

# MADRAS LEGISLATIVE ASSEMBLY DEBATES

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

5th to 10th and 12th to 14th February 1951.

Volume VIII (Nos. 1 to 9).

### TABLE OF CONTENTS.

*Monday, the 5th February 1951.*

|                                                                                                       | PAGES         |
|-------------------------------------------------------------------------------------------------------|---------------|
| I Condolence Resolution on the death of Janab M. Ebrahim Coonhee .. .. .                              | 1-2           |
| II Swearing in of a member .. .. .                                                                    | 2             |
| III Questions and Answers .. .. .                                                                     | 2-32<br>87-89 |
| IV Adjournment Motion re—                                                                             |               |
| (1) Yarn scarcity .. .. .                                                                             | 22-23         |
| (2) Relief to drought-affected areas .. .. .                                                          | 23-24         |
| V Message from the Council .. .. .                                                                    | 24            |
| VI Breach of privilege of the House .. .. .                                                           | 24-28         |
| VII Allotment of a day for Food Debate .. .. .                                                        | 28-29         |
| VIII Government Bill—                                                                                 |               |
| The Madras Buildings (Lease and Rent Control) Second Amendment Bill, 1950 (L.A. Bill No. 18 of 1950)— |               |
| Discussion—cont. .. .. .                                                                              | 30-86         |
| IX Papers laid on the table of the House .. .. .                                                      | 86            |

*Tuesday, the 6th February 1951.*

|                                                                                                       |                   |
|-------------------------------------------------------------------------------------------------------|-------------------|
| I Questions and Answers .. .. .                                                                       | 91-115<br>175-177 |
| II Adjournment Motion re Food Situation .. .. .                                                       | 116-117           |
| III Government Bills—                                                                                 |                   |
| The Madras Buildings (Lease and Rent Control) Second Amendment Bill, 1950 (L.A. Bill No. 18 of 1950)— |                   |
| Discussion—cont. .. .. .                                                                              | 117-173           |
| IV Papers laid on the table of the House .. .. .                                                      | 174               |

*Wednesday, the 7th February 1951.*

|                                                                                                                   |                    |
|-------------------------------------------------------------------------------------------------------------------|--------------------|
| I Questions and Answers .. .. .                                                                                   | 179-212<br>269-303 |
| II Government Bills—                                                                                              |                    |
| (1) The Madras Buildings (Lease and Rent Control) Second Amendment Bill, 1950 (L.A. Bill No. 18 of 1950)—cont. .. | 212-250            |
| (2) The Malabar Tenancy (Amendment) Bill, 1950 (L.A. Bill No. 30 of 1950)—cont. .. .. .                           | 250-268            |

N211.31' NSI

NS2-8

ii

Thursday, the 8th February 1951.

PAGES

|                                                                                                                |                    |
|----------------------------------------------------------------------------------------------------------------|--------------------|
| I Questions and Answers .. .. .                                                                                | 305-329            |
| II Motion Under Rule 24 of the Madras Assembly Rules .. .. .                                                   | 379-381            |
| III Government Bill—<br>The Malabar Tenancy (Amendment) Bill, 1950 (L.A. Bill No. 30<br>of 1950)—cont. .. .. . | 329-330<br>330-378 |

Friday, the 9th February 1951.

|                                                                                                                |                    |
|----------------------------------------------------------------------------------------------------------------|--------------------|
| I Questions and Answers .. .. .                                                                                | 383-407            |
| II Sitings of the House .. .. .                                                                                | 459-466            |
| III Government Bill—<br>The Malabar Tenancy (Amendment) Bill, 1950 (L.A. Bill No. 30<br>of 1950)—cont. .. .. . | 407-408<br>408-458 |

Saturday, the 10th February 1951.

|                                                                                                               |                               |
|---------------------------------------------------------------------------------------------------------------|-------------------------------|
| I Questions and Answers .. .. .                                                                               | 467-489                       |
| II Government Bill—<br>The Malabar Tenancy (Amendment) Bill, 1950 (L.A. Bill No. 30<br>of 1950)—cont. .. .. . | 553-554<br>490-524<br>525-552 |
| III Business of the House—<br>Agenda for the 12th February 1951 .. .. .                                       | 524                           |

Monday, the 12th February 1951.

|                                                  |                |
|--------------------------------------------------|----------------|
| I Questions and Answers .. .. .                  | 555-566        |
| II Government Motion re Food and Food .. .. .    | 636-648        |
| III Paper laid on the table of the House .. .. . | 667-635<br>635 |

Tuesday, the 13th February 1951.

|                                                                                                         |                               |
|---------------------------------------------------------------------------------------------------------|-------------------------------|
| I Questions and Answers .. .. .                                                                         | 649-653                       |
| II Government Motions re—<br>(1) Seasonal conditions of food—cont. .. .. .<br>(2) Yarn scarcity .. .. . | 726-729<br>654-697<br>698-717 |
| III Half hour Debate re Students .. .. .<br>genous Medicine, Madras .. .. .                             | 729-732<br>717-725            |

Wednesday, the 14th February 1951.

|                                                                                                                                                                                                                                                                                |                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| I Questions and Answers .. .. .                                                                                                                                                                                                                                                | 733-738                       |
| II Statement re Lapse of Grow More Food grants from the Govern-<br>ment of India .. .. .                                                                                                                                                                                       | 817<br>739-741                |
| III Government Bills—<br>(1) The Madras Merged Territories (Nomination to District<br>Boards) Bill, 1951 .. .. .<br>(2) The Madras Prohibition (Amendment) Bill, 1951 .. .. .<br>(3) The Madras General Sales Tax (Amendment) Bill, 1950<br>(L.A. Bill No. 39 of 1950) .. .. . | 741-756<br>756-765<br>765-779 |
| IV Government Motions—<br>(1) Draft amendments to Madras General Sales Tax (Turn-<br>over and Assessment) Rules, 1939 .. .. .<br>(2) Motion re Yarn scarcity .. .. .                                                                                                           | 818-826<br>780-786<br>786-816 |



## THE MADRAS LEGISLATIVE ASSEMBLY.

**Monday, the 5th February 1951.**

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

### I.—CONDOLENCE RESOLUTION ON THE DEATH OF JANAB M. EBRAHIM COONHEE.

MR. SPEAKER :—“ It is my painful duty to inform the House about the death of Janab M. Ebrahim Coonhee, Member for Chirakkal, Muhammadan Rural Constituency.”

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

*That this House places on record its deep sense of sorrow at the demise of Janab M. Ebrahim Coonhee, late Member for Chirakkal, Muhammadan Rural Constituency, and conveys its deep sense of sympathy to the members of his bereaved family.*

Sir, it is very unfortunate that within a short time, a second Member from Malabar has gone to the other world leaving us to our own. Mr. Coonhee had a long record of public service right from the days of the Khilafat movement, and indeed it must be said to his credit that he was responsible for a great awakening in the masses in his own taluk and roundabout. He was also for some time a member of the municipal council of Cannanore and a leading merchant; and it is a great pity, Sir, that he died prematurely. It is but right that we should convey our deep sense of sympathy to the members of his bereaved family.”

JANAB ABDUL HAMEED KHAN :—“ Sir, I beg to support the motion moved by the Hon. Leader of the House with regard to the demise of Mr. Ebrahim Coonhee. It is really unfortunate, as the Leader himself has said, that two members in succession representing the constituency have passed away within a very short time. The late Mr. Coonhee was a public worker for many years. I remember that even during the Khilafat movement days he was a very active member coming from Malabar, and he was one of those who were responsible for the Khilafat work done in Malabar. He was also in the Congress for a very long time and he was an active member of that organization. I have had the privilege of knowing him even during the early days of the Khilafat movement and while in the Congress, and I knew that he was a perfect gentleman and one who, though silent, was a very active worker in ameliorating the conditions of the people living in the area. It is a loss to the people of Malabar and I dare say to the people of the South. It is a pity it was not given to him to remain in this House for a longer time; he was with us only for a short time and he has passed away. Sir, I associate myself with the sentiments expressed by the Hon. Leader of the House, and I join him in requesting you, Sir, to communicate the resolution to the bereaved members of the family of the deceased.”

[5th February 1951]

\* BEGUM SULTAN MIR AMIRUDDIN :—“ Mr. Speaker, Sir, it is with profound sorrow that this House has to record the loss of another Member. Death has laid its icy hands on many good workers in the past, and now we find that another Member of this House has fallen its victim. The late gentleman was a great Khilafat worker and a Congressman in his early days. He was devoted to the promotion of the welfare of the masses, and there is no doubt that his death will be mourned by the people of Malabar. It is indeed a matter of regret that a number of Members of this House have been recently snatched away by the cruel hand of death. It is with a heavy heart that we have to-day once again to record our sense of sorrow at the loss of one of our good colleagues.”

MR. SPEAKER :—“ I associate the Chair with the sentiments expressed by the Hon. Leader of the House, the hon. Leader of the Second Opposition and the hon. the Lady Member. From the time we met first, i.e., from the year 1946, we have lost—

- (1) Sri T. K. T. T. Tatachariar,
- (2) Janab Arakal Sultan Abdur Rahiman Ali Rajah,
- (3) Janab D. Abdul Rawoof,
- (4) Sri P. Ratnavelu Thevar,
- (5) The Hon. Mr. Daniel Thomas,
- (6) Janab M. R. P. Syed Mohamed,
- (7) Sri V. T. Kannappa Mudaliyar,
- (8) Sri K. Raghavan,
- (9) Janab Haji Koyapathodi Ahmed Kutty and
- (10) Janab M. Ebrahim Coonhee.

So far we have lost ten members. (The hon. Sri B. Gopala Reddi : “ I think Sri Ramakrishna Reddi was a member when he died ”.) Yes, Sri Ramakrishna Reddi too. We feel sorry for it. I associate the Chair with the sentiments expressed by the hon. Members and I now request the Members to stand in their seats for two minutes in silence.”

The resolution was passed, all the Members standing in silence.

#### II.—SWEARING-IN OF A MEMBER.

Sri V. Jaggaraju was sworn-in.

#### III.—QUESTIONS AND ANSWERS.

##### STARRED QUESTIONS.

##### *Removal of ban on the communists.*

\* 644 Q.—JANAB ABDUL HAMEED KHAN (on behalf of Janab Mohamed Abdul Salam): Will the Hon. the Chief Minister be pleased to state—

(a) whether the attention of the Government has been drawn to the decision of the Central Government removing the ban on communists;

5th February 1951]

(b) whether the Madras State Government have been consulted by the Central Government in this matter;

(c) the opinion this Government communicated to the Central Government in the matter of the removal of ban on the Communists; and

(d) in view of the removal of the ban whether the Government have released any communist detenus?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister) :—“ (a) This Government are not aware of any decision of the Government of India as referred to by the hon. Member.

“ (b) to (d) Do not arise in view of the answer furnished to clause (a).”

SRI V. RAGHAVAYYA :—“ In view of the recent statement made in Hyderabad by the Minister of the Government of India giving the communists a chance to give up their activities and promising to lift ban on the communists, in view of this policy of the Government of India as enunciated by the Minister at Hyderabad just a week back, may I know whether this Government intend to release all those people who have been detained by this Government and all those that have expressed their views against the policy of arson, loot, etc., pursued by the communists and who have expressed their clear dissent from such ideas? ”

THE HON. SRI K. MADHAVA MENON :—“ I do not know how all this speech arises out of this question, Sir. The Government of India have not lifted the ban on the communists at all.”

##### *Gandikota Reservoir Scheme.*

\* 645 Q.—SRI P. VENKATASUBBIAH: Will the Hon. the Minister for Public Works be pleased to state since question No. 86 was answered on 10th August 1948—

(a) whether the investigation of the scheme for the construction of Gandikota Reservoir in Cuddapah district is over;

(b) if so, the estimated expenditure and the extent of ayacut under that reservoir;

(c) when the work will be taken up for execution; and

(d) whether there is any proposal to replenish this reservoir with the waters of the proposed Krishna-Pennar Project?

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

“ (b) The estimated expenditure is about Rs. 9 crores and the ayacut is 150,000 acres.

“ (c) The plans and estimates for the project are awaited. On their receipt from the Chief Engineer, the Government will consider the question of sanctioning the scheme.

“ (d) Yes.”

[5th February 1951]

SRI P. VENKATASUBBLAH :—" In view of the fact that the project has been pending for a long period, and especially as the project is likely to benefit the famine-affected area of the Cuddapah district, may I request the Government to expedite the scheme this year itself? "

THE HON. SRI M. BHAKTAVATSALAM :—" We shall try to take up the scheme as early as possible, Sir."

JANAB ABDUL HAMEED KHAN :—" May I ask the Hon. Minister to tell us approximately the time that the Government propose to take to complete this scheme? "

THE HON. SRI M. BHAKTAVATSALAM :—" The scheme is estimated to cost Rs. 9 crores, and as the hon. Gentleman is aware, we have to find the necessary finance for it before we give sanction to the scheme. Therefore, he can quite understand me if I am not able to give a definite assurance about the date on which we can take up this scheme."

SRI V. RAGHAVAYYA :—" In view of the very precarious supplies from the Pennar, may I know why the Government want to cut the supply further still by taking up another project above the Pennar before even the other project fructifies and an assured supply is given to Nellore? "

THE HON. SRI M. BHAKTAVATSALAM :—" I can assure my hon. Friend that the Gandikota project will not nullify in any way the interests of the ryots in the Nellore district."

11-15 a.m. JANAB ABDUL HAMEED KHAN :—" Sir, is it not very much better that, instead of dangling the so-called schemes before the people all these years, the Government, if they have got the necessary finance, take up some? "

THE HON. SRI M. BHAKTAVATSALAM :—" The hon. Gentleman is entirely mistaken in thinking that we have merely been dangling the schemes before the public. In fact, we have been taking up one scheme after another involving expenditure of crores of rupees."

SRI B. S. MURTHY :—" May I know, Sir, whether the Government are negotiating with the Government of India to get some money, either as a loan or as a subsidy towards this Gandikota project? "

THE HON. SRI M. BHAKTAVATSALAM :—" We do not ask the Government of India for any specific grants for any specific scheme, but we have taken up already the question of financial aid with the Government of India for very many schemes which we intend to take up in the course of this year and the next."

SRI S. NAGAPPA :—" Sir, may I ask, how many divisions of the Engineering staff are working on the investigation of the Gandikota project and when the Government expect the investigation to be completed? "

[5th February 1951]

THE HON. SRI M. BHAKTAVATSALAM :—" I cannot give my hon. Friend any accurate information as to the number of the staff that is working there, but I can tell my hon. Friend that not more than one division should be necessary to do investigation. Investigation is almost complete and the report is under the scrutiny of the Chief Engineer."

SRI C. M. KOTHARI :—" Sir, in view of the request made to the Government of India, may I know whether any assurance has been given to this State that the aid asked for or a loan will be given? "

THE HON. SRI M. BHAKTAVATSALAM :—" As the hon. Gentleman himself is well aware we cannot expect to have such an assurance."

SRI L. N. GOPALASWAMI :—" Sir, may I know whether the ryots that are expected to be benefited by the project have offered any financial contribution by way of loans? "

THE HON. SRI M. BHAKTAVATSALAM :—" We have not yet put that to the ryots. I do hope that when we go to them for that kind of co-operation, they would be too willing to offer it."

SRI V. M. RAMASWAMI MUDALIYAR :—" Sir, may I know whether it is a fact that capital irrigation works, such as this reservoir, are likely to cost the Government next year to the tune of about Rs. 20 crores, and may I ask whether in the recent Cabinet discussion on the Budget, the Government have considered the ways and means of providing the entire capital expenditure from the revenues of the State? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir, for the schemes we have already taken up and are under execution and for other projects which we propose to take up next year, we do require capital expenditure to an extent of Rs. 20 crores, but my hon. Friend does know that this cannot be expected to be met from out of the revenues of the State. We are examining the ways and means of finding the necessary capital for carrying out these schemes."

JANAB M. S. ABDUL MAJID :—" Sir, in addition to the several other benefits, I know this scheme is going to benefit particularly the City of Madras in solving the water problem and may I know . . . "

THE HON. SRI M. BHAKTAVATSALAM :—" This is a different scheme."

JANAB M. S. ABDUL MAJID :—" I am sorry, Sir."

*Declaration of Srikakulam district as a famine area.*

\* 646 Q.—SRI S. NAGAPPA : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received a copy of the resolution passed at the District Food Conference held in Srikakulam urging the Government to declare Srikakulam as a famine area;

[5th February 1951]

(b) if so, what steps the Government have taken so far in the matter; and

(c) if not, why not?

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

“(b) The Collector of Srikakulam has separately reported in another connexion that there is no need to declare any area in the Srikakulam district as ‘famine affected’ and he has asked the concerned officers to take up expansion works to provide employment to workers in the affected areas in the district.

“(c) Does not arise.”

SRI S. NAGAPPA :—“Sir, when the people of the locality come forward and say that the area is famine-stricken, I do not know why the Government attach more importance to the words of the Collector who will generally be against the interests of the people. So, may I ask what the Government have done on the representation made by the people?”

THE HON. SRI H. SITARAMA REDDI :—“My hon. Friend is wrong in presuming that the Collector is against the interests of the people. It is a wrong presumption and I would like to take this occasion to correct that impression. As a matter of fact, detailed investigation has been made and I would like to draw my hon. Friend's attention to the Famine Code which lays down the conditions necessary for declaring an area as a famine area. Famine conditions are quite different from scarcity conditions.”

SRI D. V. RAMASWAMI :—“Arising out of the answer to clause (a), may I know whether, if the Collector gave the information that it is not a famine area, he also said that it is a surplus area, and if so, whether operations for the procurement of food-grains are going on on a big scale?”

THE HON. SRI H. SITARAMA REDDI :—“I have no information and I would like to have notice of that.”

SRI M. S. PATTABHIRAMIAH :—“Sir, is there any truth in a report published in the press that Srikakulam has been declared a surplus district?”

THE HON. SRI H. SITARAMA REDDI :—“My hon. Friend knows that the question must be put to the Hon. Minister in charge of Food.”

SRI B. S. MURTHY :—“Sir, arising out of the answer to clause (a), the Hon. Minister was pleased to state that the Collector declared that that area was not a famine-stricken area, but that he has asked his subordinate officers to carry out expansion works to provide employment and so on. Sir, is it not a contradiction in terms? He will not declare it a famine area and, at the same time, ask his officers to undertake famine works. May I know, Sir, whether the Government are aware that the Collector's report is not fully apprising the Government of real facts?”

[5th February 1951]

THE HON. SRI H. SITARAMA REDDI :—“Sir, the Collector has undertaken a tour of the district and he has been satisfied about the conditions existing there. He has already suggested certain works to be taken up to relieve unemployment. As I said, in replying to another hon. Friend, to call an area famine-affected, certain conditions must be satisfied. It is a sort of technical term and so the Collector is perfectly right in saying that it is not a famine-affected area, but he has provided for sufficient works to see that the people who are unemployed are given employment.”

SRI L. C. PAIS :—“May I know, Sir, what is the criterion that is adopted by the Government to declare a particular area as a famine area?”

THE HON. SRI H. SITARAMA REDDI :—“I would like to draw my hon. Friend's attention to the Famine Code.”

*Representation re temple-entry by Harijans of Polleru.*

\* 647 Q.—SRI S. NAGAPPA : Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that the Government have received a deputation led by Sri V. Kurmayya, M.L.A., and consisting of Messrs. D. Govinda Doss, M.L.A., D. Kadirappa, M.L.A., A. Chalamandas and B. Purushotham in the first part of October 1950, as regards the action taken by the Stationary Sub-Magistrate of Ongole in restraining the Harijans of Polleru from entering the temples of Ganganma and Poleramma on the occasion of the celebration of the utsavas of the temple;

(b) if so, whether the Government have taken any action so far and what it is; and

(c) if not, why not?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—“(a) The answer is in the affirmative. “(b) & (c) The Government obtained a report from the District Collector of Guntur on the representation made by the deputationists, and have examined the report. They are satisfied that it is not necessary to interfere in the matter.”

SRI S. NAGAPPA :—“Sir, may I ask the Hon. Minister why, when the Government received a report from the Collector and if they are convinced that what the deputationists urged is right, they have not taken any action either under the Social Disabilities Act or the Temple Entry Act?”

THE HON. SRI B. GOPALA REDDI :—“There is a long history about it. Even in 1859 and 1874, there were prohibitory orders against ‘Chindu’ because it contained obscene references to the Telugas. Therefore, the Collector thought it fit to ban it.”

SRI B. S. MURTHY :—“Sir, in a matter like this, is it not fair on the part of the Government to take judicial opinion, instead of entirely depending upon the report of executive officers? Since

[5th February 1951]

three important M.L.As. including one ex-Minister representing the community, led the deputation, may I know whether the Government will make an enquiry into the matter and see that the injustice done to the Harijans is put an end to?"

THE HON. SRI B. GOPALA REDDI :—" Sir, our magistrates are satisfied that the 'Chindu' dance and song contain obscene references to certain communities which are likely to impair the relationship that exists between the communities. So, it is but right that the District Magistrate has banned those Harijans—perhaps they are Madigas or Arundathiyas."

SRI L. N. GOPALASWAMI :—" Sir, may I ask whether the Government want to prevent the Harijans from entering the temples or they want to prevent obscene things taking place in the temples? The better course would be to prevent these things taking place than prevent the Harijans from entering the temples?"

THE HON. SRI B. GOPALA REDDI :—" It has nothing to do with temple entry at all, but it refers only to going round with Chindu dance with gajjas and singing songs which contain references to other communities."

SRI B. S. MURTHY :—" Sir, is it not a fact that in all our Hindu temples there are obscene things outside the temples and are we destroying all those temples? No, we are worshipping in those temples." Therefore, if a certain song is obscene and offends the sentiments of the Telugas or others and even supposing that Chindu song is objectionable, may I know why the Government should not give such a liberty to this section of the Harijan community so that the age-long practice is continued by taking away the obscene portions of the song which offends others?"

THE HON. SRI B. GOPALA REDDI :—" If my hon. Friend is convinced that it is an obscene song, I do not know why he is arguing the matter. If it is obscene it should be prevented. As I said even in 1859 and 1874, it was found that the Chindu dance contained references to other communities and it was prohibited. It is stated that it appears to have been of an obscene nature and seems to have been accompanied by a song containing indecent reflections against the Malas. Now it is against the Harijans and against the Telugas. So, it has been continuing for the last seventy years and there has been this Chindu dance. Therefore on the last occasion also it was banned."

JANAB MUHAMMAD RAZA KHAN :—" Sir, for the information and elucidation of hon. Members of the House, will the Hon. Leader of the House explain what Chindu dance is?"

THE HON. SRI B. GOPALA REDDI :—" It cannot be explained by words; it can only be done by action."

SRI V. I. MUNISWAMI PILLAY :—" Sir, the question is whether the Harijans have been prevented from entering the

[5th February 1951]

temple of Gangamma and Poleraamma. I would like to know from the Hon. Minister whether the Harijans have been precluded from entering these two temples?"

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

*Recruitment of teachers to the Inspectorate.*

\* 648 Q.—SRI D. DORAIRAJA PANDIAN : Will the Hon. the Minister for Education be pleased to state—

(a) whether there is any proposal before the Government to recruit teachers from Board and aided schools to the Inspectorate and, if so, whether it was given effect to;

(b) the number of vacancies that have arisen since the proposal was made;

(c) the number that were recruited (1) directly, (2) from the Government service, and (3) from aided and Board schools; and

(d) whether there is any difference in the age-limits for selection between the Government servants and others and, if so, the reasons therefor?

THE HON. SRI K. MADHAVA MENON :—" (a) Yes. The Government approved the proposal to recruit non-Government school teachers to substantive vacancies in the posts of Junior Deputy Inspectors of Schools in the Madras Educational Subordinate Service and to posts of District Educational Officers, in the Administrative Section of the Madras Educational Service and amended the service rules accordingly in 1948.

" (b) 66 Substantive vacancies of Junior Deputy Inspectors of Schools, and 18 substantive vacancies in the Administrative Section of the Madras Educational Service.

" (c) *Junior Deputy Inspectors*—

Twenty-five candidates by direct recruitment; and 38 candidates by recruitment from among teachers employed in non-Government schools.

Government servants were appointed to the remaining vacancies.

*District Educational Officers*.—Nine vacancies have been allotted for appointment by transfer from the subordinate services; five for direct recruitment; and four for non-Government Secondary school teachers.

The selections for vacancies reserved for non-Government school teachers and for four of the five vacancies for direct recruitment have not been made pending consideration of some proposals for the re-organization of the service and the amendment of the service rules.

" (d) Yes. A direct recruit with a higher age is less likely to learn and adapt himself and to prove an efficient administrator."

[5th February 1951]

*Recruitment to the Police department.*

\* 649 Q.—SRI S. NAGAPPA: Will the Hon. the Chief Minister be pleased to state whether there is any proposal before Government to take steps similar to those taken by the Bombay Government to attract educated young men to join the Police department, especially the lower cadres like constabulary?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—"The Government have no information of the steps taken by the Government of Bombay."

SRI S. NAGAPPA:—"Sir, will the Government be pleased to call for a report of the steps taken by the Bombay Government if they are really interested in the constabulary of this State?"

THE HON. SRI B. GOPALA REDDI:—"If there is anything very important, it would have reached the Inspector-General of Police or the Government."

JANAB MUHAMMAD RAZA KHAN:—"May I ask, Sir, whether the declaration of the policy by the Madras Government withdrawing the ban on the recruitment of Muslims has been implemented?"

MR. SPEAKER:—"What has that got to do with this question?"

JANAB MUHAMMAD RAZA KHAN:—"It relates to recruitment."

SRI G. RAJAMANNAR CHETTI:—"Some of the fact that low salaries are being given to policemen in this State which results in lack of attraction for educated, competent, intelligent and efficient men to be drafted into the department, may I know from the Hon. Minister whether he will consider the possibility or the immediate necessity and desirability of revising the scale of salary of these people in order to attract competent, efficient and intelligent men to carry on the duties of the department?"

THE HON. SRI B. GOPALA REDDI:—"During the last six or seven years we have thrice revised the scales of salary of the constables and it is by no means meagre just now; it is much higher than those obtaining in West Bengal and other States."

11-30 a.m. BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, whether there is any proposal to attract educated women to the Police force?"

THE HON. SRI B. GOPALA REDDI:—"Attractive women?"  
(Laughter.)

BEGUM SULTAN MIR AMIRUDDIN:—"My question was whether there is any proposal before the Government to attract educated and competent women to the Police force?"

THE HON. SRI B. GOPALA REDDI:—"The proposal is before the Government, Sir."

[5th February 1951]

*Amaravathi Reservoir Project.*

\* 650 Q.—SRI B. S. MURTHY: Will the Hon. the Minister for Public Works be pleased to state—

(a) the time necessary to complete the Amaravathi Reservoir Project;

(b) the total amount necessary and how this is to be spent annually; and

(c) the acreage that will be brought under irrigation when the project is completed?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) About six years.

" (b) The total expenditure on the project is estimated at about Rs. 283 lakhs, and it is proposed to spread this expenditure as detailed below:—

|                     | RS.    |
|---------------------|--------|
|                     | LAKHS. |
| First year .. .. .  | 3.5    |
| Second year .. .. . | 57.5   |
| Third year .. .. .  | 103.5  |
| Fourth year .. .. . | 80.5   |
| Fifth year .. .. .  | 28.75  |
| Sixth year .. .. .  | 9.2    |
| Total .. .. .       | 282.95 |
|                     | or     |
|                     | 283    |

" (c) It is expected that when the project is completed, a new area of 15,000 acres will be brought under irrigation."

SRI B. S. MURTHY:—"May I know, Sir, when the Government are going to put into force the six-year scheme of the Amaravathi Reservoir Project?"

THE HON. SRI M. BHAKTAVATSALAM:—"The Government have not yet sanctioned the scheme but we have put it to the ryots concerned that if they would come forward with advance payment of betterment fee, then we could consider taking up the scheme presently and the ryots are already showing a very happy gesture; in spite of the fact that the area is a famine affected one, they have already collected more or less the sum required for the first year's expenditure."

SRI B. S. MURTHY:—"Out of the Rs. 283 lakhs, how much do the Government expect from the ryots?"

THE HON. SRI M. BHAKTAVATSALAM:—"The ryots have agreed to pay a betterment fee of Rs. 300 per acre."

[5th February 1951]

SRI L. N. GOPALASWAMI :—“ May I know, Sir, whether the attention of the Government has been drawn to the representation of the Tiruchirappalli District Food Committee that the project is likely to affect the riparian interests of landowners in Tiruchirappalli district and may I know if the Government have taken pains to see that their rights are protected and the new project does not interfere with the rights to water that they are already enjoying? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ The Government have received such representations but they are quite well satisfied that the scheme will not affect any of the existing interests.”

SRI P. KAKKAN :—“ May I know whether the Government have received any memorandum from the ayacutdars at the tail end of the project and if so, what instructions have been given to the Chief Engineer to consider it favourably? ”

THE HON. SRI M. BHAKTAVATSALAM :—“ I have already answered the question put by my hon. Friend Sri Gopalaswami.”

*Service conditions of Revenue officials of the Kachinad taluk.*

\* 651 Q.—SRI N. GOVINDASAMI NAIDU : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that 75 per cent of the karnams, deputy karnams and Revenue Inspectors employed in the Kachinad taluk of the Tirumalai and Tirupati Devasthanam Estate have not passed either the survey test or karnam's test; and

(b) whether any of the above officers have been removed from service for not passing the test or tests?

THE HON. SRI H. SITARAMA REDDI :—“ (a) No. Of the 44 karnams, deputy karnams and triune officers employed in the Kachinad taluk, 38 persons are either fully qualified or have been exempted under the rules from possessing the prescribed qualifications, 5 persons have passed the karnam's test but have not undergone training in survey, and only one person has neither of the qualifications.

Revenue Inspectors are not required to pass the karnam's test. They have instead to pass the Revenue Test (Parts I and II). Of the 6 Revenue Inspectors employed in Kachinad taluk, 2 persons have either passed the Revenue Test or have undergone training in survey and the remaining 4 persons have neither of the qualifications. The rules provide for the temporary appointment of unqualified persons as Revenue Inspectors.

“ (b) Yes; one deputy karnam, for want of the survey training qualification.”

SRI N. GOVINDASAMI NAIDU :—“ Sir, தயவுசெய்து பதிலை தமிழில் சொல்லும்படியாகக் கேட்டுக்கொள்ளுகிறேன்.”

[5th February 1951]

THE HON. SRI H. SITARAMA REDDI :—“ (a) அம்மாதிரி இல்லை.

“ (b) Deputy karnam ஒருவருக்கு மாதிரம் தகுந்த qualification இல்லாததினால் அவரை மட்டும் எடுத்திருக்கிறோம்.”

SRI N. GOVINDASAMI NAIDU :—“ ஏறக்குறைய 100-க்கு 75 பேர் களுக்கு அம்மாதிரி qualification இல்லாமலிருக்கும்போது, ஒரு கர்ணம் மாதிரம் எடுக்கப்பட்டிருப்பதற்குக் காரணம் என்ன? ”

THE HON. SRI H. SITARAMA REDDI :—“ அநியாயம் ஒன்றும் செய்துவிடவில்லை. அவருக்கு qualification இல்லாததனால் தான் அவரை எடுத்துவிட்டோம்.”

*Public institutions maintained by the zamindars.*

\* 652 Q.—JANAB MOHAMED ABDUL SALAM : Will the Hon. the Minister for Education be pleased to state—

(a) the number of public institutions maintained by the zamindars before their estates were taken away by the Government;

(b) whether the Government are now maintaining all such institutions; and

(c) the number of such institutions which are not maintained by the Government?

THE HON. SRI K. MADHAVA MENON :—“ (a) to (c) A statement <sup>2</sup> is placed on the table of the House.”

SRI R. V. SWAMINATHAN :—“ According to the printed statement laid on the table of the House, Sir, 5 out of 19 secondary schools have been taken over by local bodies and fourteen have been left as they are; but out of the colleges of which there are four, one of which I presume is the Sivaganga College, not one has been taken over by the Government; may I know, Sir, having regard to the facts that the zamindaris have been abolished, what steps the Government have taken to see that all these colleges are maintained and not closed down? ”

THE HON. SRI K. MADHAVA MENON :—“ In the case of schools, the Government have ordered that local bodies might take them over and they would be given an enhanced grant of two-thirds net cost for such schools as they take over and which the zamindars were maintaining before. In some cases, the zamindars have said that they would themselves manage them; but in the other cases, specific orders have been given and local bodies are taking them over as and when they are offered by the zamindars. In the case of colleges, when zamindars provide the necessary funds, the Government will take them over; otherwise, each case will be decided on its merits.”

JANAB H. S. HUSSAIN :—“ May I know, Sir, if any endowments have been created by the zamindars for the maintenance of these educational institutions and if so, what is the value of the endowments; and whether the Government have taken over the endowments also for the management of the institutions? ”

[5th February 1951]

THE HON. SRI K. MADHAVA MENON :—" I want notice of that question, Sir? "

SRI C. M. KOTHARI :—" When the educational institutions were being maintained by the zamindars in the old regime and when the zamindari revenue has been taken over by the Government, is it not the duty of the Government to maintain those institutions? "

THE HON. SRI K. MADHAVA MENON :—" If it is necessary, the Government will consider the question and that is what I suggested when I said that each question will be considered on its own merits."

JANAB MUHAMMAD RAZA KHAN :—" Is it not a fact, Sir, that the then Revenue Minister, while piloting the Zamindari Abolition Bill, gave a promise on the floor of the House that all these institutions, especially the educational institutions, will be taken over and run by the Government? "

THE HON. SRI K. MADHAVA MENON :—" I want notice; I will refer to the proceedings."

JANAB M. S. ABDUL MAJID :—" It is common knowledge, Sir, that when one Minister makes a promise, it is made on behalf of the Government; the Government have made a definite promise that by the abolition of the zamindaris, they are going to confer great benefits upon the people but now, Sir, we find that even what the zamindars have been maintaining the Government are not able to maintain. I want to know, Sir, whether the Government will immediately implement all the assurances they have given at the time of piloting the Zamindari Abolition Bill? "

THE HON. SRI K. MADHAVA MENON :—" Any assurance given by the Government will certainly be implemented."

BEGUM SULTAN MIR AMIRUDDIN :—" Apart from the promise, Sir, is it not the duty of the Government to maintain the colleges, particularly in these days when there is considerable demand for higher education? "

THE HON. SRI K. MADHAVA MENON :—" That is what I said, Sir; if the Government are satisfied that there is necessity for the college and the zamindar is not running it, the question will be considered."

JANAB MUHAMMAD RAZA KHAN :—" The Hon. Minister said that every question will be considered on its merits; is it not the duty of the Government to take a decision in the light of the promise and assurance given by the Government that all educational institutions maintained by zamindars will be maintained by Government? "

THE HON. SRI K. MADHAVA MENON :—" I said that every question in relation to these institutions will be considered on its merits and the question will arise only when any college is going to be closed down."

[5th February 1951]

SRI B. S. MURTHY :—" May I know, Sir, whether any college or high school has been allowed to cease to work as a result of the abolition of the zamindari system? "

THE HON. SRI K. MADHAVA MENON :—" No college or high school has ceased to work."

SRI D. V. RAMASWAMI :—" Is it not a fact, Sir, that in the Circars, colleges have been maintained by Rajas and Maharajas and there are three such colleges there; is it not the duty of the Government in view of their own assurance that the institutions would be maintained despite the abolition of the zamindars, to maintain them? May I also know, Sir, what action the Government have taken to run them as efficiently as they were running before? "

THE HON. SRI K. MADHAVA MENON :—" The question arises only when there is a proposal to close down any of the colleges."

*Marketing scheme for coconuts and arecanuts.*

\* 653 Q.—SRI S. NAGAPPA : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the people of Malabar are protesting against the introduction of the regulated marketing scheme for coconuts and arecanuts in Malabar; and

(b) If so, how the Government propose to meet their demand?

THE HON. SRI A. B. SHETTY :—" (a) & (b) The attention of the hon. Member is invited to the Government Press Notes <sup>a</sup>, dated 4th November 1950 and 18th November 1950 copies of which are placed on the table of the House."

SRI S. NAGAPPA :—" From the statement, I find, Sir, that there was agitation against the establishment of fair markets; may I know, Sir, by whom it was engineered, was it by the growers or by the merchants? "

THE HON. SRI A. B. SHETTY :—" Our information is that it was engineered by the merchants."

JANAB M. V. HYDROSS :—" May I know, Sir, whether there were any representations by the growers in Malabar that coconut and arecanut should be brought under the marketing scheme? "

THE HON. SRI A. B. SHETTY :—" There were representations and there was a deputation and as a result of the interview they had with the Chief Minister, the objection has now been withdrawn and as many as 755 merchants have taken out licences valid till the middle of November."

JANAB M. V. HYDROSS :—" My question was whether there was any representation by the growers that coconut and arecanut should be brought under the marketing scheme? "



[5th February 1951]

THE HON. SRI A. B. SHETTY :—“ This Act has been brought into force in several districts; similar Acts are in force in other States also. I am not aware whether growers made any particular representation but due to certain misconceptions, certain growers as well as merchants did oppose the introduction of this Act; but now, I suppose, they are satisfied.”

JANAB M. S. ABDUL MAJID :—“ May I know, Sir, why there is always greater confusion, hardship and suffering whenever Government interfere in matters of trade and commerce in this State? ”

THE HON. SRI A. B. SHETTY :—“ It is not a matter of interference but it is an attempt at regulating marketing conditions.”

JANAB M. V. HYDROSS :—“ May I enquire whether marketing committees have been established in places other than Malabar where coconut is grown in large quantities? ”

THE HON. SRI A. B. SHETTY :—“ Marketing committees have been constituted in East Godavari and South Kanara.”

11-45 a.m. JANAB MUHAMMAD RAZA KHAN :—“ Sir, is it the policy of the Government of Madras to disturb the usual trade channels by having a direct control or through their senior officials in the districts or by bringing into existence market committees and disturb the smooth way in which business has been going on in this State? ”

THE HON. SRI A. B. SHETTY :—“ The Madras Commercial Crops Markets Act was duly passed by this House, and it was also amended as late as 1949, bringing coconuts and arecanuts within its provisions. So, having passed those Acts in this House, it is too late for the hon. Gentleman to say that the Government are interfering with trade.”

JANAB M. V. HYDROSS :—“ Apart from the figure given by the Hon. Minister, that a number of persons have got licences to deal in coconuts and arecanuts, may I ask him whether the scheme is working satisfactorily? ”

THE HON. SRI A. B. SHETTY :—“ Yes, Sir.”

*Free education to the children of women teachers.*

\* 654 Q.—SRI A. J. ARUNACHALAM : Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the children of women teachers in the Government schools are now given free education; and

(b) if so, the reasons for not extending the same concessions to children of men teachers also?

THE HON. SRI K. MADHAVA MENON :—“ (a) Children of women teachers drawing not more than Rs. 50 per mensem or Rs. 75 per mensem in case they are widows, are given free education in all schools under the direct control of Government.

[5th February 1951]

“ (b) The main reason for giving the concession was to serve as an encouragement to the recruitment of women teachers then. No difficulty was or is experienced in recruiting men teachers.”

SRI A. J. ARUNACHALAM :—“ Is it not a fact, Sir, that for a long time, the male teachers have been requesting by means of resolutions and deputations, through their associations to enhance their salary or to afford the same facility to their children as is now given to the children of women teachers; and will that not give some relief to the teachers as a whole? ”

THE HON. SRI K. MADHAVA MENON :—“ It is true the male teachers have been asking for that concession; but I do not think there is any reason for extending it to them.”

*Permits for plying buses in Krishna district.*

\* 655 Q.—

MR. SPEAKER :—“ The hon. Member, Sri Surayya is not in his seat. The answer will be printed in the proceedings.”

SRI K. SURAYYA : Will the Hon. the Minister for Finance be pleased to state whether it is a fact that persons found guilty of grave charges, like overloading buses, blackmarketing and selling away of bus routes by the Regional Transport Authority, Krishna district, are given permits by the Central Road Traffic Board for plying buses in the Krishna district?

THE HON. SRI B. GOPALA REDDI :—“ As far as the Central Road Traffic Board is aware, persons found guilty of grave offences have not been given permits for plying buses in the Krishna district.”

*Candidates from Scheduled castes for promotion as Deputy Collectors.*

\* 656 Q.—SRI B. S. MURTHY (on behalf of Sri G. Venkanna) : Will the Hon. the Minister for Land Revenue be pleased to state the number of candidates from the Scheduled castes of the Andhra districts whose names have been included in the lists of promotion as Deputy Collectors (districtwar)?

THE HON. SRI H. SITARAMA REDDI :—“ There are practically no candidates from the Scheduled castes eligible for appointment as Deputy Collectors by promotion from among Tahsildars. That is why the Government have appointed by direct recruitment six candidates from the Scheduled castes since 1949. This year the Commission has been asked to select three Telugu-knowing Harijans by direct recruitment.”

SRI B. S. MURTHY :—“ May I know, Sir, whether the Government are not aware or are they not taking sufficient care to know how many Harijan Tahsildars there are in the Revenue Department? My information goes to show that there are

[5th February 1951]

already six or seven of them, all senior Tahsildars fit for promotion. May I know whether Government will take any action in the matter?"

THE HON. SRI H. SITARAMA REDDI:—"If the people are fit for promotion, their claim will certainly be considered."

*Harijan hostels in Kurnool district.*

\* 657 Q.—SRI P. VENKATASUBBIAH: Will the Hon. the Minister for Rural Development be pleased to state whether any applications have been received for recognition of new Harijan hostels in Kurnool district during the year 1949-50?

THE HON. SRI B. PARAMESWARAN:—"Yes, Sir."

SRI P. VENKATASUBBIAH:—"May I know, Sir, whether these grants are being given in lump sum or on different scales to different students?"

THE HON. SRI B. PARAMESWARAN:—"In lump sum, Sir."

*Ambulance cars for Special Armed Police.*

\* 658 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Chief Minister be pleased to state whether any ambulance cars have been placed at the disposal of the Special Armed Police deputed by our Government to Hyderabad State and if so, how many and where they are stationed?

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

SRI V. RAGHAVAYYA:—"Is it not a fact, Sir, that in Amarabad in Hyderabad State, where our Special Armed Police are working, a Jamedar, who had been shot at, had to be carried in a bullock cart for 45 miles to reach the nearest hospital, and so, due to loss of blood on the way, the man died before he could get medical aid? But if there was an ambulance car available, such a thing could not have occurred; it could have been avoided."

THE HON. SRI B. GOPALA REDDI:—"That thing occurred in the Hyderabad State."

MR. SPEAKER:—"It was outside our State."

SRI V. RAGHAVAYYA:—"My question refers to the disability of our Special Armed Police who have been deputed to the Hyderabad State by this Government. My question is that these people have not been provided with any ambulance facility, and on account of that, in Achampet in Amarabad, a Jamedar who sustained gun-shot wound, had to be carried in a bullock cart over a distance of 45 miles to reach the nearest hospital for medical aid, but before he could be taken there, due to loss of blood, he died on the way. Because there was no ambulance car at the disposal of the Special Armed Police, such a thing occurred."

[5th February 1951]

THE HON. SRI B. GOPALA REDDI:—"If it is a question of discrimination against our officers I can appreciate the complaint. But if it is a case of our officers getting the facilities available to the officers of that State, we cannot legitimately complain."

SRI V. RAGHAVAYYA:—"May I ask whether the Special Armed Police deputed by our Government to Hyderabad State had requested that they may be provided with adequate medical and safety facilities, and that due to lack of these facilities loss of life occurs, as for instance, in Achampet in Amarabad, where a Jamedar, due to loss of blood expired on the way, while being taken to the nearest hospital 45 miles off?"

MR. SPEAKER:—"The hon. Member is making a speech."

SRI V. RAGHAVAYYA:—"No, Sir, the Hon. Minister was not quite sure about the position, and so, I am only explaining the position. Is it not a fact that if there had been one or two ambulance cars left at the disposal of the Special Armed Police, the Jamedar could have been rushed to the hospital and thereby loss of life could have been avoided?"

THE HON. SRI B. GOPALA REDDI:—"I am not aware whether there is adequate medical facility or not. We expect the Hyderabad Government to provide all facilities to the forces on duty. I do not know anything about this particular incident."

*Metalling of the Chintapalli-Gudem Road.*

\* 659 Q.—SRI D. V. RAMASWAMI (on behalf of Sri K. Veeranna Padal): Will the Hon. the Minister for Public Works be pleased to state—

(a) when the work of metalling the Chintapalli-Gudem Road from mile 33/3 to 42/0 sanctioned in G.O. No. 831, L.A., dated 3rd March 1942, was taken up for execution:

(b) how much grant was spent; and

(c) the reason for the delay in completing the work?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) The work was first taken up in 1942 but stopped subsequently in 1943 due to war conditions.

" (b) Total expenditure incurred on the work to end of August 1950 is Rs. 1,02,652.

" (c) Work, after revision of estimates, was resumed in 1946 but could not be vigorously pressed till the sanction of the Government of India, was received in September 1948. Sanction of the Government of India was required since the work was debitable to the Road Development Fund. The work is expected to be completed in March 1951."

[5th February 1951]

SRI D. V. RAMASWAMI :—" May I know, Sir, with reference to the answer to clause (c), what steps the Government have taken to get the sanction of the Government of India in order to expedite the work in the Agency area? "

THE HON. SRI M. BHAKTAVATSALAM :—" The sanction of the Government of India has already been obtained."

*Lino-operators in the Government Press.*

\* 660 Q.—SRI B. S. MURTHY: Will the Hon. the Minister for Education be pleased to state the number of lino-operators in the Government Press who have retired and resigned since January 1948?

THE HON. SRI K. MADHAVA MENON :—" (i) Number retired—3.

" (ii) Number resigned—13."

SRI B. S. MURTHY :—" May I know, Sir, why those 13 people resigned? "

THE HON. SRI K. MADHAVA MENON :—" Quite possibly because they expected better prospects elsewhere."

*Proposal for the extension of south channel of Krishna-Pennar Project.*

\* 661 Q.—SRI S. PARAMANANDA RAYAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received any representation from the mirasdars of Vriddhachalam and Chidambaram of South Arcot district for the extension of south channel of Krishna-Pennar Project up to Tholudur Project in the South Arcot district;

(b) if so, what action the Government propose to take on it;

(c) whether there is any other proposal to divert the south channel of Krishna-Pennar Project to enable irrigation of Tirukkoyilur, Vriddhachalam and Chidambaram in South Arcot district and Udayarpalayam in Tiruchirappalli district; and

(d) whether the mirasdars of these taluks have expressed willingness to provide loan for extension of the irrigation facilities on a levy basis?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) & (b) No. But in April 1950, a petition was received by the Chief Engineer (Irrigation) from one Sri S. Rangaswami Pillai, Pleader, Vriddhachalam and ex-Secretary, Tholudur Project Land Owners' Association, Pennadam, Vriddhachalam taluk, South Arcot district, suggesting that the Pennar South Canal might be taken above the Tholudur regulator at an elevation of about 250.00 so as to benefit the ayacut lower down. As the project was not technically feasible, the petitioner was accordingly informed.

[5th February 1951]

" (c) According to the present proposals the Pennar South Canal will run in Tindivanam and Villupuram taluks and end near Pakkam just to the north of the Ponnayar river and thereafter a tail channel will run in Cuddalore and Chidambaram taluks for a length of about 33 miles and will finally discharge into the Vellar near Alisikudi village, which is about five miles below the Shatiatope anicut. Thus Chidambaram taluk will be served by the project. There is no proposal to divert the canal so as to serve Tirukkoyilur, and Vriddhachalam taluks of South Arcot and Udayarpalayam taluk of Tiruchirappalli.

" (d) No."

SRI S. PARAMANANDA RAYAR :—" May I inquire, Sir, whether it is proposed to give supplies to the Chidambaram taluk, and if so, by what means, that is, by reservoir or by channel? "

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to have notice."

*Kannada Text-book for S.S.L.C.*

\* 662 Q.—SRI K. ISHWARA: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have received any reports to the effect that the Kannada Text-book for the S.S.L.C. Examination, 1951, contains many howlers, bad versions of classic poetry and selections of persons of no repute; and

(b) the remuneration paid to the Editor and the price paid for such selection?

THE HON. SRI K. MADHAVA MENON :—" (a) No such reports have been received.

" (b) There is no information."

*Disposal of applications for cart-tyres and other agricultural implements.*

\* 663 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Agriculture be pleased to state whether it is a fact that co-operative societies have been permitted by the Government to dispose of the applications for cart-tyres, manures and other agricultural implements?

THE HON. SRI A. B. SHETTY :—" The answer, so far as iron and steel for agricultural purposes are concerned, is in the negative.

" As regards the distribution of manures (fertilisers) instructions have been issued by the Board of Revenue (Food Production) that supplies should be made by the Co-operative Societies and tender firms on applications received from the ryots with the following information :—

(a) Name of the cultivator.

(b) Postal address.

[5th February 1951]

MR. SPEAKER:—"I take it that the hon. Member is not pressing the motion."

SRI B. S. MURTHY:—"Sir, I rise to a point of order. While bowing to your ruling on the first adjournment motion that yarn scarcity has been there in the State for a long time, may I know from you whether the recent deaths that are reported in the press . . ."

MR. SPEAKER:—"There is no point of order in the statement the hon. Member is making."

SRI B. S. MURTHY:—"I beg of you to hear me before pronouncing judgment. No doubt yarn scarcity has been there for a long time. But recently we read in the newspapers that a number of deaths were taking place. When so many people are dying, is not the matter contained in the motion of sufficient urgent public importance as to deserve consideration by this Assembly?"

MR. SPEAKER:—"The hon. Member is questioning my ruling. The matter is not of urgent importance and so I have ruled the motion out of order."

SRI K. T. KOSALRAM:—"Sir, no reply has been given to my request for a full-dress debate."

MR. SPEAKER:—"When the Hon. Leader of the House has not replied, I cannot force him to reply."

#### V.—MESSAGE FROM THE COUNCIL.

MR. SPEAKER:—"I have to announce to the House that I have received messages from the Hon. Chairman of the Madras Legislative Council transmitting copies of the following Bills as agreed to by the Council without any amendment and signed by him—

On 18th January 1951—The Madras Warehouses Bill, 1949 (L.A. Bill No. 11 of 1949).

The Tungabhadra Project (Prevention of Speculation in Land) Amendment Bill, 1950 (L.A. Bill No. 36 of 1950).

On 19th January 1951—The Madras Estates Land (Reduction of Rent) Amendment Bill, 1950 (L.A. Bill No. 38 of 1950).

On 23rd January 1951—The Madras Hindu Religious and Charitable Endowments Bill, 1949 (L.A. Bill No. 10 of 1949)."

#### VI.—BREACH OF PRIVILEGE OF THE HOUSE.

MR. SPEAKER:—"Hon. Sri K. Madhava Menon has been kind enough to bring to my notice an article in the *Swatantra* under the heading, 'Sidelights', dated 9th December 1950. The maintenance of the privilege and dignity of the House is not only the responsibility of the Chair, but of every Member of the Legislature. It is not possible for the Speaker to go through the numerous newspapers and other periodicals published in our State.

[5th February 1951] [Mr. Speaker]

So many things which appear in papers and periodicals about our House may escape the eye of the Chair. It is the duty of every Member of the Legislature, when anything undignified or degrading is written about the House, to bring that to the notice of the Chair. So, I am thankful to the Hon. the Minister for Law and Education for drawing my attention to the article in *Swatantra*.

"I wrote a letter to Sri Khasa Subba Rao, the Editor of *Swatantra*, to meet me in my Chamber and he was kind enough to do so. I told him that the article mentioned above was a breach of privilege of the House. He said that he was not aware that it amounted to a breach of privilege, but he remembered to have seen similar articles in the English Press. When I pointed out to him the authorities, he assured me in these terms—

'I shall scrupulously adhere to the course suggested by you and refrain from all comments likely to be interpreted as an attempt to influence the voting of the House.'

"Hon. Members may ask me the principle involved in the breach of privilege. The principle has been laid by two eminent men of England. Sir Samuel Romilly, Solicitor-General and famous law-reformer of England, in his Diary, Volume II, page 309, when speaking on the debate upon the intended punishment of Sir Francis Burdett in 1810 for a libel alleged to have been published upon the House, said—

'I did not dispute the right of the House to imprison in all cases of breaches of privilege which obstruct its proceedings; such as resistance to the orders of the House or the warrant of the Speaker; a refusal to answer questions put to a witness, or perjury in giving evidence; interruption of the proceedings of the House by disorderly behaviour; and publications on proceedings that are pending, with a view to influence votes. But I denied the power of the House to punish the publication of animadversions on the proceedings of the House or on the conduct of its members, in matters which were concluded.'

"Similarly, in 1890, Sir William Harcourt moving a motion condemning the publication in 'The Times' for a forged letter attributed to Mr. Parnell says—

'But, Sir, it is of the essence of breach of privilege that you should show that the incriminated document affected the action of this House—that it was intended to affect the action of this House. It is not every libel upon a Member of the House of Commons which forms a breach of privilege—it is a libel which, in its intent, in its character, and its consequences, is intended to affect the conduct and pervert the judgment of the House of Commons.'

"As the article in question is a comment on the proceedings of our House that was pending and which might influence the voting, it is a breach of privilege."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Is favourable comment also a breach of privilege?"

MR. SPEAKER:—"Yes, whether the comments are favourable or unfavourable."

"In our State, the Press has always been co-operating with the work of the Legislature and upholding the dignity and privilege of our House. Whenever any breach of privilege had been pointed out to any editor of a paper in our State, he at once apologized and promised not to repeat it. Let me take this opportunity to thank not only Sri Khasa Subba Rao, but all the editors of papers in our State for their ready co-operation in

[Mr. Speaker] [5th February 1951]

zealously safeguarding the dignity of the House. I hope that the mutual respect existing between these two estates, namely, the Press and the Legislature, will continue for ever."

SRI T. VISWANATHAM:—"Sir, I did not hear you properly. Is it suggested that the Press should not make any comment on a Bill or any other subject which is under discussion in the House? Every editorial or comment will have some influence either one way or the other. Is it suggested that no such comment should take place?"

MR. SPEAKER:—"There should be no comments which are likely to improperly influence the voting."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Sir, we do not know the article which you have in mind and therefore we have not been able to follow the ruling or comment or whatever it is that you just now read out to the House. We could have followed it if you had given at least a summary of that article."

"For instance, there is the Malabar Tenancy (Amendment) Bill. It has been considered by the Joint Select Committee and to-morrow or the day after to-morrow the Hon. Minister will move that the Bill as amended by the Joint Select Committee be taken into consideration. If a leading article commenting on the provisions of the Bill is published in the Press, naturally Members of the Legislature who happen to read the newspaper concerned will take into consideration the views expressed in that article. Will the publication of the article amount to influencing the Members and constitute an infringement of the privilege of the House?"

SRI K. BHASHYAM:—"Sir, we do not know the purport of the article which you have in view, but we can well imagine what it must be. It must be a comment on the provisions of the Bill which was under consideration."

MR. SPEAKER:—"It was not a comment on any Bill; it was a comment on hon. Member Sri Prakasam's motion."

SRI K. BHASHYAM:—"Then may I respectfully submit this? When a matter is being considered by the House, is it suggested that the people all over the country must be mum in respect of it? I feel that the principle involved is absolutely wrong though it has been supported by Sir Samuel Romilly and some other eminent gentleman of England."

MR. SPEAKER:—"Order, order."

SRI K. BHASHYAM:—"I have not said anything about your ruling, Sir. What I am saying is that the authority quoted in support of the ruling is certainly not acceptable as an authority at least in this country. I will give the reason for it. Consideration of certain matters in England does not take more than a day or two. So it is possible to make the necessary comments at once. But here sometimes it takes years as was the case in

5th February 1951] [Sri K. Bhashyam]

respect of the Hindu Religious and Charitable Endowments Bill. When a newspaper gives its opinion, is it said that it is a breach of privilege of the House?"

JANAB ABDUL HAMEED KHAN:—"Sir, the trouble has arisen on account of the fact that we are not informed about the contents of the article in question. Without knowing what exactly is the mischief of the article, it is impossible for us to appreciate your ruling."

\* THE HON. SRI K. MADHAVA MENON:—"The hon. Gentleman the Raja of Chettinad and my hon. Friend Sri Bhashyam asked whether any comments cannot be made at all. It must be left to the newspapers to read your ruling and understand the position. I do not think it will be possible for the Hon. Speaker to say what comments amount to influencing the vote. Let them take legal advice. The Hon. Speaker cannot be expected to give legal advice."

SRI N. S. VARADACHARI:—"I was only thinking of the good and happy relation between this House and the Press generally. I understand from your ruling that that is your object also. To achieve that object, the greatest amount of latitude should be given to the Press. Comments on day to day proceedings of the House may be avoided. But certainly comments which will be helpful in moulding public opinion on matters of policy are welcome. I would like to make a difference between the day to day proceedings of the House and matters of policy. If a Bill is under consideration in the House, it is the legitimate function of the Press to comment upon it and advise the Members of the Legislature to vote one way or the other in order to satisfy public opinion."

"Barring that, it would certainly be wrong for the Press to comment on a particular occasion and it should be left to the Editor himself to decide as to whether he is influencing or seeking to influence—to capture by storm as it were—the opinion of the House. That is the kind of thing which I resent, but if it is intended only to persuade the Members of the House to act one way or the other, certainly we should not raise any objection to the Press helping us on that score. The idea is good but the line of distinction is so difficult to draw that a ruling one way or the other may not easily decide the matter. It should be left to you and to the Press to examine this matter in detail at a confidence and consider when and how Press comment would be helpful and even necessary in the public interest."

MR. SPEAKER:—"The reference is to a debate on a motion brought forward by the hon. Member Sri T. Prakasam."

SRI R. V. SWAMINATHAN:—"Sir, before you give your ruling, we want to say something."

MR. SPEAKER:—"Order, order. An article was written in such a way as to influence the voting of the House. The hon. Members can go through it. It is not possible for me to read out all those things here as it will take a lot of time."

12-16  
p.m.

[5th February 1951]

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Sir, I submit that you must postpone the announcement of your ruling till another date before which we will have time to go through the article in question. Then only we will be able to follow the relevancy and importance of your ruling. I submit we must also be enlightened on the whole matter in full measure."

MR. SPEAKER :—" I have already given the ruling. Let the hon. Member go through the article. I stated that Sir Samuel Romilly and Sir William Harcourt had given their opinion on this matter and I quoted them. What they have said is that the papers are at liberty to comment but should comment in such a way as not to influence the judgment of the House. This is what they have said . . ."

JANAB ABDUL HAMEED KHAN :—" May I request the Hon. the Speaker not to go further with the ruling because it is not helpful to the House since we do not understand what is happening? It can be published in the Press."

MR. SPEAKER :—" But I have to do my duty. Sir Samuel Romilly has stated as follows :—

"I did not dispute the right of the House to imprison in all cases of breaches of privilege which obstruct its proceedings; such as resistance to the orders of the House or the warrant of the Speaker; a refusal to answer questions put to a witness, or prevarication in giving evidence; interruption of the proceedings of the House by disorderly behaviour; and publications on proceedings that are pending, with a view to influence votes."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Whether it has influenced or not is another question."

MR. SPEAKER :—" It has. Sir William Harcourt also has said the following :—

"But, Sir, it is of the essence of breach of privilege that you should show that the incriminated document affected the action of this House—that it was intended to affect the action of this House. It is not every libel upon a Member of the House of Commons which forms a breach of privilege—it is a libel which, in its intent, in its character, and its consequences, is intended to affect the conduct and pervert the judgment of the House of Commons."

"Next item on the agenda. The hon. Member the Raja of Chettinad may speak."

#### VII.—ALLOTMENT OF A DAY FOR FOOD DEBATE.

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Sir, with your leave, I would like to make an appeal to the Government to give us, as early as they can, the programme of the session and also indicate to us when we shall have a debate on the food situation. I am sure the Government will not dispute the necessity for a full-dress debate on the food situation in view of the great shortage of food and the grave emergency through which this country is passing. The reply of the Union Food Minister has been much against our expectations. We thought that during this latest visit of his he would be able to promise us more food but he has not been able to do it. In view of this situation, I hope the Government will take the House into confidence and place before us a review of the food position in the country and the proceedings of the Collectors' Conference and also invite suggestions from the Members in order to strengthen their hands to

[5th February 1951] [Raja Muthiah Chettiyar of Chettinad]

make further representations to the Government of India to send more and more food and relieve the famine conditions prevailing in this State to some extent. I also hope that the Government would be pleased to give in their statement their experience of the working of derationing during the last five or six weeks. I do not want to say anything more except to appeal to the Government to say when they would be able to have the food debate. There has not been a moment more anxious than the present to necessitate a debate. Nobody will doubt the prevalence of famine conditions in this State except in the river-fed areas. All other areas have been affected and there is no food at all in many parts of the country. I do hope that the Government will come forward with a proposal for debate as early as they can."

SRI V. RAGHAVAYYA :—" I want to refer to the point of order."

MR. SPEAKER :—" It will be taken up afterwards."

THE HON. SRI B. GOPALA REDDI :—" Sir, besides all the Bills given in the agenda, we want to take up the General Sales Tax (Amendment) Bill also in the present session. We would like to finish them, if possible, on the 10th so that the hon. Members may have a fortnight before they reassemble for the Budget session on the 26th instant. If the entire agenda is finished by the 9th evening, we shall certainly have a food debate on the 10th; or even if it is over on the 10th forenoon, we can devote the afternoon for discussing the food situation."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" If it is not finished on the 10th? "

THE HON. SRI B. GOPALA REDDI :—" We would like to finish it on the 10th. If it could not be so finished, we may have to sit up to 7 p.m. on some days."

MR. SPEAKER :—" What does the hon. Member Sri Raghavayya want to say? "

SRI V. RAGHAVAYYA :—" When a paper or any outside agency . . ."

MR. SPEAKER :—" It is not a point of order at all. Next item on the agenda."

SRI B. S. MURTHY :—" Sir, I want to say something."

MR. SPEAKER :—" Let the hon. Member put in writing what he wants to say and give it to me."

SRI B. S. MURTHY :—" Can I be denied the privilege of giving my opinion, Sir? "

MR. SPEAKER :—" The hon. Member should not question my ruling. If he wants to say something, let him put it in writing and give it to me."

"Now, we shall take up the Madras Buildings (Lease and Rent Control) Second Amendment Bill, 1950."

[5th February 1951]

## VIII.—GOVERNMENT BILL.

THE MADRAS BUILDINGS (LEASE AND RENT CONTROL) SECOND AMENDMENT BILL <sup>a</sup>, 1950 (L.A. BILL NO. 18 OF 1950) (DISCUSSION)—*cont.*

MR. SPEAKER:—"I will take the preamble and clause 1 in the end . . ."

Sri K. Bhashyam stood up in his seat.

MR. SPEAKER:—"When I am on my legs, the hon. Member should not stand."

SRI K. BHASHYAM:—"May I make a request of you, Sir?"

MR. SPEAKER:—"What is it that the hon. Member wants to say?"

SRI K. BHASHYAM:—"Sir, a number of amendments have been handed in to us. Some amendments relate to clause 2 and some relate to clause 30 and so on. We are unable to co-ordinate them all. Unless the office co-ordinates them and puts them in order so that we may proceed in some logical manner, we shall be unable to follow the discussion. As things stand to-day, it will be difficult to follow what is going on here."

MR. SPEAKER:—"As and when notices of amendments are received, we pass them on to hon. Members."

SRI K. BHASHYAM:—"What I say is this. Some amendments are typed and circulated to us. They may be amendments relating to clauses 13, 14 or 30. We are unable to co-ordinate them and study them within the short time given to us."

MR. SPEAKER:—"The amendments have been with the hon. Member for a very long time."

SRI K. BHASHYAM:—"If the office really puts them in a form . . ."

MR. SPEAKER:—"I am not able to understand what the hon. Member says. Some hon. Members gave notice of amendments sometime ago. They were typed and given to the Members. Two days back, notices of some other amendments were received. They have also been supplied to the hon. Members. How is it possible for us to wait for circulation till all the amendments are received?"

SRI K. BHASHYAM:—"May I suggest a way of doing it? The amendments in respect of each clause may be typed on a separate piece of paper. You cannot take one sheet of paper, cut it into

<sup>a</sup> Published in *Fort St. George Gazette*, dated 4th July 1950.

5th February 1951] [Sri K. Bhashyam]

half a dozen pieces and paste them. The amendment to each clause must be on a separate piece of paper so that we may take the amendment along with the clause as it is being considered. What is happening now is, one sheet contains amendments to the various clauses of the Bill. I suggest this for future guidance."

MR. SPEAKER:—"It is not for guidance. As soon as amendments are received, they are reneved and sent to hon. Members. What the hon. Member Sri Bhashyam wants us to do is to wait for circulation till all the amendments are received and collected. Sometimes the hon. Member Sri Bhashyam himself gives notice of an amendment out of time and I have to waive the time-limit and circulate the amendment among the Members. I cannot ask the office to delay the circulation till the hon. Member gives notice of his last amendments."

SRI K. BHASHYAM:—"I have not been correctly understood because I have not been fairly clear I think. That is my fault. What I said is this. When notice of an amendment is given to clause 2 for instance, the amendment must be typed on a separate sheet of paper. When another amendment to that same clause is received, it must be copied on another sheet of paper. These should then be consolidated in a list and circulated. This will enable us to put together all the amendments relating to that clause and easily follow the discussion. Therefore, it will only consume a few more sheets of paper, but this will be for the convenience of the House. I have not suggested anything absurd. Indeed you, Sir, have waived the time-limit and accepted notice of amendments in my case. I thank you for it."

MR. SPEAKER:—"Now we shall take up clause 2."  
Clause 2 was put and carried.

Clause 3.

MR. SPEAKER:—"The motion is—

'That clause 3 do stand part of the Bill.' "

\* SRI L. N. GOPALASWAMI:—"Sir, I move my amendment which reads as follows:—

'In section 2 of the Act, add the following as sub-clause (c) to clause (1):—

✓ (c) Vacant sites let for building residential houses or huts, the monthly rental value of which is not more than Rs. 10 and on which such buildings have been constructed."

Sir, this clause, as you will see, is one relating to definitions. While debating on the various provisions of this Bill, we found it necessary to point out to the Hon. the Minister in charge that the greatest sufferers on account of this rent increase were poor people who had taken and put up huts on vacant sites on lease from rich landholders who, because they did not come within the clutches



[Sri V. M. Ramaswami Mudaliyar] [5th February 1951]

panchayat boards. I cannot, however, agree to bring in vacant sites also under the purview of this Act, as that was never the intention of the present Act. For this reason only, I feel I am unable to agree with my hon. Friend Sri Gopalaswami."

**SRI K. BHASHYAM :—**" Mr. Speaker, Sir, most of the things which I wanted to say have been anticipated by my hon. Friend Sri Ramaswami Mudaliyar. What happens now is this. This Rent Control Bill, which was introduced in 1946 and in the drafting of which I had something to do, was merely intended to control accommodation in vacant houses. It was never intended to include superstructures that might have been raised by tenants over vacant sites belonging to other persons. The primary object of this Act is merely to see that vacant houses were made available for Government purposes. Under the Act, it was sought to control the letting out of buildings so that the Government may take over vacant buildings for use by their servants and for other Governmental purposes. Of course, there was the other general question, namely, fair rent. Also, there was eviction, provision for which has been made in certain cases. These were the primary objects with which the Bill had been brought forward in the first instance. If now, it is sought to include vacant sites also within the scope of the Bill, I am afraid that it would not be quite germane to the Act itself. As a matter of fact, I am one of those who advocated the question of the extension of the City Tenants' Protection Act to other areas. This was stressed by me at a recent conference also. I would like to appeal to the hon. Mover of this amendment to bring forward a Bill for the purpose of extending the City Tenants' Protection Act which is certainly wide in its scope, and more comprehensive in its nature than the present Rent Control Amendment Bill which is only intended for providing temporary accommodation to the Government servants. I should like Sri Gopalaswami to think over the matter and see if it is necessary at all to press his amendment at this stage. I should also like the Government to think over the matter and take up legislation in respect of the other matter as well."

**JANAB MAHBOOB ALI BAIG :—**" Mr. Speaker, Sir, this Rent Control Act is a temporary measure. When it was first enacted, it was intended to be confined to the buildings which were vacant and which may fall vacant from time to time. The amendment moved by the hon. Gentleman Sri Gopalaswami is not only undesirable, but will create a lot of trouble and confusion. It would not be helpful in the construction of new buildings. In most cases, the owners of vacant sites, temporarily give those sites to needy poor people for raising small structures thereon, not with a view to make big income therefrom, but only with a view to help and accommodate the poor people in dire need of accommodation. It is only in that way, these persons have been let into possession of these buildings. Suppose after one year this Act is repealed. What happens? If a person who has occupied

5th February 1951] [Janab Mahboob Ali Baig]

a building belonging to another, leaves it, he does not suffer at all. The present amendment seeks to give protection to such of those tenants who might have built structures over vacant sites belonging to some body else, under the impression that they will continue to be there for all time. If this is accepted, then persons who own vacant sites will be discouraged from helping these poor people who have not got any sites. At present, the owners of such vacant sites are allowing these poor people to occupy the sites for a nominal rent with the sole object of helping them. If this amendment is accepted, people who own sites would not lease them out to others, unless the Government by some other provision compel them to do so. Suppose a person has got 30 or 50 cents of vacant land and it is not occupied. If this amendment is accepted, he will not allow any person to occupy his land. Are the Government going to enact necessary provisions in this Bill to compel such an owner to lease out his vacant land to others? I do not think that such a provision will have to be introduced. Therefore, the net result of this amendment would be that no homeless man will get a site. I hope that it is certainly not the intention of the Mover of this amendment that owners of vacant sites must be compelled to parcel out these sites and give them to others. It is not in the interests of the poor people that such a provision should be enacted. If this is not enacted, owners of vacant lands would naturally like to accommodate poor people just like they accommodate their servants or some other tenants who may be recommended by their friends. The acceptance of this amendment would mean the widening of the scope of this Bill which was not the intention of the original enactment. It is also not desirable for the reasons I have just now mentioned. It will create hardships even to persons who have not got lands and houses and who might otherwise be able to get some sites for building small houses thereon. With these words, I oppose this amendment."

**\* SRI N. M. R. SUBBARAMAN :—**" கனம் சபாநாயகர் அவர்களே : ஸ்ரீ கோபால்சாமி அவர்கள் பிரேரித்த திருத்தத்தை நான் ஆதரிக்கிறேன். வாடகை கட்டுப்பாடு திருத்த மசோதா சட்ட சபைக்கு வந்தபோது எல்லாம் வாடகைக் கட்டுப்பாடு சட்ட திருத்தத்தின் கீழ் காலி இடங்களையும் சேர்த்துக் கொள்ள வேண்டுமென்ற விஷயத்தை நான் பலதடவை கூறிவந்திருக்கிறேன். இந்தச் சட்டத்தில் கட்டிடம் என்பதைப் பற்றி எவ்வளவு கூறினாலும் சட்டத்துடன் காலி இடத்தையும் சேர்த்துக்கொள்ள முடியாது என்று ஸ்ரீ ராமசாமி முதலியார் அவர்கள் கூறினார்கள். வெறும் காலி இடத்தை இதில் சேர்த்துக்கொள்ள வேண்டுமென்று யாரும் சொல்லவில்லை. காலியிடத்தில் கட்டிடங்கள் கட்டிக்கொண்டிருந்தால் அதைத்தான் இதில் சேர்த்துக்கொள்ள வேண்டுமென்று கூறுகிறோம். எங்கள் மதுரையைப் பொறுத்த வரையில் காலியிடங்களில் கட்டிடத்தை கட்டிக் கொண்டிருப்போர்களிடம் அதன் சொந்தக்காரர்கள் அளவுக்கு மேல் அதிக வாடகை கொடுக்க வேண்டுமென்று அவர்களை துன்புறுத்துகிறார்கள். அதனால் கஷ்டப்படக்கூடிய பேர்கள் பலர் இருக்கிறார்கள். இதையொட்டி ஒவ்வொரு தடவையும் சர்க்காரிடம் நான் காலியிடங்களில் கட்டிடம் கட்டியிருப்போர் நல்லுக்காக காலியிடங்களையும் இந்த மசோதாவில் சேர்த்துக்கொள்ள வேண்டுமென்று வற்புறுத்தியிருக்கிறேன். சமீபத்தில் இம்மாதிரி வாடகை அதிகம் கேட்பதால் அதிக துன்பத்திற்கு உள்ளான சில பேர்கள் எங்களிடம்



[Sri N. M. R. Subbaraman] [5th February 1951]

வந்து புகார் செய்தார்கள். அவர்கள் கூறிய விவரங்களை யெல்லாம் கவனித்து சில இடங்களில் பொது ஜனங்களும், ஊழியர்கள், நாங்கள் சில பேர் அந்தத் தகராறுகளைத் தீர்த்து வைத்தோம். காலியிடம் இந்தக் கட்டுப்பாட்டு சட்டத்தில் சேர்க்கப்படாததினால் இப்போது இந்த இடங்களுக்கு எல்லாம் கட்டுப்பாட்டு விதிகளுக்குமேல் அதிகம் வாடகை கேட்கிறார்கள். குடியிருப்பு பாதுகாப்பு மசோதா மூலம் நகரம் போல் மற்ற இடங்களுக்கும் இருக்குமானால் இந்தத் திருத்தம் இந்த சட்டத்தில் சேர்க்கப்படாவிட்டாலும் அவர்களுக்கு பாதுகாப்பு இருக்கும். அப்படி இல்லாததினாலேயே எளியவர்கள் யாவர்களுடைய நலனையும் உத்தேசித்தே காலியிடங்களையும் இந்தச் சட்டத்தில் சேர்த்துக்கொள்ள வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். ஸ்ரீ ராமசாமி முதலியார் குடியிருப்போர் பாதுகாப்புச் சட்டத்தைப் பற்றி குறிப்பிட்டார். சென்னையைப் போல் அந்தச் சட்டம் மற்ற பிரதேசங்களுக்கும் இருந்தால் என்னைப் பொருத்த வரையில் இந்த திருத்தத்தை வற்புறுத்த மாட்டேன். அம்மாதிரி சட்டம் வரும் வரையிலாவது இந்த திருத்தம் அமுலில் இருக்கவேண்டுமென்று சர்க்காரை கேட்டுக்கொள்ளுகிறேன். சர்க்கார் குடியிருப்போர்களுடைய பாதுகாப்புச் சட்டத்தை மதுரை போன்ற மற்ற இடங்களுக்கும் விஸ்தரித்தால் உடனேயே இந்த திருத்தத்தை எடுத்துவிடலாமென்று கேட்டுக்கொள்ளுகிறேன். தற்போது காலியாகக் கிடந்த இடங்களில் பலர் வீடுகள் கட்டிக்கொண்டு பல வாஷன்களைக் வசித்து வருகிறார்கள். இரண்டாயிரம், மூவாயிரம், ஐயாயிரம் செலவழித்து வீடுகள் கட்டிக்கொண்டிருக்கிறார்கள். இப்போது இந்த சட்டப்படி அவர்களுக்குப் பாதுகாப்பு அளிக்கப்படாததால் அந்த காலியிடங்களுக்குச் சொந்தக்காரர்கள் அளவுக்கு மேல் பல மடங்கு அதிகமாக வாடகை கேட்கிறார்கள். காலியிடங்களில் வீடுகள் கட்டிக்கொண்டு குடியிருப்போரால் அந்த வாடகை கொடுக்க முடியாவிட்டால் அவர்கள் அந்த இடத்தையே காலி செய்துவிட்டுப் போகும் படியாகிறது. அவர்கள் அந்த வீடு கட்ட செலவழித்த பணங்கள் எல்லாம் வீணாகின்றது. இந்தக் காரணத்தினாலேயே அம்மாதிரியான காலியிடங்களில் குடியிருப்போர்களான ஏழைகளுடைய நன்மையை அனுசரித்து இந்த திருத்தத்தை ஏற்றுக்கொள்ள வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். மற்ற பிரதேசங்களுக்கும் பாதுகாப்புச் சட்டம் அமுலுக்கு வரும் வரைக்குமாவது இந்த திருத்தம் இருக்கலாமென்று மறுபடியும் தெரிவித்துக் கொள்ளுகிறேன்.”

