colleague Sri Madhava Menon has just now said that the Government have wisely taken care of some of the deficit districts in the State, i.e., Malabar and the Nilgiris. Even in regard to other areas, we are taking sufficient precautions not to allow the situation to deteriorate. According to my own personal enquiries, in some places the people are doubtful whether this will be successful and whether they will be able to get the grains which they are now getting. Anyhow, Sir, this arrangement is surely going to help the people in the long run. Whatever the Government were able to procure formerly is now available in the rural areas for the use of the people there. It is not proposed to requisition the stocks immediately. Requisitioning of stocks from the producers will come only if they refuse or create real difficulties by trying to sell them in the black-market. Then only the Government will step in to requisition stocks. Till then there will be a free market and to that extent it is an improvement upon the original system.

"As regards the allotment to be obtained from the Government of India, I submit that we have been pressing them for ten lakhs of tons. Though the initial supply made to us has been only four lakhs of tons as a tentative measure, we are still pressing for the full quantity and we are still hopeful that our request will be acceded to and we will get our requirements from the Government of India. 4-45 p.m.

"I shall now say a few words with regard to the other points raised by Sri B. Narayanaswami Nayudu in his amendment and by others and then make a few general observations. Sri Desikar has stressed the need for getting ten lakhs of tons of foodgrains from the Union Government. I have already given an assurance in regard to this. The second point urged was that we should

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maintain large stocks in all taluk headquarters, especially in particular places in Ramanathapuram. This is one of the safeguards we contemplated when de-rationing was thought of. One hon. Member stated that we should not have taken steps for de-rationing until we had sufficient stocks. But, having some experience of this problem in 1947 when de-control was introduced, we thought that the best time to introduce de-rationing was immediately after the harvest season. Accordingly instructions were given to the districts that de-rationing must come after the harvest, so that people may have sufficient quantities of foodgrains for some time ahead. The idea was that by the time these stocks with them run out, we could fix up a sufficient number of fair price shops wherever required."

SRI R. SURYANARAYANA RAO :—" If there is no harvest at all in a particular year, what is to be the case? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" There would have been some stocks in the district previously. That would be kept up and the stocks will be maintained before they are exhausted. It is the intention of the Government to take sufficient quantities and keep them in reserve either in some central places or in the most affected areas, so that at no time they should be deprived of foodgrains at least to some small extent.

" In this connexion the district of Ramanathapuram was mentioned in particular. There are several districts like Ramanathapuram which are not entirely deficit or in a bad way. Three out of the eight or nine taluks of that district are well off. The majority of the taluks are not well off. In one or two taluks, conditions are really bad. It is very difficult to judge a whole district by the conditions obtaining in certain taluks. That is why, under the present arrangements, the Collectors have been asked to watch the situation and send up prompt reports so that we could make adjustments wherever possible.

" As regards the question of making available at least 8 ounces to people in deficit districts till November 1951, I may repeat that the basis of our calculation for arriving at the quantity to be got from the Government of India, as well as for the procurement drive we are having, is 8 ounces of rice for the whole area. We hope that we will be able to achieve that end."

SRI B. NARAYANASWAMI NAYUDU :—" For rural and non-rural areas? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, and not to introduce statutory rationing in any municipal town of a surplus district. Here also the matter has not yet been finalized.

" Of course it was proposed at the instance of the Government of India that in all municipal areas we must have statutory rationing. That is why we wanted to introduce it in surplus areas. That is one reason. Secondly, unless we have some little control over movement, the problem will become difficult.

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" Now, another system known as the dole system is going on. It is only another form of rationing. This was introduced because people wanted the old system of cards so that they might get something from the rice depots. That matter is being considered now. Representations now being received from the different towns where we propose to introduce the new system will also be taken into consideration along with the suggestions made by hon. Members."

" As regards the suggestion that we should impress upon the Union Government that it is difficult to attain self-sufficiency by 1952, I referred to this in my opening speech at the Bombay Conference. The self-sufficiency question has now gone to the background. That is why the Government of India have agreed to import large quantities this year. They propose to import large quantities as long as the present conditions of scarcity exist throughout the country.

" One hon. Member stated that the surplus States in the country like Uttar Pradesh and Madhya Pradesh are having all that they want, that they get as much food as they want and that they have no rationing. That was not a fact even under the old order. Now they are in the same difficulties as we are and feel the pinch more or less as we do. That is the reason why Sri K. M. Munshi has announced that the present order applies to all the States of the Union. Formerly they were surplus States. They produced plenty and ate also plenty. At the present moment that is not the case. They are falling in line with States like Madras or Bombay. Their system of procurement, however, is not as complete as ours. They have some sort of procurement and rationing. These differ from State to State. But, they have a system for this and they are not as free and as happy as they were some months ago.

" Sir, I have dealt with all the items which come under different clauses in the amendments proposed by the two hon. Members. I have some more remarks to offer and after that I shall close.

" There was some doubt expressed as to whether the grains will be allowed free movement in the deficit districts. Sir, free movement will be allowed in the deficit areas because we have stopped procurement from those areas. As regards getting foodgrains into those areas from surplus areas, licence or permit will be issued to merchants who want to do this to meet the deficit in their own districts. For this purpose only we are going to issue licence to some merchants.

" As regards subsidies, we will be put in a really difficult position if the Government of India refuse these in future. We are taking up this matter also with the Government of India and representations are being made."

SRI K. MANATHUNAINATHA DESIKAR :—" One small doubt, Sir. If the Government of India are not going to pay subsidy, may I know whether the State Government will meet the difference or whether it is the idea that it should be passed on to the consumer? "

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THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The whole matter is now under consideration. It is not possible to say now who is going to finally bear the burden. The Government of India have not said that they are going to completely cut off the subsidy. Probably they will give the subsidy for some rationed areas to some extent. They say that, as they have increased the imports to a large extent this year, they will not be able to incur large expenditure by way of subsidies to the States and that the States must bear a share. When this is to be done was a point that was mentioned at the Bombay Conference.

“ Then, Sir, we were warned that while this Government asked for only ten lakhs of tons based upon eight ounces ration and have represented that the present rate of 12 ounces should not be reduced to nine ounces, even if it is decided to reduce the rations, it should not go below ten ounces out of which eight should be rice. These requirements of ours have been given in the statement on the food situation. I was asked this morning also why we asked for ten ounces ration only while we have been enjoying twelve ounces. Sir, the actual fact is that there has not been more than ten ounces supplied to any ration card holder, though the overall is twelve ounces now. Two ounces out of this overall ration are given from semolina stock if it is available or some other grain. But the real rice and cereal portion falls within ten ounces and that is why we said, if it really comes to a difficult position, ten ounces at least would be required. That is our representation.

“ One hon. Member enquired why, when we were importing five lakhs of tons even before the war, when conditions were not so bad, we asked from the Union for only 7½ lakhs tons. Well, before the war, the general overall ration was 19 ounces; our present calculation is based upon an overall ration of twelve ounces only. That explains why we had to cut down our present requirements, according to the present ruling rates.

“ As regards rationing in non-rationed areas we anticipate that, since there will be price control in rationed areas, there will be price control also in rural areas though the latter would be difficult. But, when we supply food to rationed areas, naturally we will be selling it at controlled prices which will be fairly low compared to those in rural areas. That will not have a very bad effect. I hope it will act as a check on the rise of prices. At least in certain areas such as statutorily rationed areas and industrial areas, the Government are trying to enforce price control and, when we introduce fair price shops in panchayat areas, the prices will be under check. That will have some effect on the foodgrains circulating in those areas to keep them within limits.