SRI P. KANDASWAMI PILLAI :—“கனம் சபாநாயகர் அவர்களே! இந்த வாடகைக் கட்டுப்பாடு திருத்தச் சட்டத்தின் கீழ் காலி இடங்கள் எல்லாவற்றையும் சேர்த்துக்கொள்ள வேண்டுமென்று சொல்வதை நான் எதிர்க்கிறேன். ஏனென்றால், இப்பொழுது இந்த வாடகைக் கட்டுப்பாடு சட்டம் இருக்கிறதென்ற காரணத்தால், அநேகம் பேர்கள் தங்களுடைய வீட்டை வாடகைக்கு விட்டு விட்டு, வாடகைக்கு வசிக்கிறவர்களுக்குத் தெரிந்தோ தெரியாமலோ தப்பான காரியங்கள் பல செய்துகொண்டு வருகிறார்கள். இந்த வாடகைக் கட்டுப்பாடு சட்டத்தின் கீழ், குடியிருக்கிற ஜனங்களைக் காட்டிலும் இன்னும் பரம ஏழைகளாக இருக்கிறவர்கள் தான் இன்று காலியிடங்களில் வீடுகள் கட்டிக்கொண்டு வசிக்கிறார்கள். சென்னையில் எப்படி இருந்தாலும் மற்ற ஜில்லாவிலே இந்த நிலமை முற்றிலும் வேறு விதமாக இருக்கிறது. காலியாக இருக்கும் இடத்தில் அதன் சொந்தக்காரர் வந்து, வீடு கட்டுவதற்கு முன் கொஞ்சம் பணம் சேர்ப்பதற்காகவோ அல்லது செங்கல், சிமெண்டு, இரும்பு முதலிய சாமான்களைச் சேகரிப்பதற்காகவோ கொஞ்ச நாள் அதைக் காலியாக வைக்கலாம். அந்த சமயத்திலே, சமீபத்தில் வசிக்கிற ஏழை எளியவர்கள் குடிசை போட்டுக் கொண்டு அதில் வசிக்கும் நிலை ஏற்படலாம். அதற்குப் பிறகு சொந்தக்காரர் வீடு கட்ட வரும்போது குடிசை போட்டுக்கொண்டு வசிப்பவனை அப்புறப்படுத்த வேண்டுமென்றால், இந்தத் திருத்தம் குறுக்கிடுகிறது. ‘சம்மா குடிசை போட்டுக்கொண்டு நீ போட்டுக்கு இருந்து கொள்,’ என்று சொல்லும் சாதாரண மனோபாவம் கூட இந்தத் திருத்தத்தை அனுமதித்தால் மாறிப் போய் விடும். காலியிடத்தில் வசிக்க வேண்டுமென்று கற்காலிகமாக ஒரு சின்ன

5th February 1951] [Sri P. Kandaswami Pillai]

குடிசை போட்டுக்கொண்டு குடியிருப்பதற்குக் கூட இடம் கிடைக்காமல் போய் விடும்படியாக இந்தத் திருத்தம் இருக்கிறது. சாதாரணமாக மனிதனின் மனம் மாறிப் போய்விடும். ஆகையால், இந்தத் திருத்தத்தை ஒப்புக் கொண்டால் ஒரு குடிசை போட்டுக்கொண்டு குடியிருப்பதற்குக் கூட இடமில்லாமல் போய்விடும், இந்தத் திருத்தம் ஏழைகளுக்கு அனுசூலமில்லை என்பதைத் தெரிவித்துக்கொண்டு இந்தத் திருத்தத்தை நான் எதிர்த்துக் கொள்ளுகிறேன்.”

\* SRI S. CHIDAMBARA AYYAR :—“ Mr. Speaker, Sir, I rise to support the amendment moved by my hon. Friend, Sri Gopalaswami. In the mufassal, several sites are let out and buildings costing hundred to thousand rupees in the case of the poor people, from thousand to two thousand rupees in the case of those placed a little higher and above two thousand rupees in the case of people placed still higher in society, are constructed almost daily. If the provisions of the existing Act are not made applicable to those sites, the landlords will take eviction proceedings in civil courts and drive the tenants away notwithstanding the fact that the tenants have put up superstructures at heavy cost. The tenants will lose all that they have invested on the buildings. It is, therefore, desirable in the interests of the tenants that the definition should include vacant sites let out for building residential houses or huts and on which such buildings or huts have been constructed. With these words, Sir, I support the amendment.”

\* THE HON. SRI N. SANJEEVA REDDI :—“ Sir, it is very difficult for the Government to accept the amendment moved by my hon. Friend Sri Gopalaswami, for it will give rise to a lot of complications far from helping the Government to achieve the objects of the measure. The object of the Bill is to control accommodation and its very title reads: ‘Buildings (Lease and Rent Control) Bill’. If this is made applicable to vacant sites also, I am afraid, the Preamble of the Act also will have to be amended. As I have already said, it will give room to a lot of trouble. As my hon. Friend Sri Ramaswami Mudaliyar has suggested, it may be appropriate to amend in this connection the Madras City Tenants’ Protection Act of 1921 rather than the Madras Buildings (Lease and Rent Control) Act. I think that may serve the purpose of the amendment better. I may inform the hon. Mover of the amendment that if the Government think it necessary, they will themselves bring in an amending legislation to protect the interests of holders of vacant sites on lease. It is not possible to accept the present amendment. My case has been well argued by my hon. Friend, Sri Ramaswami Mudaliyar and the hon. Gentleman, Janab Mahboob Ali Baig. I have nothing to add to what they have said and I am not prepared to accept the amendment.”

\* SRI L. N. GOPALASWAMI :—“ Mr. Speaker, Sir, it is really very gratifying to note that all those who supported me and all those who opposed me—including the Hon. the Minister for Housing—have accepted the position taken by me in moving the

[Sri L. N. Gopalaswami] [5th February 1951]

amendment. They have said that such a provision is necessary. The only difficulty, according to my hon. Friend, Sri Ramaswami Mudaliyar, seems to be that it cannot go into the present Act. My hon. Friend, Sri Subbaraman, has already explained in a way that it will not be inconsistent with the provisions of the existing Act if such a provision is made. Let me reinforce that argument. Section 2 of the existing Act defines 'building' as—

'Building or hut or part of a building or hut, let or to be let separately for residential or non-residential purposes and includes—

(a) the garden, grounds and out-houses, if any, appurtenant to such building, hut or part of such building or hut and let or to be let along with such building or hut,

(b) any furniture supplied by the landlord for use in such building or hut or part of a building or hut . . .

By legal fiction if we can include such a thing as furniture in the definition of 'building', I do not see why a building which has sprung up subsequent to the lease or which had come into existence at the time of the lease should not be included in it. I am unable to comprehend such a position. There is not much substance in saying that such a building cannot be brought within the purview of the Act whereas furniture and such other things can be deemed to form part of a building.

"Then, Sir, I shall take up the point raised by the hon. Gentleman, Janab Baig. It is not my intention to compel holders of vacant sites to give us possession of such sites to enable us to build houses on them. The question is why such a protection should not be given to a tenant who, having come into possession of certain portions of the land, has, by virtue of such tenancy, invested large sums of money in erecting a building in the hope that he is likely to continue there for a long time. When the landholder has condescended to give a piece of vacant land to the ryot, why not we give some protection to the ryot by extending the provisions of this Act to him also? Unless we give him such protection, he will be forced to find accommodation elsewhere and not only that, he will lose all the money that he has invested on the site. That is the main purpose of the amendment and I am glad that the Hon. the Minister himself has admitted that there is a case for protection. If he will tell us that he will bring in an amending Bill to extend the provisions of the Madras City Tenants' Protection Act to the other areas and the cases I have mentioned, then I shall have no objection to withdraw my amendment. The Hon. the Minister shakes his head. If he is convinced, let him come forward with a measure to help such people who are suffering a great deal. A way must be found to help them.

"Then, Sir, my hon. Friend, Sri Kandaswami Pillai, advanced another argument. He said that nobody would come forward to let house sites for construction. Such people may be a few in number. But there are a large number of people who, having taken up sites on lease and constructed houses thereon, are

5th February 1951] [Sri L. N. Gopalaswami]

suffering from a sense of insecurity. That this large number of people should suffer because of the prospect of a few people getting house sites in future is a thing which passes my comprehension. I, therefore, once again appeal to the Hon. the Minister to give us an assurance that he will amend the Madras City Tenants' Protection Act suitably or to accept my amendment which, I think, is very reasonable and which, nobody has said, is unreasonable."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, I have nothing more to say than what I have said already. I cannot give an assurance as demanded by my hon. Friend Sri Gopalaswami. I can only say that the whole question will be examined and if the Government think that an amendment is absolutely necessary, they will certainly bring in an amending legislation. I may, however, point out that one or two instances should not be considered as sufficient ground for a legislation applicable to the whole State. We shall try to see that the hardship is minimised. The hon. Member said that many poor people were suffering for want of protection. Let me tell him that there are many rich people also who need protection. They have let out sites for a small rental value and the lessees are making enormous sums of money. I know the cases of a good number of people who run cinema houses. They make tons of money but pay the landholder only a nominal rent. So, it is not a question of the poor tenant alone suffering. Leases run to a definite number of years—10 or 20 or 30 years or even more—and the contracting parties know the fact. Such being the case, when the lessee builds a house on the site, it is not as if he has built it thinking that he can occupy it for all time. He knows that the lease is for a limited number of years at the end of which he must quit. Whenever construction on vacant sites takes place, it is done with the knowledge that it is only for a definite period of years.

"I may tell the House that the whole question will be examined and whatever that is called for will be done."

MR. SPEAKER:—"I would like to know whether hon. Member Sri Gopalaswami presses his amendment."

SRI L. N. GOPALASWAMI:—"Yes, Sir."

MR. SPEAKER:—"The question is —

'In section 2 of the Act, add the following as sub-clause (c) to clause (1):—

"(c) Vacant sites let for building residential houses or huts the monthly rental value of which is not more than Rs. 10 and on which such buildings have been constructed." "

The amendment was lost.

MR. SPEAKER:—"Then comes Sri Viswanatham's amendment."

[5th February 1951]

Sub-clause (ii).

SRI T. VISWANATHAM :—" I have to make the same complaint as was made by my hon. Friend Sri Bhashyam. I am unable to find out where my amendment is in the order in which the amendments are arranged and supplied to us."

MR. SPEAKER :—" In that case, I shall read the amendment—

' After new clause (3-A), add the following new clauses :—

" (3-B) The Government shall prescribe by rules the priority in which allotments of buildings have to be made by the Controller."

1 p.m. (3-C) Any person aggrieved against an order allotting or rejecting an application for allotment of buildings shall be entitled to appeal to the appellate authority under the provisions of this Act."

\* SRI T. VISWANATHAM :—" I am obliged to you, Sir, for having read out the amendments. The amendments are very important. I am speaking from experience. It has been said by certain courts when matters were taken there that these were matters governed by executive orders or administrative orders and therefore the Court had no power of reviewing or entertaining any appeal. Some rules of priority are framed and they are treated as confidential. The rules of priority are not given to the persons concerned. Only the officer concerned with allotment has got them and he might say that this or that is the rule of priority. Let us assume, Sir, that the rule of priority is there but is not observed. What is the remedy? Supposing there are two or three applicants for a house and the rule of priority is not applied properly, there must be some remedy provided to get justice done in that case. I submit it is important because on the interpretation of the rule of priority depends the fact whether a person is to get a shelter to live or not at all in a crowded town. It is not as if it is a technical matter. I therefore suggest that the rules of priority may be made statutorily applicable on the part of the Government and when the rules are not properly applied and when any person is aggrieved by an order of the Controller, the person aggrieved must have a right of revision before the proper appellate authority which is the Sub-Court. I submit therefore that the amendment may be accepted."

SRI K. BHASHYAM :—" Sir, I second the amendment for this reason. Of course the question of accommodation control, we know, is a thing in which the Government servants are concerned. But what happens in this matter is when there is a house falling vacant, the question of allotting the house is left to the sweet will and pleasure of the controlling authority to anybody he pleases. An officer waiting in Madras City for accommodation and staying with his friends and relatives does not get it whereas a person transferred from the mufassal to the City gets the house at once. The person waiting for a house or accommodation has been there waiting for more than three months and he has simply to keep on waiting till such time as it pleases the Controller to allot him accommodation. If there is a list of priority made, it

5th February 1951] [Sri K. Bhashyam]

would be easy for the person concerned to know the probable period within which he would get accommodation and it will also save the Controller from any embarrassment in the matter. When there is no statutory rule, influences are brought to bear upon the Controller and it sometimes does injustice to the person waiting for the accommodation for a very long time. It is an embarrassment to the officer and there are delays also. If statutory rules are framed, the applicant might know the probable time within which he may get accommodation and he may make necessary arrangements for the purpose of getting his family from the mufassal or do some such thing. It is a salutary thing and I think the amendment must be accepted."

MR. SPEAKER :—" Amendment moved—

' After new clause (3-A), add the following new clauses :—

" (3-B) The Government shall prescribe by rules the priority in which allotments of buildings have to be made by the Controller."

(3-C) Any person aggrieved against an order allotting or rejecting an application for allotment of buildings shall be entitled to appeal to the appellate authority under the provisions of this Act."

JANAB MAHBOOB ALI BAIG :—" Sir, I think the amendment will unnecessarily introduce a controversy between one Government servant and another or between one Government office and another, with which we are not concerned and with which the owner is not also concerned. I can understand giving the right to the owner of the building, in a matter like this, to agitate before a higher authority that his building ought not really to be allotted at all. The amendment suggested by the hon. Member might apply to a case where the owner of the building goes to the court in appeal against the order of the Controller saying that his building ought not to have been allotted to one man or another."

" Then, Sir, according to the order of the High Court the order of the Controller was considered to be not judicial and therefore no appeal lay. Therefore, Sir, if it is the purpose of the amendment to see that the owner of the building gets a relief, then I can understand. But I am unable to understand how the owner of the building is benefited or his grievances remedied by allowing one or two or several Government officers who have made an application for allotment to go to court. So, my submission is that this will be introducing a controversy between Government officers and between office and office, who will be prompted to go to court in appeal against the order of the Controller. I think the Government by their rules and instructions to the Controller might ask him to do justice amongst the applicants, Government officers or Government offices, who make applications for accommodation. I think it will not be a healthy thing to allow a Government officer to go to court against another Government officer or one office against another office and say that the Controller has shown partiality to

[Janab Mahboob Ali Baig] [5th February 1951]

another Government servant or Government office. As I have said already, if a provision is put in, that the owner of the house is given the right to go in appeal against the Controller's order, I can understand that, but that would not be done under the amendment of the hon. Gentleman Sri Viswanatham, because the rule clearly says that the Controller, within ten days of the house falling vacant, should take it and allot it to a Government office or officer and from that moment the Government will be considered to be a tenant. A ruling has also been given that the Government would be considered as the tenant and will have to pay the rent to the house-owner whether the officer or the office occupies the accommodation allotted or not. Unless, therefore, you make a provision that the owner has a right to say that the allotment itself is wrong, I think the owner of the building will not be benefited. The amendment of the hon. Gentleman will be introducing undesirable and unhealthy litigation between one officer and another and one Government office and another."

\* SRI V. M. RAMASWAMI MUDALIYAR :—" I think, Sir, there will be administrative and practical difficulties in framing and then applying rules of priority especially in individual cases. I personally believe, Sir, each individual case must depend upon the merits of the particular case and the generality of Government servants must take their chance and submit themselves to the proper use of discretion by the officer entrusted with the task of allotting accommodation. Suppose a building falls vacant and the competition is between two officers, one belonging to the essential service, say, a subordinate of the Inspector-General of Police or the Deputy Inspector-General of Police who has to be in the City and another, say, an Assistant Secretary or an officer in the Survey department, certainly if the question is only, 'first come first served' probably the officer of the Survey department may get the accommodation but preference might be shown to the subordinate of the Inspector-General or the Deputy Inspector-General of Police as against the officer from the Survey department if the presence of the Police officer in the City is found necessary and his services considered very essential. There are a number of such practical difficulties, and the Controller will be put to a lot of embarrassment if we fix up a list of priority and principles of priority. It is not as if it is assured of a berth and his name is put up there. I am reminded that even in regard to reservation for railway travel, important Government officials are given top priority and preference over others and the rule of priority, namely, first come first served, is not strictly observed. Therefore, Sir, there are practical difficulties and if statutory rules were framed, the practical difficulties would be so insurmountable that both the Controller and the Government will be in a fix.

" There is no question of going to court because the amendment of my hon. Friend does not say so as was assumed by hon. Gentleman Janab Mahboob Baig. There is no question of going to court

5th February 1951] [Sri V. M. Ramaswami Mudaliyar]

on account of accommodation being allotted to one as against the other. I think we will do better to leave the question as it is, that is, to allow the Government servant who has not been allotted accommodation, to go to Government or the Minister or to the Chief Secretary who I think deals with the question and get the order of the Controller revised."

\* BEGUM SULTAN MIR AMIRUDDIN :—" Sir, I think this amendment is not necessary because it will not help the general public. The amendment is intended only to help Government servants and I am afraid it will lead to conflicts between one Government servant and another. Apart from that, I am inclined to think that provisions made under this Act with reference to accommodation for Government servants are *ultra vires* of the Constitution. As such it is unnecessary to introduce the amendment, for it relates to the same matter and would likewise prove *ultra vires* since it is not intended to benefit the general public but only a particular section of the public. For these reasons I feel this amendment is unnecessary."

SRI N. S. VARADACHARI :—" I wish to draw the attention of the House to one or two points, Sir, which have been brought to my notice. Some times an officer whose salary is Rs. 100 is shown a house whose fair rent is estimated to be Rs. 75. I must at once tell the Hon. Minister that some kind of co-ordination is necessary, some kind of rule that the rent of a house should bear a proportion probably not more than a fourth to the total salary of the Government servant who is offered it. It is not a question as to whether he belongs to the Police department or whether he is an officer from the Survey department or some such thing. In fact, I cannot understand how a poor Government servant drawing only Rs. 100 or so, besides allowances, can keep a house whose rent is Rs. 75. There may be cases, no doubt, in which there is more than one earning member in the Government servant's family. These are left to the flexible administration to determine. There might be a case in which there are two brothers, one in Government service and another a non-Government servant who may be getting a decent income or there might be some private property for the Government servant to rely upon. Unless full information is obtained in each case, the ability of a Government servant to pay rent cannot correctly be determined. In fact, there is no meaning in priority rules being made unless there is relevancy between the amount that can possibly be paid by the Government servant, and the rent of the house which is assessed by the Controller and which is shown to him. This is a point which should receive some attention at the hands of the Government, so that houses may be occupied without the great delay now caused under the present practice of offering a vacant house to a number of Government servants who after going and seeing the house, refuse it, and the house remains vacant for a long time, and ultimately the owner is asked to choose his own tenant."

[5th February 1951]

\* THE HON. SRI N. SANJEEVA REDDI :—" I think, Sir, my hon. Friend Sri Viswanatham knows that an aggrieved party can appeal to the Government if there is really grave injustice done to him by the Controller. If the party is not satisfied with that, I do not think it right to allow the Government servants to fight among themselves and go to a court of law. After all it is an executive order and the priority is given by the Government and the Controller grants accommodation to the officers whose names are in the list. If, however, at any time the Government feels the need to include some other name, say, the name of an officer belonging to the essential services, top priority is given and the Controller is asked to give accommodation overlooking the claims of the other people. So, the Government have to observe such things where it is absolutely necessary and adjust the available accommodation. It will be wrong to allow the Government servants to go to a court in every case where the Controller allots a house. For each house there are a number of applicants. The Controller asks a dozen or half a dozen applicants to go and see a particular house which falls vacant. Almost all of them give the consent to take the house but one house cannot be allotted to six or a dozen persons. The house could be allotted to only one. The rest generally feel aggrieved. If you allow them to go to a court of law, it will mean lot of trouble and Government work would suffer. The right to go to court is not necessary. The others who do not get accommodation will get the next turn.

1-15  
p.m.

" Generally, the Rent Controller in charge of a limited number of houses has to satisfy every applicant and yet the allotment is being done fairly all right. Where the Government have to interfere to give accommodation for a Government servant of essential service, the existing procedure is working all right and I do not hear any complaints. There is also the right to an aggrieved officer to submit an appeal to the Government. I am, therefore, not prepared to accept the amendment of my hon. Friend Sri Viswanatham. It is unnecessary and I request my hon. Friend Sri Viswanatham to withdraw it."

\* SRI T. VISWANATHAM :—" Sir, there has been some misunderstanding about the scope of the amendment. First of all, some hon. Members who wanted to support the Government went a little more than the Government themselves. They said that my amendment was impracticable and unhealthy. There are already priority lists. The Government have been issuing orders of priority. My complaint is that they are not properly observed. According to my amendment, there shall be a priority list and that priority list shall be adhered to. If a house is allotted at the whims and fancies of the Rent Controller, the person who feels aggrieved and who feels that he could go to the appellate court, must get that right. Of course, it is said that my amendment will be introducing some unhealthy practices and rivalries amongst the Government servants. I am submitting, Sir, unhealthy practices and rivalries are already there. It is not a question of introducing new practices

5th February 1951] [Sri T. Viswanatham]

now. It is the people who want the houses that know the difficulties. It is not the people who have their own houses that can realize the difficulties. Hon. Members may know of cases where certain persons apply to the Rent Controller for accommodation, wait for allotment week after week writing letters to the Rent Controller that they are in urgent and dire need of accommodation but the whole allotment goes on at the whims and fancies of the Rent Controller. Apart from the priority list, Sir, the Hon. Minister is pleased to say that, if a particular person is aggrieved, he can represent to the Government. Will it be possible for a Government servant from a mufassal station to go and complain to the Government about the allotment of houses? When officers complain in that manner, it will be said that they are inefficient. I submit, Sir, it is not merely a case of Government officer. The Hon. Minister will confirm me when I say that in the priority list local bodies also are mentioned. If a particular category is exhausted, local bodies are entitled to get allotment of houses. Take, for example, the case of Visakhapatnam from which I come. We have got a number of elementary schools to house. All our schools do not have municipal buildings. We are in need of about 12 or 13 buildings to house the schools and we made applications to the Rent Controller for allotment of houses. If the municipality had the right to appeal against the order of the Rent Controller, or if the priority had been properly observed, the municipality would have been certainly in a position to get a particular allotment. I don't think that Government servants alone will be aggrieved. But every aggrieved person will not go to the court under any circumstances and under any regime. It is not as if everybody will appeal to the court. There is the court and if the right to appeal also is there, I think that a person aggrieved can go with a revision petition just for the proper interpretation of the rule and getting the priority. I do not see any unhealthy practices developing or rivalries cropping up on this account. On the other hand, in Visakhapatnam a particular Minister—I am deliberately saying this, Sir, and I shall not give the name of the Minister concerned—sent a letter of recommendation that allotment should be made to a particular officer. I want these things to cease."

THE HON. SRI N. SANJEEVA REDDI :—" I want it, Sir. It is no use making the allegation without giving the name."

\* SRI T. VISWANATHAM :—" Not here. It would be unfair now if I tell the name here. In proper time I shall certainly tell the Hon. Minister which Minister did it. I shall say this; the Hon. Sri Sanjeeva Reddi was not the Minister."

" So, Sir, some Hon. Minister sends letter of recommendation. I submit, Sir, that this puts the Rent Controller and the applicants in an embarrassing position. It is only to save such embarrassment that I moved this amendment. The Hon. Sri Sanjeeva Reddi need not get any excitement about it since Ministers were also known to send letters of recommendation to the Principal, Engineering College, for admissions. These things have become common and I

[Sri T. Viswanatham] [5th February 1951]

want the officers to be saved from this embarrassment. If there is a statutory provision or statutory priority list and if there is a statutory right of revision by the judicial officer who is immediately available, all embarrassments will cease. Apart from the Government Officers, the interests of the Local Bodies also are involved and I would rather like to have these priority lists applied properly and the rules interpreted properly. My amendment is not for creating any rivalries. On the other hand, the object of my amendment is to put an end to these rivalries and to save embarrassment to applicants as well as to the Rent Controllers and incidentally to enable the municipalities, if there is a house available, to get some allotment for their primary and essential needs."

\* THE HON. SRI N. SANJEEVA REDDI :—" My hon. Friend Sri Viswanatham's argument is not very much helpful, Sir, and I am not impressed by it and I am not prepared to accept it. Neither any of my colleagues nor I have sent any recommendation letter. I do not think that that statement of his has any relevancy at all. He must have passed those remarks perhaps with his experience of ten months in office as Parliamentary Secretary and he might have seen such instances in those ten months. I wish my hon. Friend Sri Viswanatham had given the name of the person who has done it. Anyway, I am not prepared to accept his amendment."

MR. SPEAKER :—" Is it necessary that I should put it to vote? "

\* SRI T. VISWANATHAM :—" It must be put to vote on account of the excitement it has created."

MR. SPEAKER :—" The question is—

' After new clause (3-A), add the following new clauses :—

" (3-B) The Government shall prescribe by rules the priority in which allotments of buildings have to be made by the Controller.

(3-C) Any person aggrieved against an order allotting or rejecting an application for allotment of buildings shall be entitled to appeal to the appellate authority under the provisions of this Act."

The amendment was lost.

Sub-clause (iii).

\* SRI S. CHIDAMBARA AYYAR :—" Mr. Speaker, Sir, I beg to move—

' After the words " son or daughter " in clause 3 (iii) and before the words " of a deceased tenant ", add the words " or any other relation ".'

Sir, an attempt has been made to enlarge the definition by including ' surviving spouse, or any son or daughter, of a deceased tenant who had been living with the tenant in the building as a member of the tenant's family up to the death of the tenant and ' . . . This is the amendment now sought to be made in the Bill. I want the words ' or any other relation ' also to be inserted after

5th February 1951] [Sri S. Chidambara Ayyar]

the words ' son or daughter.' The relations mentioned in the clause may not be living with the deceased tenant at the time of his death. So, I want to make it all comprehensive by including ' any other relation ' who may be living with the deceased tenant at the time of his death. I therefore submit that my amendment may be accepted."

SRI T. VISWANATHAM :—" Sir, I am seconding it."

MR. SPEAKER :—" Amendment moved—

' After the words " son or daughter " in clause 3 (iii) and before the words " of a deceased tenant," add the words " or any other relation ".'

\* THE HON. SRI N. SANJEEVA REDDI :—" I do not think it will be possible to secure heritage by any individual. The scope of the amendment is too wide and too difficult to enforce it and the Government do not therefore accept the amendment."

MR. SPEAKER :—" The question is—

' After the words " son or daughter " and before the words " of a deceased tenant ", add the words " or any other relation ".'

The amendment was lost.

\* SRI L. C. PAIS :—" Mr. Speaker, Sir, I beg to move—

' In section 2 (4) of the Act, between the words " tenancy in his favour " and the words " but does not ", the words " and the legal representatives of a deceased tenant " shall be inserted.'

I shall just examine this amendment. I would like to draw the attention of hon. Members to section 2 (4). Under it, ' tenant ' means any person by whom or on whose account rent is payable for a building and includes a person continuing in possession after the termination of the tenancy in his favour . . . Here, I want the words ' and the legal representatives of a deceased tenant ' to be inserted. The reason is this. I think that at the Select Committee stage certain amendments were introduced. But my submission to the hon. Members is that the amendment introduced by the Select Committee is very much restricted in its scope. It does not apply to all the heirs of the deceased. Hon. Members will admit that so far as the monthly tenancy is concerned, it is not a tenancy-at-will. Monthly tenancy has been construed in law as a heritable tenancy, and the wife and children will inherit that right. According to the existing enactment, only persons who happened to live with the tenant will be benefited. That is a point which I am principally pressing because relief is given only to particular persons and not to the entire body of lessees. My submission is that the term legal representatives will cover up the case of all heirs. Suppose there is a person who takes a house on lease for ten years and at the close of the fifth



[Sri L. C. Pais] [5th February 1951]

year he dies. There is a heritable right when he dies. Suppose the tenant wills away his right to a particular heir, yet legal representative of his is entitled to succeed as a tenant and the amendment I am proposing will cover up such a case. The amendments moved at the Select Committee stage had restricted the right to succeed to a deceased tenant only to particular members of the family, that is those who happen to live with him at the time of his death. The point is 'can you restrict that right to particular persons?' If we see the proceedings of the Select Committee, Mr. Karanth very correctly put forward the view which I have just expressed. On page 10 of the proceedings under clause 3, it is stated—

'Sri K. R. Karanth wanted that clause 3 of the Bill should be reopened and that the definition of "tenant" should be amended on the following lines:—

"Between the words 'tenancy in his favour' and the words, 'but does not', the words 'and the legal representative who is willing to attorn of a deceased tenant' be inserted . . ."

He did that with a purpose. And having regard to the above and when a monthly tenancy is taken not as a tenancy-at-will but a sensible tenancy, I can say it is a heritable right which all heirs can inherit."

MR. SPEAKER:—"Amendment moved—

'In section 2 (4) of the Act between the words "tenancy in his favour" and the words "but does not" the words "and the legal representatives of a deceased tenant" shall be inserted.'"

SRI K. BHASHYAM:—"Sir, I want to say a few words. I think there is some misapprehension on the part of the hon. the Mover of the amendment about the rights of tenants. The position is this. The Act protects tenants whose tenancy has expired and who are no longer entitled to be there. It is only in such cases that the Government want to protect the tenants. How far this protection can be given is the point. When a man dies, the right of tenancy goes to his children because they cannot be expected to go away and search for another house. It is a very limited and exceptional thing. Instead of what my hon. Friend Mr. Karanth has said, we limited this to persons who are really continuing in possession after the termination of the tenancy in his favour. I can understand a 'daughter-in-law' being included and I don't know whether the Government are going to accept that. To extend such a right to the legal representatives or some other person not living with the deceased at the time, is unnecessary."

1-30 p.m. \* JANAB MAHBOOB ALI BAIG:—"Sir, I am afraid it is not correct to say that a tenancy is heritable in the sense that the legal representative can go on for ever. The difference between a month-to-month tenancy and tenancy for a fixed period is this: in the case of a fixed period tenancy, the tenancy expires on the termination of the period. In the case of month-to-month tenancy, on either side, there is an option to terminate tenancy under the

6th February 1951] [Janab Mahboob Ali Baig]

Transfer of Property Act by giving notice of fifteen days. So, there is no question of a heritable right there. If a tenant under the month-to-month tenancy dies suddenly, his legal representative may be there, but it is within the competence of the tenant or the landlord to terminate the tenancy by giving fifteen days' notice. That is the misapprehension of the hon. Gentleman Mr. Pais, and I do not think there will be any useful purpose served by his suggestion. Sri Bhashyam said that the law of tenancy as enunciated by the Transfer of Property Act normally prevails, but as a matter of contingency, we have stated that a tenant need not be turned out after the termination of the lease, or according to the Transfer of Property Act, by which a tenant can be turned out after giving fifteen days' notice. Therefore, the question whether a legal representative has any advantage or not does not arise at all."

MR. SPEAKER:—"I now adjourn the House to meet again at 2-30 p.m."

The House then adjourned.

(After lunch—2-30 p.m.)

MR. SPEAKER:—"The Hon. Minister will now reply to the amendment of Mr. Pais."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, my hon. Friend Mr. Pais was talking about tenants who have leases for a particular number of years. I do not think there can be any legal objection to their continuing. At the same time, I do not think it is necessary to include that provision in this Bill. This Bill provides only for the family members of the deceased person, viz., wife, son or daughter and close relatives. We want to help only a tenant who unfortunately dies, so that the wife and the children may not be immediately evicted from the house. It is only with a view to protect them that this provision has been introduced. It may not affect any contract made between a tenant and his landlord for a definite period. It is only in the case of there being no contract that this provision will come into play. I think, Sir, the amendment is not necessary."

\* SRI L. C. PAIS:—"Sir, my suggestion has not been understood by the Hon. Minister at all. It is the desire of the Government to give assistance to the legal representatives of the deceased, the wife and the children."

\* THE HON. SRI N. SANJEEVA REDDI:—"But you are referring only to people who have got a contract to stay on for a number of years."

\* SRI L. C. PAIS:—"I shall finish, and then you will be able to appreciate my point. The intention of the Select Committee was to give the benefit to the entire wife and children of the

[Sri L. C. Pais] [5th February 1951]

tenant. If you refer to page 10 of the Proceedings of the Select Committee, you will find the position made quite clear. Under clause 3—

'Sri K. R. Karanth wanted that clause 3 of the Bill should be reopened and that the definition of "tenant" should be amended on the following lines:—

"Between the words 'tenancy in his favour' and the words 'but does not' the words 'and the legal representative who is willing to attorn of a deceased tenant' be inserted."

What follows is very important:—

'After some discussion, it was agreed that this right might be given but that it should be restricted to wife and children only of the tenant. The Legal Department was requested to redraft the definition of "tenant" in accordance with the above decision.'

But what is it you are doing now? Look at the present provision. You say that—

'In clause (4), after the words, "and includes" the words "the surviving spouse, or any son or daughter, of a deceased tenant who had been living with the tenant in the building as a member of the tenant's family up to the death of the tenant and" shall be inserted.'

I say, Sir, the Joint Select Committee has not authorized this provision at all. My hon. Friend Mr. Karanth said that the legal representative should get the benefit, but the Joint Select Committee said that the wife and children only should get the benefit. The Select Committee did not refer to the wife and children of a tenant who had been living with the tenant up to the death of the tenant and all that. I object, Sir, to this distinction being made even among the wife and children. Why should such of the children as happened to live with the tenant at the time of his death alone get the benefit. As I said, that is not the recommendation of the Joint Select Committee. This apart, if the monthly tenancy is taken to be a heritable right, could you go further and make a distinction that only persons who lived with the tenant at the time of death should get the benefit? The present provision which has been added in the Bill has gone beyond the scope of the discussions in and the recommendations of the Joint Select Committee contained at page 10 of the proceedings of the Select Committee."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, I have followed the argument of my hon. Friend. I may say that in some cases an officer may be living alone in a distant town while his family may be living elsewhere. In such cases, we wanted to give protection to his wife and children, so that they may not be evicted in the days of their distress. But Mr. Pais wants that even those who have not been living with the tenant in the house should have the right. It is only with a view to protect the people who have been living on the spot, with the tenant, that this provision has been put in. If those people are living at some other place where perhaps they have their own house, where is the necessity for giving them this right? I therefore submit, Sir, there is no need to accept this amendment of my hon. Friend Mr. Pais."

5th February 1951]

MR. SPEAKER:—"I now put the amendment of hon. Member Mr. Pais to the vote of the House. The question is—

'In section 2 (4) of the Act, between the words "tenancy in his favour" and the words "but does not", the words "and the legal representatives of a deceased tenant" shall be inserted.'

The amendment was lost.

Clause 3 was put and carried.

Clause 4.

MR. SPEAKER:—"The question is—

'That clause 4 do stand part of the Bill.'

\* SRI T. VISWANATHAM:—"Sir, I move—

'That in lines 2 and 3 of new section 3 (1) (a)—

"the words 'by his ceasing to occupy it, or' be omitted."

Sir, the new section 3 (1) (a) reads—

'Every landlord shall, within seven days after the building becomes vacant by his ceasing to occupy it, or by the termination of a tenancy, or by release from requisition, give notice of the vacancy.'

This clause is intended to give us an interpretation of the term 'vacancy.' The present clause as it is says that it should be deemed to be vacant under certain conditions, viz., (i) that the tenant ceases to occupy it, (ii) by the termination of the tenancy and (iii) by release from requisition. Under these three different sets of circumstances, the house is said to become 'vacant.' I want to suggest that the words 'by his ceasing to occupy it' be deleted. The reason is this; there is no tenancy prior to it; it is only when a tenancy ceases that a landlord should be obliged to give notice to the house-rent controller. If he ceases to occupy it, it cannot become vacant, because immediately he can put somebody else into the house. If there was a previous tenancy, no doubt the Government may require the landlord to give notice that the previous tenancy has ceased, so that the Government may allot it to others. But when for the first time, the landlord has ceased to occupy it, he must have the right to put in whatsoever tenant he likes. In fact, that is happening in certain cases now. I, therefore, suggest Sir, that opportunity should be given to the landlord, when he ceases to occupy the building, to induct his own tenant as it is for the first time that the house is to become tenanted."

SRI S. CHIDAMBARA AYYAR:—"I second the amendment, Sir."

MR. SPEAKER:—"Amendment moved—

'That in lines 2 and 3 of new section 3 (1) (a)—

"the words 'by his ceasing to occupy it, or' be omitted."



[5th February 1951]

\* THE HON. SRI N. SANJEEVA REDDI :—" Sir, I do not think this amendment is necessary. A vacancy can arise only when somebody who has been occupying the house vacates it. When the house in which the landlord is living is vacated either because he is transferred or he is going out to live in some other place, it is necessary that he should give notice in order that a tenant may be put into it. Otherwise, there would be room for misuse; for instance, an owner may vacate one house and get into some other house of his with a view to let it out at an exorbitant rent to some other person. I submit, Sir, that when a house is vacated either by a landlord or by a tenant, it should come under the control of the Government. Therefore, I am sorry I cannot accept this amendment."

\* SRI T. VISWANATHAM :—" Sir, the question of rent need not be mixed up here. Whosoever may be the tenant, he will have the right to have the fair rent fixed; and either party may have that right. I suggest however that in this case, the principle should not be applied to the landlord when the house has not been let to anybody previously. I submit this provision here deals with houses which are being let out from time to time, in regard to which the Government want to have some control in the matter of allotting the tenancy to particular people, such as giving accommodation to Government officials. When for the first time the house is vacated, the landlord may be given the liberty to choose his own tenant. There is no natural injustice in it; on the other hand, it is natural justice to give the landlord that right. I request the Hon. Minister to accept the amendment."

\* THE HON. SRI N. SANJEEVA REDDI :—" I regret, Sir, I am not convinced about the argument. When the landlord decides to let it to somebody, I do not see why he should not give the notice and give the right to the Government to allot it."

MR. SPEAKER :—" The question is—

'That in lines 2 and 3 of new section 3 (1) (a)—

"the words 'by his ceasing to occupy it, or' be omitted." "

The amendment was lost.

2-45 p.m. \* SRI V. M. RAMASWAMI MUDALIYAR :—" Sir, I move the following amendment that stands in my name :—

'In sub-clause (5), for the words "Subordinate Judge's Court", substitute the words "Principal Sub-Judge's Court".'

I think, Sir, it is only a formal amendment. There are a large number of places where there are both the Subordinate Judge's Court and the Principal Sub-Judge's Court and it is therefore much better for the parties concerned to know before whom they should appear. That is why I have suggested that instead of the term 'Subordinate Judge's Court' the term 'Principal Sub-Judge's Court' might be substituted."

[5th February 1951]

\* SRI T. VISWANATHAM :—" I second the amendment, Sir. It is necessary because we know it is a technical matter. Ordinarily in the case of other pieces of legislation also where there are courts of original civil jurisdiction, the Principal Court is mentioned. The principle is always there and so the amendment can be accepted by the Government."

MR. SPEAKER :—" Amendment moved—

'In sub-clause (5) for the words "Subordinate Judge's Court", substitute the words "Principal Sub-Judge's Court".'

\* THE HON. SRI N. SANJEEVA REDDI :—" I think it will arise only in certain places where there are these two courts and in places where there are more than one Subordinate Judge's Court, the Principal Sub-Judge's Court will have original jurisdiction. So, I do not think there is need for the amendment. I think the clause as it stands is quite clear."

SRI V. M. RAMASWAMI MUDALIYAR :—" I am not pressing the amendment."

The amendment was, by leave, withdrawn.

\* SRI T. VISWANATHAM :—" Sir, I move the following two amendments which stand in my name—

'(1) For the words "been antedated . . . those days also", in sub-section (6) substitute the words "begun from the date of occupation of the premises by the tenant."

'(2) For sub-section (6), substitute the following :—

"(6) A landlord shall be entitled to collect rent from the incoming tenant for the period during which the building was kept vacant under the provisions of clauses (1), (2) or (3) of this section."

As it is, the language of the section is 'the tenancy shall be deemed to have been antedated by the number of days during which the landlord was prohibited from letting the building to any tenant, etc.'

"The sub-section reads thus—

'In cases not falling under sub-section (5) where the landlord lets the building to any tenant after giving notice to the authorised officer under sub-section (1) or sub-section (2) and without occupying the building himself, the tenancy shall be deemed to have been antedated by the number of days during which the land lord was prohibited from letting, etc.'

I thought the language used there was not elegant. The term 'antedated' is not good and 'shall be deemed to have been antedated' is still worse.

[Sri T. Viswanatham] [5th February 1951]

"Then again, Sir, I want also the substitution of the words 'begun from the date of occupation of the premises by the tenant' for the words 'been antedated . . . those days also.'"

"I move both the amendments in order to save time, so that hon. Members may speak on these and also the Hon. Minister can accept them. As to the person from whom the rent should be collected, I think, it should be from the incoming tenant. The landlord must be entitled to collect the rent from somebody. From whom? It should be from the incoming tenant."

"In regard to the second amendment, I think the term 'antedated' is not good. Therefore, I have changed it. The substance of both my amendment and the Government amendment, is the same and there is not much difference in both. Since the language requires change, I have moved the amendment."

SRI S. CHIDAMBARA AYYAR:—"I second the amendments and with that I stop."

MR. SPEAKER:—"Amendments moved—"

(1) For the words "been antedated . . . those days also" in sub-section (6) substitute the words 'begun from the date of occupation of the premises by the tenant'."

(2) For sub-section (6), substitute the following:—

"(6) A landlord shall be entitled to collect rent from the incoming tenant for the period during which the building was kept vacant under the provisions of clauses (1), (2) or (3) of this section."

\* THE HON. SRI N. SANJEEVA REDDI:—"I oppose both the amendments, Sir. I do not think that except changing the language, there is any difficulty in the wording as it stands. I think it is fairly alright."

\* SRI T. VISWANATHAM:—"I submit, Sir, that the wording of the clause 'shall be deemed to have been antedated' is certainly very inelegant."

"Then, Sir, the landlord must be able to collect the rent from the incoming tenant. Therefore the amendment is very necessary. If the Hon. Minister is not able to accept it immediately, let him defer the consideration of this clause till to-morrow so that he may consider the matter and accept it to-morrow. I submit that provision must be made to enable the rent to be collected from the incoming tenant. In any case, there is a doubt whether the Government is the tenant or not. In certain cases, it is contended that the Government is not the tenant although a Government officer is occupying it. So, the question arises, from whom the rent should be collected. Therefore, in order to make the matter clear, I have suggested that the rent should be collected from the

5th February 1951] [Sri T. Viswanatham]

incoming tenant from the date on which the landlord is obliged to keep the house vacant. That is the positive way of putting it and I thought it good for the Government to accept it."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, the existing wording also gives the same meaning and I do not think there is need to change the language of the section. It is better to allow it to stand as it is."

The amendments were put and lost.

New section 3 (7).

\* SRI S. CHIDAMBARA AYYAR:—"Sir, I move the amendment standing in my name, namely—

'Omit section 3 (7).'

Section 3 (7) says: "that where a landlord has not two or more buildings, he must give notice to the authorized officer about the building he has chosen for him to live and if he has got any other relation, he must also mention whether he wants the other building for the occupation of any other member of his family and if the officer is satisfied that the occupation of that building by the member of the family is necessary then he may allow the landlord and his relation to live in the two houses." My submission is that this restriction on the landlord is bad. Everyone must have the right to judge for himself how many houses he should be allowed to occupy. For instance, there is a big family, consisting of father and sons. The father thinks it best to make his son live with his family in some other house. According to the clause, unless he gets the permission of the authorized officer, it is not possible for the father to allow his son to live in the other house. Sir, I submit this restriction is opposed to the fundamental principles of the Constitution. Therefore, what I am submitting is, that a man should not be restricted to get permission of the officer to house his own family in two or more houses. On the other hand, if he rents out any house, then the provisions of the Rent Control Act may come in. If a man wants to have more than one house at his disposal, it is not desirable or proper that the authorized officer should exercise his discretion in finding out whether it is absolutely necessary for the family of the landlord to have two or more houses. As I said, it is against fundamental principles relating to the liberty of the subject. - Therefore, I submit that this clause should be omitted from the Bill itself, because it is not desirable at all. With these words, I move the amendment."

\* SRI T. VISWANATHAM:—"Sir, in seconding the amendment, I would like to draw the attention of the Hon. Minister to the Preamble to this Bill, which says: 'Whereas it is expedient to regulate the letting of residential and non-residential buildings and control the rent of such buildings and prevent unreasonable evictions.' Here, Sir, we have got three objects with which the original Act was passed. But the present provision in sub-clause (7) does not cover any one of these three objects. This is, more

[Sri T. Viswanatham] [5th February 1951]

or less, a compulsory provision. That is, if a person has got two houses, he is given the option to occupy one and to place the other at the disposal of the Government. Therefore, it exceeds the purposes of the original Act itself. The original Act was not intended for such things. It is only when a person lets the house, certain conditions take place and new conditions arise and then the Government have got a right to put it into the hands of a particular tenant or to see that the incumbent is not unnecessarily evicted and that the rents are properly controlled and so on. The intention of the original Act was not to catch hold of all houses of a landlord, except the one he occupies. Therefore, this provision certainly goes far beyond the purpose of the original Act. In that view also, and apart from the point which the mover of the amendment has stated—and with which I entirely agree—I also urge upon the Government that as the existing clause is outside the the scope of the original legislation, it might be dropped altogether."

MR. SPEAKER:—"Amendment moved—

'Omit section 3 (7).'

SRI K. BHASHYAM:—"Sir, there is a good deal of force and logic in what the hon. Mover and the Seconder of the amendment have stated. The question is, whether a person who has got two or three houses, should take one of the houses for himself and put the other two houses at the disposal of the Government. It may be that the person wants all the houses for his own purpose in case he has got more than one son and wants to put each son separately; or he may require them for purposes of expansion of his business or at least occupy one house and keep the other one as his office. Therefore, in such a case as this, to compel him to choose one house for himself and place the other houses at the disposal of the Government, seems to be rather hard. That is on the merits of the case. I think there is something more fundamental than that."

"So far as this question of property is concerned, there are two fundamental objects in this which I would like to place before the House. One is, in the list of subjects which are put down as being within the competence of this Legislature. The question of controlling house property is not there. Of course, the question of lands is there."

JANAB ABDUL HAMEED KHAN:—"Is the hon. Gentleman raising a point of order?"

SRI K. BHASHYAM:—"I do not wish to raise a point of order, unless I am prepared to go to a court of law to establish what I want to say. But, I would only advise people and if they take the advice well and good and if not, the better."

3 p.m. "The fact is you are trying to impose a person on the house of the other man and the question is whether you can deprive a person of the use of his property as he pleases. There is no provision according to the Constitution under which this can be done

5th February 1951] [Sri K. Bhashyam]

by the State as it is not a matter in the State list. This was raised in the Select Committee and I think that this is really a matter in which the Government will be well advised to look into and find out whether they are right or wrong."

\* THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, as my hon. Friend stated this is a matter on which, in the Select Committee, we did spend some time. If any other member of the family is occupying the house or if the family is big or if his request is reasonable, he is not going to be evicted. But there is the other aspect of the matter to be taken note of. There are instances where people have got some houses vacant and they want to put their son or daughter or somebody else who is studying in college for a few days and try to keep control in order to rent the building out to others. There are cases in which some people keep the houses locked to provide for some guests that may come on a future date or after some months. It is to avoid such kind of things that this provision has been made."

"My hon. Friend Sri Bhashyam has raised another point, namely, whether we have got the right to deprive a person of the use of his property in a manner he pleases and it is a thing which I am not prepared to answer here because we have been, during the course of the legislation that we have put through, interfering with so many other things and even under this Act the right of the person to rent it out to whomsoever he pleases is a thing which we have not given to him and we are restricting his liberty and he cannot rent the house to anybody he pleases. Therefore, Sir, this is not a special thing in which rights have been interfered with. In so many of the legislations that we have passed from the zamindari abolition to the smallest measure, there is some interference with the rights of people and this is not an exception. We have been very considerate and we have been allowing people to have whichever house they like if their requests are reasonable and convincing and if there are convincing reasons, we also allow them to occupy other houses if it is absolutely necessary."

\* SRI S. CHIDAMBARA AYYAR:—"Mr. Speaker, Sir, the Hon. Minister stated that having regard to the number of members of the family and if the request is reasonable, he will be allowed to have the house. But the difficulty is: Why should discretion be given to the officer and the clause says that the officer must be satisfied that the request is *bona fide*. Has not the houseowner the liberty to take his own house for his occupation? In these days of high rents, you cannot expect the landlord to keep houses vacant. The Hon. Minister stated that there were cases where houses were kept under lock and key. There may be a few cases like that and my submission is that no law can be evolved for covering a few cases like that; for the sake of a few, it is not desirable that legislation should be passed restricting the rights of landlords. According to Fundamental Rights, reasonable restriction on the economic side can be exercised by the

[Sri S. Chidambara Ayyar] [5th February 1951]

Government; but beyond that it is not advisable for the Government to interfere with the discretion and the right of the landlord. I submit, Sir, that my amendment is quite good and I hope the Hon. Minister will accept the amendment."

\* THE HON. SRI N. SANJEEVA REDDI :—" It is only a very few people that have got a good number of houses in the City and elsewhere. On that footing, if a few people want to have their houses for themselves, for their relations and for their other purposes it will be impossible for us to compel them to give their houses for Government tenancy or for Government servants. It is absolutely necessary that we should have some provision whereby we can allow one or two or even three houses according to the needs of the family but they cannot simply lock it and keep it because they can afford to do it. Therefore, Sir, it is absolutely necessary that we should have this power and we will certainly be very considerate and reasonable requests will be carefully considered."

MR. SPEAKER :—" The question is—

' Omit section 3 (7) '."

The amendment was lost.

*New section 3 (7) (a).*

SRI K. BHASHYAM :—" Mr. Speaker, Sir, I beg to move—

' In clause 4 amending section 3 of the Act, to section 3 (7)

(a), add the following :—

*" This shall not apply to any building and buildings which are merely outhouses or adjuncts to the main building and used by the owner thereof for his own occupation or the members of his family or the servants of his household."*

My fear, Mr. Speaker, is that the section is going to be made so wide that it will apply to any kind of building. In a particular compound, there may be a small house, not a house but a building; it is either used by the owner of the house as his office and books and other things are kept there and it is also used as a drawing room and perhaps many of the vakils are having such things and such places are allowed to be used by the clients for keeping their beddings at nights. My difficulty is that it may be said that it is a building and it must be notified. I want that they should be saved from the operation of the Act. I have very carefully selected the words. Very often, it happens that when we have servants we give them a place to sleep in. It happens that they put up small huts and they are allowed to live there. Sometimes, it is part of wages and sometimes it is given free. I want that such cases as this should not be brought within clause 7 (a). I can understand the houses being notified, when a

5th February 1951] [Sri K. Bhashyam]

person lives in street X, and also has one of his houses in street Y or Z but it must not be so if it is in the same compound. Sometimes, it may happen like this. There is one house and it is divided among the brothers. One of them finds his portion too small and sells it to his brother. In such cases, though it is numbered differently according to the registers of the municipality, it is really one house, and one man is using both the houses. To say that it must be notified will be a great hardship. I know many cases like that. My submission to you, Sir, is that this section is too wide and comprehensive and it will throw an obligation upon the houseowner to notify whatever the kind of building may be. I submit that the wordings I have employed have been very carefully chosen and it will not permit of any kind of evasion on the part of the houseowner. I hope that the Hon. Minister will consider and see the reasonableness of the amendment suggested."

SRI T. VISWANATHAM :—" I second the amendment, Sir."

MR. SPEAKER :—" Amendment moved—

' In clause 4 amending section 3 of the Act, to section 3 (7) (a), add the following :—

*" This shall not apply to any building and buildings which are merely outhouses or adjuncts to the main building and used by the owner thereof for his own occupation or the members of his family or the servants of his household."*

\* THE HON. SRI N. SANJEEVA REDDI :—" Mr. Speaker, Sir, the hon. Member was saying that the clause is very wide but I am afraid the amendment proposed by him is going to be much wider. Where the out-house is used as an office room or books are kept there or clients are allowed to use it, there is no question of notifying it but when a tenant is put in there, say if a clerk is put in there and rent is collected from him, then it must be notified in case it falls vacant. If rent is collected, whoever might be put in there, then it must be notified. It is only then that he will have to give notice of vacancy and he cannot remove him and put somebody else there. When nobody is living there and the owner is using it, there is no question of vacancy and it does not arise. There is another difficulty. It will not be a workable proposition to say that every out-house in a compound should be saved from this clause. There will be quite a lot of difficulties if the proposed amendment is accepted. As I said, the criterion is payment of rent and if it is not taken, there is no question of notifying the vacancy. That is the position and I do not think I can accept the amendment of my hon. Friend."

SRI K. BHASHYAM :—" Mr. Speaker, Sir, the Hon. Minister stated that if it is rented out, then it must be notified. But this

[Sri K. Bhashyam] [5th February 1951]

is not what clause 7 (a) says. I accept the position that if a building is rented out, it becomes subject to control when there is a vacancy. But what does clause 7 (a) say? It says—

'Where a landlord has two or more houses and they have not been let by him . . . then within 15 days from the commencement of Madras Buildings (Lease and Rent Control) Second Amendment Act, 1950, the landlord may choose any one of such buildings . . . and shall give notice to the authorized officer.'

"The clause says that when there are two or more than two houses he will have to choose one and notify the rest. Here is a case where he is using a house bearing a separate number as his office; it is not used for purposes of tenancy. All the same it will have to be notified. What I am submitting is that you must allow it to be used by the houseowner. There are provisions under which exemption may be obtained from the authorities concerned. In a certain compound, there is a building adjacent to the main one; it is a separate building in the same compound and there is no wall in between the two. It is used by the houseowner as the office or his guest house or even the clerk or the servant may be living there. The question is in such cases? Is it compulsory on the part of the owner to notify it?"

\* THE HON. SRI N. SANJEEVA REDDI:—"There is no necessity if it is not rented out. Such cases can be saved from being notified but the amendment is so wide that I am afraid it will lead to complications and trouble.

2-15 p.m. "Mr. Speaker, Sir, I do not think it is necessary to add the words suggested by my hon. Friend Mr. Bhashyam. The purpose of his amendment has already been provided in this Bill and so I think his amendment is unnecessary. Even without that amendment, his purpose will be served."

SRI K. BHASHYAM:—"Sir, I do not press my amendment." The amendment was, by leave, withdrawn.

\* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I do not move my first amendment. I am moving only my alternative amendment which runs thus:—

'In section 3 (7) (e) for the words "in writing to the State Government . . . think fit", substitute the following:—

"apply to the Court having jurisdiction for revision of such order."

Now, Sir, the clause with my amendment carried out would read as follows:—

'Any landlord who is aggrieved by any order passed by the authorized officer under clause (c) or clause (d) may, within fifteen days from the date of the receipt of such order, prefer an appeal by applying to the Court having jurisdiction for revision of such order.'

In the original clause, the relevant clause is 'prefer an appeal in writing to the State Government; and the State Government shall

5th February 1951] [Sri T. Viswanatham]

pass such orders on the appeal as they may think fit.' My amendment is that the aggrieved party may appeal to the court having jurisdiction for revision of such order. The cleavage between the two views is very clear. The Executive wants to retain power; but I have been with some friends of mine, here always pressing that in these matters the revising authority must be not the Executive head but a judicial authority. These sub-clauses deal with a very important thing, property, owners of property and enjoyment of property. Now, we have come to a stage where we have compelled houseowners to part with all their houses excepting one, in which they and the members of their family are living. Whatever purpose they or he may have to put them to, he is obliged to put them at the disposal of the Government. He may advance several arguments in his behalf to retain his houses; they would not be accepted. Now, those arguments, Mr. Bhashyam put in a mild language, and if I may say so, with respect to him, without casting any reflection, in very plaintive way also, that out-houses at least must be spared to owners. I think he is himself one of the victims of the present provision. And I think, luckily, the High Court passed an order enabling Mr. Bhashyam to evict the tenant. I have got that order in my hand. There the question was where the Government is a tenant, can it be evicted. In this particular case, a Sub-Inspector of Police was the tenant. The Advocate-General said, the Sub-Inspector of Police is a member of Government and so he could not be evicted. That was the argument advanced by the Advocate-General. Luckily for Mr. Bhashyam the High Court did not accept that contention, and the judgment was delivered on the 11th January 1951 upholding the contention of Mr. Bhashyam and they declared that the tenant should be evicted. There is a great deal of importance in that order. So I submit, having said all these things, these are very important matters, and so the aggrieved party ought not to be asked to go to Government again, that is, from one Executive limb, again, to the head of the Executive. It is only proper that we should enable the aggrieved party to go to a court of law, which will set right matters. It is only if such a provision is provided, people will have the satisfaction that they have got justice. It is to the court of law that an ordinary citizen looks to have his right established; and so it is to that court that in this case also, we should provide for an appeal to the aggrieved party. So, Sir, I move my amendment."

JANAB MAHBOOB ALI BAIG:—"Mr. Speaker, Sir, I second this amendment for two reasons: The first is one of convenience. For, the owner gets an adverse order in the court of the Controller, it is much easier to go to a subordinate court than to file a petition requesting Government to revise the order. In sub-clause (e) we are providing for an appeal on things contemplated in sub-clause (b). So it is but proper that the aggrieved party should be allowed to go to a court of law to have the order revised. So I do not support the provision of an appeal lying to

[Janab Mahboob Ali Baig] [5th February 1951]

Government. I also very much regret to state, Sir, that wherever the matter goes to Government on appeal, it might take a long time, a longer time perhaps than the delay in the civil court. Thus the aggrieved party would not get the remedy which he needs very urgently.

"My second point is, the Controller is asked to decide two matters. He has to give his finding whether it is the relation of the owner who is occupying the house *bona fide* continuously and he has to give a finding whether the owner requires the building for the occupation of any member of his family. For these things, the Controller has to take evidence, and if on appeal the records go to Government, they may not be in a position to appreciate the evidence. But a court of law would be able to do it and pass a correct order on it. So, Sir, my submission is that in the first place, it is easier for the aggrieved party to get proper relief in a court of law, and in the second place, the court of law will be in a better position to go into the evidence given before the Controller. So, Sir, I support the amendment."

MR. SPEAKER:—"Amendment moved—

'In section 3 (7) (e), for the words "in writing to the State Government . . . think fit" substitute the following:—

"apply to the court having jurisdiction for revision of such order." . . ."

\* SRI D. V. RAMASWAMI:—"Mr. Speaker, Sir, I do not base my support for this amendment on the question of mere convenience. I support it on the principle of fundamental right. It is a very important principle that questions involving matters of fact as well as of law ought to be considered in an appellate stage by civil courts alone. Under this Bill, no doubt, the Controller has got a general control. His decision should not be made the final verdict; for what he says will generally be given as the verdict by the Government on appeal. Further, Government should not be burdened with too many matters, as it may not have sufficient time to take a judicial view of the matters referred to them. A civil court alone is competent to do that. So I feel that Government should see their way to accept this amendment vesting appellate powers with the civil courts under this sub-clause. Sir, I support the amendment."

\* SRI S. CHIDAMBARA AYYAR:—"Mr. Speaker, Sir, I support the amendment. Sir, this Bill is intended to be an improvement on the existing Act. That being so, I do not know why the Hon. Minister wants in this clause appellate jurisdiction whereas in the later clauses of the Bill resort to law courts is allowed. I do not know why he wants to be so conservative. I think in matters like this it is the court of law that should have the final decision and not the Government or the Controller. So, Sir, I support the amendment."

5th February 1951]

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, whether this amendment is accepted or not, the question that arises in respect of landlords owning more than one house must be clearly understood by Government. This clause itself says that if a person owns more than one house, he should occupy only one house. I think that is the presumption underlying this Bill; the landlord should not occupy the other houses. Now, Sir, this may be good in principle. I have no quarrel with it. In fact, the administration of this whole Act is much more important than the wording of the sections. There is now an attempt to look into two different issues. If a man has more than one house, it is presumed, one house is enough for him. The Hon. Minister has also said, that if his family has outgrown one house and where there is real necessity established, it is open to the Controller to put him in possession of another house, of his to accommodate his expanded family. It is also conceded that if an owner has more than one house, he may occupy the bigger of the houses suitable for his purpose. Administratively it may be possible also to say, and even by legislation also, if an owner has more than one house, he should not occupy both; but he should let all but one he occupies. But I do not know, whether, if he has more than one house in the same compound, he will be allowed to occupy all of them. (The Hon. Sri N. Sanjeeva Reddi: Yes.) I am glad you say, he will be allowed. But when it comes to sub-clause (7) I do not know whether he will be allowed to occupy it. For, suppose an owner has a house in this city and he has a house in another town or city, will he be allowed to occupy both? I can think of a particular case, a very pitiable case. There is a house owned by a particular owner in Tiruchirappalli. He had rented it for he was living in his house in Madras. Now the owner died. The house in Tiruchirappalli is occupied by a member of the Police Department (Law and Order).

"The widow whom he left behind has been advised by her doctor to go to Tiruchirappalli because of heart trouble and not stay in Madras. She has to go back to her house in Tiruchirappalli for very proper and sound reasons. But she is unable to get possession of the house although she is the undisputed owner of it. There is the laconic reply from the State Government that, as soon as alternative accommodation is available, she will be allowed to take possession of the house. I say that that is not the way to deal with this question. When there is real and urgent necessity to move from Madras to Tiruchirappalli on the advice of a doctor, some consideration should be shown to her and the Government must make speedy arrangements to shift the police officer from that house. It is easier for the police department to find another house than for this lady to go to Tiruchirappalli and hunt for a house in that big city. She may be helpless but the department cannot be so helpless. I wish that some consideration is shown to such cases in the administration of the Act. I am not saying that she should go to court or that courts are preferable



[Sri N. S. Varadachari] [5th February 1951]

to the State Government. My point is that where a *bona fide* case has been made out for the occupation of a house by the landlord himself, the Government, even if they are occupying the house themselves, should put the house at the disposal of the owner and arrange for shifting the officer house to some other suitable building. That is all I wish to say about a landlord who owns more than one house."

SRI K. BHASHYAM :—" Sir, section 12 (4) as proposed in clause 15 reads as follows :—

'The decision of the appellate authority, and subject to such decision, an order of the Controller shall be final and shall not be liable to be called in question in any Court of law, except as provided in section 12-B.'

So there is an appeal against any order of the Controller to the appellate authority prescribed by the Government and his decision shall be final. According to section 3 (7) (e) as proposed in clause 4, the State Government shall be the appellate authority in respect of this matter alone, i.e., where a landlord owns more than one house, he should choose one of them for his occupation and put the other house or houses at the disposal of the Government. Why should the Government take upon themselves the duty of deciding the appeal as it can be better done and must be done by the court? The advantage of having a court has already been pointed out. Court is a local institution to which any aggrieved party can go. Will there not be delay in the Government deciding an appeal and will they give a hearing to the appellant? A court will give notice to the party, hear him and do things properly. Whether a landlord's request is *bona fide* or not is a question of fact. It is not like the case of a person who leaves a will. It is a question of deciding the genuineness of the intention of the landlord. Complicated questions are involved. Such a matter can be better decided by a judicial authority than by a State Government. A landlord in the far-off Tirunelveli or Vijayavada will have to come to the Government in appeal. The Government decision may come one year or two years hence. During the pendency of the appeal, the house may remain vacant. What is the position of the house in the interval? If the appellate authority is a court, he can get an interlocutory order. Considering all these advantages, it is better that the amendment of Sri T. Viswanatham is accepted and an appeal allowed to the ordinary courts."

JANAB MOHAMED RAFEEJUDIN AHMED ANSARI :—

" Mr. Speaker, Sir, I make bold to oppose this amendment. I say I make bold because of the fact that the mover and the supporters of the amendment are hon. Members of the status of Sri Viswanatham and Sri Bashyam. Still, I must say what appears to my mind to be reasonable. In my opinion, the mover and the supporters of the amendment have committed a mistake in not differentiating between cases falling under section 3 and cases falling under the rest of the Act. Section 3 deals only with cases where the Government want to requisition a house either

5th February 1951] [Janab Mohamed Rafeedin Ahmed Ansari]

for their own use or occupation or for providing accommodation to any of their officers. The rest of the Act deals with the relationship between the landlord and the tenant. Here I must draw attention to section 3 of Act XXV of 1949. Section 12 of that Act deals with the right of appeal generally, but the Act does not give the right of appeal to a landlord for action taken under section 3. In this Bill, the Government have given him a right of appeal to the Government, if not to the Court. This is only enlarging the scope of the section in favour of the landlord. It is not as if every landlord will be adversely affected, as the section will come into operation only where a landlord has more than one house. When there is no right of appeal at all given under section 3 of the existing Act, I do not see how there can be any grievance when a right of appeal is given.

" A further thing which the supporters of the amendment have lost sight of is this. It is against the orders of the authorized officer and not against the orders of the Controller that an appeal lies to the Government. I should have expected the supporters of the amendment to take objection even to the substitution of the authorized officer for the Controller. Under section 3 of the existing Act, the Controller is the authority to whom intimation of vacancy has to be given. But under this Bill it is some other officer—the authorized officer. It is a welcome change in so far as the Controller is a overworked officer as he has to deal with a large number of cases and he has not got adequate staff to assist him in the detection of cases where a landlord does not notify the occurrence of a vacancy. I take it that it is the intention of the Government to equip this authorized officer with the necessary staff to see that this section is enforced effectively.

" In another respect also, this clause is an improvement upon the corresponding section in the existing Act. Under section 3 of the Act, a landlord has to give notice of a vacancy within seven days after his building becomes vacant. There is no specific penalty for contravening this section except the general penalty of imprisonment or fine or both provided for under section 16 (1). In this Bill there is the further provision that in case a landlord or tenant contravenes the provision, any authorized officer can even dispossess the landlord or tenant as the case may be.

" For the above reasons I feel constrained to oppose the amendment."

SRI V. RAGHAVAYYA :—" Mr. Speaker, Sir, at least in respect of cases where the Government come into clash with the owners of houses, the Government ought to have provided for an appeal to any authority other than themselves. To say that an appeal to the State Government is provided where the State Government themselves are the accused is only twisting of words. I think it is not proper that the State Government should decide the matter themselves in such cases. I know of a case where this power has been grossly abused and it happened in Nellore.



[Sri V. Raghavayya] [5th February 1951]

The Deputy Collector wanted a house. He thought that the best way was to allot a house for himself. In the mufassal, there is the practice that an engineer's house which falls vacant should be allotted to an engineer, a District Judge's house to a District Judge and so on. There are some such houses in every town and everybody thinks that the right of occupation legitimately belongs to the successor in office of the present occupier. It is very difficult for the owners of such houses to resume them for letting them for a higher rent, for letting them to persons of their own choice or for their own occupation.

3.45  
p.m.

"Like that there was a house in Nellore. It was occupied by the previous Deputy Collector. When he was transferred, he must have given it to the succeeding Deputy Collector but he gave it to the original owner of the house who wanted to occupy the house. Even though the succeeding Deputy Collector gave the information in advance, the tenant gave the key to the owner of the house who opened the house, put his things in it, locked it and went home. (An hon. Member: 'Where is his home?') He has got his house elsewhere in the village. The succeeding Deputy Collector thought that he being the Rent Control Officer, had got the right to go and take possession of the house for himself. So, he went there with his peons, asked the Tahsildar to break open the house, went into it, put his things there quietly and settled there. The poor owner went and complained to the District Magistrate. He sent for both the people. The Deputy Collector is a good man, not a bad man. But when one of the best men in the category of Government service thinks that his prestige or convenience is jeopardised by this, what should be the case of people like the police who may take flee bite as a snake bite? Our object is only to avoid this sort of thing. Such things do happen here and there. So, it looks very reasonable that the Government should accept this amendment.

"One word more, Sir, and I have done. If the Hon. the Speaker of this House takes the trouble, as he has done in several cases in giving us elucidations about various points that arise in this House; as custodian of the liberties of the House, to go through the previous Bills passed in this House and find out if there is any one Bill where the power of Civil Courts has not been destroyed, he will find that such Bills are very few. This Bill adds to the number of Bills where the jurisdiction of Civil Courts is ousted. In the name of justice and fairplay, if not in the name of other things, I submit that this should not be the case. If it will not be misunderstood, I shall say a tree was felled, then the other trees of the forest began to weep; somebody comes and says that as a result the whole forest has been denuded. Then it is found that the fault was that of the iron piece that was used. If the Hon. Sri Madhava Menon will not mistake me, I say he should have taken greater care about the functions of Law Courts rather than usurp in this way and fairly succeed in ousting the jurisdiction of the Courts. It speaks only of two

[5th February 1951] [Sri V. Raghavayya]

things. Either the Ministers are not good people or the framers of this Bill are not clever people. I do not concede the latter. Even though the High Courts are able to make wedges into the legality of our legislations now and then, still we have been famous for making flawless legislation. Therefore, why should we think that our Bills are so very rickety as to be attacked by a Court of Law?"

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, this point was discussed at great length in the Select Committee. The hon. Member Sri Bhashyam knows that we did spend a lot of time over this. It was agreed almost unanimously—if I remember correctly, hon. Member Sri Bhashyam also agreed—that an appeal to the Court would mean delay for months together. It would mean the passing of a stay order, the case would drag on for several months and the Civil Court would not give possession of the house. That means practically the order of the Accommodation Controller will be useless; a good number of houses will be kept vacant. After this explanation, hon. Members agreed in the Select Committee that appeal to Government would be alright and in reasonable cases certainly the Government would look to the conveniences of the owner and his family and concede their demands where absolutely necessary. But to give the right to go to a Court for every case means that we will not be able to take possession of the house first and it will not be possible to enforce the law effectively. It was for this reason, after a good deal of discussion, it was decided in the Select Committee that the Government should have this power of appeal. I assure my hon. Friends that we would certainly look into things very carefully and see that reasonable demands are complied with. Therefore, it is not necessary in this case that we should give the power to a Court of Law. I request my hon. Friend to withdraw the amendment."

\* SRI T. VISWANATHAM:—"I cannot withdraw it, Sir. I shall try to explain and convince the Hon. Minister Sri Sanjeeva Reddi of the reasonableness of the amendment. He is very young and, therefore, I hope he will not mistake me if I take any liberty. Of course, I will not use any language of liberty, but, Sir, he has apparently been misled into an idea that going to Court means getting an injunction order against the Government and the Government being disabled altogether. I think it is the most incorrect idea that has been sedulously propagated on the floor of this House from time to time. I have no doubt, that that atmosphere has infected him, for he says that going to Court means an injunction order against the Government and the order of the Accommodation Controller will become useless. I submit it is not correct. Let us assume that there is a right of appeal given. Suppose the Court wants to pass an injunction order. The Court generally passes only an interim injunction order and gives notice. The injunction order will be valid only until the Government appears by its lawyer before the Court and makes out

[Sri N. Sanjeeva Reddi] [5th February 1951]

be big, Government will not have any objection to let them have more than one house. But if they want to keep more than one house for some other purpose than accommodating their own families, then the Government want to take possession of the surplus houses and give them to an officer or officers who may be in need of houses. That is the intention of the Government and there is nothing more. This amendment, as I said earlier, was discussed at length in the Select Committee. I would therefore like to have this power of appeal to the Government instead of the Court."

MR. SPEAKER:—"The question is—

'In section 3 (7) (c), for the words "in writing to the State Government . . . think fit", substitute the following:—

"apply to the Court having jurisdiction for revision of such order."

The amendment was lost.

New section 3 (8) (a).

\* SRI T. VISWANATHAM:—"Sir, I move—

'For the words "Any officer", substitute the words "A Rent Controller".'

The term 'Controller' has been defined already in the definitions clause. I would rather have one officer than having a Controller and an 'officer authorized'. In the interest of certainty as to whom we have to look, it would be better if there was only one officer. I therefore request the Government to accept my amendment which seeks to provide for only one officer."

SRI K. BHASHYAM:—"Sir, I second the amendment. Apart from what has been stated, there is an additional advantage in respect of this matter. The Rent Controller deals with all cases. He is therefore familiar with the difficulties of the parties and also the harm that is likely to be done to people. He knows what is to be done in a particular case and how eviction is to be carried out. He will be the officer competent to deal with such cases. If it is provided, 'any officer empowered or authorized by the Government', he may be a new officer; he may even be a Police officer who may be asked to deal with such cases. Generally the Police officers are very rough and they really do not care for the feelings of other people. Therefore, I request that the amendment moved by my hon. Friend Sri Viswanatham may be accepted as I am sure that it will be in consonance with the wishes of the people, and will lead to better and harmonious relationship between the Government and the people concerned."

MR. SPEAKER:—"Amendment moved—

'For the words "Any officer", substitute the words "A Rent Controller".'

5th February 1951]

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, the real difficulty is this. The Rent Controller may not be in a position to act in all cases. In some cases it may be necessary to authorize some other officer to deal with such cases. In one case, the proper agency for effecting eviction may be the Rent Controller and in another, he will not be able to do that. To deal with such cases, we have provided 'any officer authorized by Government'. Therefore, it is absolutely necessary that it should stand as it is and we cannot accept the amendment which seeks to give power only to the Rent Controller."

\* SRI T. VISWANATHAM:—"Sir, let the Hon. Minister take the case of mufassal places. There is the Rent Controller and the Munsif's Court executes orders. My only point is that there should be some certainty about these things. The party should know it definitely from whom he is likely to get visitations. Already there are two agencies, namely, the Court and the Rent Controller. Let the Government be satisfied with these two agencies and let them not introduce some other officer also. I do not really see any reason why the Hon. Minister should oppose this simple amendment."

\* THE HON. SRI N. SANJEEVA REDDI:—"This question will arise only in very rare cases. Even in those rare cases, if it is only a question of eviction, which is agreed upon, I do not see any reason why the Government should not take power to evict a person who is contravening the provisions of this Act, by employing such agency as may be convenient. As I have already pointed out, it may not be possible for the Rent Controller to act in all cases and the circumstances may warrant the empowering of some other officer to do the job. When once we agree to the principle of eviction, I do not know how it matters if it is to be done by the Rent Controller or some other officer. In a particular case, the owner of a house could not be dealt with by the Rent Controller and the Government may find it necessary to authorize some other officer to effectively deal with him. I therefore request the hon. Member Sri Viswanatham not to press his amendment."