5 p.m. The levy system also came in for discussion this morning and afternoon. Some hon. Members asked why we withdrew the system which we introduced in Coimbatore saying that it has been a failure and why we are now trying to introduce it in self-sufficient and more or less self-sufficient districts. There is a lot of difference between the conditions which prevailed in Coimbatore

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and the conditions which prevail in the other districts. Coimbatore is a deficit district and we introduced the levy system there as a trial measure, thinking that the producers would co-operate and make the scheme a success. But the producers demanded that their surplus after meeting the Government demand must be allowed to be sold in the market at any price they liked. We thought that it would upset the conditions in the district and also outside the district. So the system was not a success in that way and it had to be withdrawn. Now the levy system is going to be tried in self-sufficient and more or less self-sufficient districts. The conditions are more favourable there and it is bound to be a success. This de-rationing will also, as one of its results, give an encouragement to the producers to produce more. They were formerly complaining that this encouragement was lacking. It will also remove the harassment which they were complaining of. They were saying that the Government took away what they produced without leaving anything for their requirements and so on. At least in the deficit areas, there will be no procurement and this difficulty will be removed. It is hoped that more people will be able to go in for the production of foodgrains instead of commercial crops with a view to make more money.

“ Sir, our dependence on the Government of India has been made clear by some of the hon. Members. It is impossible to be independent of the Government of India in this matter, because food is a common concern of the whole country. Though the State Government is in charge of distribution in this State, unless we get supplies from outside we will not be able to meet the situation in the State. Naturally the wholehearted co-operation of the Government of India is necessary. It is only by proper representations such as those made by hon. Members today that we will be able to get our requirements in full. I have to thank the hon. Members for the co-operation which they have promised to the Government in their efforts to get more food for this State. Everyone of us whether he belongs to this side or that side of the House, is interested in seeing that our State does not experience any difficulty whatsoever in this matter. Whatever steps the Government are taking, the intention is not to create more difficulties but to improve the position. Unless everyone realises the difficulties in the situation and co-operates with the Government, we will be creating more difficulties which it is our object to avoid. With these observations, I request the hon. Members who have moved amendments to kindly withdraw their amendments. After a full discussion of the subject today, everyone of us is agreed that we must co-operate with each other to make the new scheme a success. Not only that, we must make a strong representation to the Government of India with the backing of the hon. Members of this House and see that we get our share of foodgrains. With the assurance of co-operation which hon. Members have made to the Government, I am sure there will be no difficulty for us.

“ Sir, I want to say a few words about the women's part in the whole system. I do not find any woman present here today. Anyhow the hon. Member Mrs. Hensman raised the question and stated

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that some of the difficulties had been created by the Government because they did seek the co-operation of women. I think, Sir, they are sufficiently numerous in the different committees though they may not find a place in the State Food Advisory Council. The Government invite their co-operation and help in this matter. There is the Women's Food Council in the State. Though they are at present trying to concentrate upon popularising non-cereal foods, I am sure their activities will extend in such a way that their influence will be felt among the producers also. Once more, I request the movers of the amendments to withdraw the amendments and accept the position as it has been explained in the statement placed before the House."

DEPUTY CHAIRMAN :—" It being five minutes past 5 p.m. the motion must be deemed to have been talked out."

SRI B. NARAYANASWAMI NAYUDU :—"The motion under discussion is not an adjournment motion but a substantive motion. Therefore it could not be deemed to have been talked out. A substantive motion has been moved for which two amendments have also been moved. The amendments must either be withdrawn or put to the vote of the House. I have already informed the House in the morning that I am going to press the amendments to a division."

DEPUTY CHAIRMAN :—" What has the Hon. the Leader of the House got to say? "

* THE HON. SRI K. MADHAVA MENON :—" This motion has been put forward only in response to the request of the hon. Members for a discussion of the food situation so that the Government may be informed of the views of hon. Members. The motion is put down on the agenda to the effect that the food situation be taken into consideration. For the sake of clarification of the views of hon. Members, certain amendments are put down to the effect that on such consideration of the food situation such and such a thing should be done. It is a matter where the discussion ends at the close of the day and the motion is talked out. There is no question of any voting at all here."

SRI B. NARAYANASWAMI NAYUDU :—" Only adjournment motions can be deemed to be talked out. This is not an adjournment motion but a substantive motion, a resolution moved by the Government."

DEPUTY CHAIRMAN :—" It is not a regular resolution: it is only a motion that the food situation be taken into consideration."

SRI B. NARAYANASWAMI NAYUDU :—" To that motion we have given notice of amendments saying that this ought to be done and that ought to be done."

THE HON. SRI K. MADHAVA MENON :—" That is the usual method because we want some subjects for discussion. We discuss those points in the amendments."

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SRI B. NARAYANASWAMI NAYUDU :—" An adjournment motion comes off at the end of the day, at 4 p.m., when we discuss the subject of the motion and go home at 6 p.m. But a day has been specially set apart for this motion."

DEPUTY CHAIRMAN :—" Only more time is given to this motion than to an adjournment motion, but this is, all the same, another form of an adjournment motion."

SRI B. NARAYANASWAMI NAYUDU :—" The usual non-official business for the day was given up and the day allotted for official business. There is a resolution of the Government before the House for which there are four amendments. In fact I wanted that amendments (1) and (2) should be taken up separately from amendments (3) and (4). It cannot be deemed to be talked out I still insist upon my right that the amendments should be put to the vote of the House. I do not want to say anything more. I do not know whether the benches will be filled up or not. That is another matter. The situation may be critical or may not be critical. But how can hon. Members of the House vote against an amendment which says that proper legislation must come before the House before the Government issue their orders? They would be stultifying themselves if they did so. Therefore I insist that amendments (1) and (2) should be put to the vote of the House. I do not mind about amendments (3) and (4). The real question is contained in amendments (1) and (2) which say that legislation should come before this House for sanction. The question must be put to the vote of the House."

* JANAB ABDUL LATIF FAROOKHI :—" Sir, Rule 57 says that every motion must be proposed by one member and seconded by another. Rule 59 says that votes on a question may be taken by voices or division and shall be taken by division if any member so proposes and another seconds it. So, Sir, there is provision in the rules for votes being taken on the motion. This is certainly not an adjournment motion. It was I who wanted to move an adjournment motion the other day, but it was arranged by mutual agreement that the subject could be discussed on a motion instead of an adjournment motion."

* THE HON. SRI K. MADHAVA MENON :—" The hon. Member refers to a mutual understanding. He wanted to move an adjournment motion the other day. I said that it would give him only two hours for the discussion of the subject and that we would give him a much longer time if necessary by taking it up on another day. This is practically an adjournment motion which has been allowed by the Government to be taken up today."

" With regard to Sri Narayanaswami Nayudu's contention that his amendments (1) and (2) should be put to vote, I should say, Sir, that they are out of order. When there is a Parliamentary legislation on a subject, we are not entitled to legislate upon it. He also wants that certain things should be done before the next session, which it is impossible to do."

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SRI B. NARAYANASWAMI NAYUDU :—“ That is another matter. Yesterday the question was raised whether a certain legislation was within the competence of this Government and it was stated that their legal advisers had advised that it was within the competence of this Government. So, Sir, I say that what I ask the Government to do is within the competence of this Government. The amendment may be carried or lost. That is a different matter. It is not a question of this Government having no jurisdiction. If that was so, the question must have been raised before and a ruling obtained from the Chairman to the effect that my amendment could not be moved.”

DR. P. S. SRINIVASAN :—“ May I know what is the substantive motion for which these amendments have been moved? ”

SRI B. NARAYANASWAMI NAYUDU :—“ There is the motion on the agenda that the food situation in the State be taken into consideration.”