MR. SPEAKER:—"The question is—

'For the words "Any officer", substitute the words "A Rent Controller".'

The amendment was lost.

\* SRI S. CHIDAMBARA AYYAR:—"Sir, I move the following amendment standing in my name:—

'That in the proviso for the words "one week's notice", substitute the words "one month's notice".'

Of course in all cases where the Government want the property, provision for summary disposal is there. In cases where the landlord is the owner of two houses and wants both the houses

[Sri S. Chidambara Ayyar] [5th February 1951]

for his use and the use of his relatives and if he seeks permission to retain these two houses and permission is refused, then he will be given only one week's time according to the present provisions. I want that where a landlord is dispossessed of one of his houses in such a manner, he should at least be given one month's time instead of one week. I hope the Government will be charitable enough to accept my amendment which is only a small matter."

\* SRI T. VISWANATHAM:—"Sir, I second the amendment. A person should be given sufficient time to gather up all his holdings and shift to another lodging. The object of the Government is to provide accommodation to such of their officers who are in need of it. If an owner of a house is to be dispossessed of a house, will the Government show him another house in which he may live? What is the use of simply dispossessing a man of his house and only giving him a week's time? The Government must be a little more humanitarian and practical. Just as their officers require houses, the person who may be dispossessed of a house by the Government may want a house to live in. While we are opposed to eviction on any ground in such cases, let us at least try to be somewhat reasonable if there should be eviction. The amendment of Sri Chidambara Ayyar seeks to give a month's time instead of a week. It is a very reasonable and modest amendment and I hope the Government will not have any difficulty in accepting the same."

MR. SPEAKER:—"Amendment moved—

"That is the proviso for the words 'one week's notice', substitute the words 'one month's notice'."

SRI K. BHASHYAM:—"Sir, the tenants are given 15 days and in some cases one month's time. We find similar provisions in the Transfer of Property Act also. Certainly, the Government have been very considerate towards the tenants and I have no objection for their being so. My only plea is that the Government should also be a little more considerate towards the owners of houses also. When a person has got two houses, he may have a lot of furniture and other things. He may not be in a position to place all these things in one house and he may feel the necessity for having another house. The time of one week provided under this clause is too short. He must have sufficient time to remove these things to some other place or at least send them to the auction company to be auctioned off. For doing all these things, the time given is not sufficient. I think one month's time will be allright. Already we find drastic provisions are there to deal with house owners. Let the Government do it with a little grace and not in a rough and tough fashion. The Government have already provided, 'Any officer'. It may even be a Police officer or the Revenue officer who does not know

5th February 1951] [Sri K. Bhashyam]

all these matters. In view of all these, I think one month's time is very very reasonable and I hope the Government will accept it."

\* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, I have to submit to you that there is much confusion to-day with regard to the amendments and that very few members are able to know which amendment is being taken up for consideration. I therefore request you to adjourn the House now and take up to-morrow the amendments which I hope you will direct your department to arrange in a consolidated form and supply to us so that we may know which amendment is being taken up and follow the proceedings of the House."

MR. SPEAKER:—"There are too many amendments for a single clause. Every sub-clause has got amendments. That is the difficulty here."

\* BEGUM SULTAN MIR AMIRUDDIN:—"Members are not able to follow the amendments and there is much confusion. That is why I am requesting you to adjourn the House now."

(Some hon. Members: 'No, no.')

MR. SPEAKER:—"The House is not in a mood to adjourn now. The Hon. Minister will now reply."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, most of the arguments put forth in favour of the amendment are to the effect that everybody—even the owner of a house—is sought to be evicted from his own house within a week's time. I have to point out that it is not so. This clause refers to cases where the owners of houses, after giving notice of vacancy, refuse to give possession of the house to somebody to whom the Rent Controller may allot the house. In such cases, the owners adopt certain methods and thus prevent others from taking possession of the house in respect of which they might already have given notice of vacancy. They will put some tenant other than the one selected by the Controller or they may themselves get into it without proper authorization. It is only in such cases that we give them one week's time. It is not as if we want to dispossess everybody of his house and ask him to quit it within a week. When a landlord gives notice of vacancy, he cannot simply get into the house and thus prevent the Accommodation Controller from allotting it to somebody. The time of one week given under this clause is quite reasonable. This question has been considered by us very carefully and we have come to the conclusion that it is absolutely unnecessary to give such a landlord more than one week's time. We do not want to be harsh on anybody. But still, it is unreasonable to give him more than a week's time especially when he was knowingly, wantonly and illegally taken possession of the house after giving notice of vacancy."

[5th February 1951]

\* SRI S. CHIDAMBARA AYYAR :—" Sir, I think the position has not been correctly understood. The proviso says, 'Provided that in cases where any landlord has been refused permission for the occupation of a building under clause (c) or clause (d) of sub-section (7), not less than one week's notice shall be given before action is taken under this sub-section'. Even in the case of a landlord who owns two houses, he may want one of the houses for accommodating his relatives and the other house for his own accommodation. In such cases, if the owner applies for permission under clause (c) or clause (d) and if such permission was refused, then he will be given only a week's time. It would be really very hard to ask the owner to vacate his house within such a short time. It is to cover such cases I want one month's time and it is not as if to cover all cases we want this extension of time. I hope the Hon. Minister will be able to accept this amendment."

\* THE HON. SRI N. SANJEEVA REDDI :—" When the landlord applies for permission to retain the house for his own use as suggested by the Mover of the amendment, the Controller, before passing orders refusing such permission, would have taken all points into consideration. When the matter is taken to the Controller, naturally there will be the usual enquiry and other things and the case will be pending for some time. After finding that the other house is not absolutely necessary for him, the Controller refuses permission. Surely, the landlord cannot be allowed to simply get into the house and use it for some other purpose. When he has got the other house, he can easily shift over to the other house and thus release one of the houses to the Controller. In cases where the landlord after giving notice of vacancy refuses to give possession of that house to the Controller or his nominee, the time of one week given under this clause is more than enough and there is no justification to give him more time."

MR. SPEAKER :—" The question is—

'That in the proviso for the words "one week's notice", substitute the words "one month's notice".'

The amendment was lost.

JANAB MUHAMMAD RAZA KHAN :—" Sir, what about our request to adjourn the House?"

MR. SPEAKER :—" As I told already, this confusion is due to the fact that a single clause has something like 16 amendments. That is why there is some confusion."

JANAB MAHBOOB ALI BAIG :—" Sir, if you will at least be pleased to ask the office to arrange the various amendments under various lists, like List No. 1, List No. 2, List No. 3, List

5th February 1951] [Janab Mahboob Ali Baig]

No. 4 and so on, it will facilitate our business. We can then follow the amendments easily. Further, the amendments could have been numbered according to the dates, which may also be mentioned, on which the amendments are received."

MR. SPEAKER :—" As soon as the amendments are received, they are circulated to the hon. Members. I think the dates are already given."

JANAB MAHBOOB ALI BAIG :—" Supposing ten persons have given notice of amendments for four or five clauses, it would be easy for reference if they are numbered and shown under List No. 1, List No. 2, List No. 3 and so on, according to the dates."

MR. SPEAKER :—" The hon. Member's suggestion will be considered, in future."

\* SRI V. M. RAMASWAMI MUDALIYAR :—" Sir, I move—  
'In section 3 (8) (a), delete the Explanation.'

4-15  
p.m.

This Explanation seeks to empower the Government to give retrospective effect to the provisions of clause 4 of the Bill. This, in my opinion, is a penal provision because, for the first time now, we are authorizing an officer to dispossess the landlord of his property if he occupies it in contravention of the provisions of the Act. The first Rent Control Act was enacted in the year 1946 and between that period and now, many things have taken place and new legal relationships have been forged. We have been passing through very critical and perilous years. New situations and legal rights have been brought about in these four or five years. Hon. Members will remember the carnage that took place in our country after the declaration of Independence in August 1946 and the confusion that was prevailing in our border State of Hyderabad which had called for the Police Action which is still fresh in our memory. They will realize under what circumstances people from those disturbed areas came to settle down in Madras as refugees. It is not a mere theoretical case that I want to put forward now in support of my amendment. These are hard facts that we saw. I had also brought to the notice of the former Minister for Housing a particular case—perhaps there were many such cases at that time—which badly needed sympathy and consideration but which did not receive any consideration as things stood at that time. As hon. Members will remember, when the Police Action was undertaken in Hyderabad, people from that State came down to Madras in large numbers and, Act or no Act, found accommodation wherever available. They have been here for three years or more. They have put their children in schools and colleges. Many happy connexions have been made during this period. Now the Government say that they will evict all those who have been in occupation of buildings in contravention of the provisions of the Act and they propose to give this provision retrospective effect. To quote a concrete instance—I had brought this case to

[Sri V. M. Ramaswami Mudaliyar] [5th February 1951]

the notice of the Government once—a family that came from Hyderabad had its relations here owning a house with two storeys. There were the ground floor and the first floor. The landlady was occupying the first floor and the family which came at the peril of life came to stay downstairs. The landlady immediately notified the Rent Controller that her relations had come from Hyderabad and that she had allowed them to stay downstairs. The Rent Controller, however, on receipt of intimation from the landlady, threatened her with coercive processes. The matter was placed before the Collector and a notice was issued to her saying 'if you do not send the tenant out—your relations—we are going to do it ourselves'. The family has been here for three years now. The head of the family has admitted his children in schools. His daughter is studying in a College. His son is in the Loyola College and he has turned out to be one of the best cricketers in the City. If the Government force this refugee to move out simply because his occupation is in contravention of the provisions of the Act, it will not be fair. I may point out here that when the landlady received the notice from the Collector, she went out of her way and informed the authorities that she had a cousin who had a house, that she had asked him to notify that house to the Rent Controller and that it would be available for any allottee that the Rent Controller might propose. But the Collector would not listen to her and asked her to throw the refugee out in spite of the fact that alternative accommodation was found for the Collector's nominee. This is a very hard case and the Government did not give any relief to the family in the matter of accommodation. I may say here that the Hon. the Finance Minister, who happens to know this family, also put in a word to the Minister for Housing to help the family but no relief was obtained. (Sri R. V. Swaminathan: 'He had no powers then.') The Minister was unresponsive. Then what did happen? I advised the head of the family to take the law into his own hands (laughter) and he did it. I knew that there was no power vesting in the Controller to dispossess a person of his house, though there is provision for some other action being taken and no court, out of equitable considerations, would act harshly. Fortunately, however, no action was taken against him. Now, what will happen? We are taking powers to evict those who have been in occupation of a building in contravention of the provisions of the Act and that within a week. If we give retrospective effect to this provision, what will happen to this poor refugee and several others like him? I am only telling the Government that this is a penal provision which should go. Otherwise, all these people will have to go into the streets once again. They have been here for four or five years. We cannot certainly throw them into the streets now without even recourse to courts of law. This is a very drastic provision. I admit they committed a breach of law but under what circumstances? Under very extraordinary circumstances they committed it. The Government were rather unimaginative then. Now that

[5th February 1951] [Sri V. M. Ramaswami Mudaliyar]

they have all come to stay with us, we must show some imagination. To give retrospective effect to this provision is certainly wrong. I admit that it is a lacuna in the existing Act that there is no provision to make the recalcitrant landlord give up his house for occupation by a Government allottee and we are now rectifying it. But to give it retrospective effect is wholly wrong and I hope that the Government will accept my amendment to omit the Explanation."

\* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I have great pleasure in seconding the amendment so ably moved by my hon. Friend, Sri Ramaswami Mudaliyar. I am glad that he has moved the amendment. I am glad that I did not move the amendment nor did Sri Bhashyam. (Janab Muhammad Raza Khan: 'Why? What is the implication?') The implication is that hon. Member Sri Ramaswami Mudaliyar does not move amendments unless he is thoroughly convinced about the necessity for such amendments. (Hon. Members: 'Oh!') I also do the same and I do not move amendments without being convinced about their necessity. Of course, I take things cheerfully and sportingly and this perhaps makes Members feel that I am not serious. But, hon. Member Sri Ramaswami Mudaliyar's amendments are generally few and far between unlike ours. (Laughter.) Now, Sir, he has presented his case very ably and admirably. Retrospective legislation is generally bad. Ordinarily, it is resorted to only in order to indemnify acts of State done during emergencies. There is no other justification for any Government that claim civilization for themselves to resort to retrospective legislation. There is no emergency contemplated here. I have always stated that to give retrospective effect to ordinary legislations is wrong and bad. The stand taken by hon. Member Sri Ramaswami Mudaliyar is very correct. What is the kind of action proposed to be taken? The proviso says that in cases where any landlord has been refused permission for the occupation of a building under clause (c) or clause (d) of sub-section (7), not less than one week's notice shall be given before action is taken. A person might have been in his own house for quite a number of years and all of a sudden he would be evicted. The time given is only one week and within that period he must vacate notwithstanding that he has moved the Controller or the Government or the Court to establish his *bona fides*. This is not the case of a person who has committed any trespass on another's property; who has gone into another man's property for the sake of self-aggrandisement but has stayed in his own house! Such a man is ousted. The provision therefore is drastic enough. Then, let us assume that there should be such a drastic provision in order to accomplish the object of the Government, viz., finding accommodation for the Government servants to make up for their negligence in building houses for them or having a housing programme for the Government servants. Why should

[Sri T. Viswanatham] [5th February 1951]

the Government pounce upon the landlord to make up for a deficiency on their part? What does this Explanation say? It says—

'The provisions of this clause shall apply also to cases which arose before the commencement of the Madras Buildings (Lease and Rent Control) Second Amendment Act, 1950.'

I submit, it is very wrong to have such a provision. Several cases may arise as pointed out by hon. Member Sri Ramaswami Mudaliyar. Very hard cases will arise. Large families will have to be thrown into the streets. Women and children may have to be moving about the streets as if there was bombing as is taking place now in Korea. We have given no notice to the parties concerned that there will be a provision like this. It will, therefore, be very hard and very wrong to give retrospective effect to this provision involving penal consequences. I appeal in all seriousness to the Hon. Minister Sri Sanjeeva Reddi, who has got some compassion for those who are in distress, to accept this amendment."

MR. SPEAKER:—"Amendment moved—

'That in section 3 (8) (a), delete the Explanation.'"

SRI K. BHASHYAM:—"Mr. Speaker, Sir, the provisions of this clause are very drastic and I think they are wholly unnecessary. Under the law as it stands, if there is an order of eviction issued by the Controller, the person in whose favour the order is passed can go to a civil court for purposes of execution of the order. While passing the order, the civil court takes into consideration the circumstances then obtaining, viz., whether the person to be evicted has got a reasonable opportunity to find alternative accommodation, whether he is a man with a large family and whether he is in a position to move out within a stipulated period. For instance, if the person to be evicted has got domestic difficulties, such as illness of his wife or his father, the court gives him six months' or eight months' time to vacate. Generally the court gives three months' time and this limit is waived in suitable cases. Such hard cases are decided on merits and the Court uses its discretion in dealing with individual cases. But what happens here is this. The Government say: 'As soon as an order is issued, we will send a Police officer to your place and send you out'. Whatever may be the inconvenience to the person concerned, whether his wife is ill or his father is ailing or he himself is laid up, the Government can throw him out bag and baggage. I want to know why this sort of thing is resorted to. Are the Government doing all this to regain their popularity for purposes of the coming elections? Is it not better to give power to the civil court to decide the whole issue? I think the provision should be elastic rather than drastic. Therefore, it is, I say, wholly unnecessary.

5th February 1951] [Sri K. Bhashyam]

"If the affected parties go to the civil courts, they might probably get some time to vacate the premises. But now the Government do not want to give the time. They think they should not, because a government servant is waiting to enter into the house soon after the house is rendered vacant. I submit, Sir, this is a very drastic action wholly unnecessary. It will make the Government unpopular. (Mr. Speaker at this stage sounded the gong.) One more minute, Sir, and I would finish. Not only the Government want to evict him summarily but say that the person so evicted shall pay to the State Government the fair rent payable for the building and the expenses, if any, incurred by the State Government in effecting such summary dispossession, as determined by them (which determination shall be final). That is to say, if a Police officer were to be sent, the party has to pay his expenses. And again, Sir, the expenses will depend upon the number of officials sent to effect the eviction. Suppose if only a Revenue Inspector is sent, it may cost the party only about Rs. 2 or so. If, on the other hand a Police officer is sent with about ten men, the expenses may mount up to Rs. 15, Rs. 20 or even Rs. 25. Therefore, the party occupying the house is asked to pay the fine, the fair rent and also the expenses incurred in effecting the eviction. I submit, Sir, this is also a very drastic provision and will work great hardship on the people. It would be best if the matter were left to the civil courts who will go into individual cases and decide according to the circumstances of each case and finally order eviction."

\* SRI D. V. RAMASWAMI:—"I support the amendment, Sir, and I feel that the entire explanation should be omitted. There are several such cases as the one mentioned by my hon. Friend Sri Ramaswami Mudaliar. People have come away in a most pitiable condition to Madras to keep themselves under some shelter. I know of several such cases in Bezwada and near about. I feel if this retrospective effect is given, it would work extraordinary hardship on the people. Although the aim of the Government is to do justice to the landlord and the tenant, they had not the imagination to sympathize with the mover of the previous amendment who wanted that a month's time should be granted instead of a week. This would only enhance the difficulty of the people whom they want to serve. I, therefore, feel that the Government ought not to have any difficulty in accepting the amendment to omit the Explanation."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, the arguments of hon. Members and Friends here are not only convincing but the picture that they have drawn is such that it looked as though everything was bad and the Government were evicting everybody from every house. I submit, Sir, this applies only to cases where people have been occupying the house against the decision of a court, even after they were fined for such unauthorized occupation. Till now, the Government had only the power



[Sri N. Sanjeeva Reddi] [5th February 1951]

to take these cases to the courts of law and the courts fined those who were in occupation of the houses, without proper authorization. Now the Government have taken power to evict the persons who were found guilty of such unauthorized occupation. Hitherto, we had no power to act in cases where they got into the house without proper authority and against the order of the Controller. Only in such cases, we take the power to evict them and not in every case where the tenant is in occupation of the house under proper authority from the Controller. A good number of landlords have been fined Rs. 100 and Rs. 200 but nothing could be done to take possession of the house. Now we take power to take possession of the house and make proper use of it, according to the Act. It is only in that way this power is going to be used and not to evict everybody occupying a house. It is only those who try to circumvent the Act and try to go against the law that will have to suffer and they are also given a week's time. I do not think, Sir, any reasonable, responsible and law-abiding citizen would suffer because of this clause."

\* SRI V. M. RAMASWAMI MUDALIYAR :—" Sir, I am grateful to the Hon. Minister but he has not solved the problem that I posed before him. Another Hon. Minister of the State was also not able to solve it. I submit, Sir, there are hard cases and if Government assure me that these would be looked into and that before an eviction takes place, some court, either the civil court or the criminal court, will be allowed to have a look into the matter, I shall be satisfied."

\* THE HON. SRI N. SANJEEVA REDDI :—" Sir, the specific case mentioned by the hon. Member is really a hard case. In such cases, no reasonable man will deny helping the party concerned. I would certainly consider such cases which are reasonable, in working this Act. The Government had no powers to deal with cases where people have disobeyed orders and have even profited by such unauthorized occupation. In such cases, Government have necessarily to take drastic action. Government will certainly be reasonable with people who are really suffering."

The amendment was, by leave, withdrawn.

\* SRI T. VISWANATHAM :—" Sir, I move—

'Delete sub-section 3 (8) (c).'

"This is a very important amendment, Sir. The sub-clause as it stands is this—

'(c) Any land lord, tenant or other person or any officer, local authority or public institution, liable to be summarily disposed under clause (a), shall pay to the State Government—

(i) the fair rent payable for the building under the provisions of this Act for the period of his or its occupation or possession thereof as described in that clause, whether such period was before or after the commencement of the Madras Buildings (Lease and Rent Control) Second Amendment Act, 1950; and

(ii) the expenses, if any incurred by the State Government in effecting such summary dispossession, as determined by them (which determination shall be final).'

5th February 1951] [Sri T. Viswanatham]

This sub-clause must be omitted. This is going much too far. It is trying to take too long a jump and breaking the leg altogether. Not only are these people evicted from the house but they are asked to pay the expense for effecting such eviction. The Government evict them for certain reasons. The Hon. Minister was saying that it is only where persons have disobeyed law that this would be done. What is the law; the eviction clause. It applies not to persons against whom there is an order by the court. It applies to all persons coming under section 3. Under this section there is no right of appeal to the civil court. It is only an executive order and it is final. Therefore the persons to be affected under this clause are those who are to be dispossessed by the order of the Government or the Controller, which is merely an executive action. They are dispossessed because Government think they want the houses to house the Government servants. Now, in addition to dispossessing them they want to levy a punitive fine as it were. In certain places, the Government after having taken police action, sometimes impose upon the offenders collective fines on entire villages. This is something like that. Not only the Government want to evict the man but also want to collect rent for the period for which they hold he was occupying the house illegally—for a period for which he occupied his own house for *bona fide* reasons but which is according to the Government illegal. No man thinks the occupation of his own house is illegal excepting under a legislation of this type which is being passed. No man would think he is doing a wrong thing in occupying his own house. There is no order of the court to that effect. The Hon. Minister was saying that action would be taken in cases where the order of the court is disobeyed. It is only an executive order from the executive side. There is no judicial review at all. The court does not come into the picture at all. After eviction it is also said that he should pay rent. It is also said that the provisions would have retrospective effect, going back to what distance or even ages, we do not know. For all this period the owner of the house has got to pay rent for occupying his own house from which the Government want to oust him. Not only that. He is liable to pay the expenses incurred by the Government for effecting the eviction. I submit this clause is not good. It is sufficient punishment for a man to be evicted, sent out of his house for the fault of having constructed an extra house for himself. He ought to have invested the money on something else. In olden days Government encouraged people to invest money in building and to-day Government come and say: 'My dear fellow, it is right you build a house. But since you have two, give away one to us. Otherwise we will evict you.' The party is asked to pay not only the rent but also the expenses, expenses determined not by a court of law but what the Government determine—what kind of determination; a determination which is final. The section as devised is a complete departure altogether into a novel field of legislation and it is certainly an invitation to persons owning a little money never to invest their savings in house building.



[Sri T. Viswanatham] [5th February 1951]

Hon. Ministers and others were always complaining about scarcity of housing accommodation and were appealing to people to come forward to build houses. With a legislation like this do the Government expect anybody to come forward to build any house? No one would come forward. Not only that, they will try to sell away the houses that they possess now for whatever they may fetch. I say, Sir, let not this Legislature be a party to this kind of Legislation. The Government servant is to get the house and therefore it is the Government that must bear the expenses. They should not collect the expenses from the landlords who are occupying their own houses for *bona fide* purposes. I submit, Sir, my amendment is a very good amendment. It must be accepted and the Hon. Minister must revise his views at least now."

SRI K. BHASHYAM :—" I beg to second the motion. (An hon. Member : ' Amendment '.) Amendment is also a motion. I want to say this in support of the amendment moved by my hon. Friend. There is a proverb in Tamil which when translated means : ' The house not only threw the owner out but also dug a pit to bury him in.' The clause is just like that. The clause applies not only to tenants and other persons but also to landlords. Suppose a landlord is in possession of the property and refuses to vacate. He is not only evicted but is also made to pay rent for his own house to the Government. He is also asked to pay expenses incurred for effecting the eviction. All these are put upon the poor man's head because as a matter of fact he occupied his own house. This is all the sin. Therefore, in respect of this matter, how inequitous it would be in the actual working of the Act, is absolutely clear. If the Government were in such a terrible hurry to get a house for their servant, the Government servant who is in a hurry to get the house should meet the expenses. Why not he pay at least half the expenses? I know persons who want houses pay premium to get into a house. I know these are illegal. But illegal things are done nowadays by officers, non-officials and also persons in authority. When they are prepared to pay these illegal premiums why not these Government servants pay the expenses for getting the house as urgently as possible. He may pay the rent and the expenses for eviction instead of the tenant or the landlord paying it on his behalf."

\* THE HON. SRI N. SANJEEVA REDDI :—" Sir, from my point of view the clause looks simple. I do not see any of the horrible things referred to. It is just like a man who having gone to the court of law pays the costs when he fails. Here they want to obstruct Government work and continue to occupy the house illegally. In such cases they cannot escape bearing the cost of eviction, for having occupied the house illegally. Sir, the question of paying rent by the landlord does not arise. It is only in cases where the tenant has got into a house illegally that the Government collect the rent so that they could pay to the landlord.

5th February 1951] [Sri N. Sanjeeva Reddi]

Therefore, Sir, it is only those people who are not obeying the law that suffer. I don't think there is anything very bad. It is only against those who create some difficulty and go to the court that the Government wish to take some action and it is quite natural that such persons should suffer."

MR. SPEAKER :—" The question is—  
' Delete sub-section (8) (c). '

The amendment was lost.

Section 3 (9).

JANAB MUHAMMAD RAZA KHAN :—" Mr. Speaker, Sir, I beg to move—

' In clause 4, section 3 (9) (a) for the word " fifteen " substitute the word " thirty " and also to make consequential changes.'

Sir, this is a very important amendment and I am sure the Hon. Minister for Housing will not adopt the same attitude he was adopting throughout this morning. There is no point in the Hon. the Minister saying, ' I am not convinced by your argument, etc., etc.' He could say so. But still, you know, Sir, we are trying to persuade the Hon. Minister just to see that these small defects are remedied. It is but fair that he should try to give a good hearing to our views.

" In the year 1946 when the Bill was first introduced and referred to the Select Committee, it was thought that the Bill should be restricted to only houses or portions of houses fetching a monthly rent of Rs. 30 and above. You know, Sir, in the City of Madras there are more than a lakh of houses and in many houses, especially in the northern part of the City, there will be 20 or 25 tenants in every house each paying a monthly rent of Rs. 15 and above. Now, Sir, according to the Report of the Select Committee or according to the amending Bill, the Hon. Minister wants that houses which fetch a monthly rent of Rs. 15 and above come within its scope. What is the purpose? After all nobody felt that this Act when it was first introduced in the year 1946 would get further periods of lease even in the year 1951. If there is shortage of houses in the City as also in the mufassal towns, it is the Government which has got to be blamed because they did not follow any policy of constructing new houses. If they did anything, it is only for houses costing Rs. 10,000 and above and they did practically very little in regard to houses for middle-class and lower middle-class people. What is the contention of the Hon. Minister? If this amending Bill were to be passed so that all houses or portions of houses fetching a monthly rent of Rs. 15 and above could be brought within the scope of the Bill, you can imagine, Sir, the volume of work which our Rent Controllers or Accommodation Controllers should face. The contention of the Government, as I understand it, is that there are a number of lower middle-class people or lower category of Government servants who are in need of houses with a rent of Rs. 15 and above

[Janab Muhammad Raza Khan] [5th February 1951]

and that they have to be provided with accommodation. So far as the City of Madras is concerned, I think there are about 1,000 to 5,000 such people. If we take into consideration the number of Government servants who require such houses, it may be about 200 to 300 and for the sake of those persons the Hon. Minister wants to enlarge the very scope of the Bill by bringing every house in the City of Madras or in the major municipalities under the provisions of this Bill.

"If this clause is passed, we can imagine the difficulties of the people. Here in this House, the Hon. Minister will give so many assurances, but in actual practice all the people who come under the Controller know these difficulties and many people, as matters stand to-day, are quite ignorant. They do not know the provisions of the Act. If a landlady has a house with 5 or 6 tenants each paying a rent of Rs. 15 and above and when a portion is vacated, having no knowledge of the law she may commit a breach of the rule and under this amending Bill she has to pay a fine. But, the Hon. Minister will say that this is the only way whereby the Government would be able to get at the houses fetching a monthly rent of Rs. 15 and above. It is wrong. Even to-day, in spite of this Act and in spite of the vigorous attempts of the Controller, I can tell the Hon. Minister, and he knows it, that there are many people in the City of Madras as also in other places, who rent out their houses for Rs. 200 and above per month to the people of their own choice and nothing is being done. People always do it. Therefore what I suggest is this. After all, these rules are limited to certain sections of landlords. Now the Government by this amending Bill think that they can force every landlord or landlady with houses or portions of houses fetching a monthly rent of Rs. 15 and above, to report the vacancy to the Accommodation Controller and be at his mercy. I think that in fairness the Hon. Minister will do well to accept my amendment. I only want to maintain the *status quo*. I am not asking the Government to raise the limit to Rs. 50. I simply say that the original limit of Rs. 30 was introduced after a good deal of consideration. Please keep it up.

"Sir, I want to mention one more point. The Report of the Select Committee shows that even there the decision was not in favour of Rs. 15. The voting was just equal—four to four. So, the opinion was equally divided. Therefore, in fairness, the Hon. Minister should see that the original limit of Rs. 30 is retained. Of course, the Hon. Minister felt at one time that he could have a limit of Rs. 20 or Rs. 25. I never felt that it is a question of bargaining. When the Government set up or enunciate a principle, let them keep it up. By bringing this amendment, we will be creating a great deal of hardship to the people and at the same time the very purpose of this amending Bill will be lost and the people will be simply violating the very section. Therefore, I feel that the Hon. Sri Sanjeeva Reddi should at least keep up the *status quo* by retaining the original limit of Rs. 30 and accept my amendment."

5th February 1951]

JANAB H. S. HUSSAIN :—"Mr. Speaker, Sir, I second this amendment. Sir, it appears to me that, while the Government are attempting to widen the scope of the application of the Rent Control Act by bringing any house which yields a monthly rent of Rs. 15 and above, they are hitting the poorer class of house-owners especially in the City of Madras. After all a house fetching a rent of Rs. 15 per month will be a small one or a small dilapidated one owned by a petty landlord who depends entirely on the income that he gets from the small dwellings which are generally occupied by the poorer classes of people. Therefore, Sir, it will be a great harassment to a good number of small landlords and it will also considerably increase the work of administration of the Act. It seems to me that this fixing up of a lower limits is quite unnecessary and I don't think it will in any way benefit the Government also. It is therefore quite reasonable that the original limit of Rs. 30 should be retained. After all, the rent of a building has a bearing upon the size of the building, site, locality and the type of people that go in for it. Therefore, Sir, I would strongly suggest to the Government that the amendment proposed by hon. Member Mr. Raza Khan may be accepted so that people might not be unnecessarily harassed, especially the small poorer house-owners not only in the City of Madras but also in the maffassal towns. Therefore, I second this amendment."

MR. SPEAKER :—"Amendment moved—

"In clause 4, section 3 (9) (a), for the word "fifteen" substitute the word "thirty" and also to make consequential changes."

"Hon. Members Messrs. Viswanatham and Chidambara Ayyar have also given the same amendment. If they want, they can speak on it."

\* SRI S. CHIDAMBARA AYYAR :—"Mr. Speaker, Sir, I also support this amendment. As ably pointed out by the previous speakers, the question of fixing the limit at Rs. 15 involves heavy work even for the Government. Moreover, it will be handicapping very many people who are really poor and who do not understand the principles or the legal position involved in this Bill. Even now, when the limit is Rs. 30 I think that very few persons report the vacancy to the Government and in several cases there is default. The reason is not that they wantonly do it, but they do it out of ignorance. Therefore it is just and proper that the limit should not be reduced to Rs. 15. Most of the people in the City of Madras as also in the maffassal towns still fail to report the vacancy because they may not know the law at all on the subject. If only the provisions of the Act are enforced, everybody will be liable for punishment. At this rate it will be very hard and people will suffer too much and I don't want that Government should become unpopular in this matter. The Government will certainly become unpopular. People will say,

5th February 1951]

[Sri S. Chidambara Ayyar] [5th February 1951]

'This Government have passed the Act and we do not know the rules. It is not possible to report every now and then the fact of vacancy to the Controller.' In fact 50 or 60 per cent of the people will have houses or portions of houses fetching a monthly rent of Rs. 15 and above, and it is very difficult for them to report the vacancy to the Rent Controller. As a matter of fact, I think very few officers require the protection of the Government for reserving the houses for their own occupation. For the sake of a few Government officers or for the sake of Local Bodies or other public institutions, who may require the houses fetching a monthly rent or Rs. 15 and above, to bring this amending Bill is very unconscionable. With these few words, I support the amendment, Sir."

SRI T. VISWANATHAM :—" Shall I begin now, Sir? There is only two minutes' time. I will speak tomorrow."

MR. SPEAKER :—" Yes, I now adjourn the House till tomorrow 11 o'clock."

The House then adjourned to meet again on Tuesday, 6th February 1951.

#### IX.—PAPERS LAID ON THE TABLE OF THE HOUSE.

\* 1. G.O. No. 2238, L.A., dated 23rd November 1950, issuing directions for publication of list of valid nominations for election to Salur, Arikithota and Makkura circles in Srikakulam district.

2. Notification issued in G.O. Ms. No. 4579, Home, dated 10th November 1950, regarding collection of tax in respect of lorry No. M.D.M. 1303.

3. Rules framed under section 44 (2) (b) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948.

4. Notification issued with G.O. Ms. No. 4524, Home, dated 17th October 1950, making amendments to the Madras Motor Vehicles Rules, 1940, published with Home Department Notification No. 357, dated 29th March 1940, as subsequently amended.

5. Notification appended to G.O. No. 2331, L.A., dated 5th December 1950, regarding inclusion of the area constituting the Sandur State within the limits of the Bellary District Board.

6. G.O. No. 2409, L.A., dated 13th December 1950, ordering stay of elections to the Pothanur Panchayat (Salem).

7. Notification issued with G.O. Ms. No. 10, Home, dated 2nd January 1951, regarding exemption of Mobile Motion Pictures Truck M.S.Z. 3027 belonging to American Consulate-General at Madras from payment of tax.

8. G.O. No. 233, Food and Agriculture (Food Production), dated 29th November 1950, issuing orders in regard to inclusion of certain officials as members in the District Food Production Committee.

#### APPENDIX I.

[Vide answer to starred question No. 652 asked by Janab Mohamad Abdul Salam at the meeting of the Legislative Assembly held on 5th February 1951, page 13 supra.]

| Serial number and type of institutions. | Number of public institutions maintained by non-aiders before they came into existence by Government. | Number of institutions taken over and maintained by Government. | Number of institutions not taken over by Government. | Remarks.                                                                                                                                                                                |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 Aided Arts Colleges, I Grade.         | 2                                                                                                     | ..                                                              | 2                                                    | ...                                                                                                                                                                                     |
| 2 Aided Arts Colleges, II Grade.        | 1                                                                                                     | ..                                                              | 1                                                    | ....                                                                                                                                                                                    |
| 3 Special schools                       | 2                                                                                                     | ..                                                              | 1                                                    | * M.R. Music College, Visianigaram, and M. R. Sanskrit College, Visianigaram.                                                                                                           |
| 4 Secondary schools ..                  | 19                                                                                                    | ..                                                              | 19                                                   | † Out of them 5 have been taken over by local bodies.                                                                                                                                   |
| 5 Elementary schools ..                 | 17                                                                                                    | ..                                                              | 17                                                   | Some of the schools are proposed to be taken over by local bodies, others are either continued to be managed by the previous managers or transferred to some private persons or closed. |

[5th February 1951]

## APPENDIX II.

[Vide answer to starred question No. 653 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 5th February 1951, page 15 supra.]

## I

PRESS NOTE No. 193, DATED 4TH NOVEMBER 1950.

*Regulated Markets.*

There appears to be a total misconception about the object of the extension of the Madras Commercial Crops Markets Act, 1933, to coconut and its by-products and to arecanut in the districts of Malabar and South Kanara. A great deal of propaganda has been carried on by the merchants in these places with a view to compel Government to withdraw the notifications. The Government wish to make it very clear that their object is not to interfere with the trade in these commodities or to control the price or to tax the grower indirectly.

2. These markets are established in order to enable the grower to get a better price for his produce by providing open market yards. The market practices will be regulated by the Committee which consists of representatives of both growers and traders. This Committee will fix uniform market charges such as Commission, brokerage, etc. All unauthorized deductions for charity or trade allowance will be eliminated. Weights will be checked and licensed weighmen will be employed to do the weighing. Merchants and the trade will be free to do the business in the usual manner but they must take out licences. It is not obligatory on the merchants to buy in any particular place and petty merchants who buy less than one thousand coconuts a day will be exempted from taking out a licence. The growers are absolutely free to sell their produce to any trader or at the market yard. The grower need not take out a licence and he need not pay any fee or tax. To enable the committee to carry out its functions a cess of two annas on thousand coconuts (which cost Rs. 150 to 200) two annas on every maund (82-2/7 lb.) of cured arecanuts and one anna on every maund of by-products of coconuts is collected from the buyers only. The grower need not pay any cess.

3. The Government also wish to make it clear that by establishing these markets both growers and traders will derive a lot of advantage. The Committee will supply market intelligence, arrange for fair sales and conduct auctions, whenever necessary, thus ensuring that the grower gets the best price, benefit of correct weights and freedom from unauthorized and illegal deductions by commission agents, brokers, etc. The Committee will also provide accommodation and storage facilities for growers and sellers and disputes between them can be settled.

[5th February 1951]

4. There seems to be misconception in Malabar that this Market Committee will function like the Producer-cum-Consumers, Co-operative Societies. This is not the case. It is not the Government's intention to oust the traders from their present business or to put them to any inconvenience. It is wrong to say that the staff of the Market Committee will be a burden. After all, it should be remembered that the Market Committee consists of representatives of the growers and the trade who although now nominated by the Government will be elected in due course, and the staff are the servants of this Committee. It is hoped that the public will realize that the present propaganda against regulated markets is engineered by merchants based on misconceptions and that it does not deserve any support.

(Issued by the Director of Information and Publicity.)

## II

PRESS NOTE No. 201, DATED 18TH NOVEMBER 1950.

*Regulated Market for Coconut and Copra in Malabar district.*

In connection with the extension of the Madras Commercial Crops Markets Act, 1933, to the Malabar district in respect of coconut and coconut products, deputations waited on the Government recently and represented that the main fear of merchants was that they would be eliminated after the market yards were established under the Act. It was pointed out that this fear was unfounded and that the merchants should be advised first to take out licences for purchases, sales, etc., under section 5 of the Act and make representations if necessary later on before market yards were set up by the Market Committee. The Government are glad to learn that merchants are since taking out licences and it is to be hoped that the position will be normal before long. Licences will be freely issued by the Collector and any one requiring information may refer to the Collector or the Market Committee who will gladly assist.

(Issued by the Director of Information and Publicity.)

# THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, the 8th February 1951.

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

## I.—QUESTIONS AND ANSWERS.

### STARRED QUESTIONS.

*Promotion of Superintendents in the Secretariat.*

\* 664 Q.—JANAB ABDUL HAMEED KHAN: Will the Hon. the Chief Minister be pleased to state—

(a) the number of Superintendents who have been promoted as Assistant Secretaries, acting and permanent, in all the Departments of the Secretariat during the last three years;

(b) the number of Muslims so promoted during this period; and

(c) the number of senior-most Muslims who have been superseded by the appointment of juniors during this period?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—“(a) Thirty-five.

“(b) Nil.

“(c) Two.”

JANAB ABDUL HAMEED KHAN:—“May I ask, Sir, what justification there was for adopting a policy to exclude a particular religious community from getting its due right of recognition in the matter of promotion?”

THE HON. SRI B. GOPALA REDDI:—“I am afraid the hon. Gentleman is absolutely incorrect when he said that there was discrimination made against the Muslim community with regard to promotions. No such discrimination was made against any community. As a matter of fact, Sir, of these two Muslim Superintendents, one was in the Local Administration Department and the other was in the Rural Welfare Department. One was away from the Secretariat, right from the year 1934; he was in the Civil Supplies department, the firewood rationing department, the rice rationing department and all sorts of other departments and he was asked to come back to the Secretariat so that he might get his due promotion; but he did not turn up, and perhaps he preferred to be in the districts or in the rationing department. The other was in the Rural Welfare Department where he had gone purely in the course of public service. The Government had nothing to do with it. The concerned records were sent to the Public Service Commission and they found that this man was not fit for promotion and so he was not promoted. If the hon. Gentleman had asked how many Superintendents were

[6th February 1951]

overlooked in the case of the other communities also, he would have had an idea as to whether there has been any discrimination against any particular community at all."

SRI V. RAGHAVAYYA :—" Can the Hon. Minister say, Sir, how many Andhras were excluded from the list of candidates eligible for promotion as Assistant Secretaries and Deputy Secretaries? "

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

*Scales of pay of Hindi teachers.*

\* 665 Q.—JANAB MOHAMED ABDUL SALAM: Will the Hon. the Minister for Education be pleased to state whether the Government have received any reports regarding the non-implementation of G.O. No. 2810, Education, dated 17th August 1950, and if so, what the Government have done to implement the same?

THE HON. SRI K. MADHAVA MENON :—" The G.O. referred to is intended to clarify certain points concerning the previous orders issued on the subject of qualifications and scales of pay of Hindi teachers. The question of implementing the G.O. does not, therefore, arise."

JANAB MOHAMED ABDUL SALAM :—" May I know whether, after the clarification, the view of the Government was implemented or not by the local boards? "

THE HON. SRI K. MADHAVA MENON :—" Sir, the question was whether Government have received any reports regarding the non-implementation of G.O. No. 2810, Education, dated 17th August 1950, and if so, what the Government have done to implement the same. The G.O. does not require any implementation, for it is only a clarification G.O."

SRI V. RAGHAVAYYA :—" If the clarified G.O. is not implemented, what is the procedure which Government propose to adopt? "

THE HON. SRI K. MADHAVA MENON :—" It was only explaining certain things which were in doubt."

*Recommendations of the Advisory Committee on Co-operation.*

\* 666 Q.—SRI V. I. MUNISWAMI PILLAY (on behalf of Sri S. Nagappa): Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Advisory Committee on Co-operation which met in November 1950 in Madras has made several suggestions for the successful working of the co-operative movement in this State;

(b) if so, what the recommendations made by them are; and

(c) when will they be given effect to?

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

[6th February 1951]

SRI V. I. MUNISWAMI PILLAY :—" At page 2 of the reply, it is stated that 'two more co-operative training institutes should be established'. May I know where the Government intend to open these two training institutes? "

THE HON. SRI K. CHANDRAMOULI :—" The matter is under the consideration of the Government. We cannot give any definite reply just now."

SRI PYDAH VENKATANARAYANA :—" With regard to resolution No. 4 of the Committee regarding 'Extension of the scheme for the reorganization of agricultural co-operative credit societies in the Madras State', may I know whether the Government have taken a decision in the matter? "

THE HON. SRI K. CHANDRAMOULI :—" Not yet, Sir."

*Alleged resignation of the Collector of Tiruchirappalli.*

\* 667 Q.—JANAB ABDUL HAMEED KHAN: Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that the Collector of Tiruchirappalli has recently resigned; and

(b) if the answer to (a) is in the affirmative, what the reasons are for his doing so?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—" (a) No. He was granted leave preparatory to retirement.

" (b) Does not arise."

JANAB ABDUL HAMEED KHAN :—" May I ask what the name of this Collector is who has been granted leave, whether he was ripe for retirement, and if he was not ripe for retirement, why was he retired so soon and so suddenly? "

THE HON. SRI B. GOPALA REDDI :—" The name of the officer concerned is Mr. Pare of the Indian Civil Service. He was not asked to go on retirement; he is not due to retirement either; but like most of the European officers, he also took advantage of the Secretary of State's assurance on the compensation to be given, and he sought employment elsewhere, and asked for leave preparatory to retirement."

JANAB MOHAMED ABDUL SALAM :—" May I know whether the Government are aware of the Press reports in this State that he had to resign due to some differences with a certain Minister; if that is not correct, as is evident from the answer of the Hon. Leader of the House, why the Government have not contradicted such reports in the papers? "

THE HON. SRI B. GOPALA REDDI :—" As far as I am concerned, I have not seen any Press reports; but I was told that there was some little whispering somewhere here, but I may



[6th February 1961]

categorically say that there is absolutely no foundation for any difference of opinion with the Government, and he retired on purely personal grounds."

JANAB MUHAMMAD RAZA KHAN :—" Is it a fact, Sir, that apart from the retirement of the Collector, the District Superintendent of Police also has thought it fit to resign and he has . . . "

MR. SPEAKER :—" What has that got to do with this question? "

THE HON. SRI B. GOPALA REDDI :—" Even that is unfounded."

SRI V. RAGHAVAYYA :—" Is it a fact or not that this Collector expressed some disagreement with this Government regarding the procurement policy followed in the Tiruchirappalli district, that a hitch arose on that account and because the Collector felt insulted that the regular policy of the Government was not allowed to be followed by him, he has resigned or offered to resign or has gone on leave preparatory to retirement? "

THE HON. SRI B. GOPALA REDDI :—" The hon. Member is expressing perhaps the rumours that were going round. I can say that there is absolutely no foundation for them; there was no hitch and no difference of opinion, either with regard to procurement or any other matter; he went out because he sought employment elsewhere, and on his own personal grounds."

SRI K. LINGA RAJU :—" Is there any truth in the whisper again that the concerned gentleman has appealed to the Government of India? "

THE HON. SRI B. GOPALA REDDI :—" Again it is false, Sir; he has not appealed, because he has asked for leave preparatory to retirement; and he was not asked to go on leave."

*Bifurcation of civil and criminal jurisdiction of the Munsif-Magistrates.*

\* 668 Q.—SRI P. VENKATASUBBIAH : Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that a Committee appointed by the Bar Association of Cuddapah has submitted a memorandum to the Government regarding the bifurcation of Civil and Criminal jurisdiction of the Munsif-Magistrates;

(b) if so, what the other points that they have mentioned in that memorandum are; and

(c) what action, the Government propose to take on this memorandum?

THE HON. SRI K. MADHAVA MENON :—" (a) No.

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

SRI P. VENKATASUBBIAH :—" May I know whether any such proposal is under the consideration of the Government? "

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

[6th February 1961]

*Development Board for Visakhapatnam district.*

\* 669 Q.—SRI D. V. RAMASWAMI (on behalf of Sri G. Lat-channa) : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received any representations from the public and public organizations for the setting up of a Development Board for Visakhapatnam district; and

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

THE HON. SRI H. SITARAMA REDDI :—" (a) & (b) Yes. The matter is under consideration."

JANAB MUHAMMAD RAZA KHAN :—" There are persistent demands from different districts for the setting up of Development Boards. Will the Hon. Minister consider the desirability of having a Development Board for every district and also for the Madras City? "

THE HON. SRI H. SITARAMA REDDI :—" If any area requires development, every attempt will be made to see that it is developed."

SRI D. V. RAMASWAMI :—" While I thank the Hon. Minister for his answer, may I ask him whether it is not a fact that during the Budget sessions in the past two years also, this question of setting up a Development Board for backward districts like Visakhapatnam was considered and it was stated that it would be taken up as early as possible? And will the Government be pleased to give an assurance that such a board will be constituted in Visakhapatnam district like the one in the Ceded Districts also? "

THE HON. SRI H. SITARAMA REDDI :—" I may state, for the information of the House, that we have recently called for a report from the Collector of Visakhapatnam on this matter and that we are awaiting his report. As soon as the report is received, suitable action will be taken."

SRI G. KUMARASWAMI :—" May I know from the Hon. Minister for Land Revenue on what lines this Board is to be set up by the Government in the Visakhapatnam district? "

THE HON. SRI H. SITARAMA REDDI :—" It depends on the Collector's report."

JANAB MUHAMMAD RAZA KHAN :—" May I ask the Hon. Revenue Minister as to what should be the undeveloped conditions in a district which would necessitate the setting up by the Government of a Development Board in the different districts? "

THE HON. SRI H. SITARAMA REDDI :—" There are areas which are called, for instance, depressed areas; similarly there are what are called backward areas, and they are all the same. The idea of the Government is to see that they are brought on to the level of the areas which are not backward."

[6th February 1951]

*Working of Prohibition Act in Salem district.*

\* 670 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Prohibition be pleased to state—

(a) the number of cases of illicit distillation and preparation of unauthorized liquor that were detected in the Salem district from the beginning of this year till the end of October;

(b) the number of prosecutions that were filed and the number convicted;

(c) the number of non-officials that have been given drink permits in the above district and what their number to-day is; and

(d) whether the attention of the Government has been drawn to the remarks of Justice Basheer Ahmed Sayeed in a recent judgment of the Madras High Court pronounced in the first week of November on the working of the Prohibition Act in Salem district?

THE HON. SRI N. SANJEEVA REDDI:—“(a) 912.

“(b) 788 prosecutions were filed of which 643 ended in conviction during the period from the beginning of 1950 till the end of October 1950.

“(c) 35 permits were granted during the period from 1st January to 31st October 1950 of which 34 were issued to Europeans and one to an Indian. All the above permits are current to-day.

“(d) The Government have seen a newspaper report of the judgment.”

SRI V. RAGHAVAYYA:—“Sir, may I know what reasons have contributed to this, once the haven of all prohibition in the districts, i.e., the district of Salem, having fallen in grace, in contributing so many to the prohibition offences and in drawing the attention of the High Court in regard to its unsuccessful working?”

THE HON. SRI N. SANJEEVA REDDI:—“I do not think Sir, the number is so very big; the attention of the High Court was, I think, drawn by some miscalculated facts or something like that—I do not want to say anything about that—but the number of cases is not after all so many, compared to the total.”

SRI P. NATESAN:—“Is the Hon. Minister prepared to admit that this has become a cottage industry in this State?”

THE HON. SRI N. SANJEEVA REDDI:—“No, definitely not.”

SRI T. S. PATTABHIRAMAN:—“Is it a fact, Sir, that illicit distillation has been there in Salem district even before Prohibition and that it has not increased after it was introduced?”

THE HON. SRI N. SANJEEVA REDDI:—“There was of course illicit distillation before Prohibition; but there is a slight increase now because liquor is not available and the shops are not able to sell it openly.”

[6th February 1951]

DR. S. SUBRAHMANYAM:—“Will the Government enquire whether the large number of crimes is not due to any slackness on the part of the Police who have now been put in charge, because of their step-motherly treatment of Prohibition?”

THE HON. SRI N. SANJEEVA REDDI:—“No, Sir. They have been trying to do their best and as time progresses, I think, they will be able to do better with the experience gained, because they have taken it up only recently.”

SRI K. KOTI REDDI:—“May I know, Sir, whether the Government are contemplating to devise ways and means to see that the enforcement of Prohibition is more effective than what it is to-day and if so, what those measures are?”

THE HON. SRI N. SANJEEVA REDDI:—“I am not prepared to say what are the new measures we are trying to enforce, but certainly the Government are thinking of putting it on different lines so that it can be enforced better.”

JANAB MOHAMED ABDUL SALAM:—“Sir, arising out of the answer of the Hon. Minister that this Government have seen the judgment of the High Court on this matter, may I know whether they have done anything, after knowing what the highest Tribunal of this State has stated, namely, that Prohibition is a failure, to prevent people going about in the streets drunk? I know this is taking place in this district.”

THE HON. SRI N. SANJEEVA REDDI:—“No, Sir. The High Court have in no place said that Prohibition is a failure. Their remark is also based upon inadequate information which they had at their disposal in that particular case. Therefore, the High Court never said that Prohibition is a failure.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—“May I know, Sir, whether any Committee has been appointed in the Central Provinces, now called Madhya Pradesh, to report on the working of Prohibition in that State?”

MR. SPEAKER:—“The hon. Member can put a separate question?”

THE HON. SRI N. SANJEEVA REDDI:—“It is only a newspaper report and we have no authoritative information.”

JANAB MOHAMED ABDUL SALAM:—“On a point of order, Sir. The Hon. Minister for Prohibition said that the High Court based their remarks on meagre information. Is it not a reflection on the judgment of the High Court?”

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

JANAB MUHAMMAD RAZA KHAN:—“Sir, just a minute ago, the Hon. Minister, while replying to a question, said, he seems to have seen such a report and that so far he did not go through the real judgment of the High Court and in his second reply, by implication, he meant that he read the judgment. Which is true, Sir?”

[6th February 1951]

THE HON. SRI N. SANJEEVA REDDI :—" Both are correct. There is practically no difference. I saw the press report and from that I said that the remark was made."

SRI P. NATESAN :—" Sir, will the Government see that this insistence on medical certificate for permits for Indians is withdrawn, as it is most revolting to some of the respectable people who apply for permits? "

THE HON. SRI N. SANJEEVA REDDI :—" Since permits are granted only on health grounds, I do not know who else can certify except a doctor."

SRI P. NATESAN :—" May I tell the Hon. Minister, Sir, that permits can be obtained very easily and it is the only way to black-market even the medical profession, because it is customary for people to get medical certificates easily. So, there is no meaning in insisting on medical certificates? "

THE HON. SRI N. SANJEEVA REDDI :—" I do not know how far it is correct, but we shall make use of the hon. Gentleman's information in granting permits even on medical certificates in future."

BEGUM SULTAN MIR AMIRUDDIN :—" Is it not a fact, Sir, that not merely one Judge, but Judge after Judge, I think, three or four Judges of the High Court, have remarked to the effect that Prohibition is not working satisfactorily? "

THE HON. SRI N. SANJEEVA REDDI :—" I do not know whether such a good number of Judges have said that. Only one case was brought to my notice and I did not see any other remark of any other Judge in this behalf."

SRI L. N. GOPALASWAMI :—" May I know, Sir, from the Government, the percentage of increase in crime over the pre-Prohibition days and whether in the opinion of the Government, this warrants any inference that Prohibition has failed? "

THE HON. SRI N. SANJEEVA REDDI :—" It is a very big question to answer off-hand. If the hon. Member wants to have statistics I am prepared to give him, but I do not think there is need to infer that way."

DR. S. SUBRAHMANYAM :—" Sir, in view of the fact that the police are now administering Prohibition, will the Government consider the question of dividing the district into two portions, one portion put in the administration of the old excise staff and the other in the hands of the police, and compare the results of the healthy competition between these two departments in the matter of putting down illicit distillation? "

THE HON. SRI N. SANJEEVA REDDI :—" Instead of dividing each district into two, we have divided the districts as a whole into two parts and put some of the districts in charge of the police and some in charge of the Excise staff. Both are doing their jobs well. Of course, some are may be bad, and some fairly good. As my hon. Friend knows, his own district is pretty good, while some other districts are

[6th February 1951]

bad. In a good number of districts, like Madurai, the administration by the Police is good. So, it is not because that a particular district is in charge of the Police or the Excise people that the administration is bad, but it is because of the people in the areas concerned."

SRI V. RAGHAVAYYA :—" Judging from the figures that all the European non-officials have been able to get permits, may I know why the Government are perpetuating this discrimination and preferential treatment to Europeans, even though such discrimination is found to be a lacuna offending fundamental rights, and even though the Europeans in their countries do not care to respect the feelings of Indians when they go there? "

THE HON. SRI N. SANJEEVA REDDI :—" My hon. Friend knows that we generally treat our guests on a much better footing than we do ourselves. So, the Europeans are our guests here and we do not want to be very hard on them. They drink only for their health purposes and so we do not want to put them into trouble on this account."

JANAB M. S. ABDUL MAJID :—" Sir, apart from the judgment of the High Court, is it not a fact that Prohibition offences are every day increasing, not only in the district of Salem, but throughout the State and does it not show that Prohibition is actually failing in the State? "

THE HON. SRI N. SANJEEVA REDDI :—" No, Sir. It takes time for us to stabilize. It is a new law we have to enforce and so we have to face a good number of difficulties, but I am sure the officials are doing their best and will make it a complete success. But, inferences based only on a few cases of increase of crime, cannot be a real indication as to whether Prohibition is a success or a failure."

SRI P. NATESAN :—" Sir, has not the Hon. Minister himself admitted in one of his speeches in Salem that it was practically a failure in that particular district and has he not asked for the co-operation of the people? "

THE HON. SRI N. SANJEEVA REDDI :—" I did request the people for their co-operation, but I never said anywhere, either in Salem or in Madras, that Prohibition was a failure."

SRI B. S. MURTHY :—" Sir, in spite of the laudable assertions of the Hon. Minister in charge of Prohibition, there is a feeling in the country that Prohibition has not been working properly, though it may not be due to lack of effort on the part of the Executive to enforce it, but due to lack of co-operation of the people; that if so, may I know what steps the Government are going to take to see that all sections of the people do lend their co-operation in making this Prohibition a nationwide success? "

THE HON. SRI N. SANJEEVA REDDI :—" I am very much thanking my hon. Friend for the complaint he has made to the Executive, I can only appeal to the public to co-operate more effectively in this matter."

[6th February 1951]

SRI V. I. MUNISWAMI PILLAY :—" Arising out of the answer of the Hon. Minister to the question about the granting of permits, may I enquire whether it is not a fact that the Collector and the Members of the Board of Revenue have also to recommend the sanction of such permits? "

\* THE HON. SRI N. SANJEEVA REDDI :—" Yes, Sir, in almost all cases the application comes through the Revenue Board and the Collector. But in those cases in which the Members of the Board of Revenue personally know the applicants, they may themselves recommend and they need not insist on the recommendation of the Collector."

SRI V. M. RAMASWAMI MUDALIYAR :—" Sir, in view of the new impetus to be given to the tourists trade, may I know, Sir, whether the Government have received any direction from the Union Government that at least in the case of the tourists some facilities for issuing these permits free, if required, might be afforded? "

MR. SPEAKER :—" It is a general question. This question relates only to the Salem district. Of course, if the Hon. Minister is prepared to answer the question, I have no objection."

SRI V. M. RAMASWAMI MUDALIYAR :—" I am only asking, Sir, what arrangements the Government of Madras are making to give facilities to tourists? "

THE HON. SRI N. SANJEEVA REDDI :—" Though we have not received any recommendation or instruction from the Union Government, we have been more considerate to the tourists."

SRI P. KANDASWAMI PILLAI :—" Sir, in view of the answer given by the Hon. Minister, and in view of the fact that it has not been possible for the Government to properly enforce Prohibition in the Salem district in particular and generally in the State, will the Government be pleased to entrust the work to non-officials who are interested in the matter and who will be very careful in working Prohibition? "

THE HON. SRI N. SANJEEVA REDDI :—" Sir, there is practically no objection to take the co-operation of non-officials, but I do not understand what the hon. Member means by "entrusting it to non-officials." If it is to be completely taken away from the officials and handed over to non-officials, I do not think it is a proposition which it is possible to accept."

SRI L. C. PAIS :—" Sir, having regard to the fact that public co-operation is not forthcoming so far as this matter is concerned, will the Government consider the desirability of calling an All-Party Conference to consider the situation and devise ways and means to meet and improve the situation? "

THE HON. SRI N. SANJEEVA REDDI :—" There is a proposal before the Government to appoint a committee and take their advice and co-operation."

6th February 1951]

SRI T. S. PATTABHIRAMAN :—" Sir, in view of the fact that Prohibition has been entrusted to the Police, will it not be better if the portfolios of Police and Prohibition are put in the hands of one Minister so that there may be effective enforcement of Prohibition? "

SRI D. V. RAMASWAMI :—" Sir, in view of the well-known and oft-quoted opinion pronounced by no less a person than the Hon. Sri Jawaharlal Nehru, may I know whether the Government will consider the desirability of reviewing the policy of Prohibition particularly in view of the financial depression in our State? "

MR. SPEAKER :—" The hon. Member may put a separate question on it."

SRI P. NATESAN :—" Sir, will the Government consider the desirability of appointing a Committee consisting only of the members of the Opposition to find out if prohibition is a success in the State? "

THE HON. SRI N. SANJEEVA REDDI :—" I think it is not a fair demand to make. There are also other Members—a bigger percentage of the House—and they too have a voice in the matter."

Amount taken over from the Pudukkottai Treasury on the date of merger with Madras State.

\* 671 Q.—SRI R. NATESAN :—" Will the Chief Minister be pleased to state—

(a) the amount that was in the Pudukkottai State Treasury when it was merged with Madras State; and

(b) whether this Government propose to spend a portion of it for the betterment of the people of Pudukkottai?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—" (a) Rs. 3,67,119-12-0.

" (b) The small amount taken over from the Pudukkottai Treasury on the date of merger has not been ear-marked for expenditure in the Pudukkottai Area; but the Government are actually spending in that area every year much more than the receipts accruing from that area. The measures needed for the betterment of the people of Pudukkottai will always receive the best consideration of the Government as those for the rest of the Madras State."

SRI R. NATESAN :—" May I know, Sir, from the Hon. Minister, whether it is a fact that the State Governments of Bombay and Madhya Pradesh have decided to utilize the entire amounts taken from the treasuries of the merged States only for the benefit of those merged States and if so, whether this Government also will be pleased to consider the desirability of following the same policy? "

THE HON. SRI B. GOPALA REDDI :—" If the people are satisfied with only the moneys taken over from the treasury, then it

[6th February 1951]

is very good. But when we are spending much more than what we have taken from the Pudukkottai State treasury, the question of ear-marking it does not arise."

SRI K. RAJARAM NAYUDU :—" May I know what is the additional expenditure that is incurred by our State every year after the merger of the Pudukkottai State? "

THE HON. SRI B. GOPALA REDDI :—" A separate question may be put. Enhancement of salaries, dearness allowance and all these things go to make up the expenditure."

*Water-cess rates in the Mettur Project.*

\* 672 Q.—SIR S. NAGAPPA : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the Government have revised water-cess rates in the Mettur Project area;

(b) if so, what the rates prevailing prior to the revision were;

(c) what the present rates are;

(d) what the financial loss or gain to the State is; and

(e) the reasons for such revision?

THE HON. SRI H. SITARAMA REDDI :—" (a) to (c) & (e) The attention of the hon. Member is invited to the reply given in the Assembly on 7th December 1950 to the Legislative Assembly Question No. 581 (starred) of Sri A. Vedaratnam Pillai.

" (d) As the rates of water-cess will be higher in each fasli, there will be no loss, but only increased revenue from water-cess. It is not possible to state what exactly this increased revenue in fasli 1360 will be, until after the fasli is over."

11-30 a.m. SRI S. NAGAPPA :—" May I know, Sir, whether there was any demand from the people of these areas as regards the revision of these rates? "

THE HON. SRI H. SITARAMA REDDI :—" Yes, Sir."

SRI L. N. GOPALASWAMI :—" May I know whether, under the same Mettur Project in Tanjore and Tiruchirappalli, the rates levied in the latter area are higher, and if so, whether the Government will consider the desirability of bringing them to the level of those obtaining in Tanjore district? "

THE HON. SRI H. SITARAMA REDDI :—" If the hon. Member has in mind the Kattalai high level area, that question has already been taken up and we have passed orders bringing the rates to the level obtaining in Tanjore area."

SRI B. S. MURTHY :—" Arising out of the Hon. Minister's reply that in accordance with the demands from ryots, rates have been revised, may I know, Sir, if it is the policy of the Government that whenever there is a demand for revision, it will be given effect to in other areas also? "

[6th February 1951]

THE HON. SRI H. SITARAMA REDDI :—" Certainly, when they deserve it, Sir."

SRI K. KOTI REDDI :—" May I know, Sir, if there has been any policy behind the fixing of water rates by the Government in the past or the present which they are likely to follow in future with regard to water rates? "

THE HON. SRI H. SITARAMA REDDI :—" The hon. Member knows that there is a policy with regard to water-cess and it is levied for the water that is consumed. The Government are contemplating bringing in an Irrigation Bill with a view to see that there is a uniform standard and a uniform policy in this matter for the entire State."

*Representations regarding the exhibition of the film  
"Paramanandiah Sishyulu".*

\* 673 Q.—SRI S. NAGAPPA : Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have received any representation from Sri K. Nagabushanam, President, Nayecebrahmanasangham, Nandyal, protesting against the exhibition of a portion of a Telugu film known as "Paramanandiah Sishyulu" which holds the Barber community to hatred and contempt?;

(b) if so, what action the Government have taken or propose to take to ban that picture until that objectionable portion is deleted and when? and

(c) if not, why not?

THE HON. SRI K. MADHAVA MENON :—" (a) A petition on this subject from the President, Nayecebrahmanasangham, Nandyal, was received by the Board of Film Censors, Madras.

" (b) & (c) The Committee of the Madras Board of Film Censors, which censored the film, is of the opinion that the objections raised in the petition cannot hold good as the portions objected to are not offensive. The Government do not propose to take any action against the exhibition of the film."

SRI S. NAGAPPA :—" Is it the opinion of the Board of Censors or the community concerned which feels that a particular portion if exhibited would bring that community into contempt and hatred, that has to be taken into consideration? "

THE HON. SRI K. MADHAVA MENON :—" The community may think anything, Sir, but we have to decide whether the thing is offensive or not and the judges in the matter have said that it is not offensive."

[6th February 1951]

SRI B. S. MURTHY :—" May I know, Sir, what portions have been objected to by the President of the Nayecebrahmanasangham which he requested to be deleted? "

THE HON. SRI K. MADHAVA MENON :—" The portions objected to were the words spoken by the actor while he was leaving his house and instructing his wife that she should be very careful in regard to the commencement of Sravana and Bhadrpad, which were personified as men by the innocent wife. The words were :—

' I must go soon on urgent business before the day dawns. Otherwise, if I happen to see Mangala Venkayya who comes with his nasty inauspicious podi (in which necessary instruments for shaving are arranged) whose very presence is inauspicious for the intended work . . . '

" This is the portion that is objected to. "

SRI S. NAGAPPA :—" Will this not bring contempt for and hatred against the community if it is uttered publicly to an audience? Will not, therefore, the Government consider the feelings of the community and issue instructions to amend that portion of the film? "

THE HON. SRI K. MADHAVA MENON :—" I have heard it said every day that a single Brahmin is inauspicious but the Brahmin community has not at any time taken it as an insult against them. " (Laughter.)

SRI A. VEDARATNAM PILLAI :—" May I know, Sir, whether the Government will appoint a Committee consisting of five Members of this House to censor the film so that they could censor and allow the portion which is unobjectionable? "

THE HON. SRI K. MADHAVA MENON :—" In the first place, Sir, the power of censoring has been taken over by the union Government and the Madras Government cannot appoint a Committee. A Sub-Committee consisting of very eminent people Sri Sambha Prasad, Mrs. Krishna Rao and Sri Dalavoi, has gone into this matter (interruption). Whatever it may be, the Editor of the Andhra Patrika knows things and he is one of those who censored the film after the objection was raised and it has been found that there is nothing objectionable in the film. "

SRI M. S. PATTABHIRAMIAH :—" Does any one from the Board of Censors whose names have been mentioned by the Hon. Minister, belong to the Nayecebrahmana community? "

THE HON. SRI K. MADHAVA MENON :—" I do not know whether they belong to the Nayecebrahmana community or the Puranabrahmana community; but their names must be sufficiently familiar to Friends here. "

6th February 1951]

*Grants to Harijan hostels.*

\* 674 Q.—SRI V. I. MUNISWAMI PILLAY (on behalf of Sri R. S. Manickam): Will the Hon. the Minister for Rural Development be pleased to lay on the table of the House a statement showing—

(a) the number of Harijan hostels which received grants during 1949-50 from the funds set apart for Harijan Welfare, districtwar; and

(b) the number of residential scholarships paid from the same source for the same period, districtwar?

THE HON. SRI B. PARAMESWARAN :—" (a) & (b) A statement is placed on the table of the House. "

SRI V. I. MUNISWAMI PILLAY :—" In the case of East Godavari, West Godavari and Guntur, may I know, Sir, how many hostels are run by agencies other than the Harijan Sevak Sangh? "

THE HON. SRI B. PARAMESWARAN :—" If a separate question is put, I shall be able to supply the answer. "

SRI B. S. MURTHY :—" Now that the Government have been pleased to give more grants to a number of hostels with the assistance of the Hon. Finance Minister, may I know, Sir, whether there will be a strict supervision directly responsible to the Government so that all the moneys granted may be properly used? "

THE HON. SRI B. PARAMESWARAN :—" The suggestion of the hon. Member will be considered. "

JANAB MUHAMMAD RAZA KHAN :—" May I know, Sir, how much has been spent on these 352 hostels to provide accommodation for 1,200 students? "

THE HON. SRI B. PARAMESWARAN :—" Rs. 18 lakhs are spent on hostel grants. "

SRI L. N. GOPALASWAMI :—" In view of the disparity in the number of hostels in the various districts, and in view of the fact that the Provincial Harijan Welfare Committee has recommended to the Government to see that help to the Harijan community is extended to backward areas where there are not enough facilities, may I know what action has been taken by the Government? "

THE HON. SRI B. PARAMESWARAN :—" That is a question that is now before the Government and when grants are made next year the hon. Member's suggestion will be taken into consideration. "

SRI V. KURMAYYA :—" In answer to the question asked by my hon. Friend Mr. Gopalaswami, the Hon. Minister stated that the Harijan Welfare Committee had recommended that more hostels should be started in the backward areas. Now, Sir, many



[6th February 1951]

of the schools are in the southern districts and there are very few schools in the Telugu area. Therefore, Sir, may I ask the Government to consider the desirability of starting and recognizing more labour schools in the north, so that the north may catch up with the south in the number of schools?"

THE HON. SRI B. PARAMESWARAN :—" People in Andhra-  
desa seem to be more inclined and interested in starting  
hostels than in starting labour schools."

JANAB MOHAMED ABDUL SALAM :—" May I know, Sir,  
the number of Harijan hostels that are manned by non-Harijans?"

MR. SPEAKER :—" That question was asked by hon. Member  
Mr. Muniswami Pillay and the Hon. Minister asked for notice."

SRI B. S. MURTHY :—" May I ask, Sir, if the Government  
will consider the advisability of each district having an officer solely  
to attend to hostel work?"

THE HON. SRI B. PARAMESWARAN :—" The officers in  
charge of inspection are doing their very best and wherever  
difficulties are found, we will certainly rectify them."

SRI V. RAGHAVAYYA :—" In view of the difficulty that is  
experienced year after year in permitting people to indiscriminately  
start hostels wherever they like and disappointing them at the end  
of the year by not giving them any grants, may I know, Sir,  
whether the Government will fix the number of hostels to be started  
for the next year and also specify the districts and places where  
they have to be started so that these difficulties and disappoint-  
ments may not arise over and over again?"

THE HON. SRI B. PARAMESWARAN :—" The issue of a  
Press Communiqué on those lines is being considered."

SRI S. NAGAPPA :—" May I know, Sir, whether in districts  
where there are less number of hostels and where non-official  
agencies have failed to come forward to start hostels, will the Gov-  
ernment consider the desirability of opening hostels attached to  
each high school?"

THE HON. SRI B. PARAMESWARAN :—" The financial posi-  
tion of the State does not permit such action; we want both  
Caste Hindus and Harijans to exert themselves in starting  
hostels in districts which are backward and the Government  
will sympathetically consider the question of grants for  
them."

SRI V. I. MUNISWAMI PILLAY :—" Is it not a fact, Sir,  
that the Provincial Harijan Welfare Committee have adopted  
certain rules for giving grants to new hostels that are proposed?"

THE HON. SRI B. PARAMESWARAN :—" Grants are being  
made in accordance with the rules made by the Provincial  
Harijan Welfare Committee."

[6th February 1951]

SRI P. VENKATASUBBIAH :—" May I know, Sir, whether  
in the Kurnool district, which is considered to be a backward area,  
the hostels which have been started have not been given recognition  
and may I request the Government to give recognition to all the  
hostels that have been started, particularly because the number of  
such hostels in existence is very small in that district?"

MR. SPEAKER :—" It is a request to the Government."

THE HON. SRI B. PARAMESWARAN :—" They might have  
been recognized by this time."

SRI P. KAKKAN :—" May I know, Sir, whether there are any  
hostels conducted for the benefit of Harijans by Muslims or  
Christians?"

THE HON. SRI B. PARAMESWARAN :—" I think there are  
one or two."

### *Beggar homes in the State.*

\* 675 Q.—SRI B. S. MURTHY : Will the Hon. the Minister  
for Education be pleased to state the number of beggar homes in  
the State and the agencies maintaining the same?

THE HON. SRI K. MADHAVA MENON :—" The attention of  
the hon. Member is invited to the answer to question No. 69  
given at the meeting of the Assembly on 15th March 1950.

" There are at present a work-house for able-bodied beggars  
and a beggar home for disabled beggars in the City of Madras  
run by the Corporation of Madras. In the mufassal there are  
beggar homes at Coimbatore and Ootacamund maintained by  
the local municipal councils. A poor home has recently been  
opened as an experimental measure at Karvetnagar in the  
Chittoor district, and it is maintained by the district board."

SRI B. S. MURTHY :—" May I know, Sir, whether the Hon. 11-45  
Minister was pleased to state on the 15th March 1950, while a.m.  
answering a similar question, that it was not possible to take a  
census of the beggars in this State? May I know also whether  
the Government have revised their opinion since then regarding  
this important problem, because unless and until we know how  
many beggars are there and how these people could be brought  
into work-houses, Government will not be able to do anything in  
the matter?"

THE HON. SRI K. MADHAVA MENON :—" Sir, I went  
through the whole proceedings of this House referred to. In  
my answers I do not find anywhere I have said that it is not  
possible to take a census of the beggar population."

SRI B. S. MURTHY :—" May I know, Sir, whether the  
Government will now at least undertake a census of the beggars?"

THE HON. SRI K. MADHAVA MENON :—" The census is to  
take place in three weeks when, I am sure, the beggars also  
will be enumerated."



[6th February 1951]

JANAB ABDUL HAMEED KHAN :—" May I know whether the Government do not think it advisable to do more intensive work in one place, say, like the City of Madras, and then go to some other place, instead of doing this sort of work in an extensive area without tackling this problem effectively anywhere? "

THE HON. SRI K. MADHAVA MENON :—" The Government are not doing any such work in any place. The Corporation of Madras is doing this work in Madras City; in Coimbatore and Ootacamund, the municipalities are doing this work, and in Chittoor, the district board is doing this work."

SRI B. S. MURTHY :—" Have the Government under consideration any intensive scheme in regard to this work so that all disabled beggars can get some help? "

THE HON. SRI K. MADHAVA MENON :—" The Government in this matter are extending the provisions of the Act only on the request of the local bodies or associations concerned, so that only when there are people to tackle this problem this Act is extended to other cases. There has been no request from other areas to extend this Act to them."

SRI P. NATESAN :—" May I know, Sir, how many beggars are accommodated by the Madras Corporation? "

THE HON. SRI K. MADHAVA MENON :—" That question should be put in the Corporation Council." (Laughter.)

JANAB M. S. ABDUL MAJID :—" Sir, the Hon. Minister said that the census would be taken in the course of next three weeks when they would enumerate beggars also. May I know whether they will be enumerated under a separate head? "

THE HON. SRI K. MADHAVA MENON :—" I think there was recently a Press Communiqué about census procedure."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know what is the use of having on the statute book an Act prohibiting begging in Madras City when Government have not made adequate provision for housing the beggars. Is it not the duty of the Government to take steps to implement that Act by providing more beggar homes and work-houses in Madras City, where there is a large influx of beggars from the mufassal? "

THE HON. SRI K. MADHAVA MENON :—" Without legislation beggary cannot be prohibited. When beggar homes are provided, beggars can be compulsorily taken to those homes."