* SRI R. SURYANARAYANA RAO :—“ Having admitted the amendments and a discussion having taken place on them, I do not think it is fair to rule them out of order now. The Hon. Minister ought to have raised the question earlier and the Chairman would have given a ruling on it.”

DEPUTY CHAIRMAN :—“ My ruling is this. It being 5 o'clock the time allotted for the discussion of this subject is over and the motion is deemed to be talked out. This motion is only another form of an adjournment motion. Instead of taking it up between 4 and 6 p.m. as an ordinary adjournment motion, we have taken it up between 11 a.m. and 5 p.m. The motion is talked out.

“ Before we adjourn, I want to make two announcements.”

V.—ANNOUNCEMENT *re* BUSINESS OF THE HOUSE.

(1) *Acknowledgment of Condolence motion on the demise of Sardar Patel.*

DEPUTY CHAIRMAN :—“ I have to inform the House that the following letter, dated 23rd January, has been received by the Hon. the Chairman from the Prime Minister's Secretariat :—

“ I am desired to acknowledge with thanks the receipt of your letter of the 18th January 1951, with which was forwarded a copy of the resolution passed by the Madras Legislative Council on the demise of the Hon'ble Sardar Vallabhbhai Patel. A copy of the resolution is being communicated to Sardar Patel's family.”

(2) *Business of the House.*

“ We adjourn to-day and meet again on the 26th February for the presentation of the Budget and again on the 3rd March for the discussion of the Budget. It is likely that we may have to meet between the 26th February and 3rd March if any legislative work is available.

“ I now adjourn the House till 2-30 p.m. on Monday, the 26th February 1951.”

The House then adjourned to meet again at 2-30 Monday, the 26th February 1951.

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APPENDIX I.

[Vide answer to starred question No. 133 asked by Sri Mothey Narayana Rao at the meeting of the Legislative Council held on 24th January 1951, page 473 supra.]

Recommendations of the Telugu Education Enquiry Committee.

(1)

1. Abolition of bi-lingual classes.
2. Opening of parallel sections with Telugu medium in all elementary schools and primary departments of secondary schools except in areas sparsely populated.
3. Opening of Telugu parallel sections in all classes and forms in the Model High School attached to the Teachers' College, Saidapet, and as an experimental measure for 3 years in the Wesley High School, Royapetta.
4. Opening of two high schools for girls with provision for teaching through Telugu in all classes—one at Perambur and the other in North Madras.
5. Retention of existing Telugu sections in secondary schools for boys for the next three years and encouragement of progressive opening of Telugu sections.

Orders passed by Government on the recommendations.

(2)

No action was considered necessary as these recommendations were covered by the orders already issued under which provision should be made for giving instruction to students belonging to linguistic minority communities in this State in their mother-tongue or any language other than the regional language provided that there are sufficient number of pupils, viz., 10 pupils per class or 30 pupils for the whole school in the case of elementary schools and 45 pupils for the three forms (Forms I to III or Forms IV to VI) in the case of secondary schools.

6. Provision for the study of Telugu as the second language.

Provision has already been made for the study of Telugu under the reorganized scheme of Secondary Education given effect to from the school-year 1948-49. Under revised orders recently issued, students in locality other than Telugu area who are desirous of studying Telugu can do so under Part II of the First Language.

7. Provision for training of Telugu teachers in training institutions in Madras.

This proposal was considered in connexion with Budget for 1949-50 and it was deferred. It was ordered that the question should be considered again.

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Recommendations of the Telugu
Education Enquiry Committee.

(1)

8. Maintenance of a register of all applications received for admission showing the mother-tongue of the pupils.

9. Provision of a primary section in every Government Secondary School.

10. Before closing lower classes in any institution, the department should be satisfied that there is sufficient provision for Telugu feeder institutions in the vicinity.

11. Quinquennial Report of the Education Department should have details of school population districtwar.

Orders passed by Government
on the recommendations.

(2)

The Government considered that no useful purpose would be served by the maintenance of the register.