SRI N. M. R. SUBBARAMAN :—" May I know whether any subsidy is given to beggar homes, if so, how much and on what basis? "

THE HON. SRI K. MADHAVA MENON :—" I do not think there is a separate subsidy given to beggar homes as such. But a general subsidy is given to local bodies."

[6th February 1951]

SRI P. A. THANGASWAMI NADAR :—" May I inquire whether the Hon. Minister is aware that there is a request from the Palayamkottai and Tirunelveli Municipalities for the extension of this Act to those areas? "

MR. SPEAKER :—" I think this question should be put to the Hon. Minister, Sri Chandramouli."

SRI P. A. THANGASWAMI NADAR :—" No, Sir, this arises out of the answer of the Hon. Minister to a previous question that no request has been made from other areas; so I wish to know from him whether a request has not been received from the Tirunelveli and Palayamkottai Municipalities? "

THE HON. SRI K. MADHAVA MENON :—" If the Government are satisfied that there is provision in the other areas to start beggar homes, this Act will be extended to those areas."

SRI L. C. PAIS :—" Sir, having regard to the fact that the starting of beggar homes and maintaining them will be a big drain on the slender municipal finances, will the Government consider the necessity of giving generous aid whenever municipalities want to start such homes? "

THE HON. SRI K. MADHAVA MENON :—" I have already said that subsidies to municipalities are given as a lump sum and not necessarily for each particular item."

SRI T. S. PATTABHIRAMAN :—" Is the Hon. Minister aware of the beggar home run by the Beggar Home Society, Kozhikode, and if so, may I know, who is financing it? "

THE HON. SRI K. MADHAVA MENON :—" I am aware of it. It is being financed by public funds."

SRI P. KANDASWAMI PILLAI :—" May I know whether the Government will open or intend to open in the Madras City or in the mufassal, to set an example to the general public, a poor home and maintain it themselves? "

THE HON. SRI K. MADHAVA MENON :—" There is no such proposal. The Corporation of Madras is maintaining a Poor Home in Madras."

*Assignment of lands to the political sufferers in East Godavari district.*

\* 676 Q.—SRI B. S. MURTHY: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of political sufferers in the East Godavari district, who have applied for the assignment of lands from 1st July 1950 till the end of September 1950;

(b) the number of persons among them to whom assignments have been made so far and the extent of land so assigned; and

(c) how many of these assignments are permanent and how many temporary?

[8th February 1951]

THE HON. SRI H. SITARAMA REDDI :—“(a) Nil.

“(b) & (c) Do not arise.”

SRI B. S. MURTHY :—“May I know why the East Godavari political sufferers have not taken advantage of the very altruistic move of the Government?”

THE HON. SRI H. SITARAMA REDDI :—“I may draw the hon. Member's attention to the question he has put. He has asked me to state the number of political sufferers in East Godavari district who have applied for assignment of land from 1st July 1950 to the end of September 1950. I can only give an answer to the question he has put.” (Laughter.)

*Girls' Hostel at Kottur.*

\* 677 Q.—SRI K. ISHWARA : Will the Hon. the Minister for Rural Development be pleased to state—

(a) whether it is a fact that this Government have not given any kind of grant to the Girls' Hostel at Kottur in Bellary district which has been started in July 1949;

(b) whether it is a fact that grants have been given to the Boys' Hostel in the same place; and

(c) if so, the reasons for not giving grants to the Girls' Hostel at Kottur?

THE HON. SRI B. PARAMESWARAN :—“(a) There is no Girls' Hostel at Kottur.

“(b) Yes, Sir. Of the two hostels, one has been granted boarding grants. The other has not been recognized.

“(c) Does not arise.”

SRI S. NAGAPPA :—“May I ask the Hon. Minister, why, out of the two hostels, only one was given a lump sum grant, and the other was refused?”

THE HON. SRI B. PARAMESWARAN :—“Because they did not fulfil the conditions in the rules.”

SRI B. S. MURTHY :—“Is it not the policy of the Government that women's education in general and Harijan women's education in particular should receive special attention; and so, when there is private enterprise coming forward to start hostels, should not the Government encourage it, instead of rejecting such move on the ground of non-compliance with rules?”

THE HON. SRI B. PARAMESWARAN :—“We cannot go against the rules. My hon. Friend has not understood my answer to clause (b). This relates to boys' hostel. With regard to girls' hostels, there was not a single girls' hostel to be recognized.”

[8th February 1951]

*Rehabilitation of refugees.*

\* 678 Q.—SRI P. VENKATASUBBIAH : Will the Hon. the Chief Minister be pleased to state—

(a) the present strength of refugees, who have come from East Pakistan to Madras for being rehabilitated;

(b) what arrangements the Government have made or propose to make to rehabilitate them; and

(c) whether the Government of India are going to give any financial assistance to this Government in the matter of rehabilitation of these refugees?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—“(a) This Government have agreed to take up to a maximum of 10,000 displaced persons from East Bengal for rehabilitation in this State. None have come so far pending the formulation of the detailed schemes and their sanction by the Government of India.

“(b) The following schemes are under contemplation :—

(1) Settlement of the bulk of the agriculturist families on lands in the Gudem Agency of the Visakhapatnam district.

(2) Settlement of a few hundreds of the agriculturist families on lands in Wynad taluk of the Malabar district.

(3) Settlement of about 200 fishermen families (roughly 1,000 persons) near the Mettur Reservoir in the Salem district.

Details of the schemes are being examined.

“(c) The schemes are being prepared on the understanding that the Government of India will bear the full cost.”

SRI R. V. SWAMINATHAN :—“May I know whether the details of the scheme whereby the refugees will be asked to settle down in an agricultural area have been worked out, as also the number of acres to be given to each refugee family and the sort of help to be given to them?”

THE HON. SRI B. GOPALA REDDI :—“The details of the scheme will be examined as and when they are received and we may take action on them, then.”

SRI P. VENKATASUBBIAH :—“May I know, in rehabilitating these refugee families, whether any co-operative societies will be formed, wherever they are to be rehabilitated?”

THE HON. SRI B. GOPALA REDDI :—“I think so; the schemes are to be worked out on a co-operative basis.”

SRI P. NATESAN :—“Are the Government satisfied that they can provide food for these refugee families in the present food crisis?” (Laughter.)

THE HON. SRI B. GOPALA REDDI :—“Yes, in a State of fifty million people, a population of ten thousand people will not be much.”

[6th February 1951]

SRI D. V. RAMASWAMI :—“ May I know, Sir, why, of all places in the State the Gudem Agency has been selected, where malaria is rampant and food scarcity is acute? ” (Laughter.)

THE HON. SRI B. GOPALA REDDI :—“ Malaria can be combated and we will take steps to combat it.”

*Allotment of lands to non-political sufferers.*

\* 679 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that lands have been allotted in the name of political sufferers to persons who are not really political sufferers and if so, how much land and on what grounds; and

(b) the persons responsible for such allotment and what the action the Government propose to take against those who allotted lands to persons who are not really political sufferers?

THE HON. SRI H. SITARAMA REDDI :—“ (a) Not usually, though one case has come to notice where a piece of land 5 acres in extent was allotted to a person on the ground of being a political sufferer when he was not actually so.

“ (b) The person obtained a certificate from the District Congress Committee by making false representations. No action is necessary against the officers who assigned the land as they were misled by the certificate.”

SRI A. VEDARATNAM PILLAI :—“ May I know, Sir, what party is referred to in the term ‘political sufferers’? Does it not refer to those who, under the ægis of the Indian National Congress, took part in the fight for freedom; if so, whether any person other than those coming under that definition was assigned land, and if so, may I know whether the Government will take any action in those cases? ”

THE HON. SRI H. SITARAMA REDDI :—“ As I said, one case came to the notice of the Government and the Government have cancelled the assignment.”

SRI V. JAGGA RAJU :—“ *రాజీయ వాదకుడు అంటే Ministry Party కి చెందిన వాడే, లేక జైలుకు వెళ్లి లాభి వార్షిక తిండి వాడే? లాభి వార్షిక తిండి, జైలుకు వెళ్లిన political sufferers కు ఎంతమందికి lands ఇచ్చినారు?* ”

THE HON. SRI H. SITARAMA REDDI :—“ I draw the attention of the hon. Member to the Government Order published recently.”

*Appointment of Hindi Pandits in high schools.*

\* 680 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) whether all high schools have appointed Hindi Pandits;

(b) if not, what action the Government propose to take against the managements who are not appointing Hindi Pandits in their high schools;

[6th February 1951]

(c) whether the Government have received any representation regarding the suspension of Hindi Pandits after the recent Government Order regarding language question; and

(d) if the answer to clause (c) is in the affirmative, whether the Government propose to take any action in the matter?

THE HON. SRI K. MADHAVA MENON :—“ (a) All except fifteen High Schools in the State have appointed Hindi teachers.

“ (b) In the case of the schools which have not appointed Hindi teachers the question of taking suitable action will be considered after ascertaining the reasons for the failure.

“ (c) & (d) The hon. Member is referred to the answer to clause (a) of the Legislative Assembly Question No. 470, answered on 21st November 1950.”

SRI A. VEDARATNAM PILLAI :—“ May I know whether it is a fact that, in a good number of mission schools and girls' schools, especially in Tanjore and other areas, Hindi Pandits were removed on account of recent orders? ” noon

THE HON. SRI K. MADHAVA MENON :—“ As I said, there are only fifteen out of about 1,500 High Schools which have not appointed Hindi Pandits. Explanations have been asked for from the schools as to why they have not appointed Hindi Pandits.”

JANAB ABDUL HAMEED KHAN :—“ Arising from the answer of the Hon. Minister, may I ask when Hindi has been made compulsory? ”

THE HON. SRI K. MADHAVA MENON :—“ I do not think I ever said that Hindi has been made compulsory. The orders are only that there should be provision for teaching Hindi to students who want to learn that language.”

*Arrangements for an efficient and accurate census.*

\* 681 Q.—SRI B. S. MURTHY: Will the Hon. the Chief Minister be pleased to state whether this Government are in communication with the Central Government with regard to the next census and the steps to be taken to make the census effective and authentic?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—“ Census is a Central subject, and the Registrar-General, India, Government of India, Ministry of Home Affairs, is in charge of the 1951 Census throughout the Indian Union. The Government of India have, in consultation with the State Government, appointed two officers to organize the census in the Madras State and Coorg. These two officers have made the necessary arrangements for an efficient and accurate census.”

[6th February 1951]

SRI B. S. MURTHY :—“ While thanking the Hon. Finance Minister for his wonderful elucidation that census is a Central subject, may I know whether the Government of the Madras State are prevented from giving suggestions for making the census accurate, fair and broadbased? ”

THE HON. SRI B. GOPALA REDDI :—“ Nobody is prevented. Anybody can send any communication through the Postal Department.” (Laughter.)

SRI R. V. SWAMINATHAN :—“ The Constitution of India provides for giving special facilities in the matter of education, appointments, etc., to the backward classes. May I know whether this Government have represented to the Government of India to take, along with the general census, a census of the backward classes? ”

THE HON. SRI B. GOPALA REDDI :—“ We need not go on making representations as to what the Government of India should or should not do. It is a matter entirely within their discretion.”

JANAB M. S. ABDUL MAJID :—“ In reply to a question, the Hon. Finance Minister said that there is the Postal Department through which people can send any communication. Am I to take it from that answer that the Government of Madras will not co-operate in the census programme? ”

THE HON. SRI B. GOPALA REDDI :—“ I do not know how the hon. Gentleman could draw that inference.”

JANAB MUHAMMAD RAZA KHAN :—“ Is it not a fact that even before the Government of India started the census operations in this State, the Hon. Finance Minister has had a census of Ministers and the ex-Ministers of this State taken? ”

MR. SPEAKER :—“ Order, order.”

#### *Well-subsidy Scheme for Madras City.*

\* 682 Q.—SRI M. KANNIAPPAN : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that lands are cultivated within the City of Madras at Saidapet, Barbers Bridge, Vyasarpadi, Aminjikari, etc., and that kisans are cultivating these lands;

(b) if so, whether the land-owners are given subsidies for the sinking of wells, reclamation charges, etc.; and

(c) if so, who the authority is to whom the cultivators or land-owners are to apply for such concessions; and if not, why not?

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

“ (b) No.

“ (c) Madras City has been excluded from the scope of the Well Subsidy Schemes for the following reasons :—

(i) Bungalows with a vacant space of at least 25 cents available for cultivation are likely to be few in the City.

[6th February 1951]

(ii) The cost of digging the well in the City will be much higher than that required for a well in the mufassal, as wages and costs of materials are higher in the City.

(iii) Tenants living in the houses of others will not take advantage of the scheme.

(iv) The subsidy will not be sufficient to induce the owners of bungalows to dig wells.

(v) Most of them can afford to sink the well themselves and will do so without a Government subsidy, if wells are likely to be useful.

(vi) There was little response from the district in connexion with the Accelerated Scheme introduced in 1946.”

#### *Concessions to the pupil-teachers of backward communities.*

\* 683 Q.—SRI S. NAGAPPA : Will the Hon. the Minister for Rural Development be pleased to state, the concessions and facilities provided by the Harijan Welfare Department to the pupil-teachers belonging to Harijan and backward communities?

THE HON. SRI B. PARAMESWARAN :—“ Non-recurring grants are sanctioned to the pupil-teachers belonging to Harijans and backward communities for the purchase of books, clothes, etc., by the Harijan Welfare Department.”

SRI S. NAGAPPA :—“ May I know the amount of grant given to each pupil-teacher? ”

THE HON. SRI B. PARAMESWARAN :—“ The stipend given to an elementary grade and secondary grade teacher is Rs. 12 and Rs. 18 respectively per mensem. For students belonging to backward classes undergoing the B.T. and B.Ed. courses, the Education Department is giving a grant of Rs. 20 per mensem.”

SRI L. N. GOPALASWAMI :—“ May I know whether the stipend given to elementary and secondary grade teachers is in addition to the grant given by the Education Department and, if so, what is the reason for it? ”

THE HON. SRI B. PARAMESWARAN :—“ I think it is in addition to the grant given by the Education Department. The reason is that they are badly in need of books and clothes.”

SRI S. NAGAPPA :—“ May I ask whether the Harijan Welfare Department is giving to the pupil-teachers belonging to Harijan and backward communities a grant in addition to the stipend given by the Education Department? ”

THE HON. SRI B. PARAMESWARAN :—“ I would refer the hon. Member to the notification issued by the Harijan Welfare Department which contains the concessions given to the pupil-teachers belonging to Harijan and backward communities.”

[6th February 1951]

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

## II.—ADJOURNMENT MOTION RE FOOD SITUATION.

MR. SPEAKER :—“ Hon. Member Sri V. Raghavayya has given notice of his intention to move the following adjournment motion :—

*‘ That the business of the House be adjourned to discuss a matter of urgent public importance, viz., the acute scarcity and non-availability of foodstuffs that have been created by the recent withdrawal of Government-licensed foodgrain shops and other derationing measures taken by the State in the rural parts of the districts and the failure of the Government to relieve the consequent distress and starvation due to prohibitive prices.’*

“ In future it will be better if hon. Members give notice of the motions that they propose to move in typescript, as sometimes manuscripts are not legible.

“ I wish to inform the House that I had a talk with the Hon. Leader of the House. He told me that he would be allotting a day for the discussion of the food problem, yarn problem and the famine situation. The actual day is not yet decided. Regarding that, let the Leaders of the Opposition parties have a talk with the Hon. Leader of the House afterwards. The Government want to take the ensuing Thursday for the purpose, and in this they will require the co-operation of the Leaders of the Opposition parties.”

SRI V. RAGHAVAYYA :—“ Hon. Gentleman Raja Muthiah Chettiyar has always been taking the credit for food debates. This time I want to steal a feather from his cap so that I might also take some credit for initiating a food debate. I will be very glad to take part in the debate which is going to be launched by the Government.”

MR. SPEAKER :—“ In view of the promise made by the Hon. Leader of the House, this motion comes under the Rule of Anticipation and I rule it out of order.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“ Mr. Speaker, Sir, two points emerge from your remarks. One is that a non-official day is being taken away. In the past several non-official days have been taken away.”

THE HON. SRI B. GOPALA REDDI :—“ Official days also have been given for non-official business.”

RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—“ To make a statement about the food situation and make the position clear is an official duty. So a non-official day should not be taken up for the purpose. But we have often obliged the Government by giving up non-official days. We have appealed to the Hon. Leader

6th February 1951] [Raja Muthiah Chettiyar of Chettinad]

of the House times out of number and we have been fairly successful in getting an assurance from him that non-official days would not be taken away as far as possible. I sincerely hope that the Government will not take away a non-official day.

“ The second point is that a full day will not be available for a food debate. After a talk with the Hon. Leader of the House, the Hon. Speaker said that only about two hours would be allotted. I wish to submit that the food situation prevailing in the State is so acute to-day that it will not be possible for the members to fully explain the position even within one day, not to speak of two days. If the debate commences on Saturday, it does not matter if it is continued on Monday. I earnestly appeal to the Government through you that they should not miss this opportunity of having a full-dress debate. Such a debate will strengthen the hands of the Government in their fight with the Government of India. The Government of India have to be told that famine is prevailing, that complete famine is impending, and that from to-day it is their responsibility to feed the State and that the Government of Madras cannot be held responsible for it. In this sense I feel that two days will not be more.”

MR. SPEAKER :—“ Instead of discussing this point here on the floor of the House, it is better that the Leaders of the Opposition parties have a talk with the Hon. Leader of the House in his chamber and come to an understanding.”

## III.—GOVERNMENT BILL.

THE MADRAS BUILDINGS (LEASE AND RENT CONTROL) SECOND AMENDMENT BILL, 1950 (L.A. BILL NO. 18 OF 1950)—DISCUSSION—cont.

MR. SPEAKER :—“ The House will continue the discussion on hon. Member Mr. Raza Khan's amendment to clause 4.”

\* SRI T. VISWANATHAM :—“ On the point whether the lower limit should be thirty rupees or fifteen rupees, some opinions have already been expressed both when the Bill was introduced and also in the course of the general discussion of the report of the Joint Select Committee. It is true that quite a good number of persons require houses. But they are not in a position to pay high rents and therefore they require the Government to help them in the allotment of houses which have got a low rental value. The Government have extended their sympathy and the members of this House also extend their sympathy to those few Government officers who are not able to pay high rents on account of the high cost of living. Apart from sympathy, this House has got to consider also the question of practicability. Whenever we make any suggestions, the Government test the correctness of our propositions by the standard of workability and practicability. I want them to apply the standard to themselves also. I submit that lowering the limit from thirty rupees to fifteen rupees will make the Act unworkable. It will be unworkable not in the sense that the Act will not be enforced. Some vacancies will be intimated and some people will be allotted houses. In that sense the

[Sri T. Viswanatham] [6th February 1951]

Act will be workable. But taking into consideration the results that will be obtained and the disadvantages and the harassment to which lakhs of landlords in this State will be subjected, I submit that the House should not agree to lower the limit from thirty rupees to fifteen rupees. In Madras, for example, there are about 104,000 houses including huts whose rental value is less than three rupees per month.

12-15 p.m. "In a small municipality like Visakhapatnam there are about 14,000 assessed houses including huts whose rental value does not exceed Rs. 1-8-0. But I have had occasion to see owners of these small houses coming before the Council with appeals against assessments of tax. I found that most of the owners of houses whose rental value was round about Rs. 15 generally were very ignorant persons. They did not know exactly what the law was, and how to make an application within the time prescribed. These people will be put to a lot of difficulties if the present provision is passed. From experience, I submit that these ignorant people whose number is much greater than those who are otherwise will be put to a lot of harassment. Lakhs of persons will be obliged to give notices within a week of the house falling vacant. They are ignorant of the rules and the time-limit.

"Another point is this. It is just to benefit a few Government servants that this is done. We would be glad if the Hon. the Minister will be able to enlighten us as to the number of Government servants who are not in a position to pay a rent of more than Rs. 30 and the number of those who will be able to pay only a rent ranging between Rs. 15 and Rs. 30. I dare say in the City the number of the people in the latter category will be very small and in the mufassal also the percentage will be very small. It is true they suffer but their sufferings are not peculiar to them; there are also other such persons who are unable to pay rents. But the question now before us is whether in order to accommodate just a few Government servants the whole set of house-owners spread over the different parts of this State should be put to a kind of harassment. Of course, the Hon. the Minister may say that the Government do not intend to cause harassment; but from my point of view, I submit that it will result in harassment and lead to the very undesirable consequence of people publicly announcing one rent and taking another rent in fact and trying to evade the provision of law. It is also the duty of this House to see, when we pass legislation, that we do not put the loyalty and honesty of the citizens to such a great strain as to compel them to evade the provisions of law and announce the rental value of their houses at something less than Rs. 15. Why? Because if they intimate people that it is more than Rs. 15, they will be put to a lot of trouble. There is no use casting reflection upon them; it is a reflection upon the kind of legislation which we are passing. The legislation should not put too much strain upon the people. The limit of Rs. 30 which has been working fairly satisfactorily is alright and if the Government find it difficult to find houses for the smaller income group among Government officials, what

6th February 1951] [Sri T. Viswanatham]

I would suggest personally is this. Whenever big houses fall vacant, let the Government take possession under the other clause, subdivide them into tenements and give them to the poorer classes of the Government officials. That would be much better than harassing all the owners of houses in this State."

MR. SPEAKER:—"The amendment of the hon. Member Janab Muhammad Raza Khan reads as follows:—

"In clause 4, sub-section 3 (9) (a), for the word "fifteen", substitute the word "thirty" and also to make consequential changes."

The hon. Member Sri V. M. Ramaswami Mudaliyar has given notice of a similar amendment. Instead of moving that amendment, he may speak on this amendment."

\* SRI V. M. RAMASWAMI MUDALIYAR:—"Mr. Speaker, Sir, I want to support the amendment, because otherwise there will be practical difficulties in the working of this law. Having seen the difficulties caused by this control in the City of Madras, I have to say that this Bill will be making too much inroad even into the social relations of landlord and tenant. As it is in the City of Madras, generally a house has got a number of tenants, each living in a small portion. If we reduce the level from Rs. 30, which is the present level for notification of vacancy and allotment to a person, to Rs. 15, practically every house in the City of Madras and in every town of importance will come under the provisions of this law. Even the small portions occupied by the middle and lower class of people will come under this law, because almost every one pays not less than Rs. 15 these days. A single room in the City of Madras bears a rental of about Rs. 7 and if a small family occupies some two or three rooms and pays a rent of Rs. 15, that portion will come under the mischief of this clause. If we lower the level to Rs. 15, the result will be, where a house has got about five tenants, if one portion fetching a rent of Rs. 15 falls vacant, intimation has to be given to the Accommodation Controller and he might allot it to a Government officer if he so chooses.

"We are having another difficulty also in using that accommodation. I know a case where in one portion of a Hindu house, a Christian family was sought to be introduced, because the allottee who was a Government official said that it would be very convenient for him. In another case, a Brahman family was allotted a portion in a house where Non-Brahmans used to non-Vegetarian diet were living. In such cases the Brahman family may not like the odour of the non-vegetarian dishes. I am only pointing out practical difficulties that confront landlords having a number of tenants. If the Government insist upon notification of vacancy of houses bearing a rental of Rs. 15 and above, this may lead to social disruption and not to social unity, on account of the varying habits of the different communities in respect of dress, bath, diet, customs, etc. All these difficulties and complications will be introduced and aggravated by this Bill. In view of these difficulties of



[Sri V. M. Ramaswami Mudaliyar] [6th February 1951]

a practical nature, I hope the Government will change their views and restore the old level of Rs. 30. From a practical point of view, I think it is not desirable to reduce this limit to Rs. 15. Even the present limit of Rs. 30 which has worked for the last four or five years is already causing enough hardship. Let us not add to that hardship by reducing the level to Rs. 15. This will create difficulties for the landlord as well as for the co-tenants occupying portions of houses by the introduction of a stranger element in their midst. I, therefore, support the amendment moved by the hon. Gentleman, Janab Muhammad Raza Khan."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, I feel that by this time the Hon. Minister in charge of the Bill would have been convinced that the general opinion not only in this House but outside is to restore the old limit of Rs. 30 as regards rent in the case of houses brought under the control of Government. In the Select Committee some of us tried to persuade him and I am glad to say that he almost agreed to raise the limit to Rs. 25 but we thought that there was not much of a difference between Rs. 25 and Rs. 30 and that he might have agreed to Rs. 30. Somehow he felt that he should stick to the limit fixed in the Bill. That is certainly not a good spirit of response for an Hon. Minister to show to public opinion. There have been Bills brought forward in this House by other Hon. Ministers who have agreed to reasonable amendments put forward by the members of this House. Taking that as an illustration, I am sure that the Hon. the Minister in charge of this Bill also would respond to reason and agree to the suggestion made by the hon. Members of this House. I can even tell him that if he is not agreeable to this, the other alternative for him is to give freedom to members of his party to vote. I have absolutely no doubt in my mind that if freedom to vote is given to the members of his party, an overwhelming majority will be on the side of restoring the limit of Rs. 30.

"I believe that control regarding house rents and leases has been in vogue for some time and experience has shown that we must give up this control altogether. If we are not in a position to give up this control altogether, we must at least mitigate the rigour with which this control is administered. If necessary, only a sort of nominal control should be maintained. On the other hand, the Hon. the Minister has come forward with a measure which makes the control more rigorous. The only plea that is offered by the Government in maintaining this attitude is that they are seeking to serve the poor people who are in need of houses. They seem to believe that there are a large number of poor servants of the Government who are houseless and that they must provide them accommodation. On that account they want to reduce the present limit from Rs. 30 to Rs. 15. I am afraid this decision has been taken rather hastily and without having the necessary statistics as to the number of houses available and the requirements of the persons in need of accommodation. These people are not living in the streets of Madras. It is not as if they are living in

6th February 1951] [Janab Abdul Hameed Khan]

their relations' houses. People who cannot pay the rent for bigger houses naturally go in for *koodams* bearing a rental of Rs. 7 or Rs. 10.

"Of course the Hon. Minister will say that these people have somehow adjusted themselves in small *koodams* and some of them might have shared accommodation with their relatives and other members of their families. No doubt, the Government may have certain figures and the Hon. Minister will come and tell us that about 2,000 people want houses, and so on, and that those people are finding it very difficult to get on without proper accommodation. Well, I do not want to dispute the figures that the Hon. Minister might give us with regard to the number of people who are houseless. But just as water finds its level, people who are in need of houses, when they are left to themselves, will adjust somehow or other and get some accommodation. 12-30 p.m.

"I have once again to repeat that the Government have failed to discharge their primary responsibility of building houses for the houseless, particularly for their own employees. This problem of housing is not peculiar to our own State. It exists not only in other parts of this country, but in other parts of the world as well. We know how London and other advanced cities abroad have tackled this problem of housing. Surely, it is not done by resorting to control of this kind and encroaching upon the rights and freedom of owners of properties. It is by building more and more houses for the poor they have tackled this problem, and not by forcing people to get out of their houses and letting them out to nominees chosen by the Government. All these things may be alright up to certain limit and for a certain time; this cannot go on for ever. The Government cannot make this a continuous arrangement. If they do so, it will not only affect the independence of the owners, but also, as Sri Ramaswami Mudaliyar pointed out, will interfere with the good relations that exist between the owner of a house and a tenant. All these things have to be taken into consideration before the Government of a State launch upon a measure of control of such a rigorous nature. Even from the Government's point of view, it would be very difficult to enforce these controls. In the first instance, they come into conflict with the people. People begin to dislike controls and then this dislike is transferred to the Government themselves and they become unpopular. Secondly, we know what these controls mean to a poor house-owner. The owner of a house is involved in a good deal of litigation from time to time for the simple sin of owning a house."

MR. SPEAKER:—"The hon. Member is speaking on the whole Bill. Let him confine his speech to this particular sub-clause."

JANAB ABDUL HAMEED KHAN:—"My whole argument relates to the field of lowering the limit to Rs. 15. This lowering of the limit affects the entire control. If you want to limit the discussion, I have no objection, Sir."



[6th February 1951]

MR. SPEAKER :—" Let the hon. Member confine his speech to the sub-clause under discussion."

JANAB ABDUL HAMEED KHAN :—" Alright, Sir, I shall confine my remarks to the limit prescribed. I want to tell the House that by reducing the limit from Rs. 30 to Rs. 15, the Government are bringing under control a very large number of houses whose owners, in the vast majority of cases, are very poor people. They may be owning small houses which may fetch rents of Rs. 15 or Rs. 16. I was just now stating what exactly controls mean and all the troubles that are likely to be brought on the head of these poor house-owners. Control involves litigation and expenditure from time to time. All these go with control. Knowing that we are involving these poor people in this trouble, why should we not agree to restore the old limit? The Hon. Minister believes that people who require houses fetching a rent of even Rs. 80 will also receive considerable relief if the limit is lowered. For, he thinks that the sort of subterranean methods that these devils of house-owners are adopting will be considerably controlled by his proposal, particularly with regard to houses fetching a rent of Rs. 30. I understand that after reducing the limit from Rs. 30 to Rs. 15, the Hon. Minister, by one stroke of the pen, hopes to remove all the disabilities of the tenants requiring houses at a rent of Rs. 30. In that manner, he expects that the owners of these houses will not be in a position to resort to these subterfuges and other undesirable methods which they are adopting to day. If that old limit is not restored, the poor owners of the small houses will be brought into trouble. I, therefore, like to appeal to the Hon. Minister to realize that after all public opinion matters and that the generality of the people would certainly not agree to reducing the limit from Rs. 30 to Rs. 15. As I have already said, I would request the Hon. Minister, if he is agreeable, to give freedom to the members of his party to vote on this point. He will then come to know that the vast majority of members of this House will agree to this amendment."

\* BEGUM SULTAN MIR AMIRUDDIN :—" Mr. Speaker, Sir, I wish to support the amendment moved by my hon. Friend Mr. Raza Khan to the effect that the old position be restored, namely, that the section should be applicable only to buildings whose monthly rent exceeds Rs. 30 instead of it being made applicable even to houses whose rent exceeds Rs. 15 per month. The object of the Rent Control Act, as I understand it, is to promote the well-being of the people of this land and to lead to the greatest happiness of the greatest number." It is on this basis that this Act will be a valid piece of legislation not infringing the Constitution. According to the Constitution restrictions can be imposed on the rights of individuals to hold property if they are intended to promote the interests of the general public. Under Article 19 (5) of the Constitution, such restrictions are valid provided they are reasonable. But when the restrictions are not in the interests of the general public but intended to help only a small section of the public then I am afraid such restrictions may be declared *ultra vires*, if the

6th February 1951] [Begum Sultan Mir Amiruddin]

matter is taken up to a Court of Law. I therefore suggest to the Government to re-examine the question and not include provisions in this Bill which are not in conformity with the Constitution. I find that the restrictions that are sought to be imposed by the amending Bill will not be in the interests of the public, but only for the benefit of a handful of Government servants; for, the purpose of the amendment is to provide houses for low-paid Government servants only and not for the general public. The number of Government officials whom the new section will help will not be more than a few hundreds whereas the number of people who will be subjected to great hardships by the new provisions will run into several thousands, if not lakhs. The Government should not pass any legislation which will work a hardship on a large section of the population. All measures that the Government bring forward in this House should be for the purpose of promoting the greatest happiness of the greatest number of the people. The Government are not justified in adding to the difficulties and hardships of large sections of the population in the interests of a few officials. There is already considerable dissatisfaction at the manner in which accommodation control is being administered. If such control is extended even to small houses, fetching a rent of over Rs. 15 dissatisfaction is bound to increase, particularly as the authorities will not be able to cope with the large amount of work which this would involve. If the Government do not accept the amendment, among those who would suffer would be many poor widows, who are dependent for their livelihood on the rent of small houses. Since many of these widows are illiterate, they might unwillingly infringe the provisions of the Act and thus fall a prey to harassment and trouble.

"If low-paid Government officials are finding it difficult to secure houses, it is the duty of the Government to take steps to provide them with the same by building houses for them, by shifting some of their offices into mufassal and by subdividing the same and also the big houses that are in their possession into small tenements and giving them to their low-paid employees. Sir, the Hon. Minister is not listening."

MR. SPEAKER :—" He is listening."

\* BEGUM SULTAN MIR AMIRUDDIN :—" Sir, this is a very important point. So I am afraid I shall have to repeat it now that the Hon. Minister has stopped talking. If low-paid Government officials are not able to get houses on rents within their means, the Government should shift some of their offices into the mufassal, subdivide these offices into tenements for housing their officers. Again when a big house falls vacant, it should be subdivided and allotted to the low-paid officers. These are the methods whereby the Government should come to the rescue of their employees, not by having recourse to measures which would cause great hardship to a large number of people. From what Mr. Abdul Hameed Khan stated, I understood that the Hon. Minister was agreeable to fix the limit at Rs. 25 instead of at Rs. 15, since there is not much

[Begum Sultan Mir Amiruddin] [6th February 1951]

difference between Rs. 30 and Rs. 25 he should agree to our demand and restore the old position instead of insisting upon the change which will cause unnecessary hardship to a large number of people and which will, moreover, make the Act unworkable. From the practical point of view also, the Government should accept our amendment for if the provisions of this Act are extended even to houses fetching a rent of over Rs. 15 practically every house would come within the scope of the legislation. Having regard to practical and administrative difficulties, at least I hope the Hon. Minister will accept the amendment."

\* SRI P. NATESAN :—" I will take only two minutes, Sir. I sympathize with the hon. Lady Member Begum Amiruddin. She wanted the Hon. Minister to hear while she was speaking but the Hon. Minister knows members on this side speak as a matter of routine. If he thinks that what I say will have some effect on him, he will attend to me instead of talking to the Deputy Speaker."

MR. SPEAKER :—" Order, order."

12-45 p.m. \* SRI P. NATESAN :—" Congress Ministers make up their mind to pass certain legislation. It does not matter to them whether their own Members take part in it, support it, or oppose it. The Bill has to go through and it goes through. If that is the attitude of the Hon. Ministers, of what earthly use is our shouting and particularly hon. Member Begum Amiruddin taking the trouble of giving suggestions to the Government for solving the housing problem? She has told the House that the Act would become unworkable if the limit is reduced to Rs. 15. I am sure that the Hon. Minister will give some answer and be done with it. We want to know for whom these houses are to be provided. Are these houses going to be provided for people who have no houses to live in at present or are they for those who are to enter service hereafter? Everything has settled down and the Hon. the Minister is trying to unsettle it all. This fifteen rupees limit is absolutely impracticable. Who are the persons that occupy portions on a rental of fifteen rupees? Which Government servant is occupying a portion on fifteen rupees? It may be the lowest-paid employee of the Government that is sought to be helped. If the Government are so anxious that these Government servants should be provided with accommodation, why should they waste so much money and so much of their time on Prohibition? Let the Hon. the Minister for Housing ask the Finance Minister if he can spare some money for carrying out a housing programme for the low-paid employees of the Government. After all it will not cost much. Fifteen-rupee-tenements are not costly to build. Eighteen crores are going to waste on account of Prohibition. Everything is 'going' and nothing is 'coming' with the Congress Ministers. (Laughter.) There is no point in introducing legislation for a particular thing when people are suffering for everything. There is no food: there is no sugar (An hon. Member: There is no water). There is nothing. It does not matter if there is no

6th February 1951] [Sri P. Natesan]

liquor. But everything is absent. Where is the need, such being the case, for such a legislation? What is the urgency for it? Has the Hon. the Minister for Housing gone into anyone of the buildings built around the temple in Triplicane? If he visits the place, he will find that each house has a hundred tenants occupying small portions paying a rent of fifteen or twenty rupees. I am not worried about the tenants. But who are the owners of these houses? I am concerned about their lot. Then, Sir, the Controller will receive thousands of applications consequent on the lowering of the limit to fifteen rupees. He has to enlarge his establishment to decide all the cases. So, the Hon. the Minister is only trying to add to the existing difficulties. He is not trying to govern properly but is doing something which will take away his time, our time and everybody's time and which will divert the attention of the people from the food problem to this unwanted legislation. The newspapers are going to be full of reports about this Bill. They are already full with reports about the food scarcity prevalent in the State now. This Bill will take two or three columns of the newspapers daily and to that extent other matters of importance will suffer. There is no need to make out a case for this legislation. That there is no case for this is obvious. What is the regard the Hon. the Minister has got for his own partymen who have opposed this legislation? He must know that whenever hon. Members speak whether of the Congress party or the Opposition—they have also some sense about them. (Mr. Speaker: Order, order.) I am only saying in a good sense, Sir. (Laughter.) When I use the word 'sense' I want the Hon. the Minister to realise that every Member when he speaks, does so with a sense of responsibility, and he cannot think that what he does alone is right and what others say is wrong. Sir, I have already said that the Government do not care for the speeches of hon. Members. They want the measure to go through. That is all. If that is the attitude of the Hon. the Minister for Housing also, God alone must help him. Already he is trying to make himself unpopular with the people through Prohibition. (Laughter.) He has been appealing for public co-operation in the matter of Prohibition. Now he has started this Accommodation Control business (laughter) which is wholly unnecessary. All that I request him to do is to listen to the suggestions made in the House and attach some importance to them.

"With these words, Sir, I support the amendment before the House. I know the Hon. the Minister will oppose it. All the same, I appeal to him to consider the whole matter thoroughly and accept the amendment."

\* SRI V. I. MUNISWAMI PILLAY :—" Mr. Speaker, Sir, I rise to support the amendment before the House. Some of the hon. Members who preceded me have given very valid reasons why the limit should not be brought down to fifteen rupees. Sir, to-day there is a lot of discontent in the country over the question of control over food and clothing. Now we are adding one more item to aggravate that discontent. This enactment owes its genesis to the Second World War when the scarcity of habitation was keenly felt,

[Sri V. I. Muniswami Pillay] [6th February 1951]

The Government have been doing their best to solve this problem by going in for house building programmes. But the high cost of building materials prevents them from doing much. This increase in the cost of building materials has been responsible for a general rise in the rentals also. If we take any building that has newly been built, we shall find that even the poorest of poor pays much more than fifteen rupees for a portion per month. If, however, it is the general intention of the Government to help the poor, let them not fix any limit and let them make all buildings come within the purview of the Act. If the Hon. the Minister does this, it will help very many. I feel that the fixation of this limit of fifteen rupees will bring greater discontent and hardship. The landlords will charge more than fifteen rupees by way of rent but will issue receipts for only half of the amount and thus evade the provisions of the Act.

"Then there is the discrimination between the landlord owning a house on the border of a municipal area and another owning a house outside but adjacent to that area. The building on the border will be governed by the provisions of the Act whereas the owner of the house outside the municipal area will escape from the provisions scotfree. All these things will create hatred in the minds of the people. I do not know if the Hon. the Minister has received any representations from any to reduce the limit to fifteen rupees. I do not know either, if he has got statistics of people who would benefit by this amendment. I would, however, request him to reconsider whether it will be in the best interests of the tenants and the landlords if the limit is reduced. In my humble opinion, I think it will cause greater hardship to the people than is caused at present. Apart from these, the Government will have to employ more staff. We know the attitude of the Government officials engaged in this work. The aggrieved parties may have to hang about the Members of the Legislature and high officials for help.

"In these circumstances, I feel that there is no need for a reduction in the limit and I support the amendment before the House."

\* SRI R. SUBBA AYYAR :—"Mr. Speaker, Sir, I rise to support the amendment before the House, I think it will be impracticable if we reduce the limit to Rs. 15 and that it is unnecessary to do so. If we consider the volume of work already pending in the Controller's Court, we will understand the strength of this amendment. If the limit is lowered, then, I am sure, the volume of work will get more than doubled and the expenditure that the Government will have to incur on the appointment of extra staff to attend to this work and the time and labour involved in it will not be commensurate with the benefits that the public may receive by virtue of this provision.

"Apart from this, the Government should not forget the fact that while providing for the lower income groups among the Government servants, they should provide for the lower income groups among the non-official public also. By lowering the limit, the Government will be invading every rentable house and every person

6th February 1951] [Sri R. Subba Ayyar]

occupying a rented portion will be put to considerable trouble. Certain hon. Members spoke of statistics. It seems to me that this amendment of the original section will bring within its purview all rented buildings in the urban areas and the Revenue Divisional Officers and the Controllers will be taxed with more work. The work is already taxing enough and I know, in many cases, the Controllers have adjourned the cases for two months and three months. They have got their own executive work; besides they have to tour with Hon. Ministers whenever the Ministers tour the districts. Added to these, there is the Rent Control work. If we trouble them with more work by lowering the limit, I feel it will cause them great hardship and it will be impossible for the officers concerned to turn out any work. By reducing the limit, we are only increasing the difficulties of the house-owners as well as the lower income groups among the non-official public. Every vacancy will have to be reported to the Controller hereafter and a member of the non-official public will have his chance only if the Controller's allottee does not turn up.

"We are aware that control means blackmarket, circumvention of law and perpetration of malpractices. By reducing the limit, we are now increasing the scope for blackmarketing and other illegal activities. The general inclination of the people, we must admit, is to circumvent the law. Therefore, it would be in the best interests of the people themselves, if we do not lower the limit. If it is possible for the landlord to issue a receipt for twenty-five rupees when he actually collects more than thirty rupees as rent, it is equally possible for him to issue a receipt for fourteen rupees in order to circumvent the new law. So, from all points of view, this amendment will be unworkable and I earnestly appeal to the Hon. the Minister to retain the old limit of Rs. 30."

JANAB M. S. ABDUL MAJID :—"Mr. Speaker, Sir, I rise to support the amendment moved by my good Friend, Janab Raza Khan. The young, enthusiastic Minister for Housing, when he was an ordinary Member of this House, possessed very progressive ideas. (Laughter.) When he was appointed a Member of the Government, I and several friends of mine thought that he would retain with him those progressive ideas also and put them into actual practice so that they might prove helpful to a large number of people.

"But unfortunately, Sir, after the mantle of Ministership fell upon his young shoulders I find him a different person. (An hon. Member: Weight of Office.) When the Rent Control Bill was taken up for revision I expected that, through his good offices and with his very good ideas, he would improve the Act in such a manner that it would be beneficial to a large number of people. You are aware, Sir, and the Hon. Minister himself is aware and the hon. Members of this House are also aware that the aim of any piece of legislation should be to see that it benefits a large number of people. This Control Act is in existence for the sake of a few hundred Government servants and, for their sake, thousands

[Janab M. S. Abdul Majid] [6th February 1951]

of people are put to great hardship and inconvenience and particularly so because of the present provision in the Bill to reduce the rent limit from Rs. 30 to Rs. 15. It will certainly increase the suffering of the people concerned. It is my considered opinion that if the Government want to have any control, if they want to raise any control structures, they must see to it that it is so created that the people will not be induced to infringe these control measures. And again, Sir, whenever any control is introduced we find among the people a tendency to try to circumvent it. This means more corruption. Actually demoralization sets in. Therefore wise people in this country have been crying from house-tops that it is better the Government gave up all controls. However, when a control measure is found necessary, the provisions of the measure should be such as to see that people also co-operate with the Government in working them. But we find that the provisions are made so stiff that people are actually provoked to break those provisions. I am sure the present amendment of the Government will induce several people to resort to underhand dealings. I know, —and I am aware several hon. Members also know, how things went on even when the limit was Rs. 30. Now you want to reduce it to Rs. 15, which means the Government are taking corruption down to still lower levels. Therefore I feel that the Government must, if they cannot remove the provision, restore the provision to its original level. If they really want to help the Government servants they can take a census of people who own more than three or four houses and tell them to allot a house for their servants. In that way they can help the Government servants but not in a manner they are trying to do by introducing a provision of this kind. Therefore I appeal to the Hon. Minister to consider this question very deeply and see that the limit of rental value is restored to the original position. If this is not done I am quite sure that this provision will be honoured more in its breach than in its observance. Nobody is going to respect it. There will be lot of corruption and every small house owner will try to evade the law and thereby create more suffering among the people. With these few words I strongly support the amendment of my hon. Friend Mr. Raza Khan."

SRI R. RAGHAVA MENON :—" Mr. Speaker, Sir, I also like to support the amendment that the rental limit of Rs. 30 should be kept intact. To reduce the rental limit from Rs. 30 to Rs. 15 and bring all the houses on a rental limit of Rs. 15 and above under the Act is not in consonance with the spirit of the Act. The idea in 1946 when the Act was passed was that the interference should commence at the minimum of Rs. 40. This was subsequently brought down to Rs. 30 in order to make a few more houses available for public officials. However, in the urban areas there are a number of people who live only on the income from rents. This is an important factor. The prices of things have been going up and these people have nothing to fall back upon except these rents which they were getting by giving portions of their houses on rent to others. As such it was considered to be a hard thing

6th February 1951] [Sri R. Raghava Menon]

even to bring houses fetching a rent of Rs. 30 under the scope of the Act. Now the Government proposes to reduce this limit still further, to Rs. 15. This would bring almost 90 per cent of the houses in the city and the mufassal areas under the scope of the Act. The Government I think have not appreciated how this Act was working and what amount of confusion it was creating, what amount of trouble there was for the landlords to get back their houses and how equally difficult it was for the tenants to get houses. I know also of cases where the Government officials who were allotted houses have refused the same and the landlords were also not allowed to get them back.

" Sir, I want to know why the Government should keep this Act on the Statute Book still. It was enacted in 1946. It is more than six years since it was enacted. It was a war measure. But we are keeping it on adding amendments after amendments, and bringing more and more houses under control causing inconvenience to all concerned. If the Government cannot find houses or have been unable to build houses for their officials, in the course of these six years, when are they going to do it? It looks as though they will never do it at all. It is high time for the Hon. Minister to consider the repeal of this Act itself as this was brought into existence only as a result of war conditions and that too only for a short time. We are agitating for the decontrol of food because the Government have not been able to effectively manage the control business, procurement is unsatisfactory, distribution is unsatisfactory and, above all this, there is corruption and all that. Therefore people cry 'Please decontrol'. But we on the other hand keep the control on houses and make it even tighter and applicable to all available houses. I think we have got into the mood of control, control and control and we do not know where we are going. The more controls we have the more discontent there will be among the people because of the difficulty for the people to get on with these controls, whether on food or on any other thing.

" I think, Sir, this amendment is a little unwise. They ought not to take houses on a rental of Rs. 30 and below. They should keep the level of Rs. 30 intact. I support the amendment of the hon. Gentleman."

MR. SPEAKER :—" Mr. Rafeeudin Ahmad Ansari will now speak. (The hon. Member Sri Raghava Menon continued to stand in his place.) I thought the hon. Member had concluded."

SRI R. RAGHAVA MENON :—" There is no question of my concluding Sir, till I leave the mike and resume my seat. However, Sir, I will once again request the Government to drop this Act. I request that the Act itself should be taken away from the Statute Book so that the houses may be left free and people may be governed by the law of economics as far as houses are concerned."

\* JANAB MOHAMED RAFAEUDIN AHMAD ANSARI :—" Mr. Speaker, Sir, I am sorry I cannot support the amendment moved by the hon. Member Mr. Raza Khan in spite of the fact

[Janab Mohamed Rafeeudin Ahmad Ansari] [6th February 1951]

that I have followed the arguments very carefully and with an open mind. Several arguments have been advanced against the original provision and in support of the amendment. The question of fundamental rights has been raised by one hon. Member and it was contended that this amendment as well as the whole Act is *ultra vires* of the Constitution. Now, Sir, the hon. Member might be right or wrong, but we here are not concerned with the decision on fundamental rights. An argument has been advanced of convenience, a balance of convenience. It has been stated that after all the number of cases which would be affected by this clause, that is to say, by limiting the rental value to Rs. 15 would be very few and on the other hand the work which would fall on the shoulders of the administration and the officers concerned would be far too heavier and out of proportion to the benefit that might accrue. I am not very much impressed by that argument. I dare say the Government have fully considered the question of balance of convenience involved and I am sure that they would not have brought down the limit to Rs. 15 from Rs. 30 unless they were satisfied that it is certainly going to be worthwhile. In any case, Sir, the inconvenience alleged, is only with reference to a few officers of the Government who will be entrusted with the enforcement of the provisions of the Bill. I do not think we need bother ourselves very much about inconveniences of the few officers to whom the work of administering the Act is entrusted. They are paid for it.

"Then, Sir, the Control Act itself was said to be unnecessary. That is a larger question and I do not think, when we are considering this amendment, that argument is very relevant at all. In my opinion we have not yet reached the stage when we can do away with the Rent Control Act, because the demand for houses is still great. Unless some measure of control is exercised, I think, a larger section of the people, that is to say, the tenants will be put to great hardship.

"Another argument which was advanced by most of the hon. Members was that this lowering of the limit to Rs. 15 is going to affect a large section of the poor people of the State. Sir, listening to these hon. Members, I was wondering whether under this clause, that is to say, clause 4, new section 3, it was envisaged that the houses that are to be taken under this clause would be taken free of rent or whether the landlords of these houses would not be entitled to any rent at all. The way the hon. Members were expressing their sympathies for these poor people, these owners of the houses which fetched a rental of Rs. 15 and above, made an impression on me that under this clause when the Government took over the houses, they would not pay the owners any rent at all. I do not think that that impression is correct. All that the section says is that when a house owner has more than one house on a rental of Rs. 15 and above, then he is liable to notify to the concerned officer of the vacancy. He has also the right to choose which of the two houses he shall keep for himself. I am speaking subject to correction. It only means that if a man owns more than one house whose rental is Rs. 15 and above, he has to conform

6th February 1951] [Janab Mohamed Rafeeudin Ahmad Ansari]

to the various provisions of this clause. He is not deprived of the use of his own house. I dare say it is not the majority that will be affected adversely by this section. The argument was proceeding on the basis that between the tenants and the owners, the majority would be the owners. I do not think it is correct.

"If the owners of these houses are poor people, I think the tenants who occupy these houses must also be poor people and the sympathy that is extended to the owners has certainly to be extended to the tenants also. Therefore, if we examine this whole section coolly and calmly, without making general statements like 'sympathy to the poor people', etc., we will find that there is really no substance in this amendment. Of course, the argument is based on the contention that the Act itself is unnecessary and it will create hardships to many people. An Act of this kind is necessary in the interests of the larger sections of the people and what the section tends to provide is to make the houses also, i.e., houses with a monthly rental of Rs. 15 and above, available to the Government so that they can give them to poorer Government servants who are also poor and who deserve some sympathy. Therefore, Sir, I do not support the amendment of my hon. Friend Mr. Raza Khan."

SRI PYDAH VENKATANARAYANA:—"Mr. Speaker, Sir, under the provisions of the existing Act, residential houses fetching a monthly rent which does not exceed Rs. 30 are exempted from the operation of the Act and the present Bill seeks to reduce that limit to Rs. 15. I am glad, Sir, that hon. Member after hon. Member has spoken in support of the amendment. Of course, with the single exception of hon. Gentleman Mr. Rafeeudin Ahmad Ansari. His presumption was that the Government after requisitioning the houses would not pay any rent to the landlords. I was wondering why he was saying that. Any way, the limit of Rs. 30 itself is very low and to further reduce it to Rs. 15 is very unreasonable. There are thousands of landlords in this group and the Rent Controller's office will be flooded with thousands of vacancy notices every month, if not every day. After all, for the sake of a few low-grade officers, thousands of lower middle class landlords should not be made to suffer and the Government should reconsider the thing very carefully. Many of the lower middle class landlords are illiterate and they will not be conversant with the provisions of this Act and they will be put to great hardship. It amounts to launching of several prosecutions against a number of landlords. The reasonableness of this amendment lies in the support of several hon. Members who have spoken before and I hope and trust that the Hon. Minister will look into it, reconsider and accept the amendment of hon. Gentleman Mr. Raza Khan."

MR. SPEAKER:—"I wish to inform the House that the Government have given an amendment to the amendment of hon. Member Mr. Raza Khan, i.e.,

'for the word "thirty" in Mr. Raza Khan's amendment, substitute the word "twenty-five".'



[6th February 1951]

SRI T. S. PATTABHIRAMAN :—“ Mr. Speaker, Sir, I am rising to speak perhaps late in the day. I was thinking of suggesting a compromise which will be acceptable both to hon. Member Mr. Raza Khan and to the Government. In the meantime, you, Sir, have already announced that the Government have given an amendment to the amendment of hon. Member Mr. Raza Khan, I hope that would satisfy all the hon. Members. I am sure hon. Member Mr. Raza Khan will be kind enough to accept the Government amendment and withdraw his amendment.”

MR. SPEAKER :—“ No, hon. Member Mr. Raza Khan need not withdraw his amendment. Government amendment is an amendment to the amendment of hon. Member Mr. Raza Khan. That is the procedure now adopted.”

SRI T. S. PATTABHIRAMAN :—“ Sir, personally I would be happy if the limit is retained at Rs. 15, because it is only as a compromise and not out of conviction that I agree to the Government amendment.”

JANAB M. S. ABDUL MAJID :—“ Where is the question of compromise? ”

SRI T. S. PATTABHIRAMAN :—“ Sir, by accepting the Government amendment, poorer sections of the people like the Non-Gazetted Officers would be enabled to get houses; they are not able to benefit by the existing provisions of the Act. That is why the Government wanted to liberalize the provisions so that they may be of real benefit to the Non-Gazetted Officers and such other lower middle class people as are getting Rs. 50 to Rs. 100 per month. It is only with that object that the Government moved their amendment. Now, as a compromise the Government have accepted Rs. 25 as the limit and I am sure this will be acceptable to all.”

JANAB M. S. ABDUL MAJID :—“ What is the sanctity in the balance of Rs. 5? ”

SRI T. S. PATTABHIRAMAN :—“ I was rather surprised to find the hon. Member Mr. Raghava Menon opposing the Act itself. He said that it was a war time measure and it should have been withdrawn from the Statute Book. But the conditions have not improved and there is absolute necessity for continuing this measure and I am sure the Government will not fall a prey to the cry of these capitalists who are houseowners and who are practically eating away all the earnings of the poorer sections of the people by charging higher rents and giving receipts for smaller amounts. I hope the Government will continue to enforce the provisions of this Act very strictly.”

\* THE HON. SRI N. SANJEEVA REDDI :—“ Mr. Speaker, Sir, I beg to move the following amendment to the amendment of the hon. Member Mr. Raza Khan :—

‘ For the word “ thirty ”, substitute the word “ twenty-five ”.’

6th February 1951] [Sri N. Sanjeeva Reddi]

Hon. Gentleman Mr. Raza Khan suggested the limit of Rs. 30 and I am prepared to accept the limit of Rs. 25 and I hope this will satisfy my friends.

“ Sir, I don't think it necessary now to reply in detail to the various criticisms made by hon. Members. But, I wish to answer a few points which were touched upon by some hon. Members. Some hon. Members agreed that some landlords were publicly announcing higher rents and were giving receipts for lesser amounts, i.e., for Rs. 29, Rs. 28, etc. Now, if we reduce this limit to Rs. 15, all the people who are receiving receipts for Rs. 29 and below would come immediately under the scope of this Bill from next month. That is, those people who have been paying Rs. 50 or more but receiving a receipt for Rs. 29 and below would be in a position to refuse to pay a pie more than the amount for which receipts are given. The Government want to give protection to such people. That is the main purpose. If only we reduce the limit to Rs. 15, the people who have been getting receipts for between Rs. 15 and Rs. 30 would get the protection and the landlords would not dare to evict them or take the extra amount under the threat of eviction. Now, even this little help is denied to them and I am not very happy about it. But still I hope that this reduction to Rs. 25 will go a long way to satisfy all the hon. Members.

“ Hon. Gentleman Mr. Hameed Khan referred to the proceedings of the Select Committee. There were many arguments for and against and we spent several hours on this. I was prepared to accept Rs. 20 at the Select Committee stage, but my friends insisted that it should be Rs. 30. Therefore I was not prepared for a compromise. Only after I heard the views expressed by several hon. Members, I wanted to agree and I have agreed for the limit of Rs. 25.

“ My hon. Friend Sri Ramaswami Mudaliyar, said that a Christian would be allotted a portion in a Hindu house, etc. Suppose there are four blocks and what is the harm in allotting them to members of four different communities, i.e., one Christian, one Muslim, one Hindu and one belonging to another community. Some difficulties will continue to arise and such cases will be only stray cases and we need not fear that the same thing will happen everywhere. The principle is there and I hope the Controller will look to the sentiments of the people before making the allotment.

“ Hon. Lady Member, Begum Amiruddin, said that this would hit the landlords and she was complaining that the widows, the poor widows, would suffer much as if all the houses belonged to only widows. I am a little surprised at the arguments like appealing to heart, poverty, etc.

“ Hon. Gentleman, Mr. Majid, said that I was having a progressive mind which began to deteriorate immediately I joined the Cabinet. But, I feel that I have been more progressive now than before and that is why I wanted to help a good number of people by reducing the limit to Rs. 15, like clerks, peons and



[Sri N. Sanjeeva Reddi] [6th February 1951]

others. While I was trying to be more progressive, hon. Gentleman, Mr. Majid, was pulling me back maintaining the *status quo* of my hon. Friend, Mr. Raghava Menon, who wants that the Bill which was passed in 1946 should be maintained in the same manner. I wish I should have done more help to the poorer sections of the people. Anyway, I have accepted the limit of Rs. 25 and request the hon. Gentleman, Mr. Raza Khan, to withdraw his amendment."

MR. SPEAKER:—"No, the Government amendment is an amendment to hon. Member Mr. Raza Khan's amendment."

"I will put the Government amendment to the vote of the House. The question is—

'For the word "thirty", in hon. Member Mr. Raza Khan's amendment, substitute the word "twenty-five".'

The amendment was carried.

MR. SPEAKER:—"I will now put hon. Member Mr. Raza Khan's amendment, as amended by the Government amendment, to the vote of the House. The question is—

'In clause 4, sub-section 3 (9) (a), for the word, "fifteen", substitute the word "twenty-five" and also to make consequential changes.'

The amendment was carried.

MR. SPEAKER:—"I will now put clause 4, as amended to the vote of the House."

JANAB MUHAMMAD RAZA KHAN:—"Sir, there is not much for me to say because the Hon. Minister himself has moved another amendment to my amendment, on account of the views expressed by several hon. Members except the esteemed Gentleman, Mr. T. S. Pattabhiraman. His was the solitary voice. His point is always that he must support the Government whether it is right or wrong or whether it is good or bad. I am not casting any aspersions on him. Anyway I am glad the Hon. Minister has accepted the limit of Rs. 25. I am also happy for the responsive way in which he has come forward with his amendment to my amendment."

SRI K. BHASHYAM:—"Sir, this is one of those happy occasions when the Government have really seen the strength of the feeling in this House and the strength of opinion expressed by the various Members. We were always under the impression that when once the Government make up their mind, it is difficult to dislodge such opinion from them. Now, Sir, this is one instance where it has been proved wrong. I am also glad that it has been proved wrong in another respect. I think the hon. Gentleman, Mr. Majid, spoke of the young Minister who was so progressive in his ideas before he joined the Ministry but who has become somewhat regressive in his ideas now. What I want to point out is this: that after all, he is not so headstrong as that; certainly he is amenable and responsive to the opinion of the House and he

[Sri K. Bhashyam] [6th February 1951]

has now been able to persuade himself to the conclusion that Rs. 25 will be a fair rate for acceptance by him. Therefore, on these two grounds I must congratulate the Government.

"I also want to say one thing more before I conclude. This question of accepting Rs. 25 in the place of Rs. 15 is one in which perhaps the Government have come to a conclusion after very careful consideration and consultation with their own officers. They must have found that after all it would be very difficult and impracticable to have the limit of Rs. 15 fixed just at the present moment.

"Another point I would like to mention is this: In the definition clause, you have included persons who sub-let the house as coming within the meaning of 'landlord', in relation to the sub-tenant. That means that a landlord may be a tenant who has sub-let the house or portions thereof to various tenants under him, and he becomes a landlord so far as those sub-tenants are concerned. Therefore, the work on that account—which has been referred to by many Members—will become three and even five times as much as before. That is one thing which I wanted to bring to the notice of the House. The second point is that this clause applies not only to cases where the Government want the houses themselves, but it applies to a number of other cases. There may be cases where notice will have to be given by one party to another. The effect of it all will be that the lower middle classes who largely own houses which fetch Rs. 15 a month and more, are mostly persons who are illiterate or are women. And in such cases, to impose this duty of giving notice will be practically impossible. You will have a number of prosecutions coming up and lots of cases will be taken to the courts in respect of these small matters. It is not as if I do not want to benefit the poor tenants, but it will really be a question of causing a lot of trouble to people who will not be able to understand the provisions of the Act or have no idea as to what they are expected to do under these provisions. I think it is better that the Government take note of these two hardships. After having come forward to accept the amendment regarding the limit of Rs. 25, it is up to them to bear these hardships in mind."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, I am glad to find that the amendment has been unanimously accepted by everybody in the House. I thank the Members for the same."

MR. SPEAKER:—"I now put clause 4, as amended, to the vote of the House."

Sri T. Viswanatham rose.

MR. SPEAKER:—"Hon. Member Mr. Viswanatham has spoken at least twelve times on this clause. I am sorry he can't be allowed to speak again. I shall now put the clause to the vote of the House."

Clause 4, as amended, was put and carried.

[6th February 1951]

(After lunch—2-30 p.m.)

Clause 5 was put and carried.

Clause 6.

MR. SPEAKER :—" The motion is—

' That clause 6 do stand part of the Bill '."

\* SRI L. N. GOPALASWAMI :—" Mr. Speaker, Sir, I beg to move the amendment standing in my name, which reads as follows :—

*' In the new section 5-A (1), for the words at the end of the first paragraph beginning with " such excess " and ending with " this Act ", substitute the following :—*

*" the same rent as has been fixed as the monthly rental value by the local authority."*

Sir, the reason for the amendment, according to the Government is this. While the rent that has been fixed either by the landlord or the Rent Controller is a certain amount, the local authorities like the Corporation of Madras or the municipal councils thought it fit, in their discretion, to lay down that that property is worth a rental value of a much higher amount than that fixed either by the landlord or by the Rent Controller and so this amendment of the Government seeks to remove this anomaly and grant the benefit to the municipality. While doing so, they say that so far as the excess that is caused by the rise in the rental value of the property is concerned, such rise should be borne by the tenant. So far so good. I only want the Government to realize that when once for purposes of taxation by the Corporation or the local authority it is considered that the property is worth a rental value of a much higher amount, it stands to reason that the tenant is bound to pay to the municipality the higher amount that is charged by the municipality. The very basis of taxation by the municipal council is this. Simply because a person owning a certain property in a municipality or Corporation enjoys the property, he is bound to pay so much amount to the Corporation or municipality for the amenities provided by such authority based on the rental value of the property. In the case of a property which is in the occupation of the landlord or let to another for his benefit, it is not proper that he should be deprived of the higher rate which the local authority has fixed for purpose of taxation. I therefore want to say that when once a local authority has assessed the rental value of a property at a higher rate, the tenant should not only be compelled to pay higher taxation himself, but also be compelled to pay the higher rent to the landlord. This is a simple amendment and I do not think there is much controversy about it unless the Government think that what they say is right and our contention is wrong. With these words, I move my amendment."

SRI T. VISWANATHAM :—" I second it, Sir."

6th February 1951]

MR. SPEAKER :—" Amendment moved—

' In the new section 5-A (1) for the words at the end of the first paragraph beginning with " such excess " and ending with " this Act ", substitute the following :—

*" the same rent as has been fixed as the monthly rental value by the local authority."*

SRI K. BHASHYAM :—" I would like to have some further explanation from the hon. Mover. What I felt was that when the rental value is fixed for the purpose of taxation by the municipality or the local authority, it means the question of fixing fair rent is left to the municipality. I think it is inconsistent with the provisions of this Act, according to which fair rent should be fixed by the Rent Controller. Supposing the Rent Controller fixed the fair rent of a house at Rs. 52 and the municipality thinks it is only Rs. 60. Does it mean that because the Controller has fixed it at Rs. 52, the owner should pay that amount only or Rs. 60? That will lead to difficulties. I would therefore like the hon. Mover of the amendment to convince me on the point."

\* SRI V. M. RAMASWAMI MUDALIYAR :—" I would like to add one word to what my hon. Friend, Mr. Bhashyam, has said. I know of cases where the Rent Controller has fixed a certain rent, say, Rs. 150 a month, and the municipality valued the annual assessment on the monthly basis of Rs. 200 rent and charged the tax on the annual value and collected the tax. This difference is not taken into account now. Where the fair rent has been fixed, is it left to be altered at the instance of the party? Secondly, the municipalities also from time to time increase the rate of taxation, that is, from 18½ per cent to 20 or 21 per cent and they have recently also added the library cess. I want to know whether the landlord is entitled to recover the excess from the tenant, because it is a legitimate charge on the property which the landlord is bound to pay. It only stands to reason that he must be reimbursed to that extent and he must not be put out of pocket, because the rent originally fixed either by himself or by the Rent Controller bears a certain proportion to annual valuation as prescribed by the local authority. I want a clear exposition on this point, because there are practical difficulties in regard to this matter."

\* THE HON. SRI N. SANJEEVA REDDI :—" The point which my hon. Friend, Mr. Gopalaswami, wanted to make is not clear and in fact I could not follow it. If his idea is that municipal taxation should be taken as the basis for rental, it will not work. For instance, the Rent Controller is there and the aggrieved party can take the matter to him and he is bound to fix the fair rent. He can apply to him on the basis of municipal taxation and get increased taxation through the Rent Controller, but I cannot agree to the local authority as the authority for fixation of rent, because it will mean dual authority and it will lead to confusion and further difficulties if the amendment is accepted. Therefore, I am not prepared to accept the amendment."

[6th February 1951]

\* SRI L. N. GOPALASWAMI:—"I think, Sir, it is the existing provision that will create confusion. The very purpose why this amendment has been brought in, as pointed out by my hon. Friend, Mr. Bhashyam, is, that when once the rent has been fixed by the Rent Controller it is not obligatory on the part of the municipal council or the local authority to take it as the fair rent and fix taxation on that basis. If the Government think that the municipality is entitled to do that, it only stands to reason that when the finances of the municipality are to be safeguarded, the finances of the landlord also should be safeguarded. If the municipality should get higher taxes because it provides certain amenities to the individual, the individual suffers on account of the increase in the value of the tax and he is made to pay greater tax irrespective of the fact whether he pays the tax or the tenant pays the tax. So, inasmuch as his property is assessed to greater tax because of increase in rental value, does it not automatically follow that either the Rent Controller should fix the rent and his standard should be accepted or if the Corporation is allowed to raise it to a higher amount, then the owner should really get the rent? So, I do not see there is any confusion in it, unless the Government want to make a difference between the Corporation who may think of fixing any tax they like and the particular individual whose property they are interfering with has no right to complain."

THE HON. SRI N. SANJEEVA REDDI:—"Sir, I think the amendment of my hon. Friend might fit in well in the Municipalities Act rather than in this Bill. If the Rent Controller fixes the fair rent, I think the municipality takes it as the basis and then charge their tax. Of course, it is left to the aggrieved party to go to the Rent Controller for fixation of fair rent and that is the object of the Bill. I do not think we can take the municipality as the basis and then go on increasing the tax. So, Sir, I am not prepared to accept the amendment."

The amendment was put and lost.

Clause 6 was put and carried.

Clause 7 was put and carried.

Clause 8.

MR. SPEAKER:—"The motion is—

'That clause 8 do stand part of the Bill.'

\* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I move the following amendment standing in my name:—

'In sub-section 6-A (1), add the words "provided the landlord or agent is a person knowing to put his or her signature."

I am moving this amendment in order to avoid hardship to landlords who cannot read or sign; otherwise they will be at the mercy of unscrupulous people. Therefore, instead of saying that the receipt should be duly signed by the landlord, I think it should

6th February 1951] [Sri T. Viswanatham]

be insisted on only in cases where the landlord knows how to read and write. To my knowledge, about 40 or 50 per cent of the landlords do not know how to read or write and it is so at least in the case of those who have come on appeal to the municipal councils against increased assessment. So, Sir, if the Government insist upon them to sign, it will only be some mark and that honest mark may cover several unscrupulous persons behind that. So, insistence upon writing must be confined only to landlords or agents who know how to write or put their signature. Otherwise the marksmen business will come in and it will lead to the very dishonesty which this clause wants to avoid. It will be allright if the authorized agent or the landlord knows how to read and write but at other times it will be difficult. That is why, Sir, I have suggested the amendment." 2-45 P.M.

\* SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I second the amendment. It is quite simple: only when he signs, he can give a receipt 'duly signed' by him. How can it be made obligatory to give a receipt duly signed, when he does not know how to read and write and therefore, cannot sign?"

MR. SPEAKER:—"Amendment moved—

In sub-section 6-A (1) add the words "provided the landlord or agent is a person knowing to put his or her signature."

\* THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, the thumb-impression would not create so many difficulties as suggested by the hon. Member. By means of thumb-impressions, we have been dealing with a good number of transactions worth lakhs and lakhs. In the villages, it is not everybody that is educated and knows how to read and write and sign and so, a good number of pro-notes are executed. If an illiterate person is expected to give a receipt, he is expected to give a receipt with his thumb-impression. I do not think in every case where there is a mark, there will be trouble. I do not accept the contention of the hon. Member. Illiterate people are also sensible and they take the advice of their confidants and it is not everywhere that they are going to put their thumb-impression. I do not, therefore, think that in granting receipts for rents, which will be necessarily small sums, complications will arise."

\* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, in big transactions involving thousands, illiterate people will get advice before putting their thumb-impression. This is a monthly receipt for a petty sum and one does not know what kind of thumb-impression will be produced by the other side. If the intention is to protect the tenants from fraud, I submit the landlord also must have a similar protection. The production of such a document produces certain consequences because there are penal clauses and the landlord must know what is the kind of document that he is confronted with at a later date."

THE HON. SRI N. SANJEEVA REDDI:—"What is the suggestion of the hon. Member?"

[6th February 1951]

\* SRI T. VISWANATHAM:—"Only where the landlord knows how to read and write and sign, you may take his signature; if he does not know, then do not insist upon his signature."

\* THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, I am sorry, I am not able to follow the amendment of my hon. Friend. It is only when people are illiterate, we insist upon their thumb-impressions and it is not insisted upon in all cases. If my hon. Friend's suggestion is accepted, it will mean that there shall be no receipt at all if a person does not know how to sign and the tenant will have to pay and walk off without any receipt. If the receipt is not produced and the landlord says that he did not receive any amount by way of rent, that is evidence enough for the court to say that no payment has been made. Therefore, Sir, I am unable to accept the amendment. (Sri T. Viswanatham: "Duly signed" means that he will have to put his signature.) But the illiterate person would put his thumb-impression and the literate person would sign and there will be no difficulty."

\* The amendment was, by leave, withdrawn.

\* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, the distinction which I wanted to make did not get a good reception. There are certain circumstances when it is not opportune to press our amendments; that does not mean that the position taken by us is not correct."

"I beg to move, Sir—

*In clause 8, new section 6-A after the words "his authorized agent", insert the words "and the tenant shall also sign the counterfoil of the receipt issued for the rent".*

This is a thing which is done in the case of bank receipts and I think that such a safeguard will be very necessary."

SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I second the motion, Sir."

MR. SPEAKER:—"Amendment moved—

*In new section 6-A, after the words "his authorized agent", insert the words "and the tenant shall also sign the counterfoil of the receipt issued for the rent".*

\* THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, it will create a lot of difficulties. It is not in all cases that the landlord and tenant live in the same place. In Madras City, many of the landlords are living far away from their tenants and it is not possible to take the whole receipt book to them and get their counter-signature. It is impossible and in very many cases, there will be a lot of difficulties. It will not be possible to secure the signature because generally now the receipts are sent by post. By adopting the suggestions contained in the amendment, further complications will arise."

The amendment was, by leave, withdrawn.

Clause 8 was put and carried.

[6th February 1951]

Clause 9.

MR. SPEAKER:—"The motion is—

*'That clause 9 do stand part of the Bill.'*"

\* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I move—

*'In the proviso to sub-clause (ii), for the words "pay or tender . . . tender" at the end, substitute the words "deposit the rent in the court".'*

By court, Sir, I mean the Controller's court in so far as the matter is already before the Controller. When once the matter has been taken to the jurisdiction of the Controller, there is no point in asking the tenant to offer the rent again to the landlord. Therefore, when an order is passed in accordance with this section giving fifteen days' time, the order should state that the payment must be made in the court of the Controller.

"There is also another point although it is not covered by my amendment and I wish to refer to it now. After the publication of the Joint Select Committee Report, opinions were expressed to the effect that two months' time had already been given to the tenant and this fifteen days' time being in addition to it was somewhat unnecessary. Then, Sir, there are these words in the proviso: "if the Controller is satisfied that the tenant's default to lot of argument, evidence and further postings in order to produce evidence. Here is a piece of legislation where more or less as the tenants do not commit default and if there is default, it must be enough by itself to be a ground for eviction and that is the feeling generally entertained. Several friends have told me so in their discussion on the provisions of this Bill and several letters have also appeared in the press that any default whether wilful or otherwise must be a sufficient ground for eviction and therefore, Sir, I feel that the words do not really fit in there. These are some of my reflections upon that proviso. I feel, Sir, even if it is considered by the Government that extra time should be given, payment must be made in the court itself instead of driving the tenant to go to the landlord where he may not be able to find him or where he may be confronted by a dog posted at the gate so that nobody could enter. I submit, therefore, that this amendment might be accepted."

SRI L. N. GOPALASWAMI:—"I second the amendment."

MR. SPEAKER:—"Amendment moved—

*'In the proviso to sub-clause (ii) for the words "pay or tender . . . tender" at the end, substitute the words "deposit the rent in the Court".'*

\* BAGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, I wish to oppose the amendment of the hon. Member and support the Government's amendment. As the position stood

[Begum Sultan Mir Amiruddin] [6th February 1951]

before, for the mere fact that the tenant defaulted, whether it was wilful or otherwise, he could be evicted. Even though the tenant unintentionally and merely through inadvertence failed to pay the rent by the prescribed date, the Rent Controller had no option but to order his eviction. In a number of cases in the past, Rent Controllers have felt helpless in the matter, though they were satisfied that the tenant did not deserve eviction. It is to remedy this defect that the proviso to sub-section (2) of section 7 of the Act has been inserted. But the hon. Member wants the original position to be restored. I do not agree with him for I feel that the stand taken by the Government is more equitable. The object of the amending Bill is to remove the defects in the original Act, and do justice both to the landlords and the tenants.

"But I entirely agree with the hon. Member when he says that the tenant should deposit the rent in court instead of tendering it once again to the landlord. That would be a much more practicable and better procedure because the landlord and the tenant may not be on friendly terms and it would be difficult for the tenant once again to approach the landlord. The landlord may evade to take the rent, therefore, it would be much better if the tenant deposited it in court.

"I also think that fifteen days' time allowed to the tenant to pay the rent is not unjustifiable. Many factors have to be taken into consideration in determining such questions. The Rent Controller will not give fifteen days' time in every case. What is stated is that fifteen days is the maximum time that can be allowed by the Rent Controller and not the minimum. I, therefore, support the provision made in the Bill before us."

3 p.m. **SRI K. BHASHYAM** :—"Mr. Speaker, Sir, while supporting the amendment, I should like to point out that it is possible to reconcile both views. If the Government are willing to do it, it may be done. It may be, the amount of rent is paid to the landlord direct or deposited in court. Either of these things may be done by the tenant, according as it pleases him. If he is willing he may go to the landlord, pay him the amount of rent due, take a receipt from him and present it in court. Or, if he does not wish to do so, he may deposit it in court. It is that option that is given to the tenant. All the same, I say, it is not proper for the judgment creditor to be asked to go about seeking the landlord to pay him the rent. He is not bound to do that. So he can deposit the amount in court and give notice of his deposit to the landlord. Therefore if the Government gives the tenant the option to tender the amount to the landlord in the court itself, or deposit it in court, I think, that will solve the problem."

**SRI D. V. RAMASWAMI** :—"Mr. Speaker, Sir, I think the clause as it stands in the Bill, as it emerged from the Select Committee, is quite good, and that for two reasons. First there is the fifteen days' time given. In fact, it is not a fixed time of fifteen days. It is said, in the sub-clause as a "reasonable

[6th February 1951] [Sri D. V. Ramaswami]

time not exceeding fifteen days'. So, I think, it is a good provision. Then secondly, the provision regarding payment by the tenant directly or tender to the landlord, is really satisfactory. For, one has to consider the hardships involved in depositing in court and the procedure involved in depositing and taking back from the court. If for small sums of rent we have to deposit in court, consider the lot of routine that has to be gone through. Each time a deposit is made, one has to put in a cheque petition to draw the same, and that is hardship both to the landlord and the tenant. Therefore I feel this tender or direct payment to the landlord by the tenant will certainly work more to the advantage of the landlord than our friends fear. I therefore feel this amendment moved, is not necessary."

\* **SRI V. M. RAMASWAMI MUDALIYAR** :—"Mr. Speaker, Sir, the clause as it stands will suffice to meet the needs of the case. One further privilege is given to the tenant in the clause; and that is fifteen days' time to pay or tender the rent, besides the one month period after default already given. So this is an extra advantage the tenant has got now. When the application comes up before the Rent Controller, the landlord and the tenant will be present in the court, either in person or through their respective representatives, and if the tenant is really anxious to pay the rent prescribed by the Rent Controller, he can take that opportunity to pay down the rent, either to the landlord or his representative or agent. Further, all of us know how this question of deposit in court works in practice. First of all, the Rent Controller must have the necessary staff to receive the money; the money must be deposited in some place, if the landlord does not turn up immediately to take it; then, the landlord will have to put in an application to receive the amount; that application must be checked first to see whether really there is money; for that, the landlord will have to go to the concerned clerk in the court of the Rent Controller; all this is unnecessary work both for the Rent Controller and the parties concerned. All this can now be avoided by the tenant tendering the amount due to the landlord in court. This is a concession given to the tenant, and so he should try to comply with it by tendering the money. Or he may send it by money order. That is also tendering, and if the landlord does not receive it, to use a slang, that is the landlord's funeral. I think Sir, this extra concession given to the tenant will suffice for him."

\* **THE HON. SRI N. SANJEEVA REDDI** :—"Mr. Speaker, Sir, I think my hon. Friend Mr. Ramaswami Mudaliyar has put the case quite well. In the present clause we have given an extra time of fifteen days for the defaulting tenant to pay up the rent. Even at the last moment he is given an opportunity to pay up the rent. We have provided that he may pay the amount to the landlord and produce the receipt before the court or tender it in the court which includes deposit in court. We do not want to create trouble to the landlord, and that is why we have provided for this tender at this stage. Since both the landlord and the tenant will be in the court of the Rent Controller either in person



[Sri N. Sanjeeva Reddi] [6th February 1951]

or through their respective representatives, payment can be made easily. I think this should satisfy Mr. Viswanatham who wants deposit to be made in court. By accepting his amendment, we will be compelling the tenant to deposit the amount in court. Why should that be done? Will it not create difficulty to the landlord, or inconvenience to him, when he wants to receive the money? So, Sir, the amendment of Mr. Viswanatham is not necessary."

\* SRI T. VISWANATHAM:— Sir, so far as argument is concerned I have nothing to say, because there does not seem to be any cross-purpose but the language does not bear out what the Hon. Minister says. This is what Mr. Bhashyam also has been saying. When we say deposit it in court, it is open to the tenant to pay the amount to the landlord, get a receipt for the payment made and produce it in court and file it there.

"Then, secondly, the Hon. Minister also said that the word 'tender' means 'deposit in court'. It does not mean that. With great respect to him and those who think with him, I submit tender does not mean deposit in court. The clause as it stands now does not convey the meaning of the Hon. Minister. On a reading of the clause the most natural interpretation will be this: fifteen days' time is given to the tenant to pay the amount from the date of hearing, on which date the Rent Controller is satisfied that the tenant did not default wilfully in the payment of rent. Meanwhile two months would have elapsed from the original date of default. Now it is alright to the kind to the tenant. I can appreciate that. But we should also be kind to the landlords. For there are several landlords who depend upon their rent for their livelihood. They do not get all things on credit for two or three months. They can afford to get credit for twenty or thirty days. There are several landlords who appear to be rich, but they really depend upon their rent month after month for their livelihood. What is thought to be two months and fifteen days under this Act will really work out in practice to three or four months if we reckon the time when the petition is first filed and the time when the order of the Controller is passed. Therefore it works a great hardship to the landlord.

"I am only suggesting the amount may be deposited in court in case the landlord is not there in the court. Otherwise the tenant is obliged to seek the landlord, wherever he may be. Further, what is 'tender' will lead us to another field of investigation. So, I request my amendment may be accepted."

\* THE HON. SRI N. SANJEEVA REDDI:—"I think the clause as it stands covers all the points raised and so I do not see any reason why this amendment should be accepted."

MR. SPEAKER:—"The question is—

'In the proviso to sub-clause (ii), for the words "pay or tender . . . tender" at the end, substitute the words "deposit the rent in the Court".'

The amendment was lost.

6th February 1951]

\* SRI V. M. RAMASWAMI MUDALIYAR:—"Mr. Speaker, Sir, I beg to move—

(i) In item (vii), in proposed section 7 (3) (a) (i), in line 2, after the word "his", add the words "or his immediate relations".

(ii) In item (vii), in proposed section 7 (3) (a) (ii), in line 3, after the word "his", add the words "or his immediate relations".

Sir, I have drafted my amendment on the basis of two practical instances of difficulty that have come to my notice by having the words 'for his own occupation' in the Act. The words 'his own occupation' mean the landlord's own occupation. But what about his immediate relations' occupation, say, his son or daughter. I will cite a concrete case that I came across. A landlord is the head of a family; his family has grown, because he has a number of children and his sons have become grown up people, and so he wants that they should reside separately in another house of his. Under the clause as it stands, the landlord cannot get the tenant occupying his other house evicted, for the words are 'his own occupation'. In another instance, a landlady was owning a number of houses. They were occupied by various businessmen. She had a grown-up son. The son started his own business. When the landlady went to the Controller to have one of her business houses vacated, she was told that she could get a house if only she wanted to run a business and not her son. These are technical difficulties. In the case of a tenant we have made a provision that where a tenant resides in a house and should he die, the other members of his family may be allowed to continue to occupy that house and not be evicted. Now, I want a similar and corresponding provision to be made in the case of landlords also. I will give another case. A certain father was living in the mufassal; he owned a house in the city of Madras; his son fell ill; he wanted to put him in it for prolonged treatment to be undergone in Madras. For that he required his house; so he applied to the Controller; but the Controller dismissed his application on the ground that the law as it stood allowed eviction of tenant only in case the landlord wanted the house or his own occupation. Sir, these are some typical cases which came up before the Controller, and that is why I have suggested that both in the case of residential and non-residential buildings, if the owner wants the building for his own or his immediate relations' occupation the tenant should be evicted. What I have stated are genuine cases and so some enabling provision should be made in the Bill to meet such hard cases."

SRI K. BHASHYAM:—"I second the amendment. The amendment contains a very reasonable request on behalf of landlords who require their buildings for the occupation or use of their immediate relations. Several instances were quoted by the Mover of the amendment. I will give another instance. One of my houses was occupied by my niece for a long time. During the



[Sri K. Bhashyam] [6th February 1951]

time of evacuation, she vacated the house, left Madras and let the house to somebody else. When she returned, the house was not available for her occupation. The house owner is myself though the house is intended for her. I could not get possession of the house because I could not make a declaration before the court that I wanted the house for my own occupation. The lady has been living with me for the last six or seven years and there is a lot of inconvenience. I submit to the Hon. Minister that some consideration should be shown in such cases. Of course, there is a possibility of meeting such cases only when a vacancy arises and not when there is no vacancy. But what Sri Ramaswami Mudaliyar wants is that the person in occupation should be evicted for delivering the house to the owner for the use of his immediate relations."

MR. SPEAKER:—" Amendment moved—

(i) In item (vii), in proposed section 7 (3) (a) (i), in line 2, after the word "his", add the words "or his immediate relations".

(ii) In item (vii), in proposed section 7 (3) (a) (ii), in line 3, after the word "his", add the words "or his immediate relations".

\* THE HON. SRI N. SANJEEVA REDDI:—" Sir, we cannot make a law one or two hard cases. It may be that the cases which my hon. Friend Sri V. M. Ramaswami Mudaliyar mentioned are hard cases. Suppose a tenant is living in a house. The house-owner may say that he wants the house, say for a period of fifteen days, in connexion with the medical treatment of his son or for accommodating his immediate relations who are coming to witness a cricket match. The tenant will have to be evicted for fifteen days and that will be a great hardship to him. There is no use of always thinking of the landlord only. When we think of one extreme, we have to think of the other extreme also. Is the tenant to suffer to satisfy the pleasure or convenience of the immediate relations of the landlord? It is very difficult to say who an immediate relation is. A landlord may have a good number of relations. If the tenant has to be evicted every time an immediate relation of the landlord has to be accommodated, it will cause very great hardship to the tenant. We have to consider also the fate of the tenant, his children and the other members of his family who will be stranded in the streets. The case which Sri Bhashyam cited was brought to my notice. We are doing our best to see that the house is restored to his niece. We cannot simply drive out the tenants without providing alternative accommodation. In hard cases the Government can exercise the power of exemption vested in them and see that the landlord is put in possession of the house. But the causes must be reasonable and such as to convince the Government to invoke the power of exemption. If we make a provision as indicated in the amendment, it is liable to be misused and it will create a lot of difficulties. Therefore the amendment cannot be accepted.

6th February 1951] [Sri N. Sanjeeva Reddi]

" In view of the difficulties pointed out by me and also in view of the fact that the Government have got the power of exemption in hard cases, I appeal to the hon. Mover to withdraw his amendment."

SRI V. M. RAMASWAMI MUDALIYAR:—" I beg leave of the House to withdraw the amendment."

The amendment was, by leave, withdrawn.

JANAB H. S. HUSSAIN:—" Mr. Speaker, Sir, I move—

*In the proposed amended sub-section (3) of section 7 of the said Act, add at the end of sub-sections (3) (a) (ii) and (3) (a) (iii) respectively the words "independently of the provisions of this Act".*

Sub-sections (3) (a) (ii) and (iii) read like this: A landlord may apply to the Controller for an order directing the tenant to put the landlord in possession of the building . . . to the possession of which he is entitled whether under this Act or otherwise. My object in moving the amendment is to remove the ambiguity that is created by the use of the words 'or otherwise'. In some instances the Rent Controllers have interpreted the provision to mean whether the landlord is entitled to the possession of the house under this Act or not. It is capable of that interpretation. If we add the words proposed by me, it will be clear to the Rent Controller that the landlord is entitled to the possession of his building either under this Act or by other means like adverse possession, succession or heredity by virtue of some other enactment. To avoid misinterpretation and to make the position clear, I move the amendment."

JANAB MOHAMED RAFEEUDIN AHMAD ANSARI:—" I second the amendment."

MR. SPEAKER:—" Amendment moved—

*In the proposed amended sub-section (3) of section 7 of the said Act, add at the end of sub-sections (3) (a) (ii) and (3) (a) (iii) respectively the words "independently of the provisions of this Act".*

\* THE HON. SRI N. SANJEEVA REDDI:—" Sir, the amendment is not very clear. I do not see any difficulty in the provisions as they stand. It is clear that if the landlord has got one house, he is entitled to the possession of it and if he has got more than one house, he is given the choice to select any one of them for his use. I do not understand what Mr. Hussain's intention is in suggesting to remove the words 'or otherwise'."

JANAB H. S. HUSSAIN:—" I do not want the words 'or otherwise' to be removed. I have proposed the addition of some words to make it perfectly clear that the right to possession is

[Janab H. S. Hussain] [6th February 1951]

acquired by some other means. Otherwise the words 'or otherwise' may be misinterpreted so as to mean 'or not'. Such a wrong interpretation has been given by the Rent Controllers. That is why I moved the amendment."

\* THE HON. SRI N. SANJEEVA REDDI:—"We are not questioning the validity of the possession of the house. I do not see any difficulty at all." The provisions have been examined and I am advised that no difficulties will arise."

JANAB H. S. HUSSAIN:—"I beg leave of the House to withdraw my amendment."

The amendment was, by leave, withdrawn.

\* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I move—  
'In section 7 (3) (a) (iii), restore the original sub-clause (3) (iii) of the Bill.'

My amendment is to restore that portion of the sub-clause in the original Bill which has been omitted by the Joint Select Committee. If you are pleased to look into the original Bill, you will find that sub-clause (iii) contains two items—items (1) and (2). Item (1) has been retained by the Joint Select Committee. But item (2) has been omitted. It gave to the landlord the privilege of getting possession of his non-residential building for starting a business. A landlord who has no other avocation or occupation can at least start a business. If the landlord applies for his building for starting a business and if the Controller is satisfied that the application is *bona fide*, he will be put in possession of the house. That provision has been omitted by the Select Committee and I do not know why. I want that provision in the original Bill to be restored to help the landlords who want to start business and eke out their livelihood."

SRI K. BHASHYAM:—"I second the amendment."

MR. SPEAKER:—"Amendment moved—

'In section 7 (3) (a) (iii), restore the original sub-clause (iii) of the Bill.'"

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, my hon. Friend Sri Viswanatham has argued the case of the landlord. He has to look at the position of the tenant also. The Select Committee thought that, if a tenant carrying on business is evicted from the building, his business reputation will vanish. A landlord may say that he wants the house for starting a business simply to ruin the tenant. In such a case, eviction will be a great hardship to the tenant as he may be ruined. In deserving cases, in cases in which the Controller is satisfied with the *bona fide* nature of the application, the Government can exempt the building and then the landlord can launch eviction proceedings and take possession of the house. If we include a provision here, every landlord may say that he wants the building for starting a business simply to ruin the tenant. A large number of tenants will be ruined and there will be a lot of difficulty."

6th February 1951]

\* SRI T. VISWANATHAM:—"Sir, I am amused at the strange exercise of imagination of the Hon. the Minister in trying to discover a reason why a good clause has been omitted. Everybody knows that there is a Controller before whom every petition goes and he will decide whether the application is *bona fide* or not. The Hon. the Minister has simply painted a picture of his own. If the applicant simply goes and asks, it would not be granted. The Controller has got perfect discretion to decide after hearing the arguments of the applicant and also the objections, if any, of the existing tenant. It is the Controller that has to be satisfied. Every time a landlord wants his house, he has got to go before the Controller and satisfy him about the *bona fides* of the application. If it is merely to take another man's business, the Controller will take care of it; if he does not, the appellate authority will take care of it. The argument of the Hon. Minister is not sound in that respect. He has opened to us a new vista altogether of the exercise of the Government's power possibly under section 18 of exempting buildings. That is an extraordinary power which the Government might exercise. As there was no amendment on the Government side in the published Bill, I could not move any amendment under the rules of the Assembly. Otherwise, I would have moved for the total deletion of the clause, and that for very good reasons, and the Hon. Sri Sanjeeva Reddi would have cent per cent agreed with me. Now it is not fair for him to say that the landlords might come with their applications to him, and if they are for *bona fide* purposes, he would, apart from the Controller, grant them exemptions. He would be burdening himself and putting himself in embarrassing positions and trying to extend his patronage to the applicants. This is putting the Government in a very awkward position and putting the landlord also in a very difficult position. After all, all landlords are not in the City of Madras. Possibly the Hon. Minister has got in his view a few big landlords and a few big businessmen who came and represented to him that if that provision was there, their business would be affected. If the business was so big, those businessmen would have their own buildings very soon. However, it was a very good provision that the original Bill contained and I suggest no untoward consequences will follow if that clause is restored. He also agrees with me that if it is for a *bona fide* purpose, it should be given to the landlord. What is *bona fide* will be decided by the Controller. I only plead that the Controller must be given that power as the Hon. Minister wanted originally to give. Let him not be misled as he was misled by the representations of a few businessmen who want to monopolize the houses belonging to others. The *mala fide*, if any, is on the part of such tenants and not on the part of landlords and I suggest the clause may be restored in the interests of landlords."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, we spent a good deal of time particularly on this clause and we took this decision after very serious thought. In this case there are rich

[Sri N. Sanjeeva Reddi] [6th February 1951]

men on both sides, the landlord and the businessman; the poor tenant does not come in the way here. Therefore, it is better to leave it as it is and if the other man also wants to start a business, let him have a chance, let him go to the Controller and see that the house is exempted. It is not always that a small washerman or a tailor is disturbed but the difficulty arises only with big businessmen. If there is some hard case like that, he can really convince the Accommodation Controller and start the business. Otherwise, a good number of businessmen will suffer. They will have to go out because the owner gives notice of his intention to start business. He may or may not start the business; he may give it to somebody else to secure higher rent and evict the tenant and ruin the business."

MR. SPEAKER:—"The question is—

'In section 7 (3) (a) (iii), restore the original sub-clause (iii) of the Bill.' "

The amendment was lost.

\* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, I move—

'In new sub-section (3) (a) (iii), for the words "three months" in the first proviso, substitute the words "one year" or in the alternative "six months".'

Sir, this question was considered at the first Select Committee which was presided over by the ex-Minister Sri Gurubatham who was in charge of the Bill. The matter was discussed at length and it was decided that a period of one year should have elapsed from the registration of the sale deed, etc., before the purchaser could apply to the Controller for evicting the tenant. The reason for this was contained in the note of the department which was circulated among the members. This note ran as follows: 'Houses are changing hands frequently merely to enable the new purchasers to evict the tenants, on the ground that they require the building for their own occupation. A restriction of the landlord's right in such cases is considered desirable, and it is, therefore, provided that a period of one year should have elapsed from the registration of the sale deed, etc., before the purchaser can apply to the Rent Controller for evicting the tenants.' When the question was considered by eminent landlords at the first Select Committee and decision taken, I do not know why the Government have now reduced this period to mere three months, despite the fact as has been acknowledged by the Hon. Minister himself that the housing position has not eased. In these days when housing accommodation is so scarce, tenants should not be asked to quit without their being given a reasonable time to find alternative accommodation. I request the Government to restore the decision of the first Select Committee, namely, to fix a period of one year, or in the alternative to give at least a breathing time of six months to the tenant to find alternative accommodation. This is a very reasonable demand which should be

6th February 1951] [Begum Sultan Mir Amiruddin]

conceded, so that people may not be thrown into the streets in these days when the supply position in regard to residential accommodation has not eased."

JANAB MOHAMED RAFEEUDIN AHMED ANSARI:—"Sir, I second the amendment. The fact to be taken into consideration in this matter is that but for the transfer of ownership, the tenancy would continue indefinitely and the tenant would not have to vacate the building. It is only because of the extraordinary circumstance of ownership changing hands that this contingency arises. Therefore, sufficient time should be given to the tenant to make alternative arrangements to seek other buildings for occupation. It is absolutely necessary that one year or, as the hon. the Lady Member has put it, six months at least should be given, if for no other reason than chivalry at least. Because the amendment has been moved by a Lady Member, the Hon. Minister should accept it."

MR. SPEAKER:—"Amendment moved—

'In new sub-section (3) (a) (iii), for the words "three months" in the first proviso, substitute the words "one year" or in the alternative "six months".'

SRI V. M. RAMASWAMI MUDALIYAR:—"Sir, I do not know if the hon. the Mover of the amendment is aware of the practice in this matter. To start with, I may say that we Indians, wedded as we are to immovable property particularly houses and land, do not sell them for the mere fun of it. Only when there is a real difficulty, we sell the house. A man purchases a house at a very high price after paying a stamp duty of 8 per cent in the City and 7 per cent in the mufassal, because he thinks that he is acquiring a property and in most cases it is for his own use. In every case where a purchaser comes before the Rent Controller, he must come under one of the clauses enumerated above, namely, that it is for his own occupation. The Rent Controller always goes into each individual case and only when he is satisfied that the claim of the landlord is bona fide, he can make an order. If he is not satisfied as to the bona fide of the landlord, he will dismiss the application. The hon. the Lady Member who moved this amendment said that the tenant should not be thrown into the streets after three months. As a matter of fact, the procedure outlined here will give the tenant much longer time than three months. If a house is purchased, after the sale deed is executed, the law allows three months' time to the tenant. After that period, the purchaser may go to the Rent Controller; summons will be served on the tenant who will fight out the case tooth and nail. On an average the life of a petition is nothing short of three months. At the end of the three months the Controller has got the power to give such time as is reasonable. Generally a period of three months is given. Thus for nine months the tenant can remain in the house. (Interruption.) The tenant will have six months at any rate at his disposal. No Controller will be so unreasonable as to

[Sri V. M. Ramaswami Mudaliyar] [6th February 1951]

order that the tenant must vacate at once. Therefore, there are sufficient safeguards even for the tenant. Even by abuse of procedural rights, no tenant can be evicted in practice before six months. The minimum time, according to me, that will be taken is nine months."

\* SRI D. V. RAMASWAMI :—" Mr. Speaker, Sir, one who has followed the trend of discussion on this Bill so far would believe that most of the provisions are in favour of the tenants. Therefore, it is a little bit surprising if the Hon. Minister does not deeply ponder over the amendment moved by the hon. Lady Member. Not only her reference to a certain suggestion in the first Select Committee has a bearing on this point but also I feel that that provision will go a long way in giving reasonable time to the tenant to make alternative arrangements for accommodation as soon as a change in ownership takes place. I, therefore, feel that at least the alternative amendment, namely, provision of a period of six months, may kindly be accepted by the Government. It will help the good relations between the landlord and the tenant. I support the amendment, Sir."

3-45  
p.m.

SRI K. BHASHYAM :—" One aspect of the matter which has to be considered in this connection is the transfer of property which is a very difficult one in these days. One has to pay 8 per cent for purposes of transfer. A person sells his property only when he wants money urgently for certain purposes of his own. If, on top of all these, the purchaser has to wait for one year to take possession of the property, then it would really be very hard. The general tendency is to depress the value of the property. The property will not fetch the same high price always. Immediate handing over of possession is not provided. Already, three months' time is given. Certainly, the landlord should not be made to wait for one year which means that to that extent the value of the property will go down. As a matter of fact, in the Select Committee all these points were carefully considered. As pointed out by Sri Ramaswami Mudaliyar, it is not mere three months. The application is to be made after three months. The tenant will gain some time during the pendency of the application and the Controller may in the end give some more time to the tenant. So, what the Lady Member has got in her view, namely, increasing the time to six months will be achieved even now as mentioned by my hon. Friend Sri Ramaswami Mudaliyar. We cannot really prescribe one year in the first instance, and if we take into account the time taken by the Court to dispose of the application, it will really be one and a half years which will be quite unreasonable. The time of three months given under this clause is a very reasonable period for both parties. It is really unfair to provide for longer period and thus place the purchasers of houses in a very disadvantageous position."

THE HON. SRI N. SANJEEVA REDDI :—" Sir, I was also of the same view as the hon. Lady Member Begum Amiruddin and hon. Gentleman Janab Ansari. But, when the other point of view was explained to me, I too felt that the three months time

6th February 1951] [Sri N. Sanjeeva Reddi]

is given just to file an application and later on, the application will take some time. Hon. Friend Sri Ramaswami Mudaliyar has very clearly explained the point. When a man purchases a house by paying huge amounts, he should be enabled to take possession of the house in a reasonable time. I think the tenant should be able to get a house within six months. There must be some finality somewhere about these things. It is not fair if a man who has purchased a house for a huge sum is not in a position to take possession of the house for a pretty long time. This question was considered very carefully. Though I was of the view of the hon. Lady Member, I was converted and agreed that the time should be reduced to three months."

\* BEGUM SULTAN MIR AMIRUDDIN :—" Mr. Speaker, Sir, I am sorry that the Hon. Minister was not present at the first Select Committee of which I was a Member. At that Committee, the whole question was discussed at length and a decision arrived at with the concurrence of big landlords not only from the city of Madras, but also from the mufassal. I do not agree with the hon. Member Sri Bhashyam when he says that the value of property will get depressed, if the Government fix the period at one year. The fact of the matter is that the price of property is running very high at present. While stocks, shares and securities have all gone down in value, people are buying houses at high prices, as they consider house-property to be the only form of safe investment. Conditions are such that the price of property will not get depressed, despite any legislation. When the supply position has not eased, it is the duty of the Government to safeguard the interests of the tenant population. See that they are not exploited by the landlords. I am speaking neither on behalf of the landlord nor of the tenant but on behalf of the general public. We have to legislate for the well-being of the people at large and see that the majority of the people are not subjected to difficulties and harassment at the hands of a few who are in a happy position. It is because of this that I feel that tenants should be given some breathing time to secure alternate accommodation. It was said that people are not selling their houses for evicting their tenants. But the note supplied to us by the Government department tells us a different story. The note 'must' have been based on knowledge and on facts and not on pure and simple imagination. In the interests of the general public, the Hon. Minister should accept my amendment. The demand that six months time be given to quit is not at all unreasonable. If the Hon. Minister goes through the report of the first Select Committee and also the note of the department read out by me just now, I am sure he would be convinced that the tenants should be given sufficient breathing time to find alternate accommodation. I therefore hope he will accept my amendment."

\* THE HON. SRI N. SANJEEVA REDDI :—" Sir, I am not convinced of the arguments in favour of this amendment. I was converted to one point of view, and I am not going to be re-converted,

[Sri N. Sanjeeva Reddi] [6th February 1951]

I know of specific instances where a person who has purchased a house for a huge amount, not being able to get into that house, still continues to be a tenant in some other house. I know the case of an officer who has purchased a house for a huge amount and was not able to get into that house for nearly 1½ years. He was not given possession of the house and had to continue as a tenant, even after having paid a large sum. There are really such hard cases. It is not always that a person sells away his house for a nominal price, for the sole purpose of increasing his rent. If he does so, it will create a lot of complications and land him in difficulty. In his attempt to get more rent, he may even lose the house. So there is always that danger and I do not think anybody would agree to sell his property nominally for getting a higher rent. I cannot accept that kind of argument. The time of three months given under this clause is for the application to be made by the purchaser. Naturally, the application will take some time when it is pending in the Court. Again, the Controller may give some time to the tenant. In this manner, the tenant will, in reality, have more than three months. It is not as if the tenant will be evicted immediately the house in which he is residing is purchased by somebody else. The Controller can give him some time. It is within his competence to give the tenant another three months, if he is satisfied that the tenant cannot secure alternative accommodation. So, ultimately the tenant will get 6 to 9 months, which is quite enough. If he is a reasonable tenant, he can certainly get alternative accommodation within that long period. Therefore I am unable to accept the amendment."

MR. SPEAKER:—"The question is—

'In the new sub-section (3) (a) (iii), for the words "three months" in the first proviso, substitute the words "one year" or in the alternative "six months".'

The amendment was lost.

\* SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I move my amendment which reads as follows:—

'In sub-section (vii) in the new sub-section 3 to be substituted, delete sub-clause (c) '.

"This sub-clause (c) reads as follows:—

'A landlord who is occupying only a part of a building, whether residential or non-residential, may, notwithstanding anything contained in clause (a), apply to the Controller for an order directing any tenant occupying the whole or any portion of the remaining part of the building to put the landlord in possession thereof, if he requires additional accommodation for residential purposes or for the purposes of a business which he is carrying on, as the case may be.'

It has been considered, Mr. Speaker, all along, that this Bill seeks to protect the interests of the tenants. I really do not see how the Hon. Minister is going to reconcile himself with this provision, which seeks to take away the right of a tenant to continue in the house in which he might have been living for a very long time. The Government say that when a person has got two houses and if he does not legitimately require both of them for

6th February 1951] [Sri L. N. Gopalaswami]

his own use, then one of the houses should be released for accommodation of some tenants who are suffering. Now, what does this clause say? A landlord occupying a portion of the building can evict a tenant occupying another portion in the same house under the pretext that he wants it for his own use or for his business. While speaking on the amendment of Sri Ramaswami Mudaliyar, the Hon. Minister said, 'Oh, no, no. We cannot throw out the tenant into the streets. We should make accommodation for him.' Now what is he going to say when the tenant who has been occupying a portion of the house for a long time is ousted from that portion simply because the landlord nods his head and says that he wants the other portion also for his own use, either for residential or non-residential purposes. The landlord might well say that he wants the house for a non-residential purpose, viz., for carrying on a business. This will not only reduce the residential accommodation that is available in the City, but also introduce further complications. Every landlord will begin to simply harass the tenant unless he pays the high rent demanded of him. Further, if you take a census of persons living in the various houses as tenants in Madras, you are sure to find that the number of tenants who live in portions will be far greater than the number of tenants who live in separate houses. I therefore think that it is very reasonable and also charitable that these persons who are occupying portions of houses should not be left to the mercy of the landlords. The landlord will now say, 'Oh, I want the portion occupied by you for my business which I am now carrying on in Nungambakkam, Tiruchirappalli or Tanjore'. Or, he may say, 'Well, my family has suddenly increased and therefore I want additional accommodation. So, you must vacate.' Not only that; it will create further complications. For instance, if there were two tenants in a house and the landlord was also living in the same house, one of the tenants may say to the landlord that he would pay a higher rent and the other tenant may be ousted from the house. Thus there will be competition and lot of confusion and unnecessary trouble would be the result. In this manner, the poor tenants paying small rents will be subjected to untold suffering, and will be thrown to the mercy of these landlords. I therefore want the Hon. Minister, who has been very sympathetic towards the tenants to consider how he can reconcile himself to the precarious position in which the sub-tenants are sure to be placed if there was the present provision giving the right to the landlord to evict a tenant from the portion of the house in which he (the landlord)-is also living."

SRI T. VISWANATHAM:—"Sir, I second the amendment."

MR. SPEAKER:—"Amendment moved—

'In sub-clause (vii) in the new sub-section 3 to be substituted, delete sub-clause (c) '.

SRI K. BHASHYAM:—"Sir, I would like to refer to one point in this connection. When once we have accepted the position that when a man buys a house and wants it for his own



[Sri K. Bhashyam] [6th February 1951]

occupation, he is entitled to evict the tenant who may have been occupying it in the past, we have to only extend that principle to cases where the landlord wants the other portions occupied by the tenant, for his own use. When that principle has been accepted, the other should follow. It is true that the tenant will have to be evicted from the portion in which he might have been living for a long time. It is also true that the landlord would be greatly inconvenienced if he is not able to get greater accommodation for his growing family. In such cases, we have to consider who is the person that has to be inconvenienced—whether it is the landlord or the tenant. The landlord is the owner of the house. In 1940 he might have let out a portion of his house to a tenant and it might have been possible for him to live in the other portion as his family might have consisted of himself, a child and his wife. After ten years, his family might have grown up and he might have a number of children. In such a case, he will necessarily want the other portion of his own house to accommodate his big family. Of course the tenant might have been occupying the other portion for so many years. But what about the need, the pressing need of the landlord? Between the two persons—the tenant and the landlord who is entitled to remain in the house? It is but fair that the landlord, who is the owner of the house, should be entitled to remain in the house, especially when he wants the whole house for his family. To conveniently accommodate his growing family, he may want one room for study, one room for living and for similar purposes. If the amendment of my hon. Friend Sri Gopalaswami is accepted, it will place the landlords in a very difficult position. Therefore I strongly oppose the amendment, Sir."

\* SRI D. V. RAMASWAMI:—"Mr. Speaker, Sir, the argument of my hon. Friend Sri Gopalaswami seems to be fair, but it is not correct. I would like to draw his attention to the first proviso to the proposed sub-section (3) (e) of the proposed Section 7. According to the proposed sub-section (3) (e) the Controller can reject the application of the landlord for evicting the tenant from a portion of his house subject to the proviso mentioned by me just now which says—

*Provided that, in the case of an application under clause (e), the Controller shall reject the application if he is satisfied that the hardship which may be caused to the tenant by granting it will outweigh the advantage to the landlord.*

I feel that this amendment is lacking in correctness and therefore I oppose the amendment."

4 p.m. \* THE HON. SRI N. SANJEEVA REDDI:—"Sir, my hon. Friend Sri Gopalaswami has not seen the proviso that the Controller shall reject the application under clause (e) if he is satisfied that the hardship which may be caused to the tenant by granting it will outweigh the advantage to the landlord. It is, therefore, not in all cases that the Controller will give possession of the house to the landlord. If it is a genuine case of the family suffering for want of more accommodation, then of course possession will be given to the landlord. Not whenever or wherever an application is

6th February 1951 [Sri N. Sanjeeva Reddi]

made, the tenant will be evicted. Sir, I too was of the same view as was expressed by my hon. Friend Sri Gopalaswami but I have been converted to my present view by eminent lawyers like hon. Members Sri Bhashyam and Sri Karanth (laughter). I think the present provision is reasonable and Sri Gopalaswami need not be afraid that on every application that goes before the Controller, an order evicting the tenant will be passed. The proviso makes it clear that where the tenant stands to suffer, such an order shall not be passed. Therefore, I would request my hon. Friend, Sri Gopalaswami to withdraw his amendment."

\* SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I am really surprised at the Hon. the Minister for Housing falling a prey so cheaply to the arguments of learned lawyers like Sri Bhashyam and Sri Karanth (laughter) because however sweet the arguments might be, I would like him to weigh them against the hardship the tenants are put to. (The Hon. Sri N. Sanjeeva Reddi: 'That is why the proviso is there.') I am not ignorant of the proviso and I have also given notice of an amendment for its deletion for it is only consequential to sub-clause (c). I am well aware of it. But when once a matter goes to a Court, unless the Court is satisfied with the *mala fide* nature of the petition, it will have to give a verdict in favour of the owner to the great inconvenience of the tenant. The petition does not arise only for reasons of enlargement of the family. In that case, the Court can easily come to a correct and just decision. If it is a question of business, it will not be easy to establish—even if a person has no business—that he has no business. If the provision is clear that residential portions can be asked for only for residential purposes and non-residential buildings for non-residential purposes, it is all right. But there is no such thing here. A residential portion can be converted into a non-residential one and this is a thing which, I am sure, the Government do not themselves contemplate. If the words 'for residential purposes' alone are retained, I can understand the principle underlying this provision. The wording of this clause is very vague and it gives room to a variety of constructions being put upon it. I cannot accept such a difficult position which will work untold hardship on the tenants. I, therefore, press my amendment."

MR. SPEAKER:—"The question is—

'In sub-clause (vii) in the new sub-section 8 to be substituted, delete sub-clause (c).'

The amendment was lost.

SRI P. A. THANGASWAMI NADAR:—"Mr. Speaker, Sir, I move—

*In sub-section (3) (e) of proposed section 7, after the word "building" in line 2, add the words "or a smaller house" and after the word "building" in line 5, insert the words "or his own bigger house".*

Sir, in the amendment circulated to us, there is a mistake which I have corrected. Instead of 'line 5', it has been wrongly written



[Sri P. A. Thangaswami Nadar] [6th February 1951]

as 'line 4' in the amendment. The ground for my amendment has been cleared. Everybody seems to be agreed in principle as to the satisfactory nature of the drafting of sub-clause (c) which provides for the landlord moving the Controller to evict a tenant occupying a portion of his building. This principle has been rightly conceded. While this has been recognised, my amendment seeks to supplement it by bringing within its purview certain cases which I have in my view. I believe those hon. Members who happen to be Chairmen of Municipal Councils will be in a better position to appreciate my case which I shall presently place before the House. In the municipal areas, big houses are often divided into two portions for purposes of convenience or on account of persistent requests from the tenants. The portion for occupation by the tenant is marked out and immediately thereupon a separate rent is fixed for that portion. The house itself is treated for all municipal purposes as two separate houses and they are separately assessed to municipal tax. Though the property remains one, it is treated as two different properties for all practical purposes. What I want the Hon. the Minister to do is to extend the principle underlying sub-clause (c) to cases like these. The landlord occupies the smaller house and rents out his bigger house, both situate in the same municipal area. Owing to expansion of his family or for other *bona fide* reasons he wants to have possession of the bigger house. He must then be in a position to have it and that is what my amendment aims at. And now, the point may be raised as to what should become of the smaller house, which is treated as a separate house. That is a relevant point and I want the Hon. the Minister to listen to me when I deal with this point. In case the landlord refuses to vacate the smaller house, the Government have got ample powers under the proviso to sub-clause (c) to reject the application of the landlord. The Controller while passing an order authorising the landlord to take possession of the bigger house can dictate such terms as he considers necessary to the landlord. He has got ample powers to do so. Therefore, there is no fear that the house owner will walk away with both the houses leaving the tenant of the smaller house in the lurch. I am only asking the Government to extend the principle contained in sub-clause (c) to such cases where one building is reckoned as two and one of the two rented out. It is only an extension of an accepted principle and not an acceptance of a new principle. This is a very reasonable amendment and there will be no hardship so far as the tenant is concerned since the landlord can be asked to hand over the smaller house to the tenant."

SRI K. BHASHYAM:—"Mr. Speaker, Sir, I rise to second the amendment moved by my hon. Friend, Sri Thangaswami Nadar. Let me explain it with a concrete instance. A certain Government servant having a big house with an out-house attached to it was transferred to a mufassal station. On his transfer, he put his son and a servant in the smaller house to enable his son to continue his studies in the school. The other house was let out. After some time the officer was transferred back to Madras and

6th February 1951] [Sri K. Bhashyam]

when he applied for possession of the bigger house, he was refused possession on the ground that he was already in possession of one—the smaller house. In such cases, it must be possible for a person to have both the houses for his own occupation. When once the Controller is satisfied that he was in possession of the buildings previously, both the houses must be given to the applicant. Of course, if the tenant's family has grown meanwhile it may cause him some inconvenience if he is asked to vacate. In that case, the safeguard is provided that the Controller can reject an application if he considers that the hardship which may be caused to the tenant by granting possession to the landlord will outweigh the advantage to the landlord. Or, in the alternative, he may ask the landlord to give up the smaller house in favour of the tenant so that he may take the bigger one. Therefore, as the hon. Mover has pointed out, this is only an extension of the principle contained in sub-clause (c). I think the Government can safely accept the amendment."

MR. SPEAKER:—"Amendment moved—

"In sub-section (3) (c) of proposed section 7, after the word 'building' in line 2, add the words 'or a smaller house' and after the word 'building' in line 5, insert the words 'or his own bigger house'."

\* SRI L. C. PAIS:—"Mr. Speaker, Sir, I rise to support the amendment before the House. It looks to me that it is a very reasonable one. If a landlord is to be helped in getting the entire house for *bona fide* purposes, it follows that if he owns a bigger house and a smaller one, he must be in a position to have either both or the bigger of the two. He must have the benefit. This is only an extension of the principle underlying sub-clause (c) and I request the Government to accept it."

\* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, I also wish to support the amendment before the House. On the last occasion I supported the cause of tenants but now I am supporting the cause of landlords (laughter). I am doing so because I wish that justice should be done to both. The principle of the amendment is the same as that contained in sub-clause (c) which provides that if a landlord wants to have the entire house for his own occupation or for other *bona fide* purposes he can have it on application to the Controller. It is now urged that if there is a bigger house with an out-house attached to it in the same compound and the landlord is occupying the out-house, he should be given an opportunity to occupy the main house if he is in need of it because his family has increased or for other *bona fide* reasons and the tenant asked to go into the out-house. This, to my mind, is nothing but fair. Sir, the Hon. the Minister is not listening to me. . . . (An hon. Member: 'He is discussing the point with his Colleague.') Let him understand my point first and then discuss it with his Colleague. If necessary, let him insert the words 'in the same compound' in the amendment if he is not prepared to accept the amendment as it stands now."

[6th February 1951]

**THE HON. SRI N. SANJEEVA REDDI :—**“ Suppose there are half a dozen houses in the same compound.

\* **BEGUM SULTAN MIR AMIRUDDIN :—**“ Such houses are but few. In such cases the landlord should be given option of selecting one of the houses. I am speaking of a case where a man owns a big house and an out-house in the same compound. If he is an occupation of the out-house and if he requires the bigger house, which he has rented out, it is but fair that he should be allowed to have the bigger house and the tenant asked to shift to the out-house. If the Hon. Minister is not prepared to accept the amendment of Mr. Thangaswami Nadar, I am suggesting a *via media*, viz., that the words ‘in the same compound’ be inserted in that amendment. That I hope will satisfy the Hon. Minister.”

\* **THE HON. SRI N. SANJEEVA REDDI :—**“ Sir, if it is a case of a man owning two houses in the same compound it is alright. But there are cases where more than two houses—half a dozen and more at times—are built within the same compound. If this concession is extended to such cases, then the landlord may be shifting from one house to another and there will be no end to this changing business. This will cause great inconvenience to the tenants. Apart from this there is another point also. Even according to the existing Act, building includes out-house also. So, there will not be much difficulty in working the provisions of sub-clause (c).”

\* **SRI T. VISWANATHAM :—**“ Sir, suppose there is a big house with an out-house owned by a certain officer. After some years of service elsewhere he returns to his own place and asks for permission to occupy his big house. Can he be refused permission on the ground that he was keeping his things, all the time he was away, in one of the rooms of the out-house? I want to know the position. A similar case arose recently and the Controller actually decided that since both the houses were situate in the same compound and since he was in occupation of one of the two houses, he was not entitled to possession of the big house. He was keeping his things in a very small room during the time he was away.”

4-15 P.M. \* **THE HON. SRI N. SANJEEVA REDDI :—**“ We cannot take one solitary instance. If he is a Government servant who has come back, it is the obligation of the Government to provide him a house. The Government will certainly take care of him.

“ Let me confine myself to the amendment of the hon. Member. If according to his amendment the house-owner is permitted to take the bigger house and also at the same time to retain the smaller one, he will evict the tenant. According to the previous amendment which we have accepted, a person if he is a landlord, and if he occupies a smaller portion and wants to move to the bigger portion, he may claim it if he thinks it is necessary for his family and for various other reasons. On the same analogy the hon. Member Mr. Nadar, wants that the house-owner should be permitted to move from the smaller to the bigger house and also to

6th February 1951] [Sri N. Sanjeeva Reddi]

retain the smaller house. I will cite a instance. Suppose a gentleman is living in a small house the rent of which is Rs. 30. He has also got in the same compound two or three bigger houses, the rental value ranging from Rs. 200 to Rs. 300. From the smaller house the house-owner will first switch on to the bigger one and yet retain the smaller house and then on to the other and so on. There are such cases also. It will be that the house-owner will go from one house to the other in the same compound and yet retain all the other houses. There is nothing specifically stated in the amendment that he shall give up the smaller house or the houses not retained by him. In Madras city there are a dozen houses in the same compound. If the amendment is accepted it would create lot of confusion and complications.”

**SRI P. A. THANGASWAMI NADAR :—**“ Just a word, Sir, to meet the difficulty of the Hon. Minister. Sub-clause (c) and the proviso should be read together. Then there will be no difficulty. It is the Controller who passes orders. If the landlord applies to the Controller for the bigger house, the Controller can reject his application for the bigger house saying that unless the house-owner made over the smaller house to the tenant he shall not be given the bigger one. The Controller is all powerful. On the other hand, Sir, if the amendment is not accepted there is no provision under the section to meet the difficulties of the landlord who for the moment when he was not living with his family chooses a smaller house. When his family comes, when his son gets married, when his daughter gets married and his family becomes bigger, he cannot claim the other house, the bigger house. Are the Government indifferent to such just claims of the landlord? I hope the learned Minister will be aware of the significance of these things, and I hope the Government do not want to be a party to such things. When the Government are prepared to allow the landlord to move to a bigger portion why not they allow him to move to a bigger house? If the Hon. Minister is of the opinion that my amendment does not provide for the house-owner giving up the smaller house after moving into the bigger one, I suggest that my amendment might be suitably modified to the effect that the landlord might be allowed to move into the bigger house and give up the smaller house.”

**MR. SPEAKER :—**“ The Hon. Minister has nothing to add to what he has already said. Is the hon. Member withdrawing his amendment? ”

**SRI T. VISWANATHAM :—**“ Why, Sir, the amendment need not be withdrawn.”

**MR. SPEAKER :—**“ The question is—

“ In sub-section (8) (c) of proposed section 7, after the word ‘Building’ in line 2, add the words ‘or a smaller house’ and after the word ‘building’ in line 5, insert the words ‘or his own bigger house’.”

The amendment was lost.

[6th February 1951]

Mr. SPEAKER:—"Is the hon. Member, Sri Gopalaswami, moving his amendment?"

Sri L. N. GOPALASWAMI:—"It is only a consequential amendment. It is out of place now. I am not therefore moving it."

Mr. SPEAKER:—"Is the hon. Member, Sri Viswanatham, moving his amendment?"

Sri T. VISWANATHAM:—"I want to know what it is, Sir."

Mr. SPEAKER:—"The amendment is—

'Omit new sub-section (3-A).'

\* Sri T. VISWANATHAM:—"Yes, Sir. It must be omitted. I move—

'Omit new sub-section (3-A).'

Sir, this clause is a life sentence passed upon the landlord by this Bill, and is opposed to every notion of fair play. What is the sentence? I shall explain to you briefly. The sub-clause reads as follows:—

'(3-A) No order for eviction shall be passed under sub-section (3) against any tenant who is engaged in any employment or class of employment notified by the State Government as an essential service for the purposes of this sub-section, unless the landlord is himself engaged in any employment or class of employment which has been so notified.'

I shall just take a few minutes to explain to you and the hon. Members of this House the enormity of the mischief of this sub-section. No order of eviction, notwithstanding anything that has been passed or will be passed hereafter under the provision incorporated under this Act, shall be passed at all against a tenant—what kind of tenant?—a tenant, if he is engaged in any employment or class of employment notified by the State Government as an essential service; the notification as essential services is not done with the knowledge of this House. This legislature is not taken into confidence as to what is essential and what is not. This legislature has no voice in deciding whether the service is essential or not. Some services were declared as essential services by an executive order. It has survived the war period and somehow survived the onslaught of the present democracy. There are some orders in which it is stated that such and such services are essential services. When they were declared as essential services, the legislature was not consulted as to why they were declared as essential services. Then they were withdrawn. Again the legislature did not know why this was done. The whole thing is left to the sweet will and pleasure of the Government which means some particular officer of the Government. This is a most dangerous surrender of the opinion of this House for all time to come to the Government.

"Then, Sir, a person belonging to what is called an essential service may commit several wrongs, commit several defaults and yet, he should not be evicted. He can do anything he likes.

6th February 1951] [Sri T. Viswanatham]

It may so happen, most of the Government servants will be declared as members of the essential services. Why? That is the only way to get protection for them. Some officer might come one day and pass an order saying such services are essential services. The file may go to one Hon. Minister or perhaps to two Ministers or possibly under the rule making powers it may not go to any Hon. Minister at all, and the order may be issued. Who knows all these things? We are not taken into confidence. We are not enabled to know what it is, whether a particular service belongs to the essential service or not. By such an order the landlord is denied once for all the right of re-entry into his own house notwithstanding the fact that the tenant has committed defaults. He might have even disobeyed the orders of the Controller and the Controller himself would feel absolutely helpless in the face of this section. There is no question of *bona fide* or *mala fide* here. He is above all these simply because he is a member of the essential service; he may be in the medical service, in the Police service, or some other service. I submit, Sir, every service which is maintained by this Government at public expense is essential. Otherwise, the Government would be the first to come forward and say 'this is not essential and so we dispense with the service altogether'. Apart from future notification the present definition itself is so wide and it is wrong to have such a provision. This would embarrass almost every Controller. He will not be allowed to think reasonably and properly with regard to each case because the tenant belongs to the essential service, whether he pays the rent in time or not, whether he puts the landlord in trouble or not, whether he is causing harassment and annoyance to the landlord and his family or not, nothing will be taken note of and he will not be evicted. Whatever happens the tenant would say: 'I belong to the essential service, I cannot go'. Therefore there is no discretion left to the Controller. If the landlord happens to be a person belonging to the essential service, he can pounce upon him. It is then only a question of a bigger fish trying to swallow a smaller fish and both trying to swallow the landlord. (Laughter.)

"I submit, Sir, this kind of provision in the Act is bad. Apart from the constitutional position which I wanted to raise this morning, this acts as a great harassment, annoyance and inconvenience. It is true that some tenants in this State are put to inconvenience but provisions like this will put the landlords into much greater inconvenience. It will reduce all landlords in the State to the position of persons under life sentence or externment order from their own house. I submit that this clause must be omitted."

\* JANAB M. S. ATAULLAH:—"Mr. Speaker, Sir, I second the amendment moved by the hon. Gentleman Sri Viswanatham. I submit the Rent Control Act itself was a war measure which is not at all required now. If the Government keep it on adding more and more powers, it is really creating hardship after hardship

[Janab M. S. Ataullah] [6th February 1951]

to the persons concerned. Supposing a Government servant who owns a house in Madras and who is working in some other place wants to come back to his own place and occupy his own house—he has got only one house—then, what will happen to him? He will be thrown into the streets. I do not know whether the Government have considered this aspect of the matter or not. On the whole, I think, all these measures are very unfair. It is high time that the Government realise this and remove all such hardships."

MR. SPEAKER :—"The motion is—

'Omit new sub-section (3-A).'

\* BEGUM SULTAN MIR AMIRUDDIN :—"Mr. Speaker, Sir, I strongly support the hon. member Sri T. Viswanatham in what he has said about this section for I am afraid it infringes the Constitution of India and encroaches upon the rights given to the landlord under Article 19 (1) (f) of the Constitution wherein it is provided that 'All citizens shall have the right to acquire, hold and dispose of property'. The only restrictions that could be imposed upon him are reasonable restrictions in the interests of the general public. Sir, I should like you to observe the words 'general public'. The restrictions that the Government wish to impose in this section on the rights of the landlord to hold his own property are not in the interest of the 'general public' but in those of only a particular section of the public, namely, Government servants or those who have been declared to form part of the essential services. I am afraid such restrictions cannot be imposed under the Constitution of India and would prove *ultra vires*. It is the duty of every member of this House to see that as far as his/her knowledge goes the enactments of this legislature are in consonance with the Constitution of the land. The provision made in the Bill before us that if a tenant belongs to an essential service, he cannot be evicted by the Controller, I am afraid, may not stand the test of scrutiny in a Court of law. Therefore I join wholeheartedly with the hon. Member, Mr. Viswanatham in making an appeal to the Hon. Minister to withdraw this sub-section."

SRI V. RAGHAVAYYA :—"Sir, this clause tends to cut at the very root of the justness of this measure itself. This Act which appears to help the poor tenants and the landlords seems to impose too many restrictions and thus leading us to a sort of confusion which the Government ought to avoid. This sub-section seems to suggest to me that the Government want to entrench themselves behind the special powers and the declaration of the services as essential services and no power is left out. As far as conveniences require it is only fair that the general public should be put to hardship, on account of the special preference to be given to the Government servants. The reasonable request with which my hon. Friend, Sri Viswanatham pressed this point ought to have gone into the mind of the Hon. Minister in charge of this Bill. I can understand certain services being

6th February 1951] [Sri V. Raghavayya]

specified as essential services. I can understand, in war time, the police force being regarded as essential service. That is in war time. In peace time also I can understand Sanitary Inspectors being considered as Government servants belonging to essential services while there is an epidemic. When one leaves it so vague as in the clause, then there is difficulty. Even a Duffadar seems essential because his immediate superior officer may say it is essential for his comfort. There can be no imaginable service that cannot be treated as essential. It is only the man that makes, that controls the operation of the Act; if he is so minded he can make any service essential and make life of the average citizen a hell itself.

"But, I concede one thing. This Act was passed during war-time as an emergency measure. But now the war conditions are over. How long is this Act to continue to operate to give pin-pricks to the ordinary citizens? Sir, we thought that this Act would be removed from the Statute Book. When the Government have decided on de-rationing of food in the rural areas causing untold hardships to many people, why should they cling to this outmoded legislation for which there is absolutely no necessity at this stage? If the Government think that their officers are put to hardship, it is open to them, just as the previous Governments have done before, to build a number of tenements and accommodate them in those tenements without being evicted from time to time.

"Sir, the Hon. Minister himself who is in charge of the portfolio for Co-operative Societies, has not been very helpful to the Government servants and he has turned down a proposal in Nellore . . ."

MR. SPEAKER :—"Let the hon. Member come to the point."

SRI V. RAGHAVAYYA :—"Sir, I am only bringing to his notice the reasonableness of safeguarding the interests of Government servants. In Nellore about 100 Government servants formed a Co-operative Society and applied to the Hon. Minister to grant a loan so that they might build houses on the vacant lands. Sir, several objections were raised, the first being that the lands were being used for cultivation. On the whole, the scheme has not been approved for the last 4 years. So, it is not the intention of the Government to safeguard the interests of their officers in these matters. If the Government are so anxious, I would like to know why the Government cannot build houses in the vacant sites of various parts of the City. Sir, the construction of at least 2,000 houses in the City of Madras will certainly be a profitable proposition and the house rent allowance which they are now giving to them can be withdrawn. When the Government are granting loans to various Co-operative Societies for construction of houses for upper middle-class people, they are doing nothing for middle-class and lower middle-class people. I

[Sri V. Raghavayya] [6th February 1951]

can understand if the Government come here with such a proposition to construct houses for the middle-class people. But, they are constructing houses for officers drawing salaries ranging from Rs. 1,000 to Rs. 2,000 who can afford to pay any rent. Even those officers will be benefited by this clause simply on the ground that they are Government officers belonging to an essential service of the Government. I think, Sir, taking all aspects into consideration, this clause appears to be pin-pricking and should be removed."

\* THE HON. SRI N. SANJEEVA REDDI :—" Sir, I was wondering if there was anything wrong when hon. Member Mr. Viswanatham and hon. Lady Begum Amiruddin spoke against this. But now, after hearing the speech of hon. Member Sri V. Raghavayya, I came to the conclusion that it is absolutely necessary and am really convinced after his good speech that I am right. Mr. V. Raghavayya spoke of Co-operative Societies and Government servants. I too forgot these for some time.

" Now, Sir, it is absolutely necessary that the Government should have this power and also power to declare some services as 'essential'. We don't simply say that every service is essential. The Government have to notify it beforehand and then only declare it as essential and it is only then that they will be able to protect the interests of Government servants. Suppose there is a tenant who is a doctor living in a cholera or plague-infected locality and if the owner of the building comes and says, 'I want the house for myself; please vacate', the Government must have the power to say that the services of the Doctor are very essential that his presence in the locality is very necessary and that he could not be evicted from the house. Take for instance the case of a Police Officer who is living in a locality for a particular purpose and if the owner comes and says, 'I want the building for myself, please evict the Police Officer from the building', the Government must have power to say that his presence there is absolutely necessary and that he cannot be evicted. It may be, Sir, that there may not be any need to use these powers, but we cannot foresee what is going to happen. I know one or two such instances when we said that the presence of an officer is very essential in a particular locality. Therefore, Sir, I feel that Government should have the power."

\* SRI T. VISWANATHAM :—" Sir, I am very sorry that I was not able to persuade the Hon. Minister to see the mistake of this clause. Incidentally he said that he must have power. We say that he should not have that power and it is this Legislature that must have the power. We say that the Hon. Minister should not take such a blank cheque as is embodied in this clause. I want to say with all the emphasis at my command that the Hon. Minister should not have this extreme power of declaring and notifying whenever he pleases and whatever service he pleases, as being essential. The legislature ought not to surrender this power to the Government at all.

6th February 1951] [Sri T. Viswanatham]

" Sir, the Hon. Minister was saying that in times of epidemics like cholera and plague, the Government must have the power to say that the presence of a doctor in a particular locality is very essential. When an area is plague-ridden, the landlord will not rush there and say, 'Please give me my house'."

\* SRI T. S. PATTABHIRAMAN :—" Land-lords are not sweet angels."

\* SRI T. VISWANATHAM :—" Yes, landlords are not sweet angels. But the hon. Members that support the Government must have some imagination. There is no use in saying, 'I know the land-lords and I know the tenants'. When we advance arguments, we have to see at least the reasonableness of the arguments. When a Police Officer is residing in a locality where there is some trouble, no landlord would go to the Rent Controller with a petition, 'Give me my house'. Even otherwise, if this clause is not passed, that the officer belongs to an essential service of the Government will be done one of the considerations for rejecting the petition of the land-lord. All these considerations will be taken into account by the Controller and they are being taken into account. If the Controller does not take anything into account what is he there for?

" I submit, Sir, that the argument of the Hon. Minister is not at all convincing. As I have already said, this is a small order of extermination on the land-lords for ever and for ever. There is no limit to the number of essential services and I submit the Hon. Minister has not chosen to disclose what he has got in his mind when he says 'essential service.' There is no argument for him to advance. I submit that this is a thing which we cannot accept. This kind of clause is not found in any of the Acts I have seen, like The English Rent Restriction Act, The Bombay Act, and The West Bengal Act. Copies of these Acts are now with me and I will pass them on to the Hon. Minister if he has time to look into them. Nowhere in those Acts is this clause inserted. If it is so essential and necessary, the Government can always issue an ordinance or proclamation. Even the period of duration in respect of the Bombay Act and the West Bengal Act is limited to 2 years and the one year respectively. This is a permanent Act and this proclamation of emergency is somewhat astounding. It does not convince us. Sir, I submit that my amendment must be accepted if the Hon. Minister agrees with me in the substance of the argument which he said he did."

THE HON. SRI N. SANJEEVA REDDI :—" I have nothing to say, Sir."

MR. SPEAKER :—" The question is—

'In clause 9, sub-clause (viii), omit new sub-section (3-A).'"

The amendment was lost.



[6th February 1951]

JANAB M. S. ABDUL MAJID :—" Mr. Speaker, Sir, I beg to move—

" In the proposed section 7 (3-A), add at the end :—

" or in respect of a building which was let for use as an educational institution and is being used as such provided that Government has recognized the institution."

Sir, I should say that the Hon. Minister has actually stolen the thunder from me when he was very beautifully arguing my own case while replying to another amendment moved by the hon. Gentleman, Mr. Viswanatham. He said that an owner of a house can evict a businessman by availing of the existing provision and spoil his business. Therefore he vehemently argued, 'I am not going to create such a situation and I am here to protect the interests of the hotel-keeper.' When he was actually championing the cause of a hotel-keeper, I am quite sure and confident that he will support the cause of the manager of a private educational institution in the City of Madras. When the whole Government and particularly our most enthusiastic Minister for Education, are trying to see that every facility is provided for the progress of education in this State, I am quite sure that the Government will agree to the most reasonable amendment which I am proposing to the clause under discussion.

" Sir, due to want of accommodation, not only the private agencies but the Government also are not able to give accommodation to several educational institutions in this State. Therefore, when there is an opportunity for the Government to provide such an accommodation through a provision in this Bill, I think the Government must certainly welcome such a proposition and I am putting forth this amendment only with that object. If a particular owner of a house wants to evict a particular tenant, it means generally the eviction of that tenant or the members of his family. But in the case of educational institutions where hundreds of children are getting education, such eviction by the landlord means greatest injustice to the cause of education. Here it is not the fate of a particular tenant. It is the fate and fortune of several hundreds of school-going children. Sir, I am sure that not only the Hon. Minister who is in charge of this Bill but also the Hon. Minister for Law and Education, will see their way to accept my amendment. Otherwise, it will be doing the greatest harm to several hundreds of school-going children in the City of Madras and in the several municipalities of this State. Sir, I know that the Rent Controllers have passed orders and the courts have agreed with those orders evicting schools which have been running for several years before, schools that are recognized by the Government and schools that have been given grants year after year by the Government. I want to ask the Hon. Minister what the landlord of that particular building had been doing all these years. Was he actually standing in the streets in the sun and rain all these years? No, Sir. He had his own habitation and to-day because a provision is inserted in the Bill empowering him to evict the tenant of a

6th February 1951] [Janab M. S. Abdul Majid]

particular building, he should not come down upon a devoted and enthusiastic manager of a private educational institution and say, 'You must clear out'.

" To-day because the provision is there empowering him to evict the tenant of a particular building, he should not come down upon the devoted head of a very enthusiastic manager of a private institution and say 'you must clear out'. And it is not that particular manager or correspondent of the school that will be clearing out; it means that you will be driving out into the very streets several hundreds of school children. Therefore, Sir, I am quite confident that the Hon. Minister will see the reasonableness of my request and readily agree to my amendment."

\* SRI V. M. RAMASWAMI MUDALIYAR :—" Sir, I second this amendment. The amendment is to clause 9 (viii) of the Bill, i.e., to the new sub-section\* (3-A) under which exemption is sought to be given to tenants who are engaged in essential services to be notified by the State Government. The principle underlying this amendment is the same as that embodied in the new sub-section itself; and to my mind this is more important because education is a nation-building activity. This amendment seeks to place educational institutions in a position of, may I say, some stability. A number of cases have recently come to the notice of the public where institutions, particularly certain aided institutions, which have been depending on subsidies from Government, which have defaulted in the payment of rent in proper time have been evicted by the landlord, taking advantage of section 7 of the present Act. In such cases, the Controller has no option but to order eviction, because even if there is default for a single day, under the present law, the Controller has to order eviction and his hands are tied. There are a number of schools which depend firstly upon the voluntary payment of fees and secondly upon subsidies paid by the Government. The Government themselves, on account of certain administrative difficulties which are there, cannot always pay the subsidies in time, and, therefore, the institutions in their turn are not able to pay the rents in time to the landlord. As a matter of fact, the practice in several institutions is to pay the rent once every quarter when subsidies are received from the Government. Those are hard cases; and frequently we find that several hundreds of young boys and girls are turned out into the streets without schooling. In these days when already the educational institutions are carrying on their task under great difficulty, when the cost of running of schools and the salaries of teachers have grown enormously, when schools are being run at great sacrifice, let us not add further to the difficulties of these aided institutions. I want the Hon. Minister to recognize the difficulties I have pointed out and give some sort of protection to these institutions in cases where they default in payment of rent. Some relief is due to these institutions, I submit. I also see, Sir, from the notes that have been circulated, that the Hon. Mr. Madhava Menon, the Education Minister, has also in the Select

4-45  
p.m.



[Sri V. M. Ramaswami Mudaliyar] [6th February 1951]

Committee stage supported an amendment of the clause in the manner proposed in this amendment. After all, we are trying to give protection only to *bona fide* institutions, not bogus institutions. The amendment specifically says 'provided that Government has recognized the institution'. Where the institution is not so recognized, no protection is afforded by this amendment. If there is any bogus institution carrying on the work in an unsatisfactory manner, naturally its recognition will be withdrawn and it will not be entitled to this privilege clause. I think, Sir, in the interests of education in this State and as proof of our appreciation of the educational work done in these institutions, we owe a duty to give whatever protection is possible to these institutions. I am very happy to hear that the Hon. Minister has in a manner accepted the principle underlying this amendment of which my friend and I have had the honour of giving notice."

MR. SPEAKER:—"Amendment moved—

'In the proposed section 7 (8-A), add at the end—

"or in respect of a building, which was let for use as an educational institution and is being used as such provided that Government has recognized the institution."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, this question was considered in the Select Committee stage. Some difficulties were brought to the notice of Government at that time and so we could not accept the principle in full. There are some institutions which are misusing the buildings. There are buildings which are utilized for five or six hours in the day for holding the school and for the rest of the day they are let out for other purposes and some money is made out of it. Such cases were brought to our notice at that time, and, therefore, we were afraid to give general exemption to these institutions. I also got information from the educational authorities that certain institutions were absolutely unnecessary in certain localities. For instance, in Mylapore, there are half a dozen Corporation and Government schools running very efficiently and a private institution is absolutely unnecessary in that locality. Somehow or other, it seems a few such institutions got recognition some years ago and they are still continuing, although some of them are not running properly. Apart from the question of continuing recognition of such institutions or not,—and that is not the matter now being dealt with by the House—the fact remains that such institutions in that locality are absolutely unnecessary, and the educational authorities say they are absolutely unnecessary. The cases of such institutions were brought to the notice of the Government and so, we were not able to accept the principle in full. If the building in which these institutions are located is used only for the purpose of running the school, certainly Government will have no objection to give them the exemption desired. We would certainly like to have a good number of schools in any locality and in all the villages and everywhere in the State. I would, therefore, like to add the word

6th February 1951], [Sri N. Sanjeeva Reddi]

'only' after the word 'used' and before 'as such' in Mr. Majid's amendment. As I said, otherwise, the school may be run for four or five hours in the day and afterwards it may be let to a dramatic association or for some other business, which will bring some additional income. It is not our intention, nor, do I think it is the intention of my friends who have moved and seconded the amendment. As long as the building is used only for educational purposes, it may be exempted. Another amendment I would like to suggest is this: the institution may have been recognized by the Government, but it must continue to be so recognized. If it is not recognized, naturally the institution will cease to function as such and the manager cannot afterwards say that the school is continued in spite of the Government not recognizing it. With this idea, I move—

'That at the end of the amendment of hon. Member, Mr. Majid, the words "and continues to recognize the same" may be added.'

\* SRI T. VISWANATHAM:—"Sir, may I ask the Hon. Minister whether he will agree to the building being occupied by municipal hospitals and dispensaries and child-welfare and maternity centres run by municipalities?"

MR. SPEAKER:—"I shall first put the Government amendment to the amendment of the hon. Member, Mr. Majid, to the vote of the House. Then I will put hon. Member, Mr. Majid's amendment, as amended."

MR. SPEAKER:—"The question is—

'That in the amendment of the hon. Member, Mr. Majid, the word "only" be inserted before the words "as such" and the words "and continues to recognize the same" be added at the end.'

The amendment was carried.

MR. SPEAKER:—"The question is that in new sub-clause (3-A) in section 7 under clause 9 of the Bill, the following be added at the end:—

'or in respect of a building which was let for use as an educational institution and is being used only as such, provided that Government has recognized the institution and continues to recognize the same.'

The amendment was carried.

\* SRI T. VISWANATHAM:—"Sir, I move that—

'In the proviso, for the words "fifteen rupees", substitute the words "thirty rupees".'

At that time, Sir, the figure was put in as thirty, but since thirty has now been altered into twenty-five, I suppose the Minister should have no objection to accept the words 'twenty-five' which has been accepted by the House. This is practically a consequential amendment, Sir.

[6th February 1951]

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, the word 'fifteen' may be occurring in so many other places also in the Bill. As an amendment to substitute 'fifteen' by 'twenty-five' has been accepted, this amendment becomes only consequential. So, wherever the word 'fifteen' occurs, we will have to alter it into 'twenty-five'. If hon. Member Mr. Viswanatham has no objection, my suggestion may be accepted."

SRI T. VISWANATHAM:—"Sir, I move that—  
"Twenty-five" be substituted for the word "fifteen"."

SRI T. S. PATTABHIRAMAN:—"I second it."

MR. SPEAKER:—"The question is—

"In the proviso, for the words 'fifteen rupees', the words 'twenty-five rupees' be substituted."

The amendment was carried.

MR. SPEAKER:—"The question is—

"That clause 9, as amended, do stand part of the Bill."

JANAB MOHAMED RAFFEUDIN AHMAD ANSARI:—"Mr. Speaker, Sir, I wish to offer a few remarks on this very important clause of the Bill. It contains certain provisions which could have been very well omitted, and it also does not contain certain provisions which are absolutely necessary. In the first category comes the proviso under sub-section (2), i.e.—

"Provided that, in any case falling under clause (1), if the Controller is satisfied that the tenant's default to pay or tender rent was not wilful, he may before making an order as aforesaid, give the tenant a reasonable time."

As has been already pointed out by various hon. Members, this would be enlarging the scope of the existing Act. Under the Act, the only two occasions available to a landlord for evicting a tenant are either when a tenant has made a default in the payment of rent, or when the landlord requires the building for his own purposes. These are the only two grounds on which the landlord could hope to evict a tenant. There is no other ground for him to evict a tenant, however unpleasant the relations between him and the tenant may be. Now, this proviso seeks to restrict even these two grounds under which alone the landlord could think of evicting the tenant. The opportunity given to the landlord is likely to be misused under the new proviso; for instance, the word 'wilful' has not been defined at all in the Bill. What will, therefore, happen is that in every case of default, when a petition for the eviction of a tenant is filed under section 7, the defence would be that the default was not wilful. So, it would give a defaulting tenant an opportunity to take shelter under the proviso by pleading that the default was not wilful, especially in the absence of a rule or principle which could guide the Controller in coming to a decision on the question whether the default was or was not wilful. For instance, if the tenant falls ill and is not able to pay the rent in time or he goes out of the station and is, therefore, not able to send the money in time, they will be reasons

6th February 1951] [Janab Mohamed Rafeeuddin Ahmad Ansari]

which are beyond his control and will not be construed as 'wilful'. We do not know what are the cases and the circumstances in which such cases will be brought under the term 'wilful'. Unless, therefore, the word 'wilful' is defined, I am afraid it will cause great hardship to the landlord who files a petition for eviction of a tenant for default in the payment of rent. 5 p.m.

"Again, Sir, there is one important provision which has not been included in the clause. Supposing a landlord wants to make improvements, additions or alterations to his building under the present section 5 of the Act, if improvements, additions and alterations are effected with the consent of the tenant, then there is no difficulty; but, in many cases, the tenant would not like such additions or alterations to be made, because otherwise he will have to pay enhanced rent; he would, therefore, like the building to remain in the same old state. But it is in the interests of the landlord that improvements to the building are made. Suppose, for instance, the building is tiled roof one with a, and the landlord wants to make it a terraced house, or he wants to enlarge the accommodation in the house by putting up another storey. Certainly, I think it is not the idea of the Government to prevent the landlord who for *bona fide* reasons or because he wants to increase his income from the property, to make improvements to the building. He can do so under the present Act, only with the consent of the tenant. Therefore, Sir, my suggestion is that, under present section 7 of the Act, a provision should be put in entitling the landlord to be put in possession of the building in case he satisfies the Controller that he has made the necessary preparations for carrying out alterations, additions and improvements to the building. I am very sorry, Sir, that there is not even a provision made in the Bill enabling the landlord to get possession of the building even for carrying out repairs, etc. Under section 11 of the previous Act the right is given to the tenant to direct the landlord to carry out certain necessary repairs, failing which he can file an application before the Controller for carrying out certain urgent and necessary repairs. That opportunity is not given to the landlord if he wants to carry out repairs to his house. It is in the interests of the tenant to continue to live in it even without repairs. Even if minor repairs are neglected it will lead to great pecuniary loss to the landlord. Therefore, Sir, under the present Act, there is no provision under which the landlord is entitled to get possession of the building either for carrying out necessary repairs or for carrying out any additions or alterations or improvements to the building. I wish, Sir, the Government pay some attention to this aspect of the matter, by making some provisions in the Act either by making an amendment or by prescribing some rules under the Act, so that such a right may be given to the landlord to enable him to carry out repairs to his building."

Clause 9, as amended, was put and carried.

The House then adjourned to meet again at 11 a.m. on Wednesday, the 7th February 1951.

[6th February 1951]

## IV.—PAPER PLACED ON THE TABLE OF THE HOUSE.

<sup>a</sup> Statement showing talukwar the number of assignments and the extent of land assigned to landless poor persons and Harijans in the Rayalaseema districts [vide answer to Legislative Assembly question No. 345 (starred)].

<sup>a</sup> Laid on the table on 5th February 1951.

6th February 1951]

## APPENDIX I.

[Vide answer to starred question No. 666 asked by Sri V. I. Muni-swami Pillay (on behalf of Sri S. Nagappa) at the meeting of the Legislative Assembly held on 6th February 1951, page 32 *supra*.]

(a) & (b) The resolution passed by the State Co-operative Advisory Council at its meeting held on 12th November 1950 are annexed.

(c) The resolutions are under consideration.

## Annexure.

*Subject No. 1.*—“Amendment to rule XVIII-A of the rules framed under the Madras Co-operative Societies Act disqualifying paid employees from becoming or from being members of co-operative societies.”

*Resolution.*—The draft amendment may be recast as below:—

*Rule XVIII-A—Sub-rule (1).*—Add the following as clause (c):—

(If he) “is a paid employee of the society, or of its financing bank or of any society for which it is the financing bank, provided that the Registrar shall have power to grant exemption in this behalf in the case of certain types of societies by a general or special order in writing.”

*Sub-rule (2).*—Add the following as clause (c):—

(If he) “becomes a paid employee of the society or of its financing bank or of any society for which it is the financing bank, provided that the Registrar shall have power to grant exemption in this behalf in the case of certain types of societies by a general or special order in writing.”

*Add this as sub-rule (3).*—

“No society shall retain as member any of its paid employees or any paid employee of its financing bank or of the society of which it is the financing bank. The Registrar shall, however, have power to grant exemption in this behalf in the case of certain types of societies by a general or special order in writing.”

*Subject No. 2.*—“Amendment to the Madras Co-operative Societies Act VI of 1932, providing for the transfer of mortgages executed by members of co-operative societies financed by Government to the State Government as security for loans.”

[6th February 1951]

**Resolution.**—The following section may be introduced as new section 30-A of the Act :—

“ The mortgages executed in favour of and all other assets transferred to a registered society by the members thereof on whose behalf loan or loans have been advanced by Government to the society shall, with effect from the date of such execution or transfer, be deemed to have been transferred by such society to the State Government as security for the loan or loans granted to the society.”

**Subject No. 3.**—“ Co-operative Workshops for servicemen—Disposal of assets after dissolution—Draft amendment to rule XIV of the rules under Madras Co-operative Societies Act VI of 1932—Consideration of.”

**Resolution.**—No rule is necessary. The conditions of the gift or subsidy may be enforced by getting a deed executed by the society agreeing to repay them before arriving at the surplus of the society for disposal in accordance with rule XIV.

**Subject No. 4.**—“ Extension of the scheme for the reorganization of agricultural co-operative credit societies in the Madras State sanctioned in G.O. No. 5613, Development, dated 12th November 1948.”

**Resolution.**—The proposal to extend the scheme for a period of three years with Government subsidy on existing rates is approved. Attention should be concentrated on increasing the membership of the societies and multiplication of activities other than credit. It was also resolved that to provide trained men for running and supervising the societies that have come into existence as a result of the drive for the increase in number of societies and expansion of their activities, two more co-operative training institutes should be established, the cost thereof being met from the fees collected from the trainees and the subsidies provided by Government.