The Government did not accept this recommendation for the reason that it was necessary to close down primary classes to facilitate the opening of additional sections in higher forms in secondary schools.

This recommendation was accepted. The Director of Public Instruction was requested to see that before primary classes were closed in any of the schools, there were sufficient facilities for the education of Telugu children in the locality.

This recommendation was also accepted. The Director of Public Instruction was requested to suggest a suitable table which could be inserted in the Statistical Volume.

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APPENDIX II.

[Vide item IV, page 481 supra.]

Statement on the present food situation in Madras State.

A copy of the statement on the food situation in the State which was placed on the table of the Legislative Assembly in connexion with the Food Debate in the early part of December 1950 has also been circulated to all the hon. Members of this House. This statement gives a clear analysis of the situation in the year 1950 and the prospective situation in the year 1951.

So far as the rainfall during the crop year 1950-51 is concerned, it was explained that the south-west monsoon was below normal in all districts except in the Circars and in the West Coast districts, while the north-east monsoon had practically failed except in the three districts of Visakhapatnam, East Godavari and Bellary. It was also pointed out that rainfall during this crop year has been worse than in the previous year, the only difference being that there was no damage by cyclone as in 1949. The rainfall statement appended to that note was only up to the end of November 1950. Subsequently, in the month of December there was some rainfall in South Arcot, Tanjore and Tirunelveli districts, while other districts had little or no rainfall. It has also to be mentioned that this is the fourth year in succession when the monsoons have failed in this State.

With regard to the production of foodgrains during this crop year 1950-51, the latest estimates made by the Statistical Department place the production of rice at 41.5 lakhs of tons against the normal of 49 lakhs of tons and of millets at 20 lakhs of tons against the normal of 26 lakhs of tons. Thus, the total deficit of all foodgrains during this year is 13.5 lakhs of tons as compared with the normal. The difficulties experienced last year in making sufficient quantities of foodgrains available to all parts of the State in spite of the appreciable help rendered by the Government of India in increasing their quota to the State to six lakhs of tons has been explained in detail at pages 2-3 of the Statement referred to. It has been pointed out therein that in spite of the low procurement and the low stock position, we had distributed during the most critical period between August and November 1950, a larger quantity of foodgrains than in the corresponding period of the previous year, though, the quantity of rice supplied was less. In spite of this, there was a break down of rural rationing in several parts of the State.

Side by side it was also noticed that the volume of opposition to the intensive procurement policy of the Government was also growing, not only on the grounds that it led to harassment and corruption but that it also resulted in loss of incentive for the ryot to go in for food crops. In view of the growing public opinion it was considered that a new orientation in regard to the procurement and rationing policy might tend to solve the existing difficulties and relieve the rural population of their worries. This was indicated in the statement placed on the table of the Legislative Assembly

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last month. It was mentioned therein that the Government considered it expedient to accept the suggestion to de-ration rural areas except in the heavily deficit districts of Malabar and the Nilgiris and to confine rationing to Municipalities including those in the surplus districts and to industrial areas. The position was discussed at length in the Legislative Assembly and the proposal to de-ration the rural areas received considerable support from many hon. Members of that House, who were definitely of the view that it would be a beneficial measure having regard to the present situation in the State. This question was discussed at the Conference of Food Ministers held in Bombay in the second week of December 1950 and the conclusion then reached was that, while controls over foodgrains and their prices should be maintained, each State should have discretion with regard to the nature of control and the manner in which it should be enforced. The Government have accordingly examined the question in detail and have decided to introduce a system of partial de-rationing. The outlines of the scheme which the Government have decided to adopt are as follows:—

The districts in the State will be divided into—

(i) Surplus districts: viz., East Godavari, West Godavari, Krishna, Guntur, Nellore and Tanjore.

(ii) Self-sufficient districts: viz., South Arcot and South Kanara.

(iii) More or less self-sufficient districts: viz., Madurai and Tiruchirappalli.