[6th February 1951]

## APPENDIX II.

[Vide answer to starred question No. 674 asked by Sri V. I. Muniswami Pillay (on behalf of Sri R. S. Manickam) at the meeting of the Legislative Assembly held on 6th February 1951, page 105 supra.]

| District.               | Number of hostels which received grants during 1949-50. | Number of residential scholarships granted during 1949-50. |
|-------------------------|---------------------------------------------------------|------------------------------------------------------------|
| Anantapur .. .. .       | 10                                                      | 19                                                         |
| North Arcot .. .. .     | 7                                                       | 32                                                         |
| South Arcot .. .. .     | 3                                                       | 19                                                         |
| Bellary .. .. .         | 8                                                       | ..                                                         |
| Chingleput .. .. .      | 15                                                      | 56                                                         |
| Chittoor .. .. .        | 6                                                       | 12                                                         |
| Cuddapah .. .. .        | 6                                                       | 2                                                          |
| Coimbatore .. .. .      | 12                                                      | 40                                                         |
| East Godavari .. .. .   | 27                                                      | 172                                                        |
| West Godavari .. .. .   | 35                                                      | 114                                                        |
| Guntur .. .. .          | 54                                                      | 221                                                        |
| South Kanara .. .. .    | 5                                                       | 2                                                          |
| Krishna .. .. .         | 28                                                      | 15                                                         |
| Kurnool .. .. .         | 6                                                       | 7                                                          |
| Madurai .. .. .         | 26                                                      | 76                                                         |
| Malabar .. .. .         | 11                                                      | 11                                                         |
| Nellore .. .. .         | 24                                                      | 96                                                         |
| Ramanathapuram .. .. .  | 9                                                       | 4                                                          |
| Salem .. .. .           | 8                                                       | 2                                                          |
| Tirunelveli .. .. .     | 17                                                      | 39                                                         |
| Tiruchirappalli .. .. . | 10                                                      | 30                                                         |
| Tanjore .. .. .         | 7                                                       | 8                                                          |
| Visakhapatnam .. .. .   | 5                                                       | 17                                                         |
| The Nilgiris .. .. .    | 4                                                       | 4                                                          |
| Madras City .. .. .     | 14                                                      | 206                                                        |

## THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 7th February 1951.

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

## I.—QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

MR. SPEAKER:—“ Short notice question No. 683-A will be taken up at the end.”

*Control of leprosy.*

\* 684 Q.—SRI V. I. MUNISWAMI PILLAY: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government are aware of the latest All-India Leprosy Conference held in Rajaji Hall this month (October 1950) and of the various resolutions passed; and

(b) if so, what steps the Government propose to take to minimize the spread of this disease?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. Minister for Health):—“ (a) Yes.

“ (b) Does not arise, as the resolutions do not cover any suggestions regarding control of the disease through Governmental measures.”

SRI A. VEDARATNAM PILLAI:—“ Sir, may I know whether the Government are giving any attention to the Kasturba Leprosy Relief work and if so, what it is, and if not, whether the Government will consider the question? ”

MR. SPEAKER:—“ The hon. Member may put a separate question.”

SRI S. NAGAPPA:—“ Sir, arising out of the answer of the Hon. Minister that the resolutions did not urge any Government control of the disease, may I know then what the resolutions urge? ”

THE HON. SRI B. GOPALA REDDI:—“ It is not for the Hon. Minister to know what the resolutions urge, but it is for the hon. Member to refer to the resolutions.”

SRI V. I. MUNISWAMI PILLAY:—“ Sir, in view of the fact that in some of the districts the incidence of leprosy is so great, will the Government consider the necessity of taking special efforts to put an end to this vile disease? ”

THE HON. SRI B. GOPALA REDDI:—“ We are certainly taking all possible steps to see that the disease is combated

[7th February 1951]

successfully. I do not know whether the hon. Member is aware of the Government Order that was issued on 16th May 1950 which dealt with the recommendations of the Leprosy Relief Committee and on which the Government based their orders."

*Representations from the teachers of Polavaram taluk.*

\* 685 Q.—SRI S. NAGAPPA (on behalf of Sri B. S. Murthy): Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have recently received any representation from the teachers of the aided schools in Polavaram taluk, West Godavari district;

(b) the contents of the representation; and

(c) the action taken or proposed to be taken?

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

“(b) The request in the representation was that the teaching grants to the teachers of the aided schools in Polavaram Agency which have been transferred to the plains administration be allowed at the enhanced rates applicable to teachers in aided elementary schools in the Agency areas.

“(c) Orders have been issued directing the grant of enhanced teaching grants up to the end of 1951–52 and that thereafter the extra 50 per cent of grant be reduced by 10 per cent every year till the rates came on a par with those in the plains.”

JANAB MOHAMED ABDUL SALAM:—“Are the Government aware of, Sir, and whether they have received, any representations from the teachers of aided institutions to the effect that there are too many cuts being proposed by the District Educational Officers in all the institutions?”

THE HON. SRI K. MADHAVA MENON:—“Sir, this question relates only to teachers in the Polavaram agency and the hon. Gentleman is asking a general question.”

*Rice allotment to the villages of Venkatagiri taluk.*

\* 686 Q.—MR. SPEAKER:—“The hon. Member, Mr. V. Raghavayya is not in his place and so the answer will be printed in the proceedings.”

SRI V. RAGHAVAYYA: Will the Hon. the Minister for Food be pleased to state—

(a) whether the villages of Venkatagiri taluk in Nellore district are supplied rice through the relief or ration shops run in these areas;

(b) if so, what the quantity allotted to the villages of this taluk per week is;

(c) if no allotment is made, the reasons therefor; and

(d) the quota of rice allotted to each individual adult in the Venkatagiri town?

7th February 1951]

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

“(b) About 100 bags of rice per week.

“(c) Does not arise in view of the answer to clause (b) above.

“(d) 6 oz. per adult per day.”

*Alleged Communist raid in Nandigama taluk.*

MR. SPEAKER:—“The hon. Member, Mr. A. Kaleswara Rao, is not in his place and so the answer will be printed in the proceedings.”

\* 687 Q.—SRI A. KALESWARA RAO: Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that the police station at Penganachiprolu in Nandigama taluk, Krishna district, was raided by the Communists this month (November 1950) and guns and cartridges were taken away by them from the police station;

(b) whether the Government have received any reports to the effect that the leader of the Communists harangued to the people of that place after the said raid that the armies of Red China are going to invade India and liberate the people very soon;

(c) whether the Communists raided the Special Armed Police camp at Indugapally, Nandigama taluk, on the night of 10th November 1950 and shot at some police people;

(d) whether the Communists had visited Konakanchi in Nandigama taluk on the night of 13th November 1950 and tried to obtain certain information and went away;

(e) whether the Communists had circulated notices some days before stating that they would raid these villages in Nandigama taluk; and

(f) what steps the Government have taken to put an end to the atrocities committed by the Communists?

THE HON. SRI P. S. KUMARASWAMI RAJA:—“(a) Yes.

“(b) No.

“(c) On the night of 10th November 1950 a party of raiders fired at the S.A.P. Camp at Indugapalli village. The police returned the fire and after a brief encounter, the raiders escaped.

“(d) No.

“(e) No.

“(f) Adequate action has already been taken in this regard. It will be gratifying for the hon. Member to know that the raiders on Penuganchiprolu police station were engaged by two parties of the Special Armed Police as they were returning from the attack on the police station. As a result of the first encounter all the guns removed from the police station and an additional gun were recovered, and one of the raiders



[7th February 1951]

was caught. As a result of a further encounter with a second party of the Special Armed Police, a Sten gun and a rifle were further recovered, and one of the raiders appears to have sustained serious injuries."

*Food position in the State.*

\* 688 Q.—JANAB M. V. HYDROSS (on behalf of Begum Sultan Mir Amiruddin): Will the Hon. the Minister for Food be pleased to place on the table of the House a statement showing the food position in this State in the beginning of November 1950?

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The stock position of foodgrains as on 4th November 1950 and the number of weeks they will last based upon the offtake during the week ending the 4th November was as shown below:—

|                | Stocks on<br>4th November 1950. | Number of weeks<br>the stocks will<br>last. |
|----------------|---------------------------------|---------------------------------------------|
|                | TONS.                           |                                             |
| Rice .. ..     | 86,129                          | 4                                           |
| Wheat .. ..    | 10,221                          | 2                                           |
| Maida .. ..    | 3,794                           | 14                                          |
| Semolina.. ..  | 49                              | 4                                           |
| Milletts .. .. | 15,912                          | 1½                                          |

"The Government of India allotted 20,000 tons of rice, 10,000 tons of wheat and 18,000 tons of milo for November 1950."

JANAB M. V. HYDROSS:—"May I know from the Hon. Minister whether according to the statement given by him, the stock position in regard to foodgrains, was more during the period under review than what it was in November 1949?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I have not got the comparative figures with me now, but it cannot be more than the allotment which we received last year."

SRI V. M. RAMASWAMI MUDALIYAR:—"Sir, arising out of the answer of the Hon. Minister that the stock position of rice would last for four weeks from 4th November 1950, i.e., till the first week of December 1950, may I know, now that two months have elapsed since that time, how much stock has been exhausted, how much was replenished and what is the present position? And are we able to keep up the 7 oz. that has been announced to be given for the next quarter?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"This refers only to the position in November 1950. We have had further allotments made to us during December by the Government of India to the tune of 32,000 tons of all foodgrains, which consisted of 12,000 tons of rice, 8,000 tons of wheat and 12,000 tons of milo, making a total of 32,000 tons of foodgrains and that carried us through the month of December 1950."

[7th February 1951]

SRI B. S. MURTHY:—"Sir, may I know whether the Government are contemplating a still further reduction in the rice ration and meeting the other portion by milo or other foodgrains?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"We have only recently raised the rice portion from 6 to 7 oz. and it is not proposed to do anything with it for the present and we hope the position would improve."

BEGUM SULTAN MIR AMIRUDDIN:—"I sent this question long ago, Sir, and I expected to get the answer to it during the last November session, but it has been given only now in February with the result that the question has become stale and antiquated. I, therefore, request you to see that in future answers to such questions are not delayed by the Government."

MR. SPEAKER:—"As soon as we receive the answers from the Government we include them in the list of questions to be answered. We shall see that in future, the answers are given early."

BEGUM SULTAN MIR AMIRUDDIN:—"Anyway, Sir, I wish to know from the Hon. Minister what is the food position to-day?"

MR. SPEAKER:—"There is also a short notice question on this."

BEGUM SULTAN MIR AMIRUDDIN:—"Only one question, Sir. At the last meeting of the City Rationing Committee held on Saturday last we were informed that there was only thirteen days' stock of rice and eight days' stock of wheat in the City. I wish to know whether the position has since improved. If not how we are going to meet the situation?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I think the position must have improved. I have not got definite particulars as to the expected quantity which would be coming into the City during this week. As the hon. Member knows, the City of Madras is always taken care of more than any other place."

MR. SPEAKER:—"I may remind hon. Members that there is a short notice question on the subject coming up at the end for which I shall allow some more time for supplementaries."

*Transfer of Muslim Police officials.*

\* 689 Q.—JANAB SHAH ALAM KHAN SAVOI (on behalf of Janam Abdul Hameed Khan): Will the Hon. the Chief Minister be pleased to state the number of Muslim Inspectors and Sub-Inspectors of Police who have been transferred from the City to the mufassal and the number that has still been retained in the City?"

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—"The period for which the information is required has not been specified. Three Muslim Inspectors and eight Muslim Sub-Inspectors were transferred from the

[7th February 1951]

City to the mufassal during the period from 1948 to 31st October 1950. The number of Muslim Inspectors and Sub-Inspectors now in the City is three and eight respectively."

JANAB M. S. ABDUL MAJID:—"Sir, recently the Government have been pleased to revise their policy with regard to the recruitment of Muslims to the Police department and may I know whether they have implemented that policy?"

THE HON. SRI B. GOPALA REDDI:—"I wonder, Sir, how this supplementary question arises out of the main question which relates to the transfer of Muslim officers of the Police department from the City?"

SRI P. NATESAN:—"May I know, Sir, if these Muslim officers have been transferred on promotion or as a matter of routine?"

THE HON. SRI B. GOPALA REDDI:—"As a matter of routine mostly, Sir."

SRI B. S. MURTHY:—"May I know, Sir, whether there are any cases which prompted transfer as a matter of punishment?"

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

*Execution of the Vijayavada Drainage and Water-works Improvement Schemes.*

MR. SPEAKER:—"The hon. Member, Mr. Kaleswara Rao, is not in his place and so the answer will be printed in the proceedings."

\* 690 Q.—SRI A. KALESWARA RAO: Will the Hon. the Minister for Health be pleased to state—

(a) what priority was given by the Provincial Water-works and Drainage Committee for the Vijayavada Drainage and Water-works Improvement Schemes; and

(b) what steps the Government have since taken for executing both the schemes?

THE HON. DR. T. S. S. RAJAN:—" (a) *Water-supply*.—Vijayavada is assigned the third place in the list of existing municipal water-supply schemes to be improved in the northern circle drawn up by the Water-supply and Drainage Committee and approved by Government.

"*Drainage*.—This municipality is assigned the first place in the list of existing municipal drainage schemes to be improved in the northern circle drawn up by the Water-supply and Drainage Committee.

"(b) A statement<sup>a</sup> showing the steps taken by Government is laid on the table of the House."

<sup>a</sup> Printed as Appendix I on page 269 infra.

[7th February 1951]

*Lino-type operators in Government Press.*

\* 691 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that some compositors were given full-time training in the lino-type operation at the Government Press, Madras, and if so, how many and the reasons therefor;

(b) the amount spent on account of such training; and

(c) whether those trainees were fitted into the vacancies of lino-operators and if not, why not?

THE HON. SRI K. MADHAVA MENON:—" (a) Yes. Eight compositors were given training in lino-type operation in the Government Press, in order to fill up the vacancies created by the resignation of some of the lino-type operators.

"(b) No additional expenditure has been incurred on account of the training given to them, since they drew their salary in their substantive posts.

"(c) None of the trainees have been found fit for appointment as lino operators, as they have not given the outturn required for the post of lino-type operators which is 4,500 corrected ems per hour. The speed attained by the trainees was never more than 2,500 per hour."

SRI V. RAGHAVAYYA:—"May I know, Sir, that even though the Office Manual requires that S.S.L.C. candidates should be selected for this training, no such procedure is observed, but, on the other hand, ordinary compositors are trained for the job and they ultimately prove useless for the job? Is that true, Sir?"

THE HON. SRI K. MADHAVA MENON:—"My hon. Friend seems to have more information than I have. I have no information on that point."

SRI B. S. MURTHY:—"May I know, Sir, whether due to lack of sufficient number of lino-type operators, a number of lino-type machines are always kept idle, and if so, is it not a loss to the Government because some of the machines cost a lakh of rupees each?"

THE HON. SRI K. MADHAVA MENON:—"It is true that some lino-type machines are not working for want of operators."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, how it has resulted in this, namely, that people who have received the training have been found at the end of the training to be unfit for the work? Or was it due to the fact that proper care was not taken in the matter of the selection of the compositors who were sent for training?"

THE HON. SRI K. MADHAVA MENON:—"Sir, lino-type work is a special kind of work and as there was a shortage of hands, some compositors who were already working there

[7th February 1951]

were selected by the Superintendent of the Press to try and see whether they could be trained to do the work, but the trial did not succeed."

SRI P. NATESAN:—" May I know, Sir, what arrangements are made to recruit lino-type operators? "

THE HON. SRI K. MADHAVA MENON:—" Ordinarily advertisement is made and we try to get candidates through it."

SRI V. RAGHAVAYYA:—" Is it a fact, Sir, that while giving a revision of scale to the lino-type operators, who were formerly getting the scale of Rs. 60 to 90 and Rs. 70 to 80, the Superintendent suddenly altered the scale, so that they could get only Rs. 50 to 100, which reduced the chances of the existing operators who have put in a service of 20 years from reaching the maximum within a reasonable period of time? Is that correct, Sir? "

THE HON. SRI K. MADHAVA MENON:—" I do not think it is correct, because the Superintendent of the Press has no right to alter the scale of pay."

SRI S. NAGAPPA:—" May I know, Sir, whether any Government work is given outside the Government Press for printing? "

THE HON. SRI K. MADHAVA MENON:—" A very good quantity of printing work is given to outside presses."

11-15 a.m. JANAB M. S. ABDUL MAJID:—" Will the Government be able to sell away the lino-type machinery for which they are not able to find workmen? "

THE HON. SRI K. MADHAVA MENON:—" We shall first find the workmen and then we shall try to adopt the suggestion of the hon. Gentleman."

SRI T. VISWANATHAM:—" Arising out of the answer of the Hon. Minister that the Superintendent of the Government Press has not changed the scales of pay of the lino-type operators, may I know, Sir, whether the Government themselves have recently changed their scales of pay? "

THE HON. SRI K. MADHAVA MENON:—" Not recently, Sir; in 1947 there was a change and that too not to their disadvantage; the scales have been increased."

SRI D. V. RAMASWAMI:—" May I know, Sir, whether any representations have been received from the Government Press Employees' Association about the grievances of the lino operators and of the other workers with regard to their salaries and allowances? "

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

SRI B. S. MURTHY:—" May I know, Sir, whether any recommendations have been made by the Reorganization and Retrenchment Committee, whether the Government have taken note of their recommendations and whether they have implemented their recommendations as far as they concerned the Government Press? "

7th February 1951]

THE HON. SRI K. MADHAVA MENON:—" The recommendations of the Retrenchment and Re-organization Committee were placed on the table of the House long ago and my hon. Friend must have read it. I am not quite sure of it."

SRI V. RAGHAVAYYA:—" Do the Government concede that this position is correct, namely, that the Government offer Rs. 125 as salary to the existing lino-type people even after 20 years of service whereas private agencies like the *Hindu* offer a scale of Rs. 125 to Rs. 175 to start with and other agencies like the Bharat Press of Bombay offer Rs. 350 and in the face of these attractive offers from outside, the Government are not able to push forth their work? "

MR. SPEAKER:—" It is a matter of information and not a question."

*Communist attack in Tadpatri taluk.*

\* 692 Q.—SRI A. RAYAPPA: Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that a village called Peddayeklur in Tadpatri taluk, Anantapur district, was attacked by a large number of Communists on 12th October 1950 with arms and weapons and valuable things were carried away;

(b) the total estimated loss of property involved and the property, if any, recovered;

(c) the action taken by the Police and the result of investigation;

(d) the number of persons arrested and charge-sheeted; and

(e) what action the Government intend taking to combat the trouble created by the Communists who have made their abodes in the surrounding hills and villages of Tadpatri taluk?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—" (a) It is not true that the village was attacked by Communists on 12th October 1950. Reports received, however, go to show that there was a long-standing faction in the village between the vysyas and the ryots and that it culminated in a clash between the parties on 12th October 1950 when the partisans are reported to have pelted stones at each other from their house tops. Taking advantage of the confusion created by this clash some of the villagers looted some shops. Firearms were not used.

" (b) Cash and other sundry articles altogether worth about Rs. 5,000 were stolen. Part of the stolen property has already been recovered.

" (c) & (d) Cases have been registered and investigated into. The cases are pending trial.

" (e) Does not arise, as the incident is in no way connected with Communist activities."

[7th February 1951]

MR. SPEAKER:—"I think the subject-matter of the question is *sub judice*; so, let us pass on to the next question."

SRI V. RAGHAVAYYA:—"I will ask a question about the incident, Sir. Despite the efforts made by the Government to minimise the seriousness of this incident in a district like Anantapur, do not the Government concede that an attack like this by a handful of Communists against a village like Peddayekalur is causing grave fear and scare in the minds of the people and no efforts have been taken by the Government to prevent the scare by taking suitable steps?"

MR. SPEAKER:—"The hon. Member is making a speech."

THE HON. SRI K. MADHAVA MENON:—"I repudiate the suggestion that the Government are attempting to minimise the gravity of the situation."

SRI A. RAYAPPA:—"Are the Government aware, Sir, that Communists have been entering fields and carrying away crops before and after harvesting and in view of the present menace from the Communists, is it not desirable to increase the Police force and station them in important places for the safety of the ryots?"

THE HON. SRI K. MADHAVA MENON:—"This has nothing to do with the Communist activities at all, Sir."

*Employment of Basic trained teachers.*

\* 693 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state with reference to the answer given to clause (b) of question No. 339 on 17th October 1950—

(a) whether the Government have taken any steps to utilize the services of the 841 teachers who were trained on basic lines;

(b) if so, what they are; and

(c) if not, the reasons therefor?

THE HON. SRI K. MADHAVA MENON:—" (a) to (c) Necessary instructions have been issued from time to time for the employment of basic trained teachers in schools, local bodies have been requested to give preference to basic trained teachers when vacancies occur in schools under their management."

SRI A. VEDARATNAM PILLAI:—"In view of the policy of the Government that all the elementary schools in the State will be converted into basic schools within five years, may I know, Sir, what action Government have taken in the direction of utilizing the services of the basic trained teachers and the teachers who are undergoing training? May I know also, Sir, whether they have got any other proposal to utilize their services in the basic schools themselves?"

THE HON. SRI K. MADHAVA MENON:—"The House knows and the hon. Member also knows that the Government do not run any basic schools themselves except the model schools

[7th February 1951]

attached to training schools and they are run either by local bodies or they are aided institutions and so, Sir, the Government cannot guarantee appointment for every teacher that has been trained but steps are taken as far as possible to see that the teachers that have undergone the training are provided for in these schools."

SRI D. V. RAMASWAMI:—"Are the Government aware, Sir, that fifty per cent of these trained teachers are without employment either under Government or local bodies?"

THE HON. SRI K. MADHAVA MENON:—"There are many people without employment after training or after any other course. As I said, the Government cannot guarantee appointment for all trained teachers."

*Research departments of indigenous medicine.*

\* 694 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Health be pleased to state—

(a) for how long the Research departments of indigenous medicine have been working in this State;

(b) the main lines of research that are being conducted by the various sections, viz., Ayurveda, Siddha and Unani;

(c) the qualifications prescribed for the posts in the Research departments; and

(d) the number of persons possessing the qualification of H.P.I.M. that are working in each department and the posts held by them?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. Minister for Health):—" (a) From May 1949.

" (b) to (d) A statement <sup>a</sup> is placed on the table of the House."

SRI B. S. MURTHY:—"May I know how much money is to be allotted for research in Indian medicines?"

THE HON. SRI B. GOPALA REDDI:—"The hon. Member may await the Budget Memorandum."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know, Sir, why no research is being conducted in the Siddha and Unani sections?"

THE HON. SRI B. GOPALA REDDI:—"It is also being done, Sir."

SRI P. NATESAN:—"May I know, Sir, what this research is meant for; what is it that is being done by way of these researches; is it with reference to leprosy, tuberculosis or constipation?"

THE HON. SRI B. GOPALA REDDI:—"It is to improve the efficacy of the drugs."

[7th February 1951]

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know, Sir, whether any report was submitted by the head of the Research department for Ayurveda, Siddha and Unani, especially in view of the fact that the department has been at work for more than 18 months? "

THE HON. SRI B. GOPALA REDDI:—" After all, Sir, 18 months in the medical field especially with regard to Ayurveda and Unani is not a very long period and we must await the report to see whether some results have been achieved and we should give them a sufficiently long time."

DR. U. P. MALLAYYA:—" May I know, Sir, whether one of the grievances of the students is not that they have got yet to study old, old books on Indian medicines? "

THE HON. SRI B. GOPALA REDDI:—" The hon. Member may be correct, I do not know."

BEGUM SULTAN MIR AMIRUDDIN:—" May I know, Sir, whether it is not a fact that the research work mentioned about Siddha and Unani sections cannot be construed as anything worth the name of research."

THE HON. SRI B. GOPALA REDDI:—" The hon. Member knows that it is an ancient system of medicine, much preparatory work has to be done with limited facilities and with all these limitations they have been carrying on research."

SRI V. I. MUNISWAMI PILLAY:—" May I know, Sir, that when the Chopra Committee visited Madras and enquired into the various matters connected with Indian medicines they had had occasion to know about the research that is being done here in the State and may I know what their report on the matter is? "

THE HON. SRI B. GOPALA REDDI:—" I would like to have notice about the report of the Chopra Committee."

SRI P. KANDASWAMI PILLAI:—" Arising out of the Hon. Minister's answer that eighteen months for purposes of research is not a long time, will he be able to tell us when the report will be given to us concerning their elaborate research? "

THE HON. SRI B. GOPALA REDDI:—" Whenever they get at certain results; it may take some time, even a decade and sometimes even at the end of a decade they may not get any result at all."

SRI K. BRAHMANANDAM REDDI:—" Will the Hon. Minister tell us how Ayurveda is different from Siddha? "

THE HON. SRI B. GOPALA REDDI:—" The hon. Member is asking me for information on a very technical point; I would like to have notice."

7th February 1951]

*Houses for Police officers.*

\* 695 Q.—SRI P. KAKKAN: Will the Hon. the Chief Minister be pleased to state whether there is any proposal to construct a number of houses for the Police officers and the constables of Melur, Mathurai district?

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

SRI P. KAKKAN:—" The office of the Circle Inspector of Police was for the last so many years in Madura City itself; but now that it is transferred to Melur, is it not better to have Police lines in Melur the headquarters of the Melur taluk? "

THE HON. SRI B. GOPALA REDDI:—" We do concede the desirability of having lines for the Police people. But nearly fifty per cent of the Police constables are not living in lines and we have a programme extending over five years and Melur perhaps is not in this scheme just now."

JANAB MOHAMED ABDUL SALAM:—" Is it not a fact, Sir, that some of these Police people are housed in thatched sheds and in one particular district, they were burnt down twice? "

MR. SPEAKER:—" This refers to another district."

THE HON. SRI B. GOPALA REDDI:—" I do not know about the particular incident, but it is true that they are not properly housed just now and it is quite desirable that they should be given proper accommodation but it requires lakhs and crores of rupees."

*Central Polytechnic.*

\* 696 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that the Industries department have opened a Central Polytechnic;

(b) the several courses of studies taught in that institution;

(c) whether it is a fact that, though the Sanitary Engineering course has been started four years ago, it has not been recognized so far;

(d) if so, for what reasons;

(e) the total number of students that have completed their Sanitary Engineering course during the last four years;

(f) whether it is a fact that the Public Works Department are not employing these Sanitary Engineers;

(g) if so, how the Government propose to remedy this grievance of these Sanitary Engineers and when; and

(h) if not, why not?

THE HON. SRI C. PERUMALSAMI REDDI:—" The answer\* to the question is placed on the table of the House."

[7th February 1951]

*Income of estates taken under Rent Reduction Act.*

MR. SPEAKER:—"The hon. Member Sri M. R. Appa Rao is not in his place and so the answer will be printed in the proceedings."

\* 697 Q.—SRI M. R. APPA RAO: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the aggregate demand of all the estates after the application of the Rent Reduction Act and the income of the estates for fasli 1354-55 from sources other than land revenue;

(b) what proportion the revenue demand of the estates now taken over by the Government on 7th September 1949 bears to the total revenue demand of all the estates;

(c) the approximate amount of land revenue demand and income from other sources of estates taken over; and

(d) the total income of the different categories of estates, if graded according to the classification provided for in the Madras Estates (Abolition and Conversion into Ryotwari) Act?

THE HON. SRI H. SITARAMA REDDI:—" (a) The aggregate demand of all the estates after the application of the Rent Reduction Act has been estimated at Rs. 1,96,81,474. The Government have no information regarding the income of the estates for faslis 1354 and 1355 from sources other than land revenue. Only the landholders can furnish this information.

" (b) About fifty per cent.

" (c)

|                                  | RS.       | A. | P. |
|----------------------------------|-----------|----|----|
| Land revenue demand ... ..       | 56,65,556 | 6  | 0  |
| Income from other sources ... .. | 7,83,424  | 10 | 0  |

" (d) The information is available only in respect of estates taken over by the Government on 7-9-1949 and is furnished below:—

| Category of estates.                                                                           | Total income. |    |    |
|------------------------------------------------------------------------------------------------|---------------|----|----|
|                                                                                                | RS.           | A. | P. |
| (i) Estates whose basic annual sum does not exceed Rs. 1,000 ... ..                            | 3,84,663      | 1  | 5  |
| (ii) Estates whose basic annual sum exceeds Rs. 1,000 but does not exceed Rs. 3,000 ... ..     | 1,21,585      | 0  | 2  |
| (iii) Estates whose basic annual sum exceeds Rs. 3,000 but does not exceed Rs. 20,000 * ... .. | 4,06,262      | 3  | 1  |
| (iv) Estates whose basic annual sum exceeds Rs. 20,000 but does not exceed Rs. 50,000 ... ..   | 96,647        | 15 | 4  |
| (v) Estates whose basic annual sum exceeds Rs. 50,000 but does not exceed Rs. 1,00,000 ... ..  | 3,14,631      | 6  | 7  |
| (vi) Estates whose basic annual sum exceeds Rs. 1,00,000 ... ..                                | 51,25,191     | 4  | 11 |

[7th February 1951]

"The figures in respect of estates taken over on 7-9-1950 have not yet been worked out."

*Applications for Basic training course in South Kanara district.*

\* 698 Q.—SRI K. ISHWARA: Will the Hon. the Minister for Education be pleased to state—

(a) the number of applications received this year from the people of South Kanara district for the Basic Training course;

(b) the number of seats allotted by the Government this year for the Training course;

(c) the number of students selected this year; and

(d) the number of Brahmans, Non-Brahmans, backward class people and Harijans among them?

THE HON. SRI K. MADHAVA MENON:—" (a) & (b) The number of applications received this year from the people of South Kanara district for admission into basic training schools in the district is 470, while the number of seats allotted by Government is 110.

" (c) & (d) The particulars are as follows:—

|                  |     |     |     |     |    |
|------------------|-----|-----|-----|-----|----|
| Brahmans         | ... | ... | ... | ... | 43 |
| Non-Brahmans     | ... | ... | ... | ... | 20 |
| Backward classes | ... | ... | ... | ... | 36 |
| Harijans         | ... | ... | ... | ... | 2  |
| Others           | ... | ... | ... | ... | 9  |

Total number selected ... 110 "

SRI K. ISHWARA:—" May I know, Sir, whether this particular District Educational Officer selected more Brahman candidates than candidates belonging to backward communities? "

THE HON. SRI K. MADHAVA MENON:—" It is a very unfair suggestion."

SRI B. S. MURTHY:—" May I know, Sir, the number of Harijans who applied? "

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

*Countersignature of identification cards by Textile Revenue Inspectors.*

\* 699 Q.—SRI R. KUPPUSWAMY: Will the Hon. the Minister for Industries be pleased to state—

(a) whether the District Collector of Coimbatore has reported to the Textile Commissioner, Madras, regarding the advisability of signing the identification cards by the Textile Control Officer instead of by the Presidents of the Yarn Distribution Advisory Committee as per the new system adopted by the Government for the formation of Advisory Committees; and



[7th February 1951]

(b) if so, what action has been taken on it?

THE HON. SRI C. PERUMALSAMI REDDI:—“(a) Yes.

“(b) The Collector of Coimbatore was informed that he may ask the Textile Revenue Inspectors to countersign the identification cards wherever necessary.”

*Prevention of juvenile smoking.*

\* 700 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state, with reference to the answer given to question No. 372 on the 13th November 1950—

(a) whether the Government have since received the expected reply from the Bihar Government regarding juvenile smoking;

(b) whether this Government have examined all the reports which they called for from the various State Governments; and

(c) whether this Government have come to a decision in the matter of preventing juvenile smoking and if so, what it is?

THE HON. SRI K. MADHAVA MENON:—“(a) The answer is in the negative.

“(b) The replies so far received are being examined.

“(c) The answer is in the negative.”

11-30  
a.m.

SRI A. VEDARATNAM PILLAI:—“May I inquire, Sir, whether the Government is not in a position to stop juvenile smoking that is now rampant. May I know whether the Government will take drastic steps to stop students from smoking in high schools, colleges and other educational institutions?”

THE HON. SRI K. MADHAVA MENON:—“We are examining this question. In fact a Bill has been prepared for preventing juvenile smoking. We are examining this question once again; for, such a legislation exists in many other States in India and the report we have received from them has made us to examine the question further and it is not possible to do it by any sort of legislation to prevent students alone from smoking.”

SRI P. NATESAN:—“May I know, Sir, what is meant by ‘juvenile smoking’?” (Laughter.)

THE HON. SRI K. MADHAVA MENON:—“It means smoking by juveniles.” (Laughter.)

JANAB M. S. ABDUL MAJID:—“Sir, as the Police are not in a position to cope up with the work connected with several legislations passed in this House, and since all such legislations are a dead letter, may I know, what is the use of adding one more legislation to such a list?”

THE HON. SRI K. MADHAVA MENON:—“The hon. Gentleman is absolutely wrong in thinking that several of our legislations are a dead letter. Perhaps they are according

[7th February 1951]

to his conception. But really they are quite alive and kicking. (Laughter.) The hon. Gentleman assumes that the entire responsibility to put down juvenile smoking in the proposed Bill is thrown on the Police.”

SRI L. N. GOPALASWAMI:—“May I ask the Government whether it is impossible for them to prevent it inside schools and colleges, when they are able to prevent it inside cinema halls and public halls?”

THE HON. SRI K. MADHAVA MENON:—“Cinema halls are held under certain licences and conditions specifically stipulated. Further it is difficult to prevent it among students alone. There are students in high schools, arts colleges, medical and engineering colleges; to bring them all under juvenile smoking, the question to be considered is that of particular age and not of particular school or college.”

JANAB MUHAMMAD RAZA KHAN:—“Does not the Hon. Law Minister think that juveniles are intelligent enough to violate the law, even if it is passed, without being caught?” (Laughter.)

THE HON. SRI K. MADHAVA MENON:—“There are many other cases where intelligent people have got to be protected against themselves.”

*Quantity of mica produced in the State.*

\* 701 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Industries be pleased to state—

(a) the quantity of mica produced in our State annually for the last three financial years;

(b) the number of mines that are in existence in our State and the districts in which they exist;

(c) the annual income to the State from these mines;

(d) the number of companies now working these mines; and

(e) whether Government have taken any shares in these companies?

THE HON. SRI C. PERUMALSAMI REDDI:—“(a) The quantity of mica produced during the last three financial years are—

|         | TONS. | LB.   |
|---------|-------|-------|
| 1947-48 | 1,680 | 2,208 |
| 1948-49 | 2,200 | 1,583 |
| 1949-50 | 3,407 | 1,619 |

“(b) There are at present 104 mica mines distributed in the districts as stated below:—

|              |    |
|--------------|----|
| Nellore      | 98 |
| Mathurai     | 1  |
| The Nilgiris | 5  |

Total 104

[7th February 1951]

"The only mine in Mathurai district stopped working by the end of 1948.

"(c) The annual income to the State from the mines is about Rs. 43,200.

"(d) There are 19 companies which work some of the mines in the three districts while individuals or groups of individuals are working the other mines.

"(e) No."

SRI S. NAGAPPA:—"Arising out of the answer to clause (e) of the question, that the Government have not taken any shares in these companies, may I ask them, if they are not going to nationalize this industry, at least will they not come forward and take 51 per cent of the shares in these companies?"

THE HON. SRI C. PERUMALSAMI REDDI:—"Nobody came forward and asked the help of the Government."

SRI V. RAGHAVAYYA:—"Is it not a fact that from these 98 mines in the Nellore district, it has been found that a lot of produce has been suppressed by very influential mica miners and thereby Government have lost a lot of money by way of sales tax?"

THE HON. SRI C. PERUMALSAMI REDDI:—"I have no information."

SRI S. NAGAPPA:—"Sir, as mica is a very important produce of this state, will the Government consider the desirability of nationalizing it at the earliest date; and if that is not possible will they at least take 51 per cent of the shares in these companies?"

THE HON. SRI C. PERUMALSAMI REDDI:—"It is not necessary to nationalize the industry, because there are very many people to work it; there is no need also to take 51 per cent of the shares in these companies."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know whether the Government have any information as to the potentiality of the produce of this industry, particularly when it is a dollar earning industry, and may I inquire whether the Government cannot increase the production of mica or encourage, directly or indirectly, the production of greater quantities of mica by exploiting the mica mines to the fullest possible extent?"

THE HON. SRI C. PERUMALSAMI REDDI:—"The mica miners themselves are interested in getting the maximum quantity of mica, as they want to earn more money."

SRI D. V. RAMASWAMI:—"May I inquire, Sir, whether it is not a fact that the geological expert, Mr. Gosh, has reported that mica is found even in Malabar, and may I inquire whether the Government have examined that report and taken active steps for the mining of mica in Malabar?"

THE HON. SRI C. PERUMALSAMI REDDI:—"We are not dealing with the district of Visakhapatnam. The present

[7th February 1951]

question is in which districts of this State are there mica mines. This question has nothing to do with Malabar district."

SRI T. VISWANATHAM:—"Sir, we want to know whether mica from Malabar is of the same nature as that from Nellore district."

THE HON. SRI C. PERUMALSAMI REDDI:—"Notice."

SRI B. S. MURTHY:—"May I inquire whether the Government have any idea regarding mica deposits in this State?"

THE HON. SRI C. PERUMALSAMI REDDI:—"I draw the hon. Member's attention to the geological reports published in the Gazette now and then."

SRI V. RAGHAVAYYA:—"Has it been recently found, nearly a month back, that a particular mica miner, one Sri B. Venkatasubbiah Naidu, showed an income only of eight lakhs worth of mica, whereas he was assessed 36 lakhs of mica last year by the Commercial Tax Department."

THE HON. SRI C. PERUMALSAMI REDDI:—"I take the information of the hon. Member. I will institute an inquiry into it."

JANAR M. S. ABDUL MAJID:—"May I know whether there is any proposal before the Government to start industries connected with mica instead of exporting all the mica available in the State outside?"

THE HON. SRI C. PERUMALSAMI REDDI:—"The Government have no such proposal. There is a private company in Nellore doing this sort of industry."

SRI D. V. RAMASWAMI:—"Sir, the Hon. Minister did not catch my previous question properly. I was not asking about Visakhapatnam district. I was asking about the geological discovery of mica deposits in Malabar. I asked whether the Government will go further and take up the investigation of those deposits in Malabar?"

THE HON. SRI C. PERUMALSAMI REDDI:—"I corrected myself immediately then, which the hon. Member did not catch. I said the question was in which districts in this State mica mines exist. I said and my answer was the hon. Member's question was a new question."

*Foodgrains exported from Krishna district.*

MR. SPEAKER:—"The hon. Member Sri Kaleswara Rao is not in his seat and so, the answers will be printed in the proceedings."

\* 702 Q.—SRI A. KALESWARA RAO: Will the Hon. the Minister for Food be pleased to state—

(a) the number of tons of rice, paddy and cholam that have been exported from the Krishna district from December 1949 up to the end of September 1950 under the Government procurement agency;

[7th February 1951]

(b) the number of tons of rice that are required for the people of that district who are non-producers up to the middle of December 1950 from now;

(c) how many tons out of them have to be brought into the district from outside; and

(d) what steps the Government are taking for importing this quantity into the district in general and to Vijayavada town in particular?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“(a) 54,284 tons of paddy and rice (in terms of rice). There were no exports of cholam from the district during the above period.

“(b) The quantity of rice required to feed the non-producers for the period 1st November 1950 to 15th December 1950 is estimated at 6,600 tons calculated at 6 oz. of rice per adult per day.

“(c) & (d) A quantity of 3,917 tons of paddy and rice in terms of rice has been moved into the district up to date. Out of the above quota, the Collector will make necessary allotments to Vijayavada town to meet its requirements.”

*Yarn allotment for Coimbatore district.*

\* 703 Q.—SRI R. KUPPUSWAMY: Will the Hon. the Minister for Industries be pleased to state the quantity of yarn of various counts allotted for each taluk in the Coimbatore district for the months of July, August, September and October 1950?

THE HON. SRI C. PERUMALSAMI REDDI:—“The information\* is placed on the table.”

SRI R. KUPPUSWAMY:—“Sir, arising out of the answer laid on the table of the House, may I ask the Government why the yarn allotment has been reduced by less than sixty per cent from the month of July-August to the month of September-October?”

THE HON. SRI C. PERUMALSAMI REDDI:—“Because of short supply we were not able to meet the full demand.”

*Allotment of foodgrains by the Union Government.*

MR. SPEAKER:—“We will now take up the short-notice question No. 683-A.”

\* 683-A Q.—JANAB MUHAMMAD RAZA KHAN: Will the Hon. the Minister for Food be pleased to state—

(a) how many tons of food, the Food Minister to the Government of India, promised to allot to Madras for the current year as a result of the conference which the Ministers of Madras had with him on 1st February 1951;

(b) how many tons actually this Government demanded from the Central Government for the current year; and

(c) whether any representation has been made to the Central Food Minister regarding overall cut of 25 per cent in the present rations regarding the Madras State?

[7th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA:—“(a) The Government of India had already promised 4 lakhs of tons and the promise holds good.

“(b) 10 lakhs.

“(c) Yes and the question was discussed.”

MR. SPEAKER:—“I wish to inform hon. Members that we will have a debate on food day after to-morrow.”

JANAB MUHAMMAD RAZA KHAN:—“Is it a fact that the Hon. Minister Mr. Munshi, while leaving Madras, created an impression here that Madras will not be able to get even this four lakhs of tons and in case it gets it, it should deem itself lucky?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“As it appeared in the Press, this Government pressed for more allotment. But he said this allotment of four lakhs of tons also depended to some extent upon facilities of shipping and also on the timely arrival of foodgrains from abroad. That is what he said.”

JANAB MUHAMMAD RAZA KHAN:—“As the demand of the Madras Government is for ten lakhs of tons and as the Government of India have agreed to give only four lakhs of tons, may I know whether the Hon. Minister discussed with the Hon., Mr. Munshi how he should meet this shortage in the current year?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“It is true that the Madras Government's demand was for ten lakhs of tons, but owing to the present difficulty of the Government of India, no definite decision as to where to find the requisite quantity was arrived at. If they are to give the required quantity they would have to import a larger quantity this year than they did last year. So at the present moment I do not think they will be able to meet our demand in full. Even the four lakhs of tons now allotted was decided upon at the previous Food Ministers' Conference. After that conference, we have been making representations to the Central Government and we propose to keep on continuing our representations for increased allotment.”

SRI L. N. GOPALASWAMI:—“May I ask the Hon. Minister as to how much of these four lakhs are to be subsidized by the Central Government and how much by our State and what will be the cost to be incurred thereby by this State?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“On the question of subsidies, no definite decision was arrived at. But the present proposal is that the subsidy will be given to four important towns in this State by the Government of India. Our representations have been again placed before the Government of India, and no decision has so far been taken.”

[7th February 1951]

SRI PYDAH VENKATANARAYANA:—"May I know whether I am right in my presumption that even with this 25 per cent cut in the overall ration that is now in force, there will be no proportionate reduction in the rice portion of the ration?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is only the overall ration that is cut down to nine ounces; and so there is no fear of the rice portion being reduced. On the other hand we have raised the rice portion by one ounce now."

SRI V. I. MUNISWAMI PILLAY:—"Sir, in answer to clause (c) of the question the Hon. Minister said that the overall cut of 25 per cent in the present ration was discussed with the Hon. Minister Mr. Munshi. May I know what the decision arrived at was and how long this cut will exist?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"As it was announced at the time when the cut was announced, not only for this State but throughout the whole of India this overall cut is imposed, and the Hon. Minister Mr. Munshi said that it would be only for a short while. While he was here he confirmed that report. Until the supplies come from abroad the present cut will continue."

JANAB SHAH ALAM KHAN SAVOI:—"In view of the fact that Hon. Minister Mr. Munshi's statement has been given so much publicity in the Press, does it not give an encouragement to hoarders and blackmarketers and make the public in the State more panicky?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Any information published generally has some effect upon the black-market. But on that score we cannot withhold the information from the public."

SRI M. P. GOVINDA MENON:—"Sir, is the Hon. Minister aware that the so-called cut of 25 per cent in the overall ration has not made any change in the district of Malabar as Malabar was getting only six ounces everyday per adult, and so the so-called twelve ounces of ration did not exist in Malabar before the cut and so this would not affect the situation there?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is not only from Malabar that such a complaint is heard. In many other parts of the State similar conditions prevailed. But while making this reduction, the idea was to save something with a view to meet the lean months later on. That is how the Government of India arrived at this decision."

11-45  
P.M.

JANAB MOHAMED ABDUL SALAM:—"Is the Hon. Minister aware of the impression in the country that we are not able to get adequate supplies from the Central Government because our State Government are not able to bring pressure to bear on the Central Government and make proper representations and that they are not able to do anything in the matter so far as the Central Government are concerned?"

[7th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA:—"It is not true."

SRI M. A. EASWARAN:—"In view of the non-procurement of millets, will the Government allow free movement of millets throughout the State?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"We have arranged for free movement of millets within a zonal area. It is not possible to allow free movement throughout the State, as that will create difficulties for predominantly millet-consuming areas."

JANAB M. S. ABDUL MAJID:—"May I know the names of the four industrial cities in this State which have been fortunate enough to get a subsidy from the Government of India?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"They are the industrial cities of Madras, Visakhapatnam, Mathurai and Coimbatore."

SRI V. M. RAMASWAMI MUDALIYAR:—"In this morning's newspapers it is said that the Government have decided to pass on the increase in the price of rice to the consumers. May I know the total amount involved which the consumers have to pay?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Some increase in price is more or less decided. But how much it will be is being worked out and orders will issue very shortly."

BEGUM SULTAN MIR AMIRUDDIN:—"May I know whether the Hon. Minister has been told, at least approximately, as to how long the 25 per cent cut in ration will last and whether he has impressed upon the Central Government that the health of the people of this State is deteriorating and that they can no longer stand the strain of hunger, starvation and consequent breakdown of health."

THE HON. SRI J. L. P. ROCHE VICTORIA:—"As I have already said, the cut is intended to last only for a short while. It may be for a few weeks or it may extend to about two or three months."

SRI D. V. RAMASWAMI:—"In answer to one of my questions on a previous occasion the Hon. Minister for Food said that he would study the position in Ceylon where any quantity of foodgrains is being imported at any cost to avoid high prices and blackmarketing and where the State itself is running a certain number of shops from which people can buy an assured minimum quantity of rice. May I know whether the Hon. Minister has examined the position?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I do not remember to have made any special promise to study the conditions in Ceylon. From my study of the conditions

[7th February 1951]

when I was in Ceylon last time, I found that Ceylon had been importing large quantities. We have to remember that Ceylon is after all equal to two of our districts. Ceylon Government have got plenty of money and they have been able to book orders for food supply sufficiently early. So they are not feeling any difficulty at all at present."

SRI L. N. GOPALASWAMI:—"In view of the fact that this partial subsidy to industrial areas only is likely to raise the price payable by the consumer considerably, will the State Government be pleased to make a strong representation to the Central Government that the subsidy should be for the whole State so that the price payable by the consumer may not increase at all?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The Government of India's difficulties seem to be financial. While they were importing 2.2 million tons previously, they are going to import 3.7 million tons now. They find that it is impossible for them to meet the whole subsidy for the increased quantity throughout the country."

JANAB M. V. HYDROSS:—"May I know why Kozhikode, which is the third biggest city in the State and a big industrial centre, is not entitled to the subsidy from the Central Government?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Because it is not, though the hon. Member thinks it is, a very important industrial centre."

SRI K. BRAHMANANDAM REDDI:—"In answer to a supplementary question put by hon. Member Sri M. A. Easwaran, the Hon. Minister said that the Government have arranged some zones for the free movement of millets. May I know whether orders to the above effect have been issued, whether a person in one zone can purchase millets from any area within that zone, whether merchants can procure millets without permit and whether the instructions issued with regard to the free movement of millets within specified zones will be placed on the table of the House?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"I am afraid I am not able to give a detailed answer point by point. As I have already said, the idea is to allow free movement of millets within the zones and to permit licence-holders to procure in those areas of the zone where millet is available and sell them in the other areas of the same zone."

SRI S. C. BALAKRISHNAN:—"After the abolition of rationing in rural parts, the prices are going down lower and lower and if free movement is allowed, the prices will come to a normal level. Will the Government consider the desirability of issuing a larger number of licences to encourage competition in business?"

[7th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Licences will be issued as far as possible to the people who are already in the trade. Issue of too many licences may create further difficulties."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Arising out of the answer to the supplementary question put by hon. Gentleman Sri K. Brahmanandam Reddi, may I ask whether it is not a fact that, though the Government have on paper allowed merchants to procure millets from surplus areas and bring them to the deficit areas of Tamilnad, the people in millet surplus areas are not willing to deliver their millets at the control price and so the merchants have to buy at a higher price but deliver them to the Collectors in wagon loads at railway stations at the control price for distribution through normal channels? In view of this situation, what arrangement is the Hon. Food Minister going to make to ensure procurement in millet surplus areas and bring the millets to the millet deficit areas?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Decontrol of millets has already been decided upon. It is true that merchants are not able to procure millets from the millet surplus areas at the control price and bring them to the millet deficit areas. It is not possible to decontrol millets and at the same time give facilities to the merchants for keeping down the price. It is hoped that in course of time there will be some sort of adjustment and that there will be a possibility of free flow of milles. But just at the moment the difficulty pointed out by the hon. Gentleman is there."

SRI M. S. PATTABIRAMIAH:—"May I know whether in the course of his discussions with the Hon. Food Minister of our State, the Hon. the Central Food Minister said that the Grow More Food Campaign of our State had been a failure and whether the State Food Minister impressed upon him that the 4 lakhs of tons promised to be given was inadequate to meet the normal requirements and asked for alternative sources of supply? Or, are the State Government going to go on reducing the ration further and further and leave the people to their fate?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"There was no decision with regard to the Grow More Food Campaign. It is not true to say that the Central Food Minister made any remarks about the failure or success of the Grow More Food Campaign in our State. With regard to supplies, as I have already pointed out, we have impressed upon the Central Food Minister that it is impossible to carry on with 4 lakhs of tons. Our request for 10 lakhs of tons still stands and we propose to keep on pressing the Government of India to allot our full requirements."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"In view of the hopelessly inadequate allotment of 4 lakhs of tons as against the moderate demand of 10 lakhs made by the Madras

[7th February 1951]

Government, will this Government make a strong protest to the Government of India pointing out the prevalence of famine conditions in many parts of this State and demand 15 lakhs of tons and also demand the taking over of the Food Department of the Madras State by the Government of India if they are not prepared to supply 15 lakhs of tons of foodgrains?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"We have been protesting all the time. We are also aware that the Government of India are not able to give us any definite reply because they themselves do not know when supplies from abroad will be arriving. Apart from the discussions we had with the Central Food Minister, we can only hope that as soon as sufficient supplies are received, they will give us our requirements in time and to the extent we have asked for."

12 noon SRI T. VISWANATHAM:—"Sir, the Hon. the Minister for Food was pleased to speak about the zonal system introduced in regard to millets. May I know whether the Government are prepared to extend the same kind of zonal system with regard to movements of rice by dividing the State into zones within which the movement will be free?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"No, Sir, that will be inconsistent with the steps we have taken in respect of derationing of rural areas."

SRI P. NATESAN:—"Is there any proposal before the Government to give fish as substitute for rice?" (Laughter.)

THE HON. SRI J. L. P. ROCHE VICTORIA:—"There is no such proposal, Sir."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Will the Government of Madras draw the attention of the Government of India to the fact that if food is not sent to this State immediately, starvation deaths running into tens of thousands of persons will be taking place from about April?"

THE HON. SRI J. L. P. ROCHE VICTORIA:—"Every week we are sending a report of the conditions prevailing in the State to the Government of India and the hon. Gentleman may be assured that we will not give room to the feeling that the Government of Madras are not taking necessary steps to safeguard the lives of the people in the State."

MR. SPEAKER:—"Question hour is over. I wish to inform the House that the date for Food Debate is not yet settled. Probably it may be held on the 12th. This evening I may be able to make an announcement about the exact date. Now, we shall pass on to the next item on the agenda."

7th February 1951]

## UNSTARRED QUESTIONS.

*Bus routes in Rayalaseema.*

54 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Finance be pleased to state—

(a) the number of fresh bus routes granted in Rayalaseema districts districtwar, since 1946 to date;

(b) the number of applications received in each case;

(c) the number of appeals heard in each case; and

(d) the number of review petitions filed in each case?

A.—The particulars are furnished below:—

| District.      | Number of routes opened. |      |      |      |      | Number of applications received. |      |      |      |      |
|----------------|--------------------------|------|------|------|------|----------------------------------|------|------|------|------|
|                | 1946                     | 1947 | 1948 | 1949 | 1950 | 1946                             | 1947 | 1948 | 1949 | 1950 |
| Anantapur.. .. | 14                       | 16   | 2    | 5    | 6    | 18                               | 249  | 6    | 25   | 53   |
| Bellary .. ..  | 1                        | 14   | ..   | 1    | 6    | 2                                | 276  | ..   | 21   | 125  |
| Cuddapah .. .. | 1                        | 5    | 5    | 5    | 2    | *                                | 69   | 117  | 33   | 13   |
| Kurnool .. ..  | ..                       | ..   | 4    | 7    | 4    | ..                               | ..   | 253  | 89   | 39   |
| Chittoor .. .. | 14                       | 17   | 1    | 16   | 17   | †13                              | 132  | 10   | 35   | 240  |

|                 | Number of appeals heard. |      |      |      |      | Number of revision petitions disposed of |      |      |      |      |
|-----------------|--------------------------|------|------|------|------|------------------------------------------|------|------|------|------|
|                 | 1946                     | 1947 | 1948 | 1949 | 1950 | 1946                                     | 1947 | 1948 | 1949 | 1950 |
| Anantapur .. .. | 1                        | 4    | 2    | 2    | 3    | ..                                       | ..   | ..   | ..   | 1    |
| Bellary .. ..   | 1                        | 3    | ..   | 2    | 20   | ..                                       | ..   | ..   | ..   | ..   |
| Cuddapah.. ..   | 2                        | 30   | 29   | 14   | 3    | ..                                       | 3    | ..   | 3    | 2    |
| Kurnool .. ..   | ..                       | ..   | 32   | 24   | 10   | ..                                       | ..   | ..   | ..   | 2    |
| Chittoor .. ..  | 7                        | 18   | 5    | 6    | 24   | 1                                        | 2    | ..   | 3    | 2    |

\* Not available.

† For 11 routes particulars regarding the rest are not available.

*Voters from Scheduled castes.*

55 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Finance be pleased to place on the table of the House a statement showing—

(a) the total number of voters in Circars;

(b) the total population of Scheduled castes and the number of voters in Circars, firka, taluk and districtwar;

(c) the number of voters, firka, taluk and districtwar in Rayalaseema;

(d) the total population of Scheduled castes and the number of voters, firka, taluk and districtwar in Rayalaseema;

(e) the number of voters in Nellore district; and

(f) the total population and the number of voters among the Scheduled castes in Nellore district, firka and talukwar?

A.—(a) 7,162,836.

(e) 920,672.



[7th February 1951]

- (b) to (d) & (f) The answer is furnished in the annexed statement<sup>a</sup>. Firkawar Scheduled Castes' population figures are not available. The population figures by taluks and districts, shown in column (5) of the statement, have been obtained by adding 9 per cent to the population of Scheduled Castes as ascertained at the 1941 Census.

*Private high schools in Rayalaseema.*

56 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Education be pleased to state—

- (a) the names of the managements that have been running the high schools in Rayalaseema;  
 (b) the amounts granted to each of these high schools in 1948-49 and 1949-50;  
 (c) whether any of these managements have applied for building grants;  
 (d) if so, how many were granted so far;  
 (e) if not, why not; and  
 (f) how many of these high schools are attached with either Harijan hostels or paying boarders hostels or Backward classes hostels.

A.—(a) & (b) A statement<sup>b</sup> furnishing the information is laid on the table of the House.

(c) Yes.

(d) Building grants were sanctioned to two secondary schools under private managements and to four under local bodies.

(e) Does not arise.

(f) There are no hostels exclusively for Harijans. There are however 24 hostels for boys and 7 hostels for girls in Rayalaseema; 168 Harijan boys and 85 Harijan girls are residing in these hostels.

*Ahobilam Co-operative Agricultural Colony.*

57 Q.—DR. M. J. SAMUEL: Will the Hon. the Minister for Local Administration be pleased to state—

- (a) when the Ahobilam Co-operative Agricultural Colony was started and how many years it has worked on co-operative basis;  
 (b) the amount spent by the Government on this colony by way of (i) subsidies, (ii) loans and (iii) establishment charges for the Co-operative and Agricultural staff;  
 (c) the cost of tractor and bulldozer and the maintenance charges including the salaries of the staff attached to it;

<sup>a</sup> Printed as Appendix V on pages 274-291 infra

<sup>b</sup> Printed as Appendix VI on pages 291-294 infra.

[7th February 1951]

(d) the number of acres of land reclaimed and brought under cultivation so far and the tonnage of foodgrains produced during 1946-50; and

(e) whether the Government have received any representation from the colonists that they are not given free scope for improvement?

A.—(a) The Ahobilam Land Colonization Co-operative Society was registered on 25th August 1943 and started on work on 7th September 1943. It has worked for about seven years.

(b) The amounts sanctioned or spent by the Government on this colony are—

(i) Subsidies sanctioned Rs. 8,580—of this Rs. 900 have not yet been disbursed.

(ii) Interest-free loans given—Rs. 10,927-8-0.

(iii) Establishment charges incurred on Co-operative and Agricultural staff—Rs. 17,610.

(c) A bulldozer owned and maintained by the Agricultural department has been employed for reclaiming the colony lands from 7th August 1947. The capital cost of the bulldozer is Rs. 17,133. Its maintenance charges including the salaries of the staff attached to it was Rs. 6,107 for the period from 7th August 1947 to 31st October 1950.

(d) The extent of land reclaimed so far is 221 acres, of which an area of 134 acres is under cultivation. The tonnage of food-crops produced during 1946-50 are—

|         |     |     | TONS. |
|---------|-----|-----|-------|
| 1946-47 | ... | ... | 6.65  |
| 1947-48 | ... | ... | 4.60  |
| 1948-49 | ... | ... | 38.60 |
| 1949-50 | ... | ... | 24.60 |
| Total   | ... | ... | 74.45 |

(e) Yes, Sir. The representation is under the consideration of Government.

*Supersession of panchayats.*

58 Q.—SRI B. S. MURTHY: Will the Hon. the Minister for Local Administration be pleased to lay on the table a list of—

(a) the minor and major panchayats superseded since January 1949 up to October 1950 with names and of places; and

(b) the presidents removed during the period with the names of the panchayats?

[7th February 1951]

A.—The particulars relating to the supersession of panchayats and the removal of Presidents, which were ordered by the Inspector of Municipal Councils and Local Boards in exercise of the powers under sections 45-A and 43 of the Madras Local Boards Act, 1920, delegated to him, are given in the appended statements<sup>a</sup>.

*Murders in the State.*

59 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Education be pleased to state—

(a) the number of murders that took place in the State ever since the present Ministry assumed office—districtwar and year-war;

(b) the number of cases in which charge-sheets have been filed;

(c) the number of cases in which the offenders were detected and convicted;

(d) the number of cases which resulted in acquittal; and

(e) the number of cases which are under trial?

A.—The information required is not readily available and the Government consider that the labour and time involved in collecting the information are not commensurate with the public purpose served thereby.

*Number of cases of suicide in the State.*

60 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Education be pleased to state the number of cases of suicide ever since the present Government came into office, districtwar?

A.—The information required is not readily available and the Government consider that the labour involved in collecting the information is not commensurate with the public purpose served thereby.

*Sale of yarn by the mills.*

61 Q.—SRI A. J. ARUNACHALAM: Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that some of the mills in the State are permitted to sell yarns of 80 and 100 counts at retail rate to the consumers by having depots;

(b) if so, the names of the mills and the places where they are permitted to have depots and the number of bales distributed by them during the months of September and October 1950;

(c) the necessity for the State Government to allow such mills to sell 80s and 100s at retail rates directly to weavers; and

<sup>a</sup> Printed as Appendix VII on pages 294-298 infra.

[7th February 1951]

(d) whether it is with the approval of the Central Government that the State Government have permitted such mills to sell the above counts at retail rates?

A.—(a) Yes.

(b) The particulars are given in the attached statement<sup>a</sup>.

(c) The ex-mill prices fixed by the Textile Commissioner, Bombay, for these counts up to 31st October 1950 were unremunerative and it was therefore considered necessary to allow this concession to the mills in order to encourage them to produce more and more of these counts which are in great demand in this State.

(d) Yes. As a matter of fact, the permission has been granted by the Textile Commissioner, Bombay, on the recommendation of this Government.

*Export of yarn by mills.*

62 Q.—SRI A. J. ARUNACHALAM: Will the Hon. the Minister for Industries be pleased to state—

(a) the total number of bales of yarn that have been exported by the mill-owners in this State, in the month of October 1950, millwar;

(b) whether it is a fact that some of the mill-owners have sold completely or major portions of their production for export in the month of October 1950;

(c) if so, which of the mills in our State have done like that;

(d) the total number of bales that have been produced by the mills in the month of October 1950;

(e) the total number of bales allotted to this State in the month of October 1950 and the number of bales actually received; and

(f) what the allotment for the month of November is?

A.—(a) to (d) Particulars are furnished in the attached statement<sup>b</sup>.

(e) The total number of bales allotted is 12,232½ bales. Particulars about the number of bales actually received are not readily available.

(f) 12,232 bales.

*Ration shops in Ramanathapuram district.*

63 Q.—SRI R. S. MANICKAM: Will the Hon. the Minister for Food be pleased to state—

(a) the number of villages which are supplied with food rations this year by the ration shop near Nalli Railway Station

<sup>a</sup> Printed as Appendix VIII on pages 299-300 infra.

<sup>b</sup> Printed as Appendix IX on pages 301-302 infra.

[7th February 1951]

(Pothiswami Naicker Ration Shop) in Sathur taluk, Ramanathapuram district and the number of card-holders in each of the above village who are allowed to get their rations from the abovesaid ration shop; and

(b) the distance of the above shop from each of the abovesaid villages?

A.—(a) & (b) A statement<sup>a</sup> showing the particulars asked for is placed separately on the table of the Assembly.

#### *Bantumukkuva Scheme.*

64 Q.—SRI G. SITHARAMASWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the stage at which the proposal to execute the Bantumukkuva Scheme in Bobbili taluk stands;

(b) the existing acreage of wet land irrigated by tanks in the area for which the scheme is proposed and the probable acreage of additional land which will be benefited by the execution of the scheme; and

(c) whether the Government have received any representation regarding the execution of Bantumukkuva Scheme and if so, what action has been taken on that?

A.—(a) There is no such proposal.

(b) Does not arise.

(c) Yes. Representations were received from the hon. Member himself and were examined and replies have been sent thereto.

#### *Chemical manures.*

65 Q.—SRI G. SITHARAMASWAMI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the reasons for the transfer of chemical manures from the Agricultural department to co-operative societies;

(b) whether the fertilizers allotted to one taluk can be supplied to the neighbouring taluk for crops other than food crops;

(c) if the stock of one taluk can be supplied to another taluk, who the proper authority is for sanctioning such permission;

(d) whether the President of a Co-operative Society of one taluk can issue permits for getting fertilizers from the neighbouring taluk Society; and

(e) if it is not in order, what the action taken by the Government will be for such procedure?

A.—(a) The transfer of the work of distribution of chemical manures from the Agricultural Department to Co-operatives was done mainly with a view to relieving

<sup>a</sup> Printed as Appendix X on page 303 infra.

[7th February 1951]

the Agricultural Department of its trading work and allowing it to pursue its legitimate duties of scientific propaganda and advice to cultivators.

(b) No Sir. Separate allotments have been made by the Government of India for food crops and for non-food crops, such as cotton and sugarcane. The chemical manures allotted for one crop should on no account be supplied for any other crop. Similarly, chemical manures allotted to one taluk should on no account be transferred to another taluk. However there are no rigid restrictions on movements and depending on the exigencies of circumstances such as comparative demands in the taluk and availability of stocks, supplies are occasionally made to neighbouring taluk ryots also.

(c) The Director of Agriculture or his nominee.

(d) & (e) No President of any Co-operative Society has been authorized to issue permits for the purchase of chemical manures from the neighbouring taluk Society. Such instances have not so far come to the notice of the Government and if they are brought to their notice, necessary action will be taken against those concerned.

#### *Appointment of attenders in Public Department.*

66 Q.—SRI A. S. SAHAJANANDA: Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that there was a Harijan attender by name Thangadurai in the Public Department;

(b) whether there was also another Harijan attender by name Jagadesan;

(c) what the qualifications of Jagadesan and Thangadurai are and why they have been removed from their posts;

(d) whether it is a fact that one Krishnamurthy has been appointed;

(e) whether Krishnamurthy is related to any officer in that Department;

(f) what the reasons are for removing Thangadurai and Jagadesan and appointing Krishnamurthy; and

(g) the community to which Krishnamurthy belongs?

A.—(a) & (b) Yes, under the emergency provisions.

(c) Both have studied up to S.S.L.C. They were not removed from their posts but were ousted for want of vacancies.

(d) Yes, under the emergency provisions in a short leave vacancy.

(e) No.

[7th February 1951]

(f) Krishnamurthy was not appointed by removing Thangadurai and Jagadesan but in a separate short leave vacancy due to exigencies of service.

(g) Brahman.

*Appointments under emergency provisions.*

67 Q.—SRI S. NAGAPPA : Will the Hon. the Chief Minister be pleased to state—

(a) the number of persons appointed under the emergency provisions in the Madras Ministerial and Judicial Services, departmentwar and districtwar ; and

(b) how many of them have put in three and more than three years service ?

A.—(a) There are about 5,000 persons appointed under the emergency provisions in the Madras Ministerial and Judicial Ministerial Services. Districtwar and departmentwar information in respect of these persons is not readily available. The time and labour involved in the collection of information will not be commensurate with the public interest served.

(b) About 2,500 persons.

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

II.—GOVERNMENT BILLS.

(1) THE MADRAS BUILDINGS (LEASE AND RENT CONTROL) SECOND AMENDMENT BILL, 1950 (L.A. BILL NO. 18 OF 1950)—*cont.*

*Clause 10.*

MR. SPEAKER:—"The motion is—

'That clause 10 do stand part of the Bill.'

\* SRI V. M. RAMASWAMI MUDALIYAR:—"Sir, I move the following amendment—

'In the proposed section 7-1 (3), for the word "summarily" substitute the word "tentatively".'

Sir, the provision now is that the Rent Controller will determine the rents to be paid in a very summary manner. The parties have the right of appeal. If it is to be a summary disposal, there is no purpose in the tenant taking the matter to the High Court because the reasons will not have been recorded. That is why I suggest that the purposes of the section will be served by saying that the Rent Controller may come to a decision tentatively with regard to the rent payable. The aggrieved party may have the matter agitated on a fairer basis later on. The very idea implied in the term 'summarily' is perfunctory disposal. This is a question which affects rupees, annas and pies of the tenant or the

7th February 1951] [Sri V. M. Ramaswami Mudaliyar]

landlord. The reasons should be recorded and this is only to safeguard the interests of both the landlord and the tenant. Therefore the word 'summarily' may be changed into 'tentatively'."

SRI P. KANDASWAMI PILLAI:—"I second the amendment, Sir."

MR. SPEAKER:—"Amendment moved—

'In the proposed section 7-A (3), for the word "summarily" substitute the word "tentatively".'

THE HON. SRI N. SANJEEVA REDDI:—"Sir, I do not contemplate the difficulty which my hon. Friend Sri Ramaswami Mudaliyar has pointed out. It is only a tentative decision. Even 'summarily' does not mean that the party aggrieved will not have any chance of getting any justice again. When the dispute is there, he will have to pay some rent. There is a chance for the tenant and the landlord to go for fixation of fair rent and that provision is there. This decision is not going to be final. It is not going to cause any trouble. Where there is a dispute, it will have to be decided one way or the other so that the amount may be paid. There is no difficulty with regard to the fixation of fair rent."

The amendment was, by leave, withdrawn.

Clause 10 was put and carried.

*Clause 11.*

MR. SPEAKER:—"The motion is—

'That clause 11 do stand part of the Bill.'

SRI S. CHIDAMBARA AYYAR:—"Sir, I move the following amendment—

'In the Explanation to sub-clause (i), for the words "without giving notice" substitute the words "after giving notice".'

Sir, under this sub-clause, an interim order may be passed without giving notice to the landlord. My amendment is that it may be passed after giving notice to the landlord. The sub-section which is sought to be introduced by this clause runs as follows:—

'If the tenant satisfies the Controller that the amenities were cut off or withheld with a view to compel him to vacate the building or to pay an enhanced rent, the Controller may pass an interim order, directing the landlord to restore the amenities immediately.'

The tenant will go to the Controller with all sorts of claims. If the roof is leaky or if there is no platform for the well, he will say that the amenities are withheld. Where amenities such as electricity or supply of water are cut off then it is necessary that an interim order should be passed. But since the tenant will go to the Controller with all sorts of claims, it is not safe to pass an interim order without giving notice to the landlord. The Controller

[Sri S. Chidambara Ayyar] [7th February 1951]

must have an idea as to what the landlord has to say. So, at least a short notice must be given to the landlord before passing the interim order."

\* SRI T. VISWANATHAM:—"Sir, this amendment, which I second, is necessary for this reason. It is not an interim order in the sense of keeping the people in the position in which they are on the date of the application. Interim orders or interim injunctions are generally meant to keep the parties in the same position in which they are on the date of the application so that any further step taken by them may not prejudice either party. But an interim order directing a person to do a particular thing without notice to the other party is not a thing known to law. Interim orders are always meant to keep the *status quo ante*, until the Court comes to a conclusion about the point in dispute. But here an interim order is contemplated which has got a different effect altogether. It directs one party to incur some expenditure pending decision and without notice to the other party. It is not right and the Hon. Minister may be pleased to consider this, because the purpose of interim orders under any system of jurisprudence is not to direct parties to incur some expenditure or to take some steps without notice to the other side. According to the new clause as amended, it is left to the discretion of the Controller to decide whether there is a *prima facie* case or not. The Controllers are in the same place where the houses are situated. Therefore, any short time taken will not prejudice anybody. If it is alleged that an amenity is cut off, notice should be given to the landlord and the Court may pass such orders as it likes after hearing both sides."

MR. SPEAKER:—"Amendment moved—

'In the Explanation to sub-clause (i), for the words "without giving notice" substitute the words "after giving notice".'

SRI PYDAH VENKATANARAYANA:—"Sir, passing an interim order without giving notice is very dangerous particularly in the circumstances I shall presently state. When misunderstandings arise between the tenant and the landlord, naturally the tenant goes to the Controller alleging several complaints against the landholder. Without hearing the other side, i.e., the landlord, it is ordinarily not possible for the Courts to arrive at a decision. Generally, as my hon. Friend Sri Viswanatham has stated, to maintain the *status quo ante* people go to Courts for getting interim orders passed. Even in respect of any mandatory injunction, the other side must be heard before the court passes any order. Provision for this purpose must be specifically made and I, therefore, support the amendment."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, this clause is absolutely necessary in the interests of the tenant. There may be a good number of landlords who would like to increase the rent and a few of them would try all possible means to create inconvenience to the tenant so that he may vacate the house in disgust

7th February 1951] [Sri N. Sanjeeva Reddi]

or give them an extra amount. We have instances where the landlords have all of a sudden cut off electricity or water and so many essential things without which the tenant cannot continue to reside there. In such cases, if the Controller is asked to give notice to the landlord, he may avoid taking the notice at all. My hon. Friend Sri Viswanatham was arguing that it was to maintain the *status quo ante* that interim orders are passed. I agree fully with him in that respect. Where formerly the tenant had water facility, if that amenity is cut off, the *status quo* should be maintained. Water has to be given first; later on, the dispute can be enquired into. Therefore, the Controller has first to see that water is given. Otherwise, giving notice and enquiring into the case will take some months. Meanwhile the tenant will suffer untold miseries. Therefore, where it is possible, we should restore the amenities of water, light, etc. I request the hon. Mover of the amendment to withdraw it."

SRI S. CHIDAMBARA AYYAR:—"Sir, under the law, interim order means that it will be in force for three days. The whole thing will be disposed of within three or four days. It is better to give an opportunity of being heard to the landlord. Otherwise, every tenant will come and say that an attempt is made to enhance the rent and compel him to vacate the building. Any tenant will come forward with that false plea. Therefore, it is desirable that at least a short notice is given."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, I will at once say that the amenities are the minimum that are demanded. It is impossible to give notice because the owner may not be available within hours as my hon. Friend Sri Chidambara Ayyar seems to think. It may not be possible to serve the notice in 15 or 20 days.

"He speaks of four days' notice. Within four days it is not possible. There are a good number of landlords whose houses are in the City but who live elsewhere than in the City, and they refuse to take the notice and avoid it altogether. Like this they may continue for months together. If the poor tenant is to be at the mercy of such landlords, it will be very difficult. It is not fair to the tenant, and, therefore, I am not prepared to accept the amendment."

\* SRI T. VISWANATHAM:—"Sir, the amenities may be confined to the supply of electricity and water. It may be that the tenant wants a staircase to be put up, which is a costly affair, or he may require a flush-out system, materials for which are not available. I am perfectly willing to have this provision in the case of water and electricity. But the rest of the things should require notice."

\* THE HON. SRI N. SANJEEVA REDDI:—"It is not a question of putting up a new staircase or providing more bed-rooms. Certain amenities which were there already are being taken away.

[Sri N. Sanjeeva Reddi] [7th February 1951]

It is not only electricity and water. For instance, there may have been a gate, and the landlord may remove it. Where the landlords try to create trouble to the tenants, the tenants should be given protection. Hon. friends who have been sympathetic towards the landlords may not be able to see the difficulty of the tenants. Complaints are always received that landlords are giving a lot of trouble to the tenants."

MR. SPEAKER:—"The question is—

'In the Explanation to sub-clause (i), for the words "without giving notice" substitute the words "after giving notice".'

The amendment was lost.

Sub-clause (ii).

SRI S. CHIDAMBARA AYYAR:—"Sir, I move—

'Omit sub-clause (ii).'

Sir, if the amenities are withheld, the landlord is liable to be punished with imprisonment for three months or a fine of Rs. 2,000. That is the provision in the existing Act. I do not think it is necessary that sub-clause (ii) must be there. Because, once the amenities are withheld, the landlord can be prosecuted and punished. This sub-clause (ii) provides for a compensation of Rs. 50 if the complaint is vexatious or frivolous. It is in that view I put it, Sir."

\* SRI T. VISWANATHAM:—"I second the amendment, Sir. The sub-clause contains a provision against the tenant about whom the Hon. Mr. Sanjeeva Reddi, is very solicitous. The sub-clause says that the tenant should pay the landlord Rs. 50 if his application is found to be frivolous or vexatious. I submit, Sir, that there will be more frivolity than otherwise, if this is passed. In such cases the Rent Controller has got perfect discretion under the existing clause to pass orders as regards expenses and costs. It is much better that these penal clauses are therefore altogether avoided whether they are in the case of landlords or tenants. Landlords and tenants are not two exclusive categories as the Hon. the Minister seems to think. Probably the Hon. the Minister is not aware that these expressions indirectly foment a kind of class warfare. Landlords are not a separate species. At the same time it is true that the number of tenants in this world is always more than the number of landlords. If we go on talking from the point of view of the poor, harassed tenant always, I wish the Hon. the Minister realised what the position of the poor, harassed landlords is. Landlords are not all rich. They are not all owners of big bungalows like those in Nungambakkam or Egmore. They are mostly owners of single room or two-room tenements. Let not the House be misled by the term 'Landlord'. This word 'Lord' has upset the psychology of people and the Government. The term

[7th February 1951] [Sri T. Viswanatham]

'Lord' is responsible for all the mischief and all the wrong legislation that we were compelled to agree to in this House. Landlords are just as good or as bad as tenants. A gentleman who is in the category of a District Judge is a tenant. It would be very bad of me to tell you the attitude that District Judge is showing to his landlord. Therefore, there is no use of trying to get sympathy for the tenants by making such appeals. I submit that frivolous cases may arise from both sides and where the frivolity is there, the petition will be dismissed. The extra penal provisions are not necessary in a legislation which is not criminal law."