(iv) Highly deficit districts: viz., Madras, Malabar and the Nilgiris.

(v) Other deficit districts: The remaining districts in the State.

So far as the highly deficit districts, [(iv) above] of Madras, Malabar and the Nilgiris are concerned, there will be no change in the existing system and intensive procurement and district-wide rationing will be continued on the present lines.

As regards the surplus districts, procurement on the present lines will be continued only in the surplus tracts. There will be no procurement in the other areas including the uplands. Statutory rationing will be introduced in the major municipalities of these districts with the main purpose of reducing the blackmarket transactions. The rice requirements of these towns will be met from local procurement, but some quantity of millets and wheat will be supplied from imports to meet the needs of the rationed areas. There will be provisioning in the other areas by the allotment of necessary quotas of rice from the delta taluks. Grainshops or ration shops will be opened in the industrial centres and panchayat areas. There will be no millet procurement which will be allowed to circulate freely, outside the statutorily rationed areas.

Self-sufficient districts of South Kanara and South Arcot.—South Kanara district has, this year a per capita production of 385 lb. of rice which means that the district produces enough rice to ensure more than 1 lb. of rice per adult per day. South Arcot too which

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is normally slightly surplus in rice has this year suffered from adverse seasonal conditions and may not have any surplus to export. Statutory rationing will continue in the towns in these two districts and their requirements of rice will be supplied from local procurement on an easy scale of levy. Grainshops or ration shops will be opened in industrial areas: Fair price shops will be opened as and when necessary in the Panchayat areas, wherefrom non-producers will be given some quantity of rice on the basis of cards.

More or less self-sufficient districts of Madurai and Tiruchirappalli.—Statutory rationing will continue in all the Municipal towns in these districts and a portion of the rice requirements of these towns will be secured out of local production, by means of an easy system of levy. The balance of unprocured paddy will be allowed to circulate freely within the district. The requirements of wheat and millets of the statutory areas as well as the balance of rice which is not supplied from local procurement will be found from imports. There will be grainshops or ration shops in industrial areas, while fair price shops will be opened in the Panchayat areas. Only wheat and millets will be issued from these fair price shops but rice will also be given if available, from local procurement.

Other deficit districts.—Intensive procurement and rural rationing will be abolished in these districts. Statutory rationing will be continued in the municipal towns. Grainshops or ration shops will be opened in the industrial centres. Fair price shops will be opened in the Panchayat Board areas as and when required and imported wheat or millets alone will be distributed through them. The requirements of rice of the statutory areas will be met from the surpluses available in the surplus districts or from imports. Merchants in these deficit districts will be permitted to import paddy or rice from the surplus districts on permits but they will be required to place a portion of their imports at the disposal of the Collector to meet the needs of the statutorily rationed areas and they will be allowed to distribute the balance, if any, which is available, in the rural areas through licensed trade channels.

There will be no procurement of millets which will be allowed to circulate freely.

Other measures will also be taken to ensure that there is proper distribution and that there is no abnormal increase in prices. The Collectors will continue to have powers to requisition stocks either from the trade or from the producer. The Essential Articles Restricted Acquisition Order will be enforced throughout the State in order to prevent hoarding of stocks. Even in de-rationed areas, trade will be allowed to function only through licensed merchants who will be required to render accounts as usual to the Government. Prices will be watched by obtaining periodical reports from important centres. Effective steps will also be taken to prevent smuggling from and into rationed areas.

So far as millets are concerned, intensive procurement will be given up throughout the State except for some procurement by means of levy in the districts of South Arcot and South Kanara to meet the ration requirements of the statutorily rationed towns in

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those districts. But the present inter-district ban on the movement of millets will continue to be in force. There will be no movement of millets into South Kanara which is self-sufficient in foodgrains. In regard to Malabar, the Nilgiris and Madras, there will be no movement of millets on private account. Srikakulam, Visakhapatnam, East Godavari, West Godavari, Krishna and Guntur will form a zone and movement from one district to another within the zone will be on permits which will be issued freely subject to the condition that the applicant is a licensee, under the Madras Foodgrains Control Order. On import, the merchants should give intimation to the Collector of the quantity imported so that he may keep tract of the stocks and see that they are not hoarded or sold in the blackmarket at exorbitant prices. The other districts will form another zone for the purpose and the same procedure will apply here also.

The proposals outlined above were discussed at a Conference of Collectors in the Office of the Board of Revenue on the 16th and 17th instant. Most of the Collectors expressed the apprehension that unless the Central Government helped this State with liberal import quotas, difficulty is bound to be experienced in the lean months. Some of them stated that prices have started to rise while some others said that as a result of de-rationing in the rural areas, the blackmarket prices have gone down. The detailed steps to be taken to implement the new policy were discussed and Collectors were given the necessary instructions. Public opinion on the new policy as expressed in the several representations received by the Government seems to favour the new policy, though there are a few representations deploring the decision of the Government to de-ration rural areas.

As stated already the deficit in foodgrains this year as compared with the normal is nearly 13.5 lakhs of tons. The Government of India were informed in November last that a quantity of at least 3.86 lakhs of tons of rice and 3.5 lakhs of tons of other foodgrains should be made available to this State during the current year to enable it to issue rations at 8 ounces rice and 4 ounces of other foodgrains. At the time of the Bombay Conference, it was urged upon the Government of India that, in view of the subsequent failure of rains, there was an increase in the deficit and that it was necessary that this State should receive at least 10 lakhs of tons of all foodgrains to meet this shortage. The Government of India except to secure only 37 lakhs of tons of foodgrains to meet the country's needs as a whole but in view of the extensive failure of crops in other States as well, have allotted to us only 4 lakhs of tons for 1951 as a tentative measure. They have however warned us against possible shipping difficulties which might upset the import programme. They have also stated that in view of the very difficult rice position in the world, this State should not expect any substantial quota of rice out of imports. We have, however, pointed out to the Government of India and also impressed upon the Hon. Deputy Minister for Food, Government of India, who was recently in the city, that the 4 lakhs of tons promised by India is utterly inadequate and should be substantially increased. Our

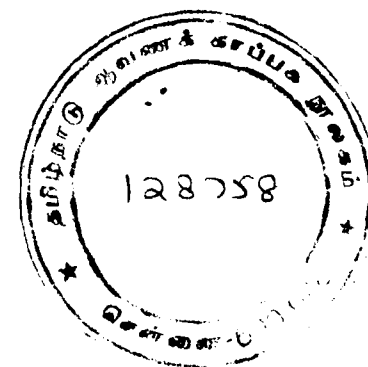
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demand will be pressed again. For the present we have got stocks of foodgrains which will last for four weeks. Procurement is in full swing in the surplus districts and our stocks position is likely to improve.

In the meantime, we have to ensure satisfactory procurement where procurement still remains and take other steps to see that the revised policy of the Government is successful and that the people are spared from suffering. This is possible only if the surplus districts would play their part and fully release their surpluses for procurement. Smuggling from rural areas to statutory areas should be prevented at all costs, so that foodgrains may be made available to the rural areas. Producers in the deficit districts should also part with their surpluses to the non-producers at controlled prices, so that inflation in prices and consequent hardships may be avoided.

I trust that the hon. Members of this House will do their best to secure these objectives so as to make the new scheme a success.

Before closing I would draw the attention of the hon. Members to the broadcast of the Hon. Mr. Munshi which appeared in the issue of the *Hindu*, dated 20th January 1951, explaining the decision of the Government of India to impose a 25 per cent cut in the overall scale of ration in all the States till the end of March in view of the stiffening difficulties. On behalf of this State, I have represented that the overall scale should not be reduced below 10 oz. and that out of it at least 8 oz. should be rice.



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