\* THE HON. SRI N. SANJEEVA REDDI:—"I agree that there are cases of big tenants and poor landlords. From that point of view, I do see the strength of the argument of the hon. Member Sri Viswanatham. But their number is very few. Perhaps it is one per thousand. After all, if a man has not a house, he becomes the tenant. If he becomes a tenant, it is not for the pleasure of becoming of a tenant. It is not always that a rich man gets into a house on rent. If he can afford it, he will construct a house for himself. This sub-clause is meant only to punish people who are trying to give trouble to the other party. For instance, a tenant may give trouble to a landlord by making so many complaints against him. When such frivolous complaints are taken to the notice of the Rent Controller, he is compelled to enquire into the complaint, and he issues notice to the landlord. When he goes to the Rent Controller, it is seen that practically there is no truth in the complaint, and the tenant is not affected in the least, because nothing happens to him. The existence of the clause itself would be a preventive, and it would reduce the number of such silly complaints. This sub-clause is not going to affect anybody who is sincere and serious. No fair-minded person will be punished. It is only persons who create trouble for others who will be punished. No honest person need be afraid of this sub-clause."

The amendment was, by leave, withdrawn.

Clause 11 was put and carried.

### Clause 12.

MR. SPEAKER:—"The motion is—

'That clause 12 do stand part of the Bill.'

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, I move—

'In clause 12, renumber sub-clause (ii) as sub-clause (iii) and insert the following as sub-clause (ii):—

"(i) for clause (ii), the following clause shall be substituted, namely:—

'(ii) elsewhere—

(a) by the District Munsif or if there is more than one District Munsif, by the Principal District Munsif having original jurisdiction over the area in which the building is situated: or



[Sri N. Sanjeeva Reddi] [7th February 1951]

(b) if there is no such District Munsif, by the Subordinate Judge, or if there is more than one Subordinate Judge, by the Principal Subordinate Judge having original jurisdiction over the area aforesaid; or

(c) if there is no such District Munsif or Subordinate Judge, by the District Judge having jurisdiction."

Sir, this is a simple amendment, and there need be no discussion about it."

The amendment was put and carried.

Sub-clause (iii).

SRI S. CHIDAMBARA AYYAR:—"Sir, I move—

'Omit sub-clause (iii) as renumbered.'

Sir, sub-clause (iii) says—

'the following shall be added at the end, namely:—

"Provided that an order passed in execution under this section shall not be subject to an appeal, but shall be subject to revision under section 12-B."

My submission is that when once courts take cognizance of the execution proceedings, one has no right to say that it shall not be subject to an appeal, but shall be subject to revision under section 12-B. When once the court takes note of the thing, Section 47 of the Civil Procedure Code applies, and every order passed by the Subordinate Judge is appealable. Not only the first appeal, but also a second appeal is allowed in such cases. My submission is that the legislature has no power to say 'you shall not entertain an appeal but entertain a revision petition'. The Civil Procedure Code must be followed in this respect. Every party who has the right to appeal must have the right of appeal. It is not proper that he is denied the right of appeal. Therefore, I submit that this sub-clause should be omitted, and that the Civil Procedure Code should be allowed to operate."

\* SRI T. VISWANATHAM:—"Sir, I second the amendment, I would like to invite the attention of the Hon. the Minister to a judgment of the High Court reported in 1946 II M.L.J., page 368. There the question has been discussed. It was contended that an appeal did not lie on orders passed by the executing court, that is, the Subordinate Judge's Court. But the language of the Section is that the Subordinate Judge will execute the decree as if it is a decree of that court itself. Therefore, the High Court said that the provisions of the Civil Procedure Code relating to appeals against such orders were attracted. The High Court judgment says—

'The order of the Rent Controller has to be executed by the Principal Subordinate Judge as if it were a decree of his Court and this means that for purposes of execution it should be regarded as a decree of the Subordinate Judge. Once we reach this position it is difficult, if not impossible, to resist the applicability of section 47 of the Code. It is true that a right of appeal must be given

7th February 1951] [Sri T. Viswanatham]

by an express enactment. But if by virtue of a special enactment, an order of a particular tribunal is to be treated as an order of a regular Court for certain purposes, then the right of appeal is attracted under the general law. . . . The question really is not so much the conferring of a right of appeal as including within the jurisdiction of the particular Court mentioned a new subject matter. The words of the Madras Rent Control Order are clear and make an order of the Rent Controller a decree of a particular Court for the purpose of execution, and in my opinion section 47 clearly applies conferring on the parties a right of appeal from orders of the executing Court, though the order of the Rent Controller himself directing eviction is final and cannot be challenged in Civil Court."

It becomes an order of the executing court as though it is a decree of that court. Sir, this is not my contention. It is a judgment of the High Court. Although the Rent Control Act might say that the Controller's order is final, in execution, when once it goes to the Subordinate Judge's court, all the orders of the executing court are subject to the provisions of section 47 of the Civil Procedure Code. There is an appeal provided against those orders. This is the view of the High Court. Therefore, I would suggest that, instead of trying to cut down the power of the appellate court, it is much better those powers are retained as they are. The Government are not put to any trouble because of those powers. And there is difference between revision and appeal. Parties would have to appeal where appeals are provided for in the ordinary course. That is why I support the amendment."

\* THE HON. SRI K. MADHAVA MENON:—"Sir, the decision that my hon. Friend referred to is applicable to cases where there is no specific prohibition against section 47 of the Civil Procedure Code. We are now putting in a specific prohibition here against section 47 of the Civil Procedure Code."

MR. SPEAKER:—"The question is—

'Omit sub-clause (iii) as renumbered.'

The amendment was lost.

Clause 12, as amended, was put and carried.

Clause 13.

MR. SPEAKER:—"The motion is—

'That clause 13 do stand part of the Bill.'

JANAB MOHAMED RAFFEEUDIN AHMAD ANSARI:—"Mr. Speaker, Sir, there is one difficulty in this clause 13. It deals with section 10 of Act XXV of 1949. Section 10 of the existing Act empowers the Controller to summarily reject any application under sub-section (2) or (3) of Section 7. When once an application is filed by the landlord for the eviction of the tenant under any one of the grounds mentioned in Section 7 and when once that application is decided, i.e., either rejected or allowed by the Controller, another application either by the landlord or tenant on the same grounds and on similar facts cannot be entertained by the court. This is law. But, with regard to applications for fixation of fair rent, I am saying that the relevant section is defective."

[7th February 1951]

THE HON. SRI K. MADHAVA MENON:—"We are not amending that portion."

JANAB MOHAMED RAFFEEUDIN AHMAD ANSARI:—"That is exactly my complaint. The original section itself is defective and that defect has not been rectified, and it is allowed to continue as it is. A number of applications will be filed for fixation of fair rents. When once these applications are decided one way or the other, it should be final according to the general principles of law and according to the principles of *res judicata*. But the general principles of *res judicata* do not apply to this Act, as specific provision has been made under Section 10. But there is no provision for rejecting applications under Section 4, i.e., fixation of fair rent. When once an application is filed before the Controller for fixation of fair rent, the Controller gives his decision. Then the matter is taken to the appellate authority either by the landlord or the tenant as the case may be, and the appellate authority also gives its decision. Now, there is no provision under the existing Act to prevent the landlord or the tenant from again coming forward with another application on the same grounds. What happens? The Controller will have automatically to go through the whole procedure of conducting an enquiry and taking evidence and, ultimately, if he finds that no fresh grounds have been adduced, then he will say, 'I am not bound to give a different judgment from what I have already given or the appellate authority has given', as the case may be. Anyhow, the whole procedure has to be gone through and considerable inconvenience will be caused to both the landlord and the tenant. Serious loss will also have to be borne by either the landlord or the tenant. My objection is that the original defect in section 10 has not been remedied and I want that the Government should pay some attention to this matter."

Clause 13 was put and carried.

Clauses 14 and 15 were put and carried.

Clause 16.

New section 12-A.

MR. SPEAKER:—"The motion is—

'That clause 16 do stand part of the Bill.'"

\* SRI T. VISWANATHAM:—"Sir, I move the following amendment standing in my name:—

'After the word "*proceedings*" insert the words "*including execution of proceedings*", after the word and figures, "*Section 12*", insert the words "*or the executing court*" and after the words "*appellate authority*" in line 5 insert the words "*or the executing court*".'

\* THE HON. SRI K. MADHAVA MENON:—"Sir, on a point of order. The previous amendment which was moved by my hon. Friend and which was lost, sought to give the right of appeal. Now he wants to provide for appeal, here again."

[7th February 1951]

\* SRI T. VISWANATHAM:—"The Hon. Law Minister is attentive at intervals and gives me trouble. Under the existing Rent Control Act there is no provision as regards costs. For the first time, the Government have come forward with a new provision providing for costs. It is really a correct measure. But in the drafting of the Section, they have forgotten one aspect. There is no *res judicata* or point of order here. They have mentioned the Controller or the appellate authority. But they have not mentioned anything about the executing court. In fact a lot of expenditure would be involved in the process of execution. What I want is this. The costs incurred in proceedings conducted before an executing court may also be granted. This is a very just thing. I really congratulate the Government on having provided for costs for the first time. But they have not taken note of the fact that the costs are incurred before three authorities, viz., the Controller, the appellate authority and the executing Court. It is only the executing court that carries out the final decisions and it is not the appellate authority that does it. Therefore I request the Hon. Minister to accept this very just and reasonable amendment."

SRI S. CHIDAMBARA AYYAR:—"I second the amendment, Sir."

MR. SPEAKER:—"Amendment moved—

'After the word "*proceedings*" insert the words "*including execution of proceedings*", after the word and figures, "*Section 12*", insert the words "*or the executing court*" and after the words "*appellate authority*" in line 5, insert the words "*or the executing court*".'

\* SRI V. M. RAMASWAMI MUDALIYAR:—"Mr. Speaker, Sir, I just now noted that for the first time payment of costs has been provided. I would very much like to know from the Government whether they have got any fixed idea about the amount of costs that may be prescribed. Section 12-A says, 'Subject to such conditions and limitations, if any, as may be prescribed'. I want to know whether the Government have already thought over this matter. If so, let them take the House into confidence and tell us the nature of the costs that will be provided for. For one thing, I would suggest that it should not be very high. I learn from a friend of mine who is dealing with Rent Control cases that in Madras there are about 3,000 petitions and about 2,000 appeals with regard to the Rent Control matters that are pending before the Courts. I am giving these figures just to point out to the hon. Members the extent of litigation under the Rent Control Act. The costs that the Government may prescribe should not be very high and should be very moderate so that either the landlord or the tenant may not be put to unnecessary hardship. Both the landlord and the tenant go to the Rent Controller for solution of their problems—either to evict the tenant by the landlord, or to continue in the house by the tenant. With regard to the Income-tax appeal, a special provision is made for the payment of costs on a reference to the High Court either by the Income-tax Commissioner or by

[Sri V. M. Ramaswami Mudaliyar] [7th February 1951]

the assessee. However argumentative may be the point that may be raised, I think a uniform cost of Rs. 250 has been provided there on a reference to the High Court. It is absolutely necessary to have some uniform costs here also. It should be very moderate, say Rs. 15 or Rs. 20. I would like the Government to take us into confidence and let us know what amount they are going to fix as costs. Sri Viswanatham raised the question of providing for costs in connection with execution also. Execution means some stamps being affixed and a small fee for the counsel and other incidental expenses. I think a small fee for this purpose can be provided. I will ask the Government once again to let us know whether they have any idea with regard to this matter of fixing of costs."

\* SRI D. V. RAMASWAMI:—"Mr. Speaker, Sir, the amendment proposed by my hon. Friend Sri Viswanatham is very necessary and I support it. It refers to costs of the executing court. The order passed by the appellate authority is executed by the original court and not by the appellate court. So, it is absolutely necessary that a provision must be made to include executing court costs also. I support the amendment, Sir."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, the provisions of the Civil Procedure Code relating to costs also apply to this Act. Actually, costs are being awarded even now with regard to execution proceedings."

\* SRI T. VISWANATHAM:—"May I just give this information to the Hon. Minister? In one case, this question arose. The Sub-Court was executing the order, and costs were awarded. By some contending parties the matter was taken to the High Court. The High Court decided that, as there was no specific provision as regards costs, no costs could be granted. That is the reason why I am asking the Hon. Minister to accept the amendment."

\* THE HON. SRI K. MADHAVA MENON:—"Sir, the question of costs in execution is a matter of discretion for the court under section 35 of the Civil Procedure Code. When once an execution is filed, according to the Civil Procedure Code, it is within the discretion of the court to award costs or not. So, section 35 of the Civil Procedure Code will be attracted in respect of matters relating to executions."

SRI K. BRAHMANANDAM REDDI:—"May I know whether the provisions of the Civil Procedure Code apply here?"

THE HON. SRI N. SANJEEVA REDDI:—"They do."

MR. SPEAKER:—"The question is—

'After the word "proceedings" insert the words "including execution of proceedings", after the word and figures, "Section 12", insert the words "or the executing court" and after the words "appellate authority" in line 5, insert the words "of the executing court".'

The amendment was lost.

7th February 1951]

SRI S. CHIDAMBARA AYYAR:—"Mr. Speaker, Sir, I move—

'Omit Explanation to section 12-B.'

"Section 12-B is good. This provides that the authority can call for and examine the records relating to any order passed or proceedings taken under this Act to satisfy itself as to the legality, regularity or propriety of such order or proceedings. But the Explanation to this section says—

'The jurisdiction of the High Court or District Court under this section shall extend also to orders passed or proceedings taken at any time within six months before the commencement of the Madras Buildings (Lease and Rent Control) Second Amendment Act, 1950.'

This means that retrospective effect is given, which is very bad. During the discussions, it has been argued that on no account retrospective effect should be given. Especially, when a Bill like this is passed, several orders would have been passed at various stages. These cannot be reopened all on a sudden. Suppose a tenant does not pay the rent for the second month and an order is passed against him. He may say that he had gone to Penang and so he inadvertently failed to pay the rent and his default was not wilful. If this Explanation is to be applied, the whole proceedings should be revised and the landlord may have to give back possession to the tenant. Is it the idea of the Government to dislodge the landlord from his house after an order has been already passed in his favour? My submission is that if retrospective effect is given, it will create serious complications resulting in unnecessary harassment of the parties concerned. Therefore I request that this Explanation may be deleted."

SRI T. VISWANATHAM:—"Sir, I second the amendment. Under this Act, so many orders might have been passed. The tenant might have been evicted and the landlord might have taken possession of the house. So many other things too might have taken place. If retrospective effect is to be given to the various amended provisions of the Bill now, so many orders may have to be reversed and so many things will have to be dislodged. All this would create complications. I therefore submit that giving retrospective effect is bad and it will unsettle the many transactions that might have taken place in the past. Many orders passed by courts, and many orders that might have been actually executed will have to be changed. Retrospective effect is generally bad and in this particular case it is particularly bad. Therefore I submit that it will be better if the whole of this section is omitted. If that is not possible, at least the explanation must be omitted. Otherwise, we will be causing a grave disorder in houses where some peace has been established after disputes were decided by civil courts."

MR. SPEAKER:—"Amendment moved—

'Omit Explanation to section 12-B.'"

[7th February 1951]

THE HON. SRI N. SANJEEVA REDDI:—"Sir, the Explanation under clause 16 will come into play only where an injustice has been done to the parties concerned during the six months preceding the date of commencement of the Madras Buildings (Lease and Rent Control) Second Amendment Act, 1950. If there is peace in a house—as was suggested by my hon. Friend, Sri Viswanatham—it means that some injustice has been caused elsewhere, to somebody else. It is only to enable such aggrieved parties to go to a court that this provision exists. If an injustice has been done certainly the person who is responsible for it must be summarily evicted whether he is a tenant or a landlord. If the court feels any wrong has been done, then only it will pass an order of eviction. Therefore, I do not see how there can be any objection to this provision. After all it is not the Controller that does this; it is the court. I would request the hon. Mover to withdraw his amendment."

SRI S. CHIDAMBARA AYYAR:—"I press my amendment, Sir."

MR. SPEAKER:—"The question is—

'Omit Explanation to new section 12-B.' "

The amendment was lost.

Clause 16 was put and carried.

Clause 17 was put and carried.

#### Clause 18.

MR. SPEAKER:—"The motion is—

'That clause 18 do stand part of the Bill.' "

SRI S. CHIDAMBARA AYYAR:—"Sir, I move—

'In new sub-section (3) for the words "two thousand rupees" substitute the words "two hundred rupees".'

Sir, I consider that a fine of two thousand rupees is rather too high and too severe for an offence under this Act. Rupees two hundred will be quite sufficient and I hope this will be the maximum to be prescribed under the rules."

SRI V. RAGHAVAYYA:—"Sir, I second the amendment."

MR. SPEAKER:—"Amendment moved—

'In new sub-section (3) for the words "two thousand rupees", substitute the words "two hundred rupees".'

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, what is the purpose of having a limit of two hundred rupees? I do not think it will serve any purpose. When the rental value of a building is two thousand rupees a month and if we sentence the owner to a fine of two hundred rupees, he will simply pay the fine and walk off. It is only to meet such extreme cases that the maximum is raised to

7th February 1951] [Sri N. Sanjeeva Reddi]

two thousand rupees. We do not propose that a fine of Rs. 2,000 should be imposed on a man who gets ten or twenty rupees as rent. This maximum limit is intended to deal with big cases so that it may operate as a deterrent against future contraventions. The fine will vary according to the gravity of the offence."

MR. SPEAKER:—"The question is—

'In new sub-section (3) for the words "two thousand rupees", substitute the words "two hundred rupees".'

The amendment was lost.

Clause 18 was put and carried.

#### Clause 19.

MR. SPEAKER:—"The motion is—

'That clause 19 do stand part of the Bill.' "

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, I move—

'Re-number clause 19 as clause 20 and insert the following as clause 19—

"19. Where any proceeding instituted under section 9 (ii) of the said Act is pending before any Subordinate Judge or District Judge at the commencement of this Act, he may, if he thinks fit, by order, transfer the proceeding to the District Munsif who would have jurisdiction to entertain such proceeding, if instituted on the date of that order; and any proceeding so transferred shall be disposed of by such District Munsif."

Transfer of pending execution proceedings.

MR. SPEAKER:—"Amendment moved—

'Re-number clause 19 as clause 20 and insert the following as clause 19:—

"19. Where any proceeding instituted under section 9 (ii) of the said Act is pending before any Subordinate Judge or District Judge at the commencement of this Act, he may, if he thinks fit, by order, transfer the proceeding to the District Munsif who would have jurisdiction to entertain such proceeding, if instituted on the date of that order; and any proceeding so transferred shall be disposed of by such District Munsif."

Transfer of pending execution proceedings.

The amendment was carried.

Clause 19 as amended was put and carried.

#### Renumbered clause 20.

MR. SPEAKER:—"The motion is—

'That renumbered clause 20 do stand part of the Bill.' "

[7th February 1951]

\* SRI T. VISWANATHAM:—"Sir, I move—

*For the words "as if this Act . . . preferred or instituted" substitute the words "according to the procedure laid down under this Act, the Madras Buildings (Lease and Rent Control) Second Amendment Act, 1950".*

The clause as it stands says that all pending proceedings shall be disposed of under the provisions of the Bill now before us and my amendment seeks to make it clear that all pending proceedings shall be disposed of under the procedural provisions of the existing Act. For while making such provisions, it has been the practice only to take back the procedure and not the substantive law. On the other hand, if the present clause is adopted as it is, all old cases will have to be dealt with with reference to the new provisions which include certain penal ones also. These penal provisions will have to be given effect to in cases which have arisen long ago. If the Government had said that in all pending cases, the procedural provisions of the Act now would apply, it would be all right. That can be understood. But now we have introduced certain substantive provisions—penal provisions—into the Act and it is not fair to make them applicable to old cases. Our Constitution makes it clear in Article 20 (1) that no person shall be convicted of any offence except for violation of a law in force at the time of the commission of the act charged as an offence nor be subjected to a penalty greater than that which might have been inflicted under the law in force at the time of the commission of the offence. If the Hon. the Minister is satisfied, as he seems to be satisfied with all other provisions in the Bill, that this provision is all right, I have nothing to say. But I am sure that the moment the matter is taken to a court, this provision will be declared *ultra vires* of the Constitution. So long as I am a Member of this Assembly, it is my duty to bring to the notice of the Government that a particular provision is clearly wrong if I feel it so."

SRI S. CHIDAMBARA AYYAR:—"I second the amendment."

MR. SPEAKER:—"Amendment moved—

*For the words "as if this Act . . . preferred or instituted" substitute the words "according to the procedure laid down under this Act, the Madras Buildings (Lease and Rent Control) Second Amendment Act, 1950".*

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, this is again a case of giving retrospective effect. We have already agreed to give retrospective effect to certain provisions of the Bill and the same principle is extended to this provision. If, as Sri Viswanatham contends, it will be declared invalid if taken to a court, then I may inform the House, that we shall certainly set right matters right when the occasion arises."

\* SRI T. VISWANATHAM:—"Sir, I anticipated this kind of argument from my young Friend. I have already referred to

[7th February 1951] [Sri T. Viswanatham]

the relevant Article in the Constitution in support of my amendment. It is very clear. There is no ambiguity about the language. In this Amending Bill, we have introduced certain extra offences and some extra punishments. My only submission is that pending cases should be dealt with only under the existing law and not under new *ex post facto* laws if I may say so. The court will certainly declare invalid a provision of this kind and as a Member of this House I am entering my emphatic protest against such an attitude of the Government."

\* THE HON. SRI N. SANJEEVA REDDI:—"What the Constitution says need not be discussed here because I am not competent to reply to all the points raised by Sri Viswanatham who is a good lawyer. He was a good lawyer. (Laughter.) I confine myself only to the spirit of the provision. It confers certain benefits on the tenants and we do not want to take away that provision. Of course, if the court decides it is invalid, we shall abide by that and amend the provision."

MR. SPEAKER:—"The question is—

*For the words "as if this Act . . . preferred or instituted" substitute the words "according to the procedure laid down under this Act, the Madras Buildings (Lease and Rent Control) Second Amendment Act, 1950".*

The amendment was lost.

Renumbered clause 20 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

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

*"That the Bill as amended be passed into law."*

MR. SPEAKER:—"Motion moved—

*"That the Madras Buildings (Lease and Rent Control) Second Amendment Bill, 1950, as amended be passed into law."*

\* SRI T. VISWANATHAM:—"Mr. Speaker, Sir, at the time of considering certain clauses of the Bill, I wanted to raise certain constitutional points but did not. Certain other hon. Members raised a few of them. We could have easily raised a point of order on one of those points. But you gave a ruling or an indication of your mind that the matters might be left to the courts for decision . . ."

MR. SPEAKER:—"Even in the Central Legislature the same practice has been obtaining right from the days of Sir Abdur Rahim."

\* SRI T. VISWANATHAM:—"I am obliged to you, Sir, for inviting my attention to the practice obtaining in the Parliament. I know Sir Abdur Rahim was a distinguished President of the Central Assembly, a distinguished Judge of this High Court and

[Sri T. Viswanatham] [7th February 1951]

also a distinguished Member of the Public Services Commission. I still remember the excellent dissenting minute that he wrote and we can remember him for long for having enlarged the liberties of the citizens of this country. But at the same time, Sir, I am not in a position to agree with him in this matter. I know you gave an indication of your mind. But we are bound down by a certain Constitution. When a thing is patently unconstitutional in the opinion of a Member of the House, it is his duty to point it out to the Government or to rise to a point of order on that issue. And when a point of order is raised it is obligatory on the part of the Chair to allow it or to rule it out of order. (Mr. Speaker: 'Certainly.') The practice to which you adverted, Sir, may be correct. But according to some of us . . .

MR. SPEAKER:—"The hon. Member should have seen the ruling given by Sri Mavlankar the other day in the Parliament on the same lines as I have indicated."

\* SRI T. VISWANATHAM:—"I am not making any distinction between the Speaker of this House and the Speaker of the Parliament. What I say is, as a Member of this House and as one enjoying certain privileges in the House, I must . . ."

MR. SPEAKER:—"If I remember aright, I have already informed the House that in some Dominion Parliaments, such issues are decided by the whole House and not by the Speaker."

\* SRI T. VISWANATHAM:—"I am not really raising any controversy over the issue. I honestly believe, notwithstanding the practice obtaining in the Parliament, the admissibility or otherwise of a point of order on such issues is within the competence of the Speaker and it is his right, exclusive right and privilege to rule it *intra vires* or otherwise. The indication of the mind of the Chair has made us feel that no useful purpose will be served by agitating over such things here. But that should not be the case. Whenever such issues are raised, it should be the duty of the Minister concerned to examine them with legal experts . . ."

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, the Legal Department is there. It examines every piece of legislation brought forward here."

\* SRI T. VISWANATHAM:—"I know the Legal Department of the Madras Government. It is doing very good work. It does its best and all the disputed measures that it examines are passed here and declared *ultra vires* by courts just a few days after they have been pointed out as *ultra vires* by some of us here."

1 p.m. "I do not make a sweeping statement that they are not examining these. I certainly agree that all legislative measures are being examined by that Department. I know the practice that the legal department exercises its mind on the questions before it advises the Government. But it is not always possible for the department to exactly mark the line of distinction between legality and policy. Most propositions which we call legal, the department is likely to

7th February 1951] [Sri T. Viswanatham]

take as matters of policy of the Government and leave them as they are. Where we think of constitutionality in terms of the Constitution of India, the department is likely to take them as matters of policy in the furtherance of the interest of the masses of the country and in the interest of the common man about whom everyone nowadays seems to be swearing a little too much and hence out of its purview. I have given all these facts to give the background against which I am obliged to raise the contention that certain sections which we have passed are *ultra vires* in my opinion.

"There is the accommodation control here. You remember, Sir, some five years ago there was an accommodation control order which the Government subsequently gave up because of its unworkability in those days. But now in addition a new Constitution has been framed and that Constitution says that each citizen has a right to acquire, hold and dispose of property to his best advantage. All that this legislature is entitled to do, as against that provision, is to pass any legislation imposing restrictions in the interest of the general public or in the interest of the Scheduled tribes—only two kinds of general abridgment of the general rights—are provided for. Therefore, unless the Government, by notification from the hands of the President of the Union, declares that these Government servants belong to the Scheduled tribes, this clause cannot be passed here, and the fundamental rights of the citizens abridged. There is no use of always saying, as I have already said, that a particular category of persons are landlords, that a particular category of persons are tenants and so on. It is all very well to voice opinions, but when we want to see things in cold logic and the letter and the spirit of the Constitution, we have got to see what we are doing. The landlord is a citizen like the tenant and every citizen has certain rights. Now, certain sections, sections 3, 7 and one or two others such as section 8-A, about which we had some discussion yesterday, and those where it is provided that a particular Government officer belonging to the essential services cannot be evicted, certainly trench upon the fundamental rights of the citizen. They abridge substantially the right of the citizen to enjoy his own property. I know, Sir, the Government, as care-taker of the interest of the general public, have certain powers. In England also they have passed certain rent control orders. In other States of our Union also they have passed certain Rent Control Acts. There is the Act XVII of 1947 which is applicable to Delhi. There is the West Bengal Act XVII of 1950, Premises and Rent, Temporary Powers Act. I have got a copy of the Bombay Act XLVII of 1947. In none of these is there such a provision excepting in the Delhi Act with regard to certain class of houses which the Government wanted to take and give accommodation to foreign Embassies and other offices of that type. There are no provisions in any of these Acts for taking over the accommodation. Apart from the unworkability of this, now the landlord here is prevented from utilizing his house, enjoying his house to his best advantage. The only restriction which we as a



[Sri T. Viswanatham] [7th February 1951]

legislature can impose on the citizen can only be imposed, if it is in the interest of the general public. I submit that a few members of the Government, and a few Government officers cannot be called the general public. Therefore the restrictions imposed do not come under the safeguarding provisions of Article 19 of our Constitution. I therefore submit that they may be declared *ultra vires* if people have got the patience to the extent of taking these matters to the court. In my opinion people will go to court. The tendency of mankind, particularly in India, is to put up with little inconveniences little unconstitutionality. But when unconstitutionality is piled up, one upon another and men's patience is exhausted, they go to the courts in the end. That is the reason why, when the Constitution has given certain safeguards, during the course of the past twelve months we saw, and we still see, so many proceedings instituted in the High Court and in the Supreme Court. Our eyes have been opened to the rights of the citizens. Most of the citizens themselves were not aware that they were entitled to certain important rights just as we did not know our rights for independence till Mahatma Gandhi told us what rights we had. Similarly, only after the passing of the Constitution of India, the citizens have been made aware of their fundamental rights, and made aware that their manhood has grown. Therefore, people will not easily submit to all kinds of legislation that we pass here. Here on the floor of the House I want to say that the tendency has been to pass legislation which is directly opposed to the rights which the Constitution wants to enlarge. It is almost, as it were, a tug-of-war, if I may say so, between this tendency and the spirit of the Constitution. It may be unconscious or it may not be unconscious. The Constitution wants to enlarge our liberties while the legislature wants to abridge these liberties. The Constitution wants to give that exercise of fundamental rights and the executive always tries to abridge their exercise. It may be that the Ministers, as good members of the general public, are not always aware of what they are doing. When once they are in charge of the Government, they are guided by the departments and the departments want more powers than the Ministers want to give them, and the Ministers want to take more powers than the legislature wants to give them. That is why the powers taken under several of the clauses go directly against the Constitution.

"These are some of the thoughts that occurred to my mind when I went through the provisions of this Bill. I am one of those who supported and said that the Rent Control Act and the powers for courts to fix fair rents should always be there. Just as in the case of agricultural land there is fixing of fair rent between the landlord and the tenant, so also in the case of houses, whenever they are let out on rent, there must be a court to fix fair rents and to see that the fair rents only are taken and the amenities of the tenants are not unnecessarily cut off or denied. Though I am for such a legislation, I am certainly against any legislation which gives power to the Government to take over the houses and then

7th February 1951] [Sri T. Viswanatham]

dump on the houseowners whomsoever they like or compel ordinary citizens to part with their property. To that extent I am against the Act. With regard to the other objects of the Government, of course, I am in perfect agreement with them. I am in sympathy with all those who are victims and whose interests are sought to be protected. A good number of tenants are victims and a good number of landlords are victims. The amending Bill is certainly a great improvement upon the existing Act. Some justice is sought to be shown. But unfortunately sometimes our emotion takes us off our feet and certain provisions are included which I am afraid will go against the Constitution. The Hon. Minister says: 'Let us await the decision of the court and hope for the best', and with him, I too hope for the best."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, now the hon. Gentleman Sri Viswanatham has told us that we have been passing legislation in this House directly contravening the Articles of the new Constitution. I agree with him to a very large extent. Unfortunately we are victimised and those who are not with the Government are victimised, on account of the constitutional incapacity of the minority in a legislature. The Opposition is in a minority and as such we cannot prevent the wrongs that the Government might commit in the Bills that they bring forward and get passed. We have to take things as they come and fight out the Government (as my hon. Friend has been doing time and again) when we are made a party to the wrongs done in this House.

"So far as this legislation is concerned, I have already stated, that it is alright to try to help people to get their necessities of life. The Government have been trying to supply food to the people. They were trying to supply cloth to the people of the State. Next they have not been trying to supply housing accommodation to the people to the extent to which they could. They have not taken the example of other countries and States in trying to bring houses into existence for the poor people in the State if really there is need for houses in the City and other municipal towns of the State. This legislation ought to have been abandoned long ago. If there was any need for the legislation, the need was there a year ago when people were actually finding themselves in the streets for want of accommodation, particularly the officers of the Government and subordinate Government servants. People found that they were not able to easily get accommodation. To that extent it was the duty and responsibility of the State to help these officers in getting accommodation. The manner in which this problem of want of accommodation could have been solved was by building houses. But unfortunately that was not done. It is in their own interest that the Government have come forward with an amending Bill to continue the control so far as house accommodation is concerned. This attempt on the part of the Government to remedy the suffering (if the suffering is there on the part of the officials). I am afraid, is worse than the disease. It is only the top ranking officials that got some houses. And they have been

[Janab Abdul Hameed Khan] [7th February 1951]

able to get houses where there have been quarrels between one officer and another officer as to who should get the priority and who should not. That is what the Act has brought about. Perhaps the Government might come forward with records and show that they have been able to secure housing accommodation for the underdog in the service, the man who is really bearing the brunt of running the administration, the N.G.O., or the peon or the ordinary man. The Hon. Minister might come forward and tell us that they have found accommodation for so many thousands of clerks, so many thousands of peons and so on.

1-15 P.M. "I don't think that such a constructive help has been rendered to the people who are in need of help. The Hon. Minister may come forward and say that there are still 2,000 or 3,000 people for whom accommodation has to be secured. I hope the Hon. Minister will tell us facts and figures.

"What this legislation has done is that it has unnecessarily forced the people, who own a house or two and who ordinarily do not know what litigation means, what going to Court means and what owning houses means, to learn that they must inform the Accommodation Controller about the vacancies. Thanks to the Hon. Minister who agreed to the amendment to reduce the limit of Rs. 30 to Rs. 25, some people who would otherwise have suffered all the rigours of this legislation have been spared it and they must certainly thank their stars and also thank the Hon. Minister for the small mercy that has been shown to them. Sir, as I already said, for the first time a person, who has committed the sin—perhaps his father or grandfather has committed the sin, of owning houses—has been called upon to involve himself in litigation and suffer losses by being put to the necessity of having to go to Court and be a litigant throughout his life. These are the things which are going to result from this legislation. If the Government can prove to the House and to the world at large that the necessity for this legislation is absolute and that scarcity of housing accommodation is still there in spite of the fact that Government have built a large number of houses for their officers, I can say that they are really justified in bringing forward this legislation. The only control that we can imagine that should still remain is with regard to food; all other controls must go.

"The hon. Gentleman the Minister for Law is interrupting me and is very wild. I am sure that people who lack self-control would pay heed to his advice. Of course, the proverb 'Physician, heal thyself' is there.

"Therefore, Sir, these unfortunate house-owners will be put to many troubles. As I already said, there should be no control except with regard to food. Not only this Government, even the Government of India are thinking in terms of controls and I don't know where the controls will end.

"We are free people and I am glad the Constitution has vouchsafed to the people of this country that amount of freedom which we have inherited as a result of our achieving independence.

[7th February 1951] [Janab Abdul Hameed Khan]

But, all those Articles which have assured freedom to the people of this country are one after another being tampered with or taken away by the legislative measures that are being passed by this Government. It is certainly not a healthy thing to do. I don't mean to say that we should give people liberty to do anything they like or commit robbery or murder. I do admit that that is certainly not freedom.

"Now, Sir, the Government have taken the power to entertain appeals whenever any provision works in a rigorous manner. I am glad, Sir, that this portfolio is in the hands of a very young, shrewd and able Minister and I am sure when appeals are made to him, he will exercise his judgment keeping in view not only the interests of the tenant but also the interests of the landlord because there is no tenant without a landlord and there is no landlord without a tenant. Both are very useful members of society and we will be doing wrong if we unduly stress the right and importance of one section of the people to the detriment of another section. The Government will have to weigh equally the responsibilities and advantages of all sections of the people so that no class should suffer on account of the help that they seek to give to another class. Sir, I hope that, in the administration of this Bill, now that we are going to pass it into law, a certain amount of magnanimity and consideration that every citizen of this State has got equal rights will be shown."

\* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, this Bill, you know, has had a long and chequered career and has been subjected to the scrutiny of two Select Committees. But, I regret to say that despite the long time taken to make suitable amendments to the existing Act, the Government have brought forward a measure before us, which has still many defects and some clauses of which are not in conformity with the Constitution of India. The Government claim that they have a very efficient Legal Department. If so, I cannot understand why, after the passing of the Constitution, some clauses are to be found in this Bill in flagrant violation of the Constitution. It was the duty of the Legal Department to have scrutinized the Bill carefully. It seems to me that they did not do so after the Constitution was passed, but left the measure as it was before the passing of the Constitution.

"I entirely agree with you, Mr. Speaker, when you say that it is not possible for you to go into the question as to whether a certain clause of a Bill is in conformity with the Constitution or not."

MR. SPEAKER:—"The hon. Member need not support me. I simply quoted the ruling of the Honourable Sir Abdur Rahim given on the 17th February 1942 in the Dominion Parliament. The proper place to settle the question whether a Bill is *ultra vires* or *intra vires* will be the court. There are eminent vakils arguing both sides of the case and the court will give the decision. I never said that the Chair was not competent to give a ruling. I only said that the proper place will be the court.

[Mr. Speaker] [7th February 1951]

"This is what the Honourable Sir Abdur Rahim has said:—

'This question, whether the Chair will take cognisance of a question like this, as a point of order, has been raised before. Although I have not yet given any considered ruling on the point, I have come to the conclusion after very careful consideration of the subject, that this really is not a matter which can be or should be dealt with by the Chair on a point of order.'

In another place also he has said—

'The question whether the Assembly is competent to entertain as certain proposal for legislation is one of great importance, and, in my opinion, it is for the House to come to a conclusion on that point, as well as other points submitted to the House on the question whether the Bill should be passed or not. I think hon. Members will fully realise that a question relating to the legislative competence of the Assembly, which may often involve much difficulty and complexity, should not be summarily settled by the Chair on a point of order.'

JANAB ABDUL HAMEED KHAN:—"What does the House of Commons say?"

MR. SPEAKER:—"I am glad the hon. Member Mr. Hameed Khan has put that question. England has a Unitary Constitution so this question does not arise there. In India we have a Federal Constitution."

\* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, I am in entire agreement with your ruling and also with that of the Honourable Sir Abdur Rahim on this point. If the Speaker were to take cognisance of such matters on a point of order, we will find every day member after member rising to point out that certain clauses of the Bills before the House are *ultra vires* of the Constitution. The proper forum for deciding as to whether a certain measure is *ultra vires* or *intra vires* is the court of law and not the legislature. Hence I am of the opinion that you are justified in the stand taken by you."

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

The House then rose for lunch.

(After lunch—2-30 p.m.)

\* BEGUM SULTAN MIR AMIRUDDIN:—"Mr. Speaker, Sir, I was dealing, before we adjourned for lunch, with the ruling given by you that the Chair could not, on a point of order raised by a member, decide the question as to whether this Assembly was competent to entertain certain proposals for legislation placed before it. You are right in observing that the proper forum for deciding such matter is the court of law and that such questions of complexity cannot be summarily disposed of by the Chair. If the Speaker were to allow members to rise on points of order on such matters, this House instead of being a legislature, would be converted into a court of law."

"While I endorse the views expressed by you I cannot understand the attitude taken up by the Government in regard to this matter, for their position is entirely different. As a matter of fact, it is their duty to see that whenever they introduce a Bill in this House, as far as possible, it is free from defects and flaws."

7th February 1951] [Begum Sultan Mir Amiruddin]

It is true that no measure can be absolutely perfect, but glaring defects and flagrant violation of the Constitution can surely be avoided. It is the duty of the Government and also of every member of this House to exercise every care and caution to see that Acts passed by this Legislature are, to their knowledge, without flaws and defects, and do not infringe the Constitution of the land. If we do not do this, we are not doing our duty to the public. It is no use saying like the Hon. Minister, 'let the matter go up to the High Court, let that court decide whether a particular section is *ultra vires* or *intra vires*.' This, I submit, should not be the attitude of the Government or any member of this House to the legislation passed here. With regard to this point, may I just read the observation that was made by a Bench of the Madras High Court when dealing with a case under the Rent Control Act? They remarked as follows:—

'We understand that the Madras House Rent Control Order would cease to be in force after the 30th September 1946 and a fresh Act may be passed on the lines of the Order. We trust that adequate and necessary care would be taken by the Legislature in drafting the Act to see that it may not work harshly either on the landlord or on the tenant and its language may not give room for startling contentions.'

From the above quotation it is apparent that Judges are tired of ill-drafted enactments and expect the Legislature to do better. It hardly speaks well of the members of this House or the Government to indulge in haphazard legislation and it is high time that this tendency is curbed. I am amazed at the Government's indifference and self-complacence in regard to this matter. Even when defects are brought to their notice, they dismiss the objections raised with the remark 'Let the matter go to the court and let it decide as it likes. We shall see afterwards what to do.' I hope, in future, at least, Hon. Ministers will adopt a different attitude and will duly take note of and examine the defects brought to light by Members, so that Acts passed by this House are valid and well-drafted pieces of legislation.

"Sir, I feel that there are certain clauses in this Bill that may not stand the test of scrutiny in a court of law, for instance, the provision with reference to accommodation control. As I pointed out, under Article 19 of the Constitution Act, restrictions can be imposed on the right of an individual to hold property in the interests of the general public or for the protection of the interests of the Scheduled Tribes, but they cannot be imposed for the benefit only of a particular section of the public other than the Scheduled Tribes. In the Bill before us the Government have made provision for requisitioning buildings for the use of 'the essential services.' But those who would fall under this category would comprise only a small section of the public. Thus the provision made for 'essential services' offends the Constitution."

"Again, Sir, it is indeed a matter for regret that retrospective effect has been given to this Act, though it contains penal provisions. Anyone who contravenes any of the provisions of this Act is punishable with fine, which has been raised from Rs. 200 to Rs. 2,000. In the face of this, I cannot understand why retrospective effect is given to the measure. Penal legislation is never

[Begum Sultan Mir Amiruddin] [7th February 1951]

made retrospective in any civilized country. Such provision, therefore, would be *ultra vires*. In this very House, Sir, we passed the Anti-Bigamy Act. Imagine what would have been the result had that Act been made retrospective. Those who had married more than one wife before the passing of that legislation would be in a terrible plight and would have found themselves in jail for having done an Act which was perfectly legal when they did it. It is not right on the part of any civilized Government to make an Act retrospective which contains penal provisions. This is a very important matter and I want the Government to pay their attention to it and examine the question once again.

"Sir, there is another provision in this Bill which I do not at all approve of, and that is the appellate power which the Government have taken into their hands. I had an amendment on this point but on account of the confusion in which the amendments were clustered together, you overlooked my amendment and so I could not move it. What I cannot understand is why, after the disastrous results of the power of exemption which the Government exercised under this Act with reference to Bosotto Buildings, the Government have come forward again to take more and more powers for themselves under the self-same Act. It is a matter of common knowledge that the public are not satisfied with the powers of revision or appeal exercised by the executive and would like such powers to be exercised by courts of law only. No doubt in a court of law, decision may be delayed, but the public feel that the delay would be worthwhile. The summary procedure adopted by the Government is not conducive to securing justice. Besides, there is a general feeling that those who are within the approach of the authorities can get their points but not those who have no friends in Government circles. I am giving expression not to my opinion, but to views expressed to me by many. It is usual with the Government to dispose of cases in one sentence such as 'The appeal is dismissed' or 'the appeal is allowed' without giving any reasons. But the case is different when a question is taken up to a court of law and disposed of there. When coming to a decision the Judge deals with the case in detail, and in his judgment gives his reasons for allowing or disallowing the appeal. Therefore, Sir, the public feel and I am only voicing their opinion that the Government should not appropriate to themselves the powers that belong to courts of law.

"Mr. Speaker, Sir, this House Rent Control Act is a very necessary piece of legislation and I do not agree with my friend, Mr. Hameed Khan that the time has arrived for this enactment to be removed from the Statute Book. The time has not yet come for such a slip because the problem of scarcity of houses has not improved in this State. My friend, Mr. Hameed Khan was contradicting himself in his speech, for he said that the housing problem had not eased, and took the Government to task for it and in the same breath still urged that all house controls should disappear. House control must continue so long as the problem

[7th February 1951] [Begum Sultan Mir Amiruddin]

of housing accommodation has not eased because it is the duty of the Government, particularly of every democratic Government, to work for the greatest happiness of the greatest number and to see that vested interests do not exploit the scarcity and add to the distress of the general public. There can be no doubt about it that this is a very necessary piece of legislation, and I am glad that certain important changes have been made in the Act, removing the hardships of the landlord on the one hand and those of the tenant on the other. I wish, however, that the Government had not vitiated this very important and necessary Bill by including therein certain provisions which are not in consonance with the Constitution.

"Sir, before concluding, I wish to make one observation, and that is that the Government should not rest satisfied with having passed this piece of legislation, but should come forward to deal effectively with the problem of housing scarcity in this State. I also wish to utter a note of caution to the Government in case the High Court declares certain provisions of this Bill *ultra vires*, namely, those relating to accommodation control for the benefit of the essential services. Since such a contingency might arise; it is better therefore that the Government seriously take to the task of building houses for their employees, especially those who belong to the lower income groups. Otherwise, they might find themselves in a very sorry plight."

Mr. SPEAKER:—"I wish to inform the House that the Government want to move verbal amendments to clauses 1 and 9. The House will remember that yesterday the hon. Member, Mr. Majid, moved an amendment that school buildings should be exempted from the scope of this Bill. The Government amendment is only to correct the wording of it. I hope the House will give permission to re-open the clauses."

2-45  
p.m.

Permission of the House was granted for re-opening the clauses.

THE HON. SRI N. SANJEEVA REDDI:—"Sir, I beg to move—

'For the words and figures "Second Amendment Act, 1950" wherever they occur, the words "Amendment Act, 1951" be substituted.'

The amendment was carried.

Clause 9.

Sub-clause (viii).

\* THE HON. SRI N. SANJEEVA REDDI:—"Sir, there is also another amendment of which I have given notice. Yesterday, I did not accept Mr. Majid's amendment, but even then the substance is there. The Legal Department suggested that it would be much better to include the words 'or any authority empowered

[Sri N. Sanjeeva Reddi] [7th February 1951]

by them' after the words 'provided the institution has been recognized by the State Government.' Now, the amended clause will read thus—

For new sub-section (3-A) of section 7, substitute the following sub-section :—

" (3-A) No order for eviction shall be passed under sub-section (3)—

(i) against any tenant who is engaged in any employment or class of employment notified by the State Government as an essential service for the purpose of this sub-section, unless the landlord is himself engaged in any employment or class of employment which has been so notified ; or

(ii) in respect of any building which has been let for use as an educational institution and is actually being used as such, provided that the institution has been recognised by the State Government or any authority empowered by them in this behalf, so long as such recognition continues."

Sir, this is only a minor amendment and there is not much change in it. I hope the House will accept it."

The amendment was carried.

Clause 9, as amended, was put and carried.

JANAB ABDUL HAMEED KHAN :—" On a matter of personal explanation, Sir. The hon. Lady Member, Begum Sahiba has every right and liberty to differ from a member and attack him, with regard to certain views, but if the attack had any basis, I would have accepted it, for, I never blew hot and cold in the same breath, as observed by the hon. Lady Member. On the other hand, I adhere to the view that the time had come to take away this control. In fact, I was pressing it off and on even to the annoyance of the Hon. Speaker, because sometimes he even thought that I was repeating myself. I did not say that the control should be there."

\* JANAB H. S. HUSSAIN :—" Mr. Speaker, Sir, we are living in very difficult times. The difficulty started during the last war and, after the war, it has become worse, as a result of the shortage of all essential needs of life such as food, shelter and clothing. Most unfortunately, our popular Governments have also come into being during these difficult times. These popular Governments and their Ministers are being put on their mettle. Therefore, viewed from that angle, I think, it is a good period of training for our Ministries also.

" Now, Sir, whenever there is a shortage of essential needs of life, it is but natural that the State Government should take over the control so as to ensure equitable distribution among all classes of the people, especially the poor. A legislation like this which seeks to ensure equitable distribution of housing among the people is quite necessary, whether it is in conformity with the Constitution or not. Drastic steps have to be taken and even in most advanced countries such drastic steps are taken. In the oldest Republican countries also, such drastic steps are being taken to meet the essential needs of life. Therefore, I think, there

7th February 1951] [Janab H. S. Hussain]

was no point in the hon. Lady Member, Begum Amiruddin saying that it is opposed to certain Articles of the Constitution. Constitution or no Constitution . . ."

\* BEGUM SULTAN MIR AMIRUDDIN :—" On a point of personal explanation, Sir. The hon. Member has not probably understood me. I did not say that the Rent Control Act is *ultra vires*. It is a perfectly legitimate and necessary piece of legislation and is *intra vires* of the Constitution, but certain new clauses in the amending Bill might be declared *ultra vires*."

\* JANAB H. S. HUSSAIN :—" I was only referring to those sections. If it is necessary in public interest to curtail the liberty of the individual, it has to be so curtailed. In most advanced countries liberties of the individual are curtailed to meet the needs of the people, so that there should be equitable distribution among all classes, and no section of the people should be dissatisfied with it, because that is the aim in view. Therefore, I am really surprised to find that the hon. Member Begum should express such an opinion.

" Then, Sir, I would like to refer to another point raised by the hon. Lady Member. No piece of legislation can be perfect at any stage. Of course, every care is taken in passing legislation, but in spite of it, it may be imperfect, and as the Hon. Minister said, we have to proceed on progressive lines and make improvements in the light of experience gained by the working of particular enactments. From that point of view, we have to help the Government by giving constructive suggestions, so that the whole situation might be improved. While I agree that a piece of legislation like this is necessary, I would also like to point out that the Government have not been doing the proper thing in seeing that sufficient housing is provided and at the same time they must also see that the housing schemes are extended and expanded. Unfortunately for us, the Minister for Housing is one Minister and the Minister for Co-operation is another. That ought not to be so. I think co-operative housing also should be in the hands of the Minister for Housing, so that he may see that the number of houses is increased year after year, so that, ultimately there might be sufficient housing accommodation for all classes of the people in the State. We find here co-ordination of administration for the last five years, but what is the progress made in the matter of providing housing or increasing housing accommodation? I do not see any substantial increase in this respect. On the other hand, we are going on with legislation for controlling houses. It is only for controlling housing. That is all. We are merely trying to distribute the limited accommodation available. That becomes irksome when we are not able to provide more housing for the people. It has not kept pace with the progress of legislation for control of housing. Therefore, I would suggest that the Hon. Minister for Housing should take over that part of the portfolio of the Minister for co-operation that has any direct connection with co-operative housing. That will be the best way of trying to solve the housing problem in the State.



[Janab H. S. Hussain] [7th February 1951]

"Then, Sir, while many changes have been made in the Bill that is now before the House, there is one matter which I would like to bring to the notice of the Hon. Minister. In clause 6, that is in Section 5-A (1), it is stated that any excess in the levy of any tax or cess by the Government or local bodies should be added on to the rent. But then, it is confined only to taxes and cesses. Perhaps the Hon. Minister has lost sight of many other kinds of contribution which the house-owners are called upon to pay to the local bodies, not only for a short period, but for a pretty long period. For instance, whenever in a municipality there is a scheme for the improvement of certain localities, then a betterment fee is levied from the house-owners and others for a number of years—sometimes from 15 to 20 years. It is a huge sum that is levied from them and that is called betterment fee. In such cases, the land-owners will be put to great hardship, if they are not allowed, during at least that period when they have to pay betterment fee, to increase the rent proportionately. The idea of levying the betterment fee is that the value of the locality and of the site goes up on account of the improvement schemes. So, if the rent also does not go up as a result of that, then what is the benefit that the land-owners will be getting under such a scheme? Therefore, when they are called upon to pay the betterment fee, they must also be entitled to increase the rent to that extent. Otherwise what is the meaning of saying that the value of the house has gone up in value? Naturally it means the rental value? Unless the landlords are permitted to add on to the existing rent a reasonable excess amount on account of payment of betterment fee to the local body, I do not think it will be possible for any landlord to continue in that locality with any sense of security with regard to the income that he has to get or the return he has to get on the investment he has made. Therefore, I hope the Hon. Minister will bestow some attention to this aspect of the question and consider the whole matter as seriously as he can and in course of time bring in legislation to meet such cases of hardship. It would not have mattered if the betterment contribution was levied only for two or three years. In fact it is not so. It is continued for a period of 15 to 20 years which is a pretty long time and the landlord has to go on paying it. Therefore, the landlord must be given the right to increase also the rent to that extent, if not for all time, at least during the period. That is the suggestion I have to make, Sir.

3 p.m. "As I said, Sir, the Government do not appear to be giving sufficient encouragement for increasing housing accommodation in the State. On the other hand, they are preventing land-owners or people with money from constructing more houses because they fear these controls and they think that they need not spend their money on a doubtful venture like this where they could not get adequate return for their money and they feel that what they will get by way of return will not be satisfactory and therefore, they invest their money on other enterprises and not on house-building. From that point of view, Sir, house rent control is an obstacle in the way of investment of capital by private individuals on the

7th February 1951] [Janab H. S. Hussain]

construction of houses. In this way, therefore, Sir, the progress of house construction is retarded and the State Government also are not giving sufficient encouragement for the construction of buildings under the Co-operative scheme. I do not think that any sufficient or reasonable progress has been made in this direction during the last four or five years. Therefore, things are moving in a vicious circle. Though I believe that legislation like this is necessary on account of the shortage of housing accommodation, still Government have not done what they should have done during the last four or five years to ease the situation. I do hope in future at least the Government will see that this problem is solved and that there is no longer any need for such irksome legislation to remain on the Statute Book of the State."

MR. SPEAKER:—"I fix ten minutes as the time limit for speeches."

JANAB MUHAMMAD RAZA KHAN:—"Mr. Speaker, Sir, all of us have to admit that the changes undergone by the measure in the House from the stage it emerged from the Joint Select Committee have really improved the Bill and it is a real improvement over what it was previously and for this credit is due to my esteemed Friend Mr. Sanjeeva Reddi who really wanted to accommodate the points of view of both the landlords and tenants and also to our Hon. Law Minister who helped us in the Select Committee stage and has been present here for the last three days to help his Colleague, the Hon. Sri Sanjeeva Reddi. I should say that the Hon. Sri Madhava Menon, who many a time was not accommodating, adopted a very reasonable attitude in this respect. It is very heartening to find that the Hon. Minister agreed to a suggestion made by a Member of the Opposition (my hon. Friend Mr. Majid) regarding the limit of Rs. 25. The Hon. Minister could have said: I shall have Rs. 15 only. But when he found that members not only from this side but also from the party in power pointed out that it will be very unmanageable and there will be lot of applicants, he came down, as a matter of prestige to Rs. 25; he would have been well advised if he had accepted our suggestion in full but prestige stood in the way and in a bargaining spirit, he agreed to the Rs. 25 limit. It is a very good thing he accepted the amendment of my hon. Friend Mr. Majid.

"The Act has been in force during the last five years. In the municipalities, and particularly, in the Corporation of Madras, they are enhancing house taxes every year; every half-year or even quarter year, under some pretext or other. Saying that there is a deficit in their Budget, that their income has gone down and their expenditure has risen, they come with new proposals for enhancement of property tax. I do not know, Sir, whether you happen to be a property-owner to know the kind of difficulties the house-owners are put to. If there is one class of people who are hit as a result of this legislation, I say, Sir, it is the property class or house-owners. Apart from the difficulty of getting building materials for purposes of construction, this is one of the factors that retards housing construction because people have



[Janab Muhammad Raza Khan] [7th February 1951]

begun to feel that it is not paying to have their own houses because by way of the taxes which they have to pay to the municipality or the Corporation, they lose at least one-third of the rents they may realise. Only this morning, I saw that the Corporation has come out with new proposals to increase the taxes. I am not a member of the Corporation Council, Sir. Unfortunately, the Corporation has taken the clue from the Government in matters pertaining to taxation."

MR. SPEAKER:—"Let not the hon. Member criticise the administration of the Corporation here; he must confine his remarks to the Bill before the House."

JANAB MUHAMMAD RAZA KHAN:—"They do not care whether the house-owners are in a position to bear further taxation, and it is being increased from year to year. According to one section, the Minister has taken note of it and the burden of taxation by the municipality or the Corporation, can be passed on to the tenant and he may be called upon to pay it. That is a very good thing.

"Another thing also, I would suggest. That is, if the law permits, the Rent Controller, whenever a reference is made to him by the landlord in respect of houses fetching poor rents, should see to it that fair rents are fixed so that the landlords may also get what is due to them. That would be a very good thing and it is a matter for Government to issue instructions to their officials.

"This piece of legislation has been in force all these four or five years and we have done our best to improve it now. Therefore, it is now too late in the day for me or for any hon. Member to say that it should not be continued. If the Government want to have it, there is no point in trying to find elaborate arguments to show that it should not be continued. It is only in that spirit that a prominent Lady Member of the House, Begum Sultan Mir Amiruddin Saheba pointed out that some of the provisions of the Act if they are taken to a Court of Law, are likely to be declared *ultra vires* there. In making that suggestion, she was actuated by the best of motives, namely, that if we pass any piece of legislation here to which the Law Minister is also a party and if that goes to a Court of Law, it should not be declared *ultra vires*. In fact, Sir, many of the Acts which we have passed have been declared *ultra vires* and it does not redound to the credit either of the House or particularly the Hon. the Law Minister to be told that the legislation passed here is *ultra vires*. In the face of that, I could not understand what my hon. Friend Mr. Hussain meant when he said that, in however perfect a form legislation may be brought forward, there will be flaws. It is very nice of him to argue on behalf of the Government but he should not lose sight of the fact that it would not bring credit to any Government, particularly to the Government of Madras, when the legislation sponsored by them are declared *ultra vires* by Courts. Therefore, Sir, in matters concerning legislation

[7th February 1951] [Janab Muhammad Raza Khan]

whenever legislative measures are brought forward, it is the duty of the Minister concerned to take legal advice and when the Hon. Minister for Law says: I have taken legal advice, the best legal advice and I have studied the provisions of the measure and I know it will hold good, surely we will have to take his word as the authority, being our Law Minister.

"In conclusion, I beg to submit that the measure is going to be passed by this House and will be going up to the Council. The success of the Act depends upon the working of it by the executive officers of the Government. I know my Hon. Friend Sri Sanjeeva Reddy wants to see that justice is done to all the parties. We stand for all people and we want to see that justice is done to all, be they landlords or tenants. I know that the Hon. Mr. Sanjeeva Reddy is actuated much more with that idea than anybody else but, Sir, much depends upon the way in which the provisions are worked by the officials and subordinates of Government; it should be their aim to see that the Act is worked properly and people are not harassed in any manner and we should see that the time will come when this Act would be repealed and there will not be any necessity for such a measure and much depends upon the way in which the Government solve the housing problem and the earlier they do it, the better for the State."

\* SRI D. V. RAMASWAMI:—"Mr. Speaker, Sir, among all the recent legislative measures that have been brought before the House in recent times this Rent Control Bill has evoked the greatest interest from the whole body politic, land-owning interests as well as tenants, and it is right that it should be so because matters being what they are, the Government are not in a position to come to the rescue of their own servants and other classes of people with regard to housing just as they are in difficulties in regard to food and cloth questions.

"It is a matter for congratulation that the Hon. Minister has been able to include very good provisions to strike a *via media* in the matter of relations between the landlord and tenant. Wherever we move with people in the mufassal circles, we hear it said that the Congress Government have dispossessed certain people of their lands and they are now trying to dispossess people of their houses also and all sorts of things are being said about the Government without appreciating the critical position in which we are situated. I am sure, if people understand most of the provisions of this Act, they will certainly be able to see that the Government are doing their best in order to protect the legitimate interests of landlords who have been doing social work, as it were, by constructing houses not for themselves but generally for the use of people who have not got any houses of their own. To that extent, the Government are grateful to the landlords who have invested their moneys in constructing houses. Seeing the difficulties to which tenants are put, the Government have made certain provisions to limit the ambitions of some, not all the landlords, in order to safeguard the interests of the tenants. I must

[Sri D. V. Ramaswami] [7th February 1951]

congratulate the Hon. Minister on the care and attention with which he along with the Hon. the Law Minister, has dealt with the Bill.

"There are a few points with reference to which we have to make ourselves clear. It would have been better if the explanation to sub-clause (8) of clause 3 had not been included because it gives retrospective effect. If it had been done, it would have improved the Bill. Though it is too late, I would make this submission to the Hon. Minister. Also, I would like the Hon. Minister to see that although provision exists for penalties not exceeding Rs. 2,000, this being a measure commandeering as it were the amenities provided by the land-owning classes, there is no need to antagonise them and the provisions of the Act may be so worked by means of rules and instructions to the executive officers that this is not viewed as a penalising measure but a measure to encourage people to build houses in a situation where the Government at the present juncture owing to financial difficulties are unable to help much and individuals must be more and more encouraged to construct houses to help solve the problem. I support this measure wholeheartedly."

3-15  
p.m.

JANAB K. M. SEETHI:—"Mr. Speaker, Sir, many of the hon. Members of the House have pointed out a very fundamental defect in principle about enacting such a measure which interferes with the right of enjoyment of property by the citizens of the State and though extraordinary times might necessitate the promulgation of measures like this, such measures should not become the normal feature of the life of the citizen and as far as possible hardship to owners of property should be mitigated and done away with by making provisions for hard cases of people requiring habitations when houses are in short supply. But the Government owes a duty to their servants and they should put up buildings themselves and make accommodation available for them instead of commandeering property of private citizens and making it available for their own servants. Sir, it is the fundamental duty of a Government to build houses for their own servants. It is a duty which they should discharge. If that is done, then much of the hardship caused by the Controller to the owners of house property by allotting houses to Government servants might be avoided. At present private citizens find it difficult to get houses, as most of the houses available are allotted to Government servants. If only Government had built sufficient number of houses for their own servants they would have discharged to a very great extent their duty to their own servants."

"Then, Sir, regarding the administration of this Act, proper rules should be framed by Government for that purpose. In doing so, care has to be taken to make the procedure before the Controller definite, precise and free from doubt. For instance it is not yet clear whether the Civil Procedure Code would apply to the proceedings before the Controller. I request the Hon. Minister to take note of the difficulties experienced almost every

[7th February 1951] [Janab K. M. Seethi]

day now in regard to the proceedings before the Controller. For example, if a petition is dismissed for default there is no provision in the rules for the presentation of a second petition before the Controller or even the restoration of the petition. I have come across cases in which the Controllers have held that no second petition will lie and no restoration of the first petition was competent. Then, Sir, difficulties have arisen with regard to the continuance of the petition by the legal representative of the petitioner. Also whether a petition can be pursued against the legal representative of the respondent has not been made clear. The High Court has pointed out the defects of the Acts on these particulars. So all these matters have to be made clear by the Government in framing rules. The difficulties hitherto experienced in the matter of procedure could be avoided by framing rules clearly and definitely, giving no room for doubt or difficulty, so that parties can get justice before the Controller. With these words I support the measure as it has emerged from the Select Committee."

JANAB MOHAMED RAFFEEUDIN AHMAD ANSARI:—"Mr. Speaker, Sir, I join in congratulating the Hon. Minister on being able to pilot this Bill very successfully. It was very fair of him to agree to some of the suggestions put forward by members of the Opposition; and I would have been much more happy if he had also taken some of my suggestions into consideration, or at least say what he has to say about them. I am very sorry that he has not even an opportunity to say a word in reply to the suggestions I would make in the course of my speech. I could not bring them to the pointed attention of the Hon. Minister, as I did not give notice of my amendments; but that was my fault. Anyhow this measure is going to become law now, and I would like to draw the attention of the Hon. Minister once again to some provisions which should find a place in the measure."

"The first thing is that while fixing fair rent, several facts are taken into consideration. I do not want to go into them here. But one fact I have to mention here, and that is with reference to the fixation of rent in the case of alteration or addition or improvement which is made to a building irrespective of the consent of the tenant. I mean in cases where a fair rent has already been fixed and with the consent of the tenant some improvement or alteration or addition has been made to the house, there is provision in the measure for the landlord to go before the Controller and ask him to fix the fair rent again. But in cases where the fair rent has not been fixed by the Controller before, and where the consent of the tenant has not been obtained by the landlord for alteration or addition or improvement to the house, in such a case, there is no provision in the present measure, by which the landlord can go to a Controller and ask him to fix the fair rent in view of the improvement made to the house. After all, for the expenses incurred by the landlord, he must have given some benefit by way of increased rent."

[Janab Mohamed Rafeeudin Ahmad Ansari] [7th February 1951]

"Then, again, in the matter of the position of the landlord for improving or effecting alterations to the building, there again, there is no provision at all in the present measure enabling the landlord to effect the improvements if he wants. It is only if the tenant is willing for that to be done, can the landlord do so. But where a tenant says, 'I am squatting in this house; I am not going to allow it', then it is absolutely impossible for the landlord to effect any improvement to the building. I dare say the Government will surely admit that it should be open to the landlord, if he wants, to improve the building. After all, when he improves the building, it is the tenant who is going to enjoy the additional amenities. Therefore there should be nothing in the way of the landlord improving the building if he wants to do it. As the measure now stands, there is nothing in it to enable the landlord to get possession of the building and carry out improvements to it, or even repairs.

"There is also a great defect in the existing section 10 of the Act. I pointed out earlier that there was no provision under section 7 by which an application for fixation of fair rent on grounds of improvements made to the building would lie unless the fair rent had been fixed once before by the Controller. Under section 10, power is given to the Controller to summarily reject an application under section 7 only and not under section 10. But where an application under section 4 for the fixation of rent or under section 5, that is to say, where a fair rent has to be reduced in view of certain diminution in the convenience in the house, for which fair rent has been fixed under sections 4 and 5, nothing should prevent the tenant from again agitating before the Controller or before an Appellate Court. Sir, I am not speaking of any hypothetical case. I am speaking of a case which has arisen in my own district. Without mentioning the names of the parties, I shall briefly state what the case is. In the case of a residential building fair rent was fixed in 1947. The matter was taken on appeal. It was not till the end of 1949 the appeal was settled. Then, again, in 1950 the same tenant went before the Controller for the fixation of rent. Then, the defence put forward was that under section 10 a fresh application was barred. Now, Sir, really section 10 only bars fresh application under section 7. So, Sir, in view of the hardship caused by this I submit that applications for fixation of rent, merely on the ground that it has already been fixed, should not be barred.

"Lastly, Sir, there is one provision in this amended Bill which is very repellent to notions of fair play and justice. That is under section 3 (8), if a landlord comes under the mischief of that sub-section, not only is he liable to be prosecuted, not only is he liable to be dispossessed of the building, not only are the expenses incurred in connexion with such dispossession by Government to be recovered from him—the sub-section goes one step further than that—and that is, the fair rent for the period during which the tenant has been in occupation in violation of the

7th February 1951] [Janab Mohamed Rafeeudin Ahmad Ansari]

law should be paid to the Government. Now if Government are entitled to this fair rent otherwise, I can understand the provision. But where by the default of the landlord or the tenant, Government have not been cheated of anything, and so where nothing is legitimately due to them, I wonder how the Government are entitled to the fair rent. On what principle can this provision be justified? All sorts of penalties are sought to be levied. At least there must be some rhyme or reason in doing so. As far as I can see there is no justification for such a penalty. Therefore I appeal to the Hon. Minister to take note of my suggestions—I hope he sees the justness or fairness of my suggestions—and give effect to them in the rules, if possible; if not, amend the Act suitably."

\* THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, I am very thankful to the Members of the House for the help they have given me during the last two and a half days. We had a full discussion. Several points were brought forward, and members were very helpful in making the Bill effective by bringing forward suggestions, some of which I have accepted. (Sri V. Raghavayya: 'Including Mr. Viswanatham.') Yes, including my hon. Friend Mr. Viswanatham. I accept hon. Member Mr. Raghavayya's correction.

"Sir, several times, during the discussion of this Bill, the question of offending against the Constitution was brought forward. Some of them were out of place, while some others were otherwise. It was said that this measure offends the Constitution and so it will be declared *ultra vires*. Some remarks also were made against the Legal Department here. One hon. Member indulged in casting reflections on it. I am proud to say here that this State has got one of the best Legal Departments that any State can possess, and so to cast aspersions on it is not well-advised. That is a thing which I cannot accept. I feel we have been well advised; and the Act would stand and face any Court successfully. Some members showed me that a certain High Court has held such an Act to be invalid. Sir, if such a thing happens here also, it is not a case which happens to our State alone. Bombay and other States also have had to face the same difficulty; and many of the Central Acts also have had to meet the same fate. When two lawyers argue a case it is never the case that both are right; so both of them cannot expect to have a judgment in their favour. It may be in one High Court the Judge takes one view or rather a different view from that of ours, and so because of that we cannot say we are not well advised. It is only a difference of view held by a particular Court. I am sure our enactment can stand boldly any test.

"Sir, many members were angry, as they felt that under this Bill we are making inroads into the private property of the people. Sir, any law that is passed here would naturally affect some liberty of some members of the State. If we pass a Zamin-dari Abolition Bill, we are really taking away some property from

[Sri N. Sanjeevi Reddi] [7th February 1951]

some people and that is done in the larger interests of the community. So also, here too, in the interests of a good number of tenants, we have to make some provisions, whereby we would have to interfere with the liberty of a number of other people. In the interests of the State as a whole we cannot help it. When we have to live in a planned society we shall have to live along with others and in doing so we will have to put up with some inconvenience from others. Suppose we had not this Rent Control Act. What would have happened then? The rents of houses would have increased enormously and to an abnormal rate and many of the tenants would have been compelled to get out of their houses and made to suffer untold difficulties. Even as it is, to-day, it is very difficult not only for Government servants but even for non-officials to secure houses at controlled or reasonable rates. In spite of all this, some people say that if this law had not been in operation, things would have naturally adjusted themselves. But why should we allow things to drift, when we feel the State can help people to secure houses at reasonable rates of rent? In fact it is the duty of the State, though it means some inconvenience to some people, to do so. It is absolutely necessary that we should enforce laws which would benefit a very large number of people. Hon. Member Sri Viswanatham cited the example of Delhi and quoted from several house control orders. He said we have copied several clauses bodily from other similar enactments. He did not say that very many clauses have been so copied. He said, several clauses have been so copied. In spite of that, some of the rigorous sections which those Acts contain have not been copied in this Bill. We have not been copying all the provisions of the Acts of other States. We have been taking only such provisions as are necessary to meet the requirements of this State and try to pass a workable Buildings (Lease and Rent Control) Bill in the passage of which all the Members have been very helpful.

“Hon. Gentleman Mr. Abdul Hameed Khan and some other hon. Members complained that we could not solve the housing problem by passing this Bill. I entirely agree with them. Until we solve the housing problem, it is absolutely necessary to have some Acts which will help to relieve existing difficulties temporarily. Housing is a very big problem and it will take a pretty long time to solve it. So long as high prices, shortage of materials and other difficulties exist, very few individuals will think of constructing houses for themselves or on a commercial basis for others. Hon. Members may ask why the Government cannot take up the construction of small tenements for low-paid employees and big buildings for the location of Government offices instead of going in for private buildings. It is a good thing if the Government can afford to do it. Certainly the Government would prefer to have their own buildings to going in for private buildings which are most inconvenient for locating offices or for accommodating Government servants. All the hon. Members of this House know the financial position of the State. There are other urgent needs to which the State Government have to attend, particularly

3-30  
p.m.

[7th February 1951] [Sri N. Sanjeevi Reddi]

the food problem. In this State a fairly good amount is being spent on capital works. I do not think any other State in the country is spending such a huge amount as twenty crores of rupees on capital works. On education also this State is spending a huge amount. All of us can be really proud of these. Housing problem also is equally important. But the only question is whether food or housing should get the first priority. Undoubtedly all the hon. Members will say that it is food. We have got to solve the food problem, if not now, at least within two or three years and for that purpose we must necessarily build projects, grant well subsidy and undertake tank restoration schemes and similar measures. Therefore we are not able to spend a huge amount on the housing problem. The problem of food and clothing is very important and it is being tackled vigorously by the State Government and the Central Government. The housing problem is being tackled by the Corporation, the City Improvement Trust, and also the co-operative societies that have been working for the last three or four years. I admit that what they do is very inadequate. Unless the State comes to the aid of local bodies, they will not be able to do anything appreciable. In addition to co-operative schemes, the State should undertake the construction of small tenements and assist the local bodies. Unless all these things are done, it will not be possible to provide housing facility to every employee of the State. I agree on that point. The principle that the Government should undertake housing schemes is accepted. But it will not be possible to do it immediately. The Government are considering one or two proposals for building tenements through co-operative societies or by subsidizing housing schemes. I hope that we will be able to take some decision and spend at least a small amount, though it may not be to our full satisfaction. We are trying to make at least a small beginning. In the course of a few years, we will be able to do something substantial. (Interruption by Sri V. Raghavayya.) I am really sorry that hon. Member Sri V. Raghavayya is enamoured of Nellore and Nellore only and that he is unable to think in terms of the State as a whole. He always thinks of Nellore, Nellore mica and so on. It is not necessary for me to reply about the specific things which hon. Member Sri Raghavayya thinks are absolutely necessary only for Nellore.

“Hon. Gentleman Mr. Ansari made a very good and useful suggestion. I did not reply to it because there was no amendment to the relevant clause and therefore I had no opportunity to speak. Even if I had accepted the suggestion as being good, it would have served no useful purpose as there was no amendment. The hon. Gentleman should understand that way and not say that I did not care to reply. It would have been a pleasure to take up the suggestion if only it was possible.

“About the officers who enforce the Act, I am sure they will try to do their best. All these days they have been managing to do things in the fairest manner possible. The number of houses that are available are few and to distribute these few houses

[Sri N. Sanjeevi Reddi] [7th February 1951]

among a large number of applicants is really a difficult job. If they please one person, they displease at least ten persons. Therefore their job of allotment of houses and fixation of fair rent is a very unhappy one. In spite of that, they have been doing their best in the past to do things in the fairest manner possible and I can assure the House that they will continue to do so in future also.

"I thank the hon. Members for the co-operation and the suggestions that they gave. I request the House to pass the Bill into law."

Mr. SPEAKER:—"The question is—

'That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1951, as amended, be passed into law.'

The motion was carried and the Bill was passed into law.

(2) THE MALABAR TENANCY (AMENDMENT) BILL\* 1950 (L.A. BILL NO. 30 OF 1950)—cont.

\* THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I beg to present the report of the Joint Select Committee on the Malabar Tenancy (Amendment) Bill, 1950 (L.A. Bill No. 30 of 1950) and move—

*'That the Bill as amended by the Joint Select Committee be taken into consideration at once.'*

"This House requested the other House to join it in appointing a Joint Select Committee to consider this Bill. I am sure many of the members would have received, as I have received, some complaints that the Joint Select Committee did not take much evidence in the course of its tour and that I, as the Chairman of that Committee, had been expressing my opinions regarding this Bill. Paragraphs 4 and 5 of the report say that the Joint Select Committee met on 17th October, 1st, 2nd and 3rd November, 20th, 21st, 23rd and 24th December 1950, and 4th, 5th, 6th and 20th January 1951, and went through the numerous memoranda received by it and also examined representatives of the Malabar Landholders' Association, Chalapuram, South Malabar, Chirakkal Taluk Landholders' Association, Kurumbranad Taluk Janmi Association, Malabar Economic Development Association, Palghat Landholders' and Agriculturists' Association, Alatur, Malabar District Kisan Congress, Chirakkal Taluk Landholders' Association, Kollengode, and the West Coast Industrialists' Association, Kozhikode, and also select individuals who had offered to give evidence before it. At one of the sittings in Madras, the Committee decided that there was no necessity to go to Malabar to take evidence as all material evidence was available here itself. So the Committee examined in Madras itself those associations and individuals who had offered to give evidence before it. After the oral evidence was practically over, the

7th February 1951] [Sri K. Madhava Menon]

opinion was expressed in the Committee that it would be necessary for it to tour selected places in Malabar and South Kanara to understand the various land tenures prevailing there. But we made it definitely clear that there was no necessity to take any oral evidence in the course of the tour and that was the reason why the Committee did not take any oral evidence. We went to particular places to understand the various land tenures of Malabar. Otherwise some members might not have known what is punjakol cultivation, ulkudi or kudikadappu however much an explanation might be tried in this House.

"As for my expressing opinions, I have definitely said that the main principles of the Bill are for giving to the cultivating tenant fixity of tenure and a fair share of the produce of the land and that these two basic principles are not likely to be changed. In other matters, it is not fair that I should give my opinions at all. I must reserve them for the Committee to decide. It is not correct to say that I expressed an opinion one way or the other though I am certainly entitled to have my own opinions in the matter.

"That apart, Sir, the Committee went very carefully into the evidence that was collected, and it has placed its report before this House. Considerable changes have been made by the Joint Select Committee in the Bill which was originally introduced. I must say with some personal regret that the changes that have been made are against the tenants and in favour of the landholders. Whether it is against the tenants or in favour of the landholders, the Committee was satisfied that in the fairness of things it must take those decisions which it took, and it has placed those decisions before you. The main changes that have been made by the Committee in the original Bill, as was presented to this House, will be clear to you in the statement that has been circulated, containing the original Bill and the proposed amendments. The original Bill and the amendments that have been made by the Joint Select Committee have been printed in parallel columns, and copies thereof have been given to hon. Members so that it will be easy for them to see what exactly are the changes that have been made by the Committee.

"I shall try briefly to give the House an idea of what the main changes that have been made by the Committee are. The first change that has been made is with reference to the definition of the word 'janmi'. 'Janmi' as defined in the existing Malabar Tenancy Act means any person entitled to the absolute proprietorship of land. The Joint Select Committee decided to delete the word 'absolute' from the definition for the reason that the definition should not in any way prejudice the superior right of the State which is the ultimate owner of the soil.

The definition of 'kanam-kuzhikanam' is being introduced in clause 5 (viii) of the Bill for the first time. Kanam-kuzhikanam is a variety of the kuzhikanam tenure but it partakes of the

\* Published in the Fort St. George Gazette, dated 28th July 1950 (Extraordinary).

[Sri K. Madhava Menon] [7th February 1951]

characteristic of the kanam tenure in that the tenant is liable to pay to the landlord the consideration called 'kanartham' or kanam amount. In South Malabar this tenure is now being treated as kuzhikanam, and in North Malabar, for purposes of renewal of the tenancy, it is treated as kanam. The Joint Select Committee thought it desirable to make specific provision in the Bill to regulate the kanam-kuzhikanam tenure and has made the necessary amendments to the Bill.

" Clause 5 (xv) of the Bill substitutes a new definition for the original definition of 'ulkudi' or 'kudikadappu' so as to limit the application of the provisions relating to ulkudis and kudikadappus to Fort Cochin for the time being. It was complained that the application of the provisions to areas other than Fort Cochin would result in serious hardship particularly in view of the provision granting fixity of tenure to holders of ulkudis and kudikadappus. The Joint Select Committee also satisfied itself on this point by inspecting a number of ulkudis in the Ponnani taluk. The Committee accordingly decided that the provisions relating to ulkudis and kudikadappus should be applied for the present only to Fort Cochin and that, if necessary, the Government might extend them to other areas by notification.

" Clause 6 of the Bill as amended by the Joint Select Committee substitutes a new section for the existing section 4 of the Malabar Tenancy Act. In this section, in the place of 'normal year', 'normal produce' is being defined. According to the original Bill the fair rent of wet lands was to be fixed on the basis of the produce of each land in a normal year, and the Rent Settlement authority had to fix a normal year for each tract. This provision suffered from the following defects:—

(1) If a particular land was not cultivated in the normal year chosen by the Rent Settlement authority, it would not be possible to fix the fair rent in respect of that land;

(2) even where the land was cultivated, it might be difficult to ascertain the actual yield, particularly, if the normal year chosen happened to be not a recent one;

(3) even if the yield could be ascertained, it cannot be taken as indicative of the normal yield unless there was proof that the land was cultivated in the normal year with normal efficiency; and

(4) ascertainment of the produce of every holding individually would render Rent Settlement work very involved and prolonged.

" In view of these defects the Joint Select Committee felt that the attempt should be to estimate the normal produce of each class of land and not to ascertain the produce in the normal year of every individual holding. The amended Bill therefore defines 'normal produce' instead of 'normal year'.

[Sri K. Madhava Menon] [7th February 1951]

" Clause 10 of the Bill amends section 7 of the Act which prescribes the fair rent of garden lands. Under the existing section, the landlord's shares of the produce are, as regards coconut trees belonging to the tenant, 1/5th of the gross produce, and as regards coconut trees belonging to the landlord, 2/5ths of the gross produce. The Joint Select Committee has reduced these shares to 1/6th and 1/3rd respectively.

" The landlord's shares of the produce, at present, as regards areca trees and pepper vines are, in the case of trees and vines belonging to the tenant, 1/6th of the gross produce and in the case of trees and vines belonging to the landlord, 1/3rd of the gross produce. These shares have been reduced by the Committee to 1/8th and 1/4th respectively.

" The tenant's share is being increased in respect of wet lands from 2/3rds of the net produce to one-half of the net produce, and the Joint Select Committee thought that an increase was called for in respect of garden lands also. Moreover, under the Committee's Bill, cultivating tenants including tenants of garden lands will be generally required to pay fair rent, and not fair rent or contract rent whichever is less, as provided in the original Bill; and fair rent, if calculated at the existing rates in section 7, will be very excessive compared to the nominal contract rents which the tenants now pay.

" Clause 11 of the Bill amends section 8 of the Act dealing with fair rent of dry lands. Under the original Bill, the fair rent of dry lands cultivated with pepper as the principal crop was the entire pepper produce of the holding of the 12th year after the planting of the crop and of every sixth year thereafter. It was represented to the Joint Select Committee that the practice in most cases was for the landlords to collect the pepper crop every fifth year and that, in view of the phenomenal increase in the price of pepper, there was not any real need to give the tenant a superior advantage in this matter. The Committee accepted this view and accordingly decided that the fair rent should be the entire pepper produce of the 11th year after the planting of the crop and of every fifth year thereafter.

" Another departure from the provision in the original Bill, which the Committee has effected, is in regard to fair rent of dry lands cultivated with groundnut. Fair rent for such lands was originally fixed at 1/10th of the gross groundnut produce. On a consideration of the representations made to it in this behalf, the Committee felt there was a case for raising the landlord's share from 1/10th to 1/8th of the gross produce. This proportion will also apply to any other crop which may be notified by the Government, in future, as a commercial crop for purposes of section 8 of the Act.

" Conversion of wet lands into garden lands or residential sites, or their use for raising dry crops, is a practice widely prevalent in certain parts of Malabar, particularly in the northern portion of



[Sri K. Madhava Menon] [7th February 1951]

the district. This practice, not to speak of its adverse repercussion on paddy production, results in great unfairness to the landlord, particularly where a wet land is converted into a house-site or is used for dry cultivation. New section 9-A introduced by the Joint Select Committee in clause 13 of the Bill accordingly ensures that where a wet land is not used as such by the tenant, the landlord should get at least the rent he would have got had it been used for wet cultivation.

" New section 9-E in clause 13 of the Bill deals with the mode of payment of fair rent. In this section, the Joint Select Committee has introduced a very material change. The corresponding provision in the original Bill laid down that in so far as fair rent was in kind, it shall be payable in the case of wet lands, either in kind or in money at the tenant's option, and in the case of garden or dry lands, in money. The Committee decided that the fair rent of wet lands should be paid in kind except in cases where the landlord and tenant agree to pay it in money. The Committee has thus taken away the option given to the tenant in the original Bill to pay the rent of wet land in kind or in money. The Committee made this decision after going into the large volume of representation received by it on the question. The Committee was convinced that the grant of the option, referred to above, to the tenant would result in undoubted hardship to the large class of petty landlords in Malabar who have little or no lands in their direct cultivation and who will be forced to purchase paddy in the open market at a higher price. Another factor that the Committee took into consideration was the plight to which temples and religious institutions would be reduced in the matter of conducting their daily 'poojas' and 'nivedyams'. It was felt that to compel temples, etc., to purchase paddy for their daily needs in the open market would be opposed to ageold custom and popular sentiment in Malabar. But above all, the most compelling reason that weighed with the Committee was the fact that the Bill gave the tenant half the net produce as his share and that this share ought to be normally sufficient for the tenant's needs.

" Clause 15 of the Bill, as amended by the Joint Select Committee, grants fixity of tenure to all tenants including kanamdars. Under the original Bill, kanamdars, in cases where the kanam amounts advanced by them to their landlords exceeded in South Malabar 60 per cent and in North Malabar 40 per cent of the janmi's interest in the holding, were also entitled to fixity if they had been in continuous occupation of the holding for not less than 25 years. Kanamdars of this description are really mortgagees and not tenure-holders, and there was considerable opposition to the provision on the ground that all mortgagees with 25 years' standing would get fixity of tenure. There was also opposition to the method of valuation of the janmi's interests in the holding laid down in the previous Bill. Under that Bill, such interests were to be valued in the case of wet lands at thirty times and in

7th February 1951] [Sri K. Madhava Menon]

the case of garden and dry lands at twenty times the excess of the annual fair rent over the annual assessment of the holding, as regards kanams existing on the date of commencement of the amending legislation, as on that date; and as regards kanams created after such commencement as on the date of the kanam. It was pointed out that the valuation of janmi's interests in accordance with this formula would result, in view of the inflated prices of commodities now prevailing, in the conversion of certain existing mortgages into kanams.

" The Joint Select Committee went into these objections and felt there was considerable force in them. The Committee also worked out certain typical examples and found that pure mortgages were likely to be converted into kanams by applying the formula. The Committee therefore decided not to extend fixity of tenure to kanamdars whose kanartham exceeded in South Malabar 60 per cent and in North Malabar 40 per cent of the janmi's interests in the holding. The Committee also altered the formula for the calculation of janmi's interests in the holding. Under the revised formula, such interests will be valued, for purposes of existing kanams, on the prices of commodities on the dates of the kanams and the prices will be those published under section 51 of the Malabar Tenancy Act, 1929, or under section 15 of the Malabar Compensation for Tenants' Improvements Act, 1899.

" Clauses 17 and 20 of the Bill, as revised by the Joint Select Committee amend sections 14 and 20 of the Malabar Tenancy Act which specify the grounds for eviction of tenants. These sections provide, among other things, that the tenant may be evicted when the holding is needed by the landlord *bona fide* for cultivation for his own maintenance or that of his family, or for purposes of constructing buildings for his own use or occupation or for that of his family. The original Bill laid down that the right to evict the tenant on the grounds mentioned above should be exercised only during the period of five years from the commencement of the amending legislation and that too subject to the condition that no tenant who had been in continuous occupation of the holding for a period of twelve years should be evicted if the eviction would reduce the total extent of the land in his possession to less than 5 acres. There was considerable opposition to this provision. It was pointed out that it would result in very severe hardship to junior members of tarwads which had partitioned and that they would find it impossible to resume possession of their lands when such lands were required by them for *bona fide* cultivation or building purposes. It would also adversely affect minors, sick persons and persons in Government employ and other services. The Committee felt that there was great force in these contentions. The Committee also realized that in working out the provisions, there was bound to be practical difficulties. It might become necessary, in certain cases, to split holdings which exceeded 5 acres in extent. If the entire area of such a holding was not of uniform fertility, the more fertile portion might be claimed both

[Sri K. Madhava Menon] [7th February 1951]

by the landlord and the tenant. Similarly, if there was a farmhouse or a water reservoir in the holding both the landlord and the tenant might claim it. Again, the division of the holding might cause trouble if it comprised different classes of land—wet, garden or dry. Difficulties might also arise in cases where the tenant held holdings under several landlords and two or more of them sued for eviction simultaneously, and courts would find it difficult to decide as to which landlord should have preference.

“ In view of these considerations, the Committee decided to retain the grounds referred to above as they were in the existing Act subject, however, to the modification that eviction for building purposes should be restricted to cases where such buildings were needed for residential use. The Committee has further retained the provisions in the original Bill under which temples, mosques, churches and other places of public religious worship, and sthanis will not be entitled to evict tenants for *bona fide* cultivation or building purposes.

“ The Joint Select Committee has also amended sections 15 and 21 of the Act so as to provide that if in anyone of the six agricultural years following the eviction, the landlord fails without reasonable excuse to use the major portion of the lands for purposes of cultivation, the tenant shall be entitled to sue for restoration of all the lands from which he was evicted.

“ Clause 23 of the Bill amends section 28 of the Act which deals with payment of rent. Under the clause as it stood in the previous Bill, all cultivating tenants were entitled to pay fair rent or contract rent whichever was less. The Joint Select Committee has amended this clause to the effect that every cultivating tenant, other than a kanamdar or customary verumpattamdar, should pay fair rent. The Committee has also provided that in cases where the contract rent now paid by the tenant is less than the fair rent, the tenant shall pay during each of the next ten years, the rent payable for the preceding year plus 1/10th of the difference between the contract rent and the fair rent. Thereby the contract rent would be raised to the level of the fair rent by stages within a period of ten years on an incremental scale and the tenant would not be compelled to pay the full fair rent all on a sudden. In taking away the right, given to the tenant by the original Bill, to pay fair rent or contract rent whichever was less, the Joint Select Committee took into account the fact that since the fair rent, under the Bill, was being reduced both in the case of wet lands and in the case of garden lands and all the tenants are getting fixity of tenure, and that there will be no renewal fee, there would not be any hardship if the tenant in every case is required to pay fair rent.

“ New section 32-B introduced by clause 28 of the Bill enables a tenant to purchase the rights of an intermediary immediately

[7th February 1951] [Sri K. Madhava Menon]

above him if the latter has committed default in the payment of rent due by him to his landlord for three consecutive years. Section 33 introduced by clause 29 of the Bill enables the tenant of a kudiyiruppu who has been in continuous occupation for not less than ten years, to purchase the rights of his immediate landlord. The Joint Select Committee has amended these provisions to the effect that the tenant might pay the purchase price in these cases in annual instalments not exceeding twelve.

“ In clause 35 of the Bill, the Joint Select Committee has introduced a new section which is of considerable importance. This section provides that notwithstanding anything contained in any law or in any contract, the cultivating tenant shall be entitled to continue on the holding as such, although the rights of his immediate landlord or of any superior landlord have been extinguished whether by eviction or by redemption of mortgage or otherwise, subject however to the liability to pay fair rent and to the provisions of the Act applicable to a cultivating tenant.

“ Another important provision made by the Joint Select Committee is to protect the tenant against the value of his improvements being set off against the arrears of rent due by the intermediary to his landlord in cases where such landlord has sued for eviction on the ground that the holding was required by him *bona fide* for cultivation or for building purposes. Clause 45 of the Bill carries out the necessary amendment in this behalf to section 6 of the Malabar Compensation for Tenants' Improvements Act, 1899. That section is also being amended in the same clause so as to lay down that in cases of eviction the landlord should pay the amount of compensation due to the tenant and obtain possession of the holding within a period of six months from the date of the decree.

“ Clause 48 of the Bill carries out a consequential amendment to section 14 of the Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947, to make it clear that the landlord shall not be entitled to claim an enhancement of rent on the ground of the increased yield of the land by reason of supply of water from an irrigation work belonging to the State. The section is also being amended to delete the reference to 'renewal fee' the collection of which is being stopped by this Bill.

“ The original Bill provided for the extension of the Malabar Tenancy Act to 52 villages in Kasaragod taluk of the South Kanara district. There was very insistent demand from the tenants of the area for the extension of the Bill to all those 52 villages. But there was opposition from some interests to the extension of the Act to 19 of those villages on the ground that the tenures prevailing in them were not on all fours with those of the other villages and of Malabar. The Joint Select Committee went into the question very carefully and was convinced that there was a good case for excluding the 19 villages.

[Sri K. Madhava Menon] [7th February 1951]

from the scope of the Bill. The Committee has accordingly amended the Schedule to the Bill omitting the 19 villages in question.

"These are the main changes that have been made by the Joint Select Committee. In almost every case the provision made is in favour of the landlord and not the tenant. The landlord might stand to lose something and there has been considerable agitation on the part of the landlords that the Bill is expropriatory in nature and that they stand to lose considerably. On the other hand, subsequent to the publication of the Bill as amended by the Joint Select Committee, Tenants' Associations have been meeting and passing resolutions complaining that the Joint Select Committee has betrayed the interests of tenants in favour of landholders. The kanamdars who are not cultivators themselves do stand to lose something and they also are very much against the Bill. So, there is opposition from all interests concerned, one interest saying that the Bill has gone too far and the other interests saying that it has not gone sufficiently far. That is natural in a Bill like this. That only shows that the Bill is good in as many respects as it could possibly be. It is true that it might cause some hardship to a certain section of the people, but that is inevitable.

"The main feature of the Bill is that we are fixing the share of the actual cultivator of the soil. The principle that we have adopted is that deducting the cultivation expenses from the gross produce, the producer shall have half of the net produce. Under the present circumstances, it is not hard that, out of the produce turned out by the producer's efforts and labour, he should have half of the net produce as his share. When it is brought down from 2/3rds to one-half, some party will lose something. In a case like this we cannot help it. We have to console ourselves that it is being done for the betterment of agriculture and cultivation.

"Another feature of the Bill is that we have given fixity of tenure to the person who actually cultivates the land."

MR. SPEAKER:—"Motion moved—

'That the Malabar Tenancy (Amendment) Bill, 1950 (L.A. Bill No. 30 of 1950), as amended by the Joint Select Committee, be taken into consideration.'

"The hon. Member, Sri K. Bhashyam has given notice of an amendment that the consideration of the Bill be postponed for a fortnight. He is not present now and hence his motion is not moved."

\* JANAB M. V. HYDROSS:—"Mr. Speaker, Sir, I support the Bill to the extent to which it gives real relief to the cultivating tenant. But the existing provisions as amended by the Joint Select Committee are not capable of giving sufficient protection to the tiller of the soil. Fixity of tenure and payment of fair rent are the two important needs of the tenant which the landlords in substance concede in all their memoranda submitted

[7th February 1951] [Janab M. V. Hydross]

to this House as well as to the Members of the Joint Select Committee. But so far as fixity of tenure is concerned, the provisions of this Bill, far from bestowing any relief to the cultivating tenant, have made it impossible for him to continue in possession peacefully and expose him to the danger of being evicted at any time. You are aware, Sir, that in very many cases there is a big hierarchy of landlords above a cultivating tenant in Malabar. You will find a janmi who is said to be the paramount landlord claiming proprietorship of the soil, below him you will find the kanamdar, after him comes the sub-kanamdar and in some cases many sub-kanamdars exist and finally comes the cultivating tenant. While considering the fixity of tenure that is given to the tenant under the provisions of this Bill, the needs of anyone of these landlords are sufficient to send the tenant out of his holding. That is, the janmi may claim that he wants the property for his own maintenance, the kanamdar under him can claim it and the sub-kanamdar also can claim it. Under the existing Act, when there is a renewal and when the tenant is assured of fixity of tenure during the continuance of the tenancy at least, he has the consolation that he will not be evicted till the period of tenancy is over. Under the provisions of this Bill, hereafter we are not having anything like a renewal. The tenant is always exposed to the danger of being evicted by anyone of the landlords above him. Not only that, if anyone of the landlords, either a kanamdar or a janmi, parts with his rights to a stranger, the next day the stranger can come forward and say that he wants the property for his own cultivation and maintenance, and the tenant has to surrender that property to the landlord, namely, the purchaser. This is the nature of the fixity of tenure that has been awarded to the tenant under the provisions of this Bill. As a matter of fact, this was a point on which I fought in the Select Committee. Even though I am not entitled to disclose what happened in the Select Committee, with the permission of the Chairman, I suggested then and there that I would have to fight it out in the open Assembly and he gave me permission for that. The Hon. Minister has stated in the House that a sthani, trustee, mosque or a church, cannot claim the property for its own needs. "No doubt it is a good principle. But, you are aware, Sir, that in a majority of cases, the tenants are not holding the properties under these sthanis and trustees. These sthanis demise their properties sometimes in favour of their near relatives and sometimes in favour of their dependants in kanam and these people sub-demise these properties to the actual cultivators. Therefore the very fact that the property belongs to a sthani or trustee does not matter much as far as the cultivating tenant is concerned. If the landlord above him, viz., the kanamdar or sub-kanamdar wants to claim the property for his own cultivation or for his own needs or if he assigns the right in the property to a stranger, he can evict the tenant in spite of the fact that the janmam belongs to a sthani, or mosque or church. Therefore, the protection given to the tenant is not sufficient.

4-15  
P.m.

[Janab M. V. Hydross] [7th February 1951]

I submit that no landlord other than the janmi should be entitled to evict a tenant. To this effect I have given an amendment about which I shall dilate further when the amendment are taken up.

"As far as fair rent is concerned, it is only the cultivating verumpattamdar and the kuzhikanamdar who are entitled to pay fair rent. In some cases they are compelled to pay more than what the contract rent is. We are really enacting this Bill so to say for the benefit of the tenant. But the result will be that the cultivator or the person in possession will, in a number of cases, be compelled to pay more than the contract rent which he is paying. I shall give one concrete example. Under a janmi there is a kanamdar. Under a kanamdar there may be either a kuzhi-kanamdar or a verumpattamdar. As far as the kanamdar is concerned, under the scheme of this Bill, he need not pay any renewal fee to his landlord. He need pay only the contract rent, while the cultivating tenant or kuzhi-kanamdar under the kanamdar has to pay fair rent or contract rent whichever is more. The person who is really benefited is not the janmi, but it is the middle man, the kanamdar. If in the scheme of the Act, a portion of the fair rent which is high is made payable to the janmi, who is said to be the owner of the property, there is some meaning in suggesting that the tenant shall pay the fair rent or the contract rent whichever is more. When a person is actually benefited under the provisions of this Act by his not having the liability to pay any enhanced rent, not even the renewal fee and at the same time if the very same person is benefited to the extent to which increased rent is payable by a cultivating tenant or kuzhikanamdar, then it is really unjust and is absolutely unnecessary. While at present the cultivating tenant or kuzhikanam tenant pays a low rent, there may have been so many other considerations. It is to my knowledge that when the tenant wants actually to get a fair deal and when he is to be enabled to pay a low rent, he pays a large sum by way of 'Manusham' which is something like a present and which will never be found in the documents. Now if he is asked to pay either the fair rent or the contract rent whichever is more, no allowance can be given to the huge amount that he has already paid and has been paying to the landlord. On this account also the provision for the payment of enhanced rent is absolutely unnecessary. Again, fair rent and fixity are correlated. By one hand fixity is taken away and by the other hand enhanced rent is also collected from the tenant. If really there is absolute fixity to the cultivating tenant, he would not have to grudge paying the fair rent or contract rent whichever is more. But, when he is exposed always to the danger of being evicted, there is no justification in asking him to pay enhanced rent for the short period during which he may be enjoying the property. In cases where the landlords are entitled to evict a tenant, I submit that the actual cultivating tenant, viz., the

[7th February 1951] [Janab M. V. Hydross]

verumpattamdar may be exempted from the provisions of the clauses relating to the needs of the landlords. My submission is that the needs of the tenant also must be taken into consideration and it is only when the property is not needed by the tenant for his own maintenance the landlord must be entitled to evict the tenant.

"Another point that I wish to urge is this. When the Bill was published, there was a lot of agitation from the landlords. They organized themselves and did immense propaganda. In spite of that, the tenants were expecting a fair deal at our hands. Now after the publication of the Gazette Extraordinary, that is, the recommendations of the Joint Select Committee, many of the tenants are disappointed. My submission is that the Government ought not to have given high hopes to these tenants. They ought to have thought about it more seriously before they committed themselves to anything. Now the result is that there is some sort of estrangement in the relationship between the landlord and the tenant in Malabar. It is on account of these promises that were given to the tenants originally that the landlords also take up this attitude. They have organized themselves and are trying to see that the provisions of this Bill as originally published are not enacted by this Assembly. At the same time, the tenants were expecting that there will be a fair deal, especially when it was found that the Tenants and Ryots Protection Act, passed by this Assembly was to their benefit and the cases for eviction against them were stayed under the provisions of that Act. It is very necessary that the tenants should be given relief in this regard.

"One more word with regard to the South Kanara District. Originally we wanted all these 52 villages to be brought within the purview of this Act. Now, at least we have got some 33 villages under this Act. I find one difficulty there also, which I would like to bring to the notice of the Government so that they may take up the matter immediately. It is this. Under the Malabar Tenancy Act we have defined a janmi, kanamdar, verumpattamdar, kuzhi-kanamdar, etc. These terms will not be found in some of the Kanarese documents in these 33 villages in South Kanara. Instead of these terms, we find the terms Chalgani, Mulgani, etc. Therefore the landlords of those places will say that the Malabar Tenancy Act will not apply to them. My submission is that the terms kanamdar, janmi, verumpattamdar, etc., should be so defined as to bring the terms obtaining in South Kanara also within the definition. With these few remarks, I support this Bill."

SRI M. P. GOVINDA MENON:—"Mr. Speaker, Sir, in presenting the Joint Select Committee Report, the Hon. Minister, I should pay this compliment to him—has beautifully summarised all the proposals and all the changes made in the Bill by the Joint Select Committee. So I need not go into details of the work done

[Sri M. P. Govinda Menon] [7th February 1951]

by the Joint Select Committee on the Malabar Tenancy. (Amendment) Bill. There is a complaint against this Legislature that we have been rushing on with legislations without proper care and attention. I would submit, Sir, that as far as this legislation is concerned, such a charge cannot be levelled against this House. We have been very careful from the beginning and we took all things into consideration and have given deep thought to every proposal that was placed before us. To start with, we had a Joint Select Committee consisting of Members from this House as well as from the other House. I would submit, Mr. Speaker, that among the Members of Malabar, there were persons representing different interests in land. We had a janmi representative, Sri Nambiar who is a Member of this House and who was elected by the janmis of Malabar. We had Janab Khader Kutty, another big janmi of Malabar. Again, we had Members of the other House, who were more than janmis and who out-heroded Herod; though they were not themselves janmis, they were prepared to champion the cause of janmis to any extent. I would say that the majority of the Members from this House including myself represented the kanamdars' interests. I am not personally interested in any of these things. Real representatives of the cultivating verumpattamdars like my Friend, Sri Damodaram were also there. Thus it was a Joint Select Committee consisting of all shades of opinion and interests in Malabar. We had an additional advantage, Mr. Speaker, of having non-Malayalee Members also on the Committee who did pay careful attention to the proposals which were placed before the Committee. In short, the Committee consisted of able Members, Members who had different interests and who were prepared to champion the cause of different interests. The Committee consisted of Members who had experience in other walks of life in other parts of the State. Such a good and broad-based Select Committee has gone into this question. It cannot be said that there was no sufficient literature available as far as this legislation is concerned. Ever since 1937, when Sri Rajagopalachari took up the administration of this State, there was this question of amending the Malabar Tenancy Bill. A Committee was appointed, known as the Kuttikrishna Menon Committee, consisting of Members of the then Legislature and other representatives of Malabar.

4-30  
p.m.

"That Committee submitted a voluminous report. Two bulky volumes were made and distributed to the Members of the Select Committee before our work began. The members of the Committee had the advantage of going through these two big volumes submitted by Sri Kuttikrishna Menon. They contained the evidence recorded by the Committee of different classes of people in Malabar. The Committee also toured from one end of Malabar to another. The whole literature prepared by the Kuttikrishna Menon Committee was before the Joint Select Committee. Then, in the year 1946, when Sri Karanth became Minister for Revenue in the second Congress Ministry, he was

[7th February 1951] [Sri M. P. Govinda Menon]

pleased to appoint Sri Raghavenidra Rao as special officer to go into the land tenure system in Malabar. He also submitted a report after carefully studying the various conditions obtaining in Malabar. It was more in favour of the landlords than of tenants and this report was also made available to the Joint Select Committee.

"We also had innumerable memoranda presented by various individuals and associations. I would say here, Sir, in the matter of submitting memoranda, the landholders of Malabar are very active. The janmis are very very active in this regard and I should congratulate them on being so very active and well organized. They possess sufficient funds and have got intelligent people to guide them and lead an agitation. They collected important data from different sources and submitted them to the Committee for consideration. The Hon. the Minister for Law was referring to the memoranda submitted by several individuals and associations, the Industrial Association, the Development Association and so on. I must point out here that most of the individuals and associations that submitted memoranda supplied the same information though they were calling themselves by different names. Generally speaking, the memoranda were more from the janmi class than from the tenants. So, Sir, the Committee had ample opportunities to study the various view points. The department also was of great assistance to the Committee by summarising the several memoranda received, cataloguing them under different headings and collating and interpreting the figures supplied. The department was helping the Committee with timely information, circulating different kinds of papers at different times. The Committee went through this question very deeply and has submitted its report. Of course, as regards tour, the Committee could not conduct the tour in the manner expected by several people in Malabar.

"Having done all this, Mr. Speaker, the Committee, I am afraid, has gone back on the promises made by the Government to the tenants. I am a little disappointed at the Bill as it stands now. It is completely different from what it was when it was first published. The Minister had promised that he would give fixity of tenure and fix fair rent even in respect of those who took to fugitive cultivation. But what has happened now? I am afraid, the janmis' voice has been heard more than what the situation warranted. Their voice has proved more effective. Several changes have been made by the Select Committee in consequence. The Select Committee has accepted the provisions in the existing Act regarding the eviction of cultivating verumpattamdars. Of course it had to accept those provisions with a great amount of sorrow. After all, this concession is to be given not to all janmis but only those who are poor and who want to raise paddy on their fields for purposes of their own maintenance. In such a case, the janmi will be entitled to get back his land from the tenant. I admit the tenants of Malabar are raising a big hue

[Sri M. P. Govinda Menon] [7th February 1951]

and cry over this concession being allowed to remain in the new Bill also. But they must realise that these janmis are very poor. Who are they after all? They are persons of the middle class who are not able to make both ends meet with their other income. They are the people who fought for the freedom of the country. They are the class of people who were fighting under the leadership of Mahatma Gandhi for the freedom of the country. They are now the people who man the Defence Services, the Army, the Navy and the Air Force. Suppose these people come back and want to cultivate their lands. It is but fair that they should be allowed to do so. The Joint Select Committee was a little favourable to these petty land holders and the verumpattam cultivators of Malabar should concede this to such deserving janmis.

"Then, Sir, I come to another important point which I have got permission from the Chairman of the Joint Select Committee to argue again in this House. The original clause relating to fair rent provided that the tenant should pay the fair rent or the contract rent, whichever was less. But the change now proposed is that the tenant should pay fair rent and that if the contract rent is less than the fair rent, it could be raised to the level of fair rent, within a stipulated period of time. Sir, we are passing a legislation to help the tenant of Malabar. But this change seeks to increase his obligations. I would request the Government to move an amendment at least here to remove this provision and retain the original one. Of course, I welcome the other provision, viz., reduction of rent from two-thirds to half of net produce though there is the liability on the part of the tenant to pay half of the assessment.

"Regarding the janmis of Malabar, I feel that they should also consider their position. Times are changing. We must move with the times. There is no use of speaking of vested interests. The whole world is moving and we must also move with it. What is contemplated in the Bill is to give a qualified fixity of tenure to the tenants, who cultivate the lands. The janmi class is an enlightened class. They should consider the whole position thoroughly and welcome this measure.

"Coming to renewal fee, the whole question was considered by the Joint Select Committee and it was decided to abolish it altogether. If still, however, the janmis think it is not fair to abolish renewal fee, let their representatives here move amendments to that end so that the House may give its verdict.

"As regards extension of the provisions of this Bill to the South Kanara district, there has been some betrayal, Mr. Speaker. We had promised to extend this Bill to fifty-two villages in the Kasaragode taluk of the South Kanara district, nearly eighty per cent of whose population are speaking Malayalam. There is no difference between their customs and ways of life and those of people living in Malabar. This is the reason why it was proposed to extend the Bill to those fifty-two villages. But we have gone

7th February 1951] [Sri M. P. Govinda Menon]

back. We now propose to extend the Bill only to 33 villages. Perhaps, my hon. Friend, Sri Karanth who was agitating for this was able to persuade the Hon. the Minister for Law to adopt his view. I am surprised, Sir, that some hon. Members are going to move amendments to take away even these 33 villages. I would request them not to whittle down the benefits accruing to the tenants of Malabar further.

"Lastly, Sir, I must appeal to all sections of the House to give their unqualified support to this Bill. This is a piece of legislation in regard to which there is very little difference among the Members representing Malabar. Some of us from Malabar, of course, do not see eye to eye with one another on many things. But on this, we are all agreed. Even the hon. Member, Janab Hydross, though he had several complaints to make, is for this Bill. Both sides of the House welcome this legislation. I request all the Members of this House to extend their full support to this Bill. Suits in Malabar have been stayed under the 1946 Act. There is abject poverty in that part of the State. We must repair the situation. We must give some sort of certainty to our actions. We must hasten the passage of this Bill and I hope all Members will co-operate in getting this Bill passed as early as possible."

SRI R. RAGHAVA MENON:—"Mr. Speaker, Sir, I am one of those who think that this Malabar Tenancy Amendment Bill should have been passed a long time ago. At any rate, its passage into law should not be delayed any more. The accusation that we are rushing with the Bill is not correct. As my hon. Friend, Sri Govinda Menon said, we began to work at it in the year 1939 during the first Congress Ministry and we were collecting relevant materials in that behalf. Now this is the first legislation after we have attained our independence, which affects the land tenure system in Malabar. Any land reform if it should give contentment to the people should not be allowed to be influenced by party predilections or party politics. The economic well-being of the people alone should be the guiding principle. If this had been the guiding principle in this case also, much of the criticisms made by Janab Hydross and Sri Govinda Menon would not have been there. They are disappointed that the tenants have been let down. The Joint Select Committee has curtailed certain of the privileges which the original Bill had intended to confer on the tenants. I would like to place before the House certain facts relating to the land tenure system obtaining in Malabar. We are not to legislate for the large number of cultivating verumpattamdars alone. Of course they are the persons who actually cultivate the lands, who work hard on the fields and produce the food. There are also the janmis. I am not talking of the rich janmis. I am talking of the poor janmis who should not be hurt.

"Here we are not legislating for thousands and thousands of tenants who are holding lands under a rich janmi. The ordinary term 'Janmi' is apt to mislead us because these janmis are considered to be something like the zamindars who own thousands and



[Sri R. Raghava Menon] [7th February 1951]

thousands of acres which are being cultivated by poor tenants, the lands being distributed among these cultivating tenants at the rate of three, four or five acres each, who are rackrented, who are given no fixity of tenure who are not having enough to eat and have to undergo loss every year and live for ever under miserable conditions. Do not have this picture at all when you come to consider the question of these janmis in Malabar. It is not for such people we are legislating. We have in Malabar about four lakhs and odd people who are called landlords, proprietors or what may be called janmis. If you bear this in mind you may have a fair idea of these so-called janmis. They are so called by courtesy; it is only a courtesy title in their case. These janmis have absolute right over the property subject to the payment of assessment or tax to the Government. Every one of these people who own one acre, two acres or three acres of land is called a janmi. My hon. Friend was saying that these janmis are very active people and all that. By that, I mean, he refers perhaps to only half a dozen of these people, in the whole district who have enough to travel from one railway station to another, and not the ordinary janmis of Malabar, because these cannot undertake such travels as they have not the means to do so. They are very poor, half-starving. They have not the means to have one full meal a day. This is a fact which has to be taken note of by hon. Members when considering the question of these janmis of Malabar. It is not the big janmis that we are dealing with. We have in the whole district only about 10 such big janmis whom this law does not affect, as also a number of tenant cultivators who have accumulated wealth and whom this law does not touch. We must remember these two factors. There are half a dozen janmis and hundreds of tenants who are well-to-do who can be asked to give over a portion of the land or who can be liberal according to the ideas of trusteeship which Gandhiji taught to our people. These people are not affected by this legislation. So we have got the so-called janmis having one acre or two acres or three acres of land. Fifty-two per cent of the landlords or the so-called janmis are owning less than two acres according to statistics. When the limit of holding is five acres and below, it is 88 per cent and less than 10 acres, it will be 98 per cent. So that is a janmi: Hon. Members of this House may be pleased to remember who these janmis are. Under these janmis we have a number of holders who are holding kanam right, mortgage right or whatever be the right. There are also these kanaris under the janmis,—cultivating tenants who are also mortgagee cultivating tenants. This Bill wants to give fixity of tenure to these cultivating tenants as against the landlords. We can take them as landlords having janmam rights or, it may be kanam rights under the janmi. We are concerned in this legislation with landlords on the one side—whether they are janmis or kanaris—and the cultivating tenants on the other. We are not concerned with the intermediaries. They are allowed to stand. This is a legislation well thought out in the beginning. I do not want to impute any motives here. They

7th February 1951] [Sri R. Raghava Menon]

wanted to destroy the intermediaries without actually removing them. They wanted to retain the intermediaries and do away with them in the course of two or three years. That would have happened if the Select Committee had not introduced certain amendments. The intermediaries' case reminds one of what Shylock said: 'Do away with my life when you take away the wherewithal to live.'

" So, Sir, what the hon. Members have to consider in this Bill is: 'What ought to be the relationship between the poor landlord and the poor tenant or the rich tenant as the case may be. There are poor tenants and rich tenants. There are poor landlords and rich landlords and only half-a-dozen of the landlords are rich. Again, Sir, in Malabar, the land also is not uniform in its fertility. It is never in the region of approximate uniformity in all the taluks. There are ten taluks in Malabar district of which Palghat, Walluvanad and a portion of Ponnani taluk have average fertility. In all other taluks the land is very poor, especially in North Malabar where the land will yield only about 3 or 4-fold, that is about forty paras of paddy, one para being equal to 6-2/3 Madras measures. That is the case with seven and odd taluks. Palghat is the only surplus taluk; Walluvanad is self-sufficient. A portion of Ponnani is not very fertile. So a legislation which attempts to lay down fair rent for all the taluks will hurt very badly some taluk or other. In fact it ought to be different for different taluks. That is not done in this Bill. Wherever there is difficulty, of course, certain adjustments have to be made. Sometimes we may have to suffer for the sake of uniformity. But here it is altogether different. We have different kinds of grants. We have a set of landlords, about four lakhs in number, who own less than two to three acres and have a family of 5 to 10 members. The Government have adopted 5 as the normal number for a unit. (Interruption.) There is no dearth of population. Wherever you go, you see a Malayalee. You see the Malayalee washing, governing and fighting. You will find Malayalees leaving their homes not because they like it, but because they have nothing to eat at home. That aspect also is very important in connexion with this legislation.

" With these facts before them, it would be easy for the hon. Members to decide as to what should be done with the landlords and tenants, what rights shall be given them, how shall the expenses be determined, whether it is right and proper that these landlords must be given an opportunity for cultivating their own lands to maintain themselves or tell them that they shall no longer have the lands and shall not be given the opportunity to cultivate their lands and feed themselves. These are the questions that we have to consider in this Bill. In this connexion I may state I am not a janmi. I am not so poor as a janmi. I have got five to six acres of land of my own. I am a kanari. I am both a cultivator and also a landlord. I am a cultivator because I cultivate two or three acres myself and I am a landlord in respect of the rest because it is cultivated by others.

[Sri R. Raghava Menon] [7th February 1951]

"Sir, I am supposed to be a Congressman and I believe I am one. We have been fighting for the well-being of the tenant alone as a tenant, the landlord alone as a landlord. If we begin to legislate regarding land on these principles, and help a particular class, whatever be the effect of it on others, it is no legislation. It can never be legislation because it must affect land and not persons. It must be land legislation. So much was said that everybody who has to depend on the land he has, his right over the land must be safeguarded, we cannot take it away from one class rudely saying that whatever the effect on the landlord we are going to help the other class. It is not proper. I am a Congressman and as such I am bound to help the tenant very much but at the same time I am also bound to see that as a result of helping the tenants the other poor landlords are not placed in a worse position, if not in an equal position but never in a better position. That principle the hon. Members may be pleased to remember.

"Sir, in the original Bill they decided that the cultivation expenses should be 4-fold whereas the total produce from the land in seven of the taluks of Malabar will not be 4-fold. This is unimaginable. Perhaps, there may be people tolerably rich people and tenants, who are also rich landlords, cultivating the land spending more and getting more paddy. But when we are legislating for the entire district and not for individual cases, the average ought not to be 4-fold of paddy for two crops. That will be almost the total yield in North Malabar. (Interruption.) The total produce will be only this and nothing more. That is the disadvantage in fixing a uniform rate of expenses irrespective of the fertility of the soil in the different taluks of the district. In the taluk of Palghat and a portion of Ponnani taluk there will be something left over after paying the expenses which are fixed once and for all. Here I request the Hon. Minister to allow us to move certain amendments because this was much more and the Select Committee reduced it for all crops to 22. I submit, Sir, there may not be much in some taluks to be given to the landlord and this is a thing which is fixed and the tenant is entitled to it. Whether he is the actual tenant cultivating the land or not, has not been considered. Because the tenant has to be helped, the amount has been fixed. Thus the rent which the landlord has been getting is very much reduced. Now, Sir, you have got a rent which was existing from times immemorial. There have been some Shylocks, one or two of them here and there who have been raising the rent a bit but taking an overall picture we will find that 98 per cent of the landlords, have not been increasing their rent. It is the old rent that is still continuing."

MR. SPEAKER:—"The hon. Member may continue his speech to-morrow. No more amendments will be received for this Bill."

I now adjourn the House till 11 a.m. on Thursday, the 8th February 1951.

The House then adjourned to meet again at 11 a.m. on Thursday, the 8th February 1951.

7th February 1951]

## APPENDIX I.

[Vide answer to starred question No. 690 asked by Sri A. Kaleswara Rao at the meeting of the Legislative Assembly held on 7th February 1951, page 184 supra.]

*Statement.*

Both the water-supply and drainage schemes for the municipality are included in the first Five-year Plan. In December 1948, the Government sanctioned the preparation of plans and estimates for an emergency scheme of improvements to the Vijayavada Municipal water-supply for augmenting the yield from the head-works as an immediate measure, so as to increase the supply to about 1,200 gallons per minute. They also sanctioned the investigation of a comprehensive scheme of improvements to the existing water-supply in the municipality to provide a supply of thirty gallons per head per day for an ultimate population of three lakhs. The investigation report for the comprehensive scheme is awaited from the Chief Engineer.

In February 1949, the Government sanctioned the plans and estimates amounting to Rs. 50,000 for the emergency improvement scheme referred to above. The Municipal Council, Vijayavada, was also permitted to execute the work under the supervision of the Public Works Department.

*Drainage.*—According to the first Five-year Plan, the drainage scheme for the municipality is to be taken up during the current year. The plans and estimates for the scheme have not yet been submitted by the Chief Engineer. The Chief Engineer has been reminded in the matter.

A special subdivision for the investigation of comprehensive improvements to the water-supply and drainage schemes for Vijayavada has been functioning since July 1950 and preliminary lines on which this investigation should proceed have also been decided by the Sanitary Engineer after an inspection of the town. Field work is reported to be in active progress now. The Sanitary Engineer has stated that a preliminary report chalking out the lines of improvements envisaged will be submitted by April 1951 and that a complete report dealing with the comprehensive measures necessary for the improvements to the water-supply and drainage schemes for the municipality with preliminary estimates of cost, etc., will be submitted by about the end of 1951.

[7th February 1951]

## APPENDIX II.

[Vide answer to starred question No. 694 asked by Begum Sultan Mir Amiruddin at the meeting of the Legislative Assembly held on 7th February 1951, page 189 supra.]

(b) *Ayurveda*—(1) *Clinical—Research*.—Certain drugs are being tried for some diseases like Rheumatism, Dropsy and Cough and results are being noted for future use.

(2) *Literary Research*. Compilation on Rigvinischya (Diagnosis of Diseases) in three parts—

(i) Clinical methods.

(ii) Symptoms indicating diseases.

(iii) Symptomology of each disease is being made.

*Siddha*.—Literary research is being carried on in Siddha system and text-books on (1) Hygiene, (2) (a) *Materia Medica* (General), (b) *Materia Medica* (Special), (3) Fundamentals of Siddha System and (4) Siddha Medicine, have been compiled and are ready for printing.

*Unani*.—Pharmacopocia in Unani is being compiled with a view to deal with the subject on modern lines.

(c) (1) *Research Officer*.—(i) Must have obtained a degree in modern medicine of a University in the Province; and

(ii) must possess the title of “Ayurvedacharya” in Medicine and Surgery of the Benares Hindu University or the All-India Ayurveda Vidyapith, Delhi.

(2) *Professors—Ayurveda*.—Must have obtained—

(i) the title of “Ayurvedacharya” in Medicine and Surgery of the Benares Hindu University, or

(ii) the title of “Ayurvedacharya” of the All-India Ayurveda Vidyapith, Delhi, with the diploma of L.I.M. or A.L.I.M., or

(iii) H.P.I.M. diploma, or

(iv) the degree awarded by an authority appointed by the Provincial Government to candidates who have successfully undergone the prescribed course of studies in the College of Indigenous Medicine maintained by the Government of Madras.

*Siddha*.—Must have obtained the H.P.I.M. diploma or the degree awarded by an authority appointed by the Provincial Government to candidates who have successfully undergone the prescribed course of studies in the College of Indigenous Medicine maintained by the Government.

*Unani*.—Must have obtained the H.P.I.M. diploma or the degree awarded by an authority appointed by the Provincial Government to candidates who have successfully undergone the prescribed course of studies in the College of Indigenous Medicine maintained by the Government of Madras.

[7th February 1951]

(3) *Assistant Professors*.—Diploma of High Proficiency test in Indian Medicine granted by the Government Board of Examiners in Ayurveda Telugu, Ayurveda Tamil, Siddha or Unani system as the case may be.

(d) One Professor and One Assistant Professor are doing clinical research in Ayurveda and they possess the qualification of H.P.I.M.

## APPENDIX III.

[Vide answer to starred question No. 696 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 7th February 1951, page 191 supra.]

(a) Yes.

(b) The several courses taught in the Institution are given below :—

Diploma courses (full time)—

- (1) Mechanical Engineering.
- (2) Electrical Engineering.
- (3) Sanitary Engineering.
- (4) Cinematography and Sound Engineering.
- (5) Printing Technology.
- (6) Fisheries Technology and Navigation.
- (7) Overseers course.

Diploma courses (part time)—

- (1) Mechanical Engineering.
- (2) Electrical Engineering.
- (3) Printing Technology.

Certificate courses (full time)—

- (1) Cinema Operators.
- (2) Fitters and Erectors.
- (3) Electric and Gas Welding.
- (4) Mechanical Draughtsman.
- (5) Building Draughtsman.
- (6) Light Metal Casting.

Certificate courses (part time)—

- (1) Composing and Proof reading.
- (2) Electric Wiring.
- (3) Plumbing and Building Drawing.
- (4) Metal Workers Drawing.
- (5) Wood Workers Drawing.

[7th February 1951]

(c) & (d) The Sanitary Engineering course was started in 1946-47 and the first batch of students completed the course in 1948-49 and the second batch in 1949-50. The question of recognizing the L.S.E. diploma of the Government Polytechnics as equivalent to the L.C.E. diploma of the College of Engineering, Guindy, for purposes of employment as Supervisors in the Sanitary Engineering Branch and to posts in the water-supply and drainage branches of the municipalities is under the consideration of the Government.

(e) Ten (five in 1949 and five in 1950).

(f) No. Some of the students who passed the L.S.E. Diploma Examination in 1949 have already been employed in the Sanitary Engineering department.

(g) & (h) The questions do not arise.

## APPENDIX IV.

[Vide answer to starred question No. 703 asked by Sri R. Kuppuswamy at the meeting of the Legislative Assembly held on 7th February 1951, page 198 supra.]

I. The particulars of allotments of yarn made to the several taluks of the Coimbatore district under various counts during the months of July to October 1950 are furnished below :—

| Taluk.           | Months and Counts. |        |             |        |                |        |              |        |
|------------------|--------------------|--------|-------------|--------|----------------|--------|--------------|--------|
|                  | July '50.          |        | August '50. |        | September '50. |        | October '50. |        |
|                  | Counts.            | Bales. | Counts.     | Bales. | Counts.        | Bales. | Counts.      | Bales. |
| (1)              | (2)                | (3)    | (4)         | (5)    | (6)            | (7)    | (8)          | (9)    |
| Avanashi taluk   | 20s                | 50     | 26s         | 49     | 20s            | 14     | 26s          | 36     |
|                  | 26s                | 18     | ..          | ..     | ..             | ..     | ..           | ..     |
|                  | 60s                | 9      | ..          | ..     | ..             | ..     | ..           | ..     |
|                  | ..                 | 77     | ..          | 49     | ..             | 14     | ..           | 36     |
| Bhavani taluk    | 2s                 | 2      | 20s         | 27     | 20s            | 26     | 20s          | 35     |
|                  | 14s                | 25     | 26s         | 68     | 26s            | 18     | 28s          | 5      |
|                  | 20s                | 59     | ..          | ..     | 10s            | 10     | 36s          | 10     |
|                  | 26s                | 91     | 2s          | 14     | ..             | ..     | 40s          | 14     |
|                  | 36s                | 41     | ..          | ..     | ..             | ..     | ..           | ..     |
|                  | 60s                | 3      | ..          | ..     | ..             | ..     | ..           | ..     |
|                  | ..                 | 221    | ..          | 129    | ..             | 64     | ..           | 64     |
| Coimbatore taluk | 20s                | 46     | 20s         | 117    | ..             | ..     | 20s          | 29     |
|                  | 36s                | 67     | 60s         | 26     | ..             | ..     | 36s          | 1      |
|                  | 60s                | 24     | 36s         | 2      | ..             | ..     | 32s          | 7      |
|                  | 2/36s              | 2      | ..          | ..     | ..             | ..     | ..           | ..     |
|                  | Cone yarn          | 48     | ..          | ..     | ..             | ..     | ..           | ..     |
|                  | ..                 | 187    | ..          | 145    | ..             | ..     | ..           | 37     |

Major portion of the counts 60s, 26s and 20s have been diverted to other taluks, viz., Pollachi, Tirupur and Dharapuram.

[7th February 1951]

| Taluk.                                                                                                   | Months and Counts.          |        |             |        |                |        |              |        |
|----------------------------------------------------------------------------------------------------------|-----------------------------|--------|-------------|--------|----------------|--------|--------------|--------|
|                                                                                                          | July '50.                   |        | August '50. |        | September '50. |        | October '50. |        |
|                                                                                                          | Counts.                     | Bales. | Counts.     | Bales. | Counts.        | Bales. | Counts.      | Bales. |
| (1)                                                                                                      | (2)                         | (3)    | (4)         | (5)    | (6)            | (7)    | (8)          | (9)    |
| Dharapuram taluk                                                                                         | 20s                         | 67     | 20s         | 11     | 26s            | 22     | 26s          | 35     |
|                                                                                                          | 26s                         | 33     | 26s         | 56     | 28s            | 20     | 26s          | 34     |
|                                                                                                          | 60s                         | 5      | 36s         | 8      | ..             | ..     | 40s          | 8      |
|                                                                                                          | ..                          | ..     | ..          | ..     | ..             | ..     | 2/20s        | 4      |
|                                                                                                          | ..                          | 105    | ..          | 75     | ..             | 42     | ..           | 81     |
| Erode taluk                                                                                              | 20s                         | 403    | 28s         | 10     | 26s            | 194    | 26s          | 1      |
|                                                                                                          | ..                          | ..     | 20s         | 71     | 2/30s          | 17     | 32s          | 17     |
|                                                                                                          | ..                          | ..     | 30s         | 210    | 28s            | 40     | 2/20s        | 25     |
|                                                                                                          | ..                          | ..     | 2/20s       | 35     | ..             | ..     | 28s          | 40     |
|                                                                                                          | ..                          | ..     | 1 1/2s      | 21     | ..             | ..     | ..           | ..     |
|                                                                                                          | ..                          | 403    | ..          | 347    | ..             | 251    | ..           | 83     |
| Gobichettipalayam taluk.                                                                                 | 20s                         | 80     | 26s         | 55     | 26s            | 36     | 20           | 4      |
|                                                                                                          | 26s                         | 56     | ..          | ..     | 28s            | 18     | ..           | ..     |
|                                                                                                          | 80s                         | 1      | ..          | ..     | ..             | ..     | ..           | ..     |
|                                                                                                          | 60s                         | 2      | ..          | ..     | ..             | ..     | ..           | ..     |
|                                                                                                          | ..                          | 139    | ..          | 55     | ..             | 54     | ..           | 4      |
| * 40 bales of 26s and 10 bales of 28s have been allotted during November 1950 to make up the deficiency. |                             |        |             |        |                |        |              |        |
| Kollegal taluk                                                                                           | 20s                         | 15     | 20s         | 18     | 20s            | 6      | 20s          | 15     |
|                                                                                                          | (Diverted from Coimbatore.) |        |             |        |                |        |              |        |
| Tirupur taluk                                                                                            | 20s                         | 68     | 26s         | 66     | 26s            | 8      | 26s          | 24     |
|                                                                                                          | 60s                         | 27     | Cone        | 12     | 36s            | 5      | ..           | ..     |
|                                                                                                          | Cone yarn                   | 107    | 36s         | 6      | 60s            | 7      | ..           | ..     |
|                                                                                                          | ..                          | ..     | ..          | ..     | Cone           | 7      | ..           | ..     |
| Pollachi taluk                                                                                           | 20s                         | 20     | 36s         | ..     | ..             | 9      | 40s          | 8      |
|                                                                                                          | 60s                         | 20     | 26s         | 22     | ..             | ..     | ..           | ..     |
|                                                                                                          | 36s                         | 10     | 40s         | 5      | ..             | ..     | ..           | ..     |
|                                                                                                          | ..                          | ..     | 60s         | 3      | ..             | ..     | ..           | ..     |
|                                                                                                          | ..                          | 50     | ..          | 36     | ..             | 9      | ..           | 8      |
| * 9 bales of 36s and 12 bales of 60s have been allotted for November 1950.                               |                             |        |             |        |                |        |              |        |
| Udamalpet taluk                                                                                          | 60s                         | 2      | 36s         | 6      | ..             | ..     | ..           | ..     |
|                                                                                                          | ..                          | ..     | 26s         | 22     | ..             | ..     | ..           | ..     |
|                                                                                                          | 20s                         | 42     | ..          | ..     | 60s            | 3      | 40s          | 4      |
|                                                                                                          | 36s                         | 11     | 60s         | 1      | ..             | ..     | ..           | ..     |
|                                                                                                          | ..                          | ..     | 40s         | 3      | ..             | ..     | ..           | ..     |
|                                                                                                          | ..                          | 55     | ..          | 22     | ..             | 3      | ..           | 4      |
| * 11 bales of 36s have been allotted for November 1950.                                                  |                             |        |             |        |                |        |              |        |

II. 100s and 80s yarn are being distributed to the weavers of all the taluks direct by the Mills retail depots at Coimbatore (in retail).

[7th February 1951]

## APPENDIX V.

[Vide answer to unstarred question No. 55 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 7th February 1951, pages 205-206 supra.]

## Circars.

| Taluk.                      | Firka.               | Total number of voters (all communities). | Number of Scheduled caste voters. | Total population of Scheduled castes. |
|-----------------------------|----------------------|-------------------------------------------|-----------------------------------|---------------------------------------|
| (1)                         | (2)                  | (3)                                       | (4)                               | (5)                                   |
| <i>Srikakulam District.</i> |                      |                                           |                                   |                                       |
| Ichapur ..                  | Ichapur ..           | 23,309                                    | 1,295                             |                                       |
|                             | Kaviti ..            | 17,385                                    | 576                               |                                       |
|                             | Total ..             | 40,694                                    | 1,871                             | 3,450                                 |
| Sompeta ..                  | Kolluru ..           | 9,442                                     | 756                               |                                       |
|                             | Sompeta ..           | 19,069                                    | 1,039                             |                                       |
|                             | Sripuram ..          | 8,466                                     | 1,343                             |                                       |
|                             | Mandasa ..           | 9,442                                     | 1,134                             |                                       |
|                             | Haripuram ..         | 13,428                                    | 821                               |                                       |
|                             | Total ..             | 59,847                                    | 5,093                             | 10,676                                |
| Tekkali ..                  | Tekkali ..           | 16,000                                    | 1,927                             |                                       |
|                             | Santhabommali ..     | 14,364                                    | 1,332                             |                                       |
|                             | Brahmantarala ..     | 22,633                                    | 1,184                             |                                       |
|                             | Palasa ..            | 15,141                                    | 1,061                             |                                       |
|                             | Nowgam ..            | 8,841                                     | 2,081                             |                                       |
|                             | Nandigam ..          | 8,332                                     | 1,865                             |                                       |
|                             | Total ..             | 85,311                                    | 9,450                             | 18,878                                |
| Narasannapeta ..            | Narasannapeta ..     | 23,511                                    | 1,574                             |                                       |
|                             | Nadagam ..           | 21,954                                    | 1,095                             |                                       |
|                             | Jalumuru ..          | 14,971                                    | 1,723                             |                                       |
|                             | Palathalagam ..      | 25,375                                    | 1,966                             |                                       |
|                             | Total ..             | 76,811                                    | 6,358                             |                                       |
| Pathapatnam ..              | Pathapatnam ..       | 47,733                                    | 7,622                             |                                       |
|                             | Kothuru ..           | 58,014                                    | 10,256                            |                                       |
|                             | Total ..             | 105,747                                   | 17,877                            | 32,312                                |
| Parvathipur ..              | Tallaburidi ..       | 13,021                                    | 1,438                             |                                       |
|                             | Parvatipuram ..      | 21,988                                    | 1,859                             |                                       |
|                             | Garugupilli ..       | 14,833                                    | 1,600                             |                                       |
|                             | Naguru ..            | 14,406                                    | 1,504                             |                                       |
|                             | Kurupam ..           | 9,508                                     | 679                               |                                       |
|                             | Komarada ..          | 9,199                                     | 938                               |                                       |
|                             | Golpaka ..           | 4,588                                     | 207                               |                                       |
|                             | Gummalakshimpuram .. | 6,560                                     | 973                               |                                       |
|                             | Mondemkhalu ..       | 6,131                                     | 189                               |                                       |
|                             | Total ..             | 100,234                                   | 9,387                             | 17,263                                |

\* This is a newly formed taluk. Population figures not given in 1941 Census Tables.

7th February 1951]

| Taluk.                           | Firka.              | Total number of voters (all communities). | Number of Scheduled caste voters. | Total population of Scheduled castes. |
|----------------------------------|---------------------|-------------------------------------------|-----------------------------------|---------------------------------------|
| (1)                              | (2)                 | (3)                                       | (4)                               | (5)                                   |
| <i>Srikakulam District—cont.</i> |                     |                                           |                                   |                                       |
| Palakonda ..                     | Palakonda ..        | 16,439                                    | 1,927                             |                                       |
|                                  | Navagam ..          | 12,278                                    | 971                               |                                       |
|                                  | Veeraghattam ..     | 10,108                                    | 1,106                             |                                       |
|                                  | Kottisa ..          | 17,160                                    | 1,557                             |                                       |
|                                  | Vurnkuru ..         | 32,228                                    | 3,470                             |                                       |
|                                  | Honjaram ..         | 34,452                                    | 3,749                             |                                       |
|                                  | Burja ..            | 14,399                                    | 2,027                             |                                       |
|                                  | Agency ..           | 9,367                                     | 45                                |                                       |
|                                  | Total ..            | 146,431                                   | 14,852                            | 37,613                                |
| Bobbili ..                       | Bobbili ..          | 26,834                                    | 1,988                             |                                       |
|                                  | Burja ..            | 15,392                                    | 1,014                             |                                       |
|                                  | Balijipeta ..       | 20,757                                    | 2,759                             |                                       |
|                                  | Pinapenki ..        | 20,247                                    | 1,860                             |                                       |
|                                  | Perunali ..         | 13,037                                    | 1,837                             |                                       |
|                                  | Ramachandrapuram .. | 19,753                                    | 1,317                             |                                       |
|                                  | Komatipalli ..      | 21,790                                    | 1,608                             |                                       |
|                                  | Total ..            | 137,810                                   | 12,413                            | 26,509                                |
| Srikakulam ..                    | Gara ..             | 22,444                                    | 1,019                             |                                       |
|                                  | Srikakulam ..       | 27,164                                    | 2,411                             |                                       |
|                                  | Amadalavalasa ..    | 21,431                                    | 1,845                             |                                       |
|                                  | Nagarikatakam ..    | 22,733                                    | 3,013                             |                                       |
|                                  | Total ..            | 93,772                                    | 8,888                             | 30,046                                |
| Salur ..                         | Salur ..            | 33,638                                    | 3,191                             |                                       |
|                                  | Pachipenta ..       | 13,027                                    | 2,001                             |                                       |
|                                  | Mukkuva ..          | 17,085                                    | 2,096                             |                                       |
|                                  | Arikoithota ..      | 16,588                                    | 2,193                             |                                       |
|                                  | Total ..            | 80,338                                    | 9,481                             | 16,398                                |
| Cheepurupalli ..                 | Garbham ..          | 28,713                                    | 5,183                             |                                       |
|                                  | Cheepurupalli ..    | 25,271                                    | 4,719                             |                                       |
|                                  | Ponduru ..          | 24,445                                    | 4,685                             |                                       |
|                                  | Shermahamadpuram .. | 24,553                                    | 4,005                             |                                       |
|                                  | Kuppili ..          | 20,408                                    | 3,036                             |                                       |
|                                  | Ranasthalam ..      | 30,475                                    | 6,537                             |                                       |
|                                  | Total ..            | 148,865                                   | 28,165                            | 29,861                                |
| Total for the district ..        |                     | 1,075,860                                 | 123,570                           | 223,006                               |

*Visakhapatnam District.*

|                 |                      |         |        |        |
|-----------------|----------------------|---------|--------|--------|
| Vizianagaram .. | Gajapathinagaram ..  | 18,191  | 1,777  |        |
|                 | Ramathirtham ..      | 12,760  | 1,698  |        |
|                 | Devapalli ..         | 14,086  | 1,910  |        |
|                 | Gantiyada ..         | 12,028  | 1,751  |        |
|                 | Kondathamarapalli .. | 11,666  | 1,644  |        |
|                 | Moida ..             | 17,578  | 1,731  |        |
|                 | Ghodavaram ..        | 11,461  | 1,548  |        |
|                 | Vizianagaram ..      | 47,221  | 2,281  |        |
|                 | Total ..             | 144,991 | 14,290 | 32,507 |

[7th February 1951]

| Taluk.                              | Firkas.             | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|-------------------------------------|---------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                                 | (2)                 | (3)                                       | (4)                                | (5)                                   |
| <i>Visakhapatnam District—cont.</i> |                     |                                           |                                    |                                       |
| Srungavarapukota Plains.            | Kothavalsa ..       | 20,591                                    | 1,554                              |                                       |
|                                     | Alamanda ..         | 20,887                                    | 1,387                              |                                       |
|                                     | Kottam ..           | 18,834                                    | 1,985                              |                                       |
|                                     | Srungavarapukota .. | 18,411                                    | 1,375                              |                                       |
|                                     | Vepada ..           | 21,865                                    | 2,989                              |                                       |
| Srungavarapukota Agency.            | Araku* ..           | 4,880                                     |                                    |                                       |
|                                     | Sovva ..            | 1,678                                     |                                    |                                       |
|                                     | Kinchamanda ..      | 3,434                                     |                                    |                                       |
|                                     | Kasipatnam ..       | 1,070                                     |                                    |                                       |
|                                     | Anantagiri ..       | 2,976                                     |                                    |                                       |
|                                     | Lotheru ..          | 1,564                                     |                                    |                                       |
|                                     | Gumma ..            | 1,239                                     |                                    |                                       |
|                                     | <b>Total ..</b>     | <b>117,279</b>                            | <b>9,290</b>                       | <b>20,864</b>                         |
| Bheemunipatnam.                     | Bheemunipatnam ..   | 33,484                                    | 2,856                              |                                       |
|                                     | Bogapuram ..        | 17,792                                    | 1,514                              |                                       |
|                                     | Denkada ..          | 18,857                                    | 2,010                              |                                       |
|                                     | Pusapatirega ..     | 16,225                                    | 1,393                              |                                       |
|                                     | Revidi ..           | 26,150                                    | 2,103                              |                                       |
|                                     | <b>Total ..</b>     | <b>112,508</b>                            | <b>9,876</b>                       | <b>22,285</b>                         |
| Gudem ..                            | Koyyuru ..          | 3,001                                     | 1,047                              |                                       |
|                                     | Makavaram ..        | 2,535                                     | 1,002                              |                                       |
|                                     | Chintapalli ..      | 3,369                                     | 355                                |                                       |
|                                     | Kokavuru ..         | 1,883                                     | 55                                 |                                       |
|                                     | Gudem ..            | 2,253                                     | 190                                |                                       |
|                                     | Lambasingi ..       | 1,567                                     | 130                                |                                       |
|                                     | Downuru ..          | 1,068                                     | 125                                |                                       |
|                                     | G. Madgole ..       | 3,870                                     | 260                                |                                       |
|                                     | Maderu ..           | 4,076                                     | 323                                |                                       |
|                                     | Hakempeta ..        | 4,079                                     | 307                                |                                       |
|                                     | Sujanakota ..       | 3,949                                     | 330                                |                                       |
|                                     | Aradakota ..        | 4,929                                     | 320                                |                                       |
|                                     | Rapalle ..          | 1,959                                     | 142                                |                                       |
|                                     | Kilagada ..         | 4,731                                     | 334                                |                                       |
|                                     | Jinumuluru ..       | 4,542                                     | 312                                |                                       |
|                                     | Solabham ..         | 2,506                                     | 139                                |                                       |
|                                     | Radhakota ..        | 4,422                                     | 270                                |                                       |
|                                     | <b>Total ..</b>     | <b>54,739</b>                             | <b>5,641</b>                       | <b>12,677</b>                         |
| Veeravalli ..                       | Chodavaram ..       | 16,078                                    | 1,521                              |                                       |
|                                     | Vaddadi ..          | 8,141                                     | 1,459                              |                                       |
|                                     | Gavaravaram ..      | 5,332                                     | 280                                |                                       |
|                                     | Chanduvada ..       | 7,673                                     | 449                                |                                       |
|                                     | K.J. Puram ..       | 9,883                                     | 1,292                              |                                       |
|                                     | Cheedikada ..       | 8,902                                     | 471                                |                                       |
|                                     | Medivada ..         | 11,153                                    | 714                                |                                       |
|                                     | Gouripatnam ..      | 3,892                                     | 522                                |                                       |
|                                     | Tenugupudi ..       | 9,908                                     | 1,886                              |                                       |
|                                     | Devarapalli ..      | 10,369                                    | 604                                |                                       |
|                                     | K. Kothapad ..      | 12,790                                    | 584                                |                                       |
|                                     | Kintali ..          | 5,876                                     | 2,122                              |                                       |
|                                     | Goupa ..            | 9,493                                     | 345                                |                                       |
|                                     | Madugole ..         | 10,376                                    | 1,324                              |                                       |
|                                     | Rajam ..            | 9,331                                     | 529                                |                                       |
|                                     | Madacharla ..       | 4,136                                     | 260                                |                                       |
|                                     | Madgole Agency ..   | 3,683                                     |                                    |                                       |
|                                     | <b>Total ..</b>     | <b>147,016</b>                            | <b>14,362</b>                      | <b>24,117</b>                         |

7th February 1951]

| Taluk.                              | Firkas.                     | Total number of voters (all communities). | Number of scheduled castes voters. | Total population of Scheduled castes. |
|-------------------------------------|-----------------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                                 | (2)                         | (3)                                       | (4)                                | (5)                                   |
| <i>Visakhapatnam District—cont.</i> |                             |                                           |                                    |                                       |
| Visakhapatnam ..                    | Kanithi ..                  | 17,481                                    | 1,255                              |                                       |
|                                     | Madhuravada ..              | 16,165                                    | 1,600                              |                                       |
|                                     | Pendurthi ..                | 15,393                                    | 1,078                              |                                       |
|                                     | Visakhapatnam Municipality. | 35,677                                    | 3,232                              |                                       |
|                                     | <b>Total ..</b>             | <b>84,716</b>                             | <b>7,165</b>                       | <b>14,474</b>                         |
| Golugonda ..                        | Jalluru ..                  | 42,995                                    | 7,282                              |                                       |
|                                     | Rolugunta ..                | 34,427                                    | 5,789                              |                                       |
|                                     | Natavaram ..                | 16,182                                    | 4,510                              |                                       |
|                                     | Golugonda ..                | 16,299                                    | 4,485                              |                                       |
|                                     | <b>Total ..</b>             | <b>109,903</b>                            | <b>22,066</b>                      | <b>24,148</b>                         |
| Anakapalle ..                       | Anakapalle ..               | 52,967                                    | 4,619                              |                                       |
|                                     | Thallapalem ..              | 20,838                                    | 1,326                              |                                       |
|                                     | Sabbavaram ..               | 19,451                                    | 1,237                              |                                       |
|                                     | Paravada ..                 | 23,267                                    | 1,171                              |                                       |
|                                     | <b>Total ..</b>             | <b>116,523</b>                            | <b>8,353</b>                       | <b>13,319</b>                         |
| Sarasiddhi ..                       | Kondakarla ..               | 19,703                                    | 1,274                              |                                       |
|                                     | Dimila ..                   | 18,386                                    | 1,469                              |                                       |
|                                     | Yellamanchili ..            | 20,447                                    | 923                                |                                       |
|                                     | Penugolu ..                 | 18,308                                    | 2,671                              |                                       |
|                                     | Nakkapalli ..               | 19,836                                    | 3,303                              |                                       |
|                                     | Payakaraopeta ..            | 21,032                                    | 2,190                              |                                       |
|                                     | <b>Total ..</b>             | <b>117,712</b>                            | <b>11,830</b>                      | <b>22,814</b>                         |
| Total for the district ..           |                             | 1,005,387                                 | 102,873                            | 187,205                               |
| <i>East Godavari District.</i>      |                             |                                           |                                    |                                       |
| Kakinada ..                         | Samakot ..                  | 37,391                                    | 5,828                              |                                       |
|                                     | Gollala Mamidada ..         | 19,823                                    | 2,182                              |                                       |
|                                     | Kakinada ..                 | 60,302                                    | 6,092                              |                                       |
|                                     | Yendamuru ..                | 20,620                                    | 4,074                              |                                       |
|                                     | Pallipalem ..               | 30,028                                    | 6,824                              |                                       |
|                                     | <b>Total ..</b>             | <b>168,164</b>                            | <b>25,000</b>                      | <b>52,999</b>                         |
| Tuni ..                             | Allavilli Venkata-nagaram.  | 3,671                                     | 751                                |                                       |
|                                     | A. Kothapalli ..            | 11,221                                    | 3,397                              |                                       |
|                                     | Hamsavaram ..               | 7,130                                     | 1,899                              |                                       |
|                                     | Tuni ..                     | 13,447                                    | 3,156                              |                                       |
|                                     | D. Polavaram ..             | 7,797                                     | 1,712                              |                                       |
|                                     | Bhimavarapukota ..          | 3,636                                     | 647                                |                                       |
|                                     | Kamatam Mallavaram.         | 8,050                                     | 3,149                              |                                       |
|                                     | <b>Total ..</b>             | <b>54,952</b>                             | <b>14,711</b>                      | <b>19,932</b>                         |
| Pithapuram ..                       | Gollaprolu ..               | 25,328                                    | 3,644                              |                                       |
|                                     | Pittapur ..                 | 26,245                                    | 3,959                              |                                       |
|                                     | Kothapalli ..               | 21,868                                    | 2,948                              |                                       |
| <b>Total ..</b>                     |                             | <b>73,441</b>                             | <b>10,551</b>                      | <b>20,779</b>                         |



[7th February 1951]

| Taluk.                              | Firkas.             | Total number of voters (all communities). | Number of scheduled caste voters. | Total population of Scheduled castes. |
|-------------------------------------|---------------------|-------------------------------------------|-----------------------------------|---------------------------------------|
| (1)                                 | (2)                 | (3)                                       | (4)                               | (5)                                   |
| <i>East Godavari District—cont.</i> |                     |                                           |                                   |                                       |
| Peddapuram ..                       | Rowtulapudi ..      | 21,692                                    | 3,170                             |                                       |
|                                     | Prathipadu ..       | 19,503                                    | 3,378                             |                                       |
|                                     | Yaleswaram ..       | 16,906                                    | 3,066                             |                                       |
|                                     | Jaggampeta ..       | 24,124                                    | 3,619                             |                                       |
|                                     | Rangampeta ..       | 19,476                                    | 4,882                             |                                       |
|                                     | Peddapuram ..       | 38,066                                    | 6,019                             |                                       |
|                                     | Total ..            | 139,767                                   | 24,134                            | 45,094                                |
| Kothapeta ..                        | Kothapeta ..        | 29,164                                    | 7,282                             |                                       |
|                                     | Atreyapuram ..      | 21,768                                    | 4,707                             |                                       |
|                                     | Narendrapuram ..    | 22,923                                    | 7,918*                            |                                       |
|                                     | Total ..            | 73,855                                    | 19,907                            |                                       |
| Ramachandrapuram ..                 | Ramachandrapuram .. | 22,343                                    | 3,139                             |                                       |
|                                     | Anaparti ..         | 27,057                                    | 1,701                             |                                       |
|                                     | Venkatayapalem ..   | 21,878                                    | 3,025                             |                                       |
|                                     | Pamaru ..           | 27,102                                    | 2,141                             |                                       |
|                                     | Alamuru ..          | 21,110                                    | 3,247                             |                                       |
|                                     | Mandapeta ..        | 28,389                                    | 4,137                             |                                       |
|                                     | Someswaram ..       | 24,688                                    | 2,701                             |                                       |
|                                     | Total ..            | 172,576                                   | 20,091                            | 53,970                                |
| Rajahmundry ..                      | Rajahmundry ..      | 73,753                                    | 11,661                            |                                       |
|                                     | Gokavaram ..        | 19,324                                    | 2,800                             |                                       |
|                                     | Burugupudi ..       | 21,776                                    | 5,143                             |                                       |
|                                     | Rajanagar ..        | 13,035                                    | 2,204                             |                                       |
|                                     | Raghudevapuram ..   | 17,526                                    | 3,691                             |                                       |
|                                     | Total ..            | 145,414                                   | 25,499                            | 49,069                                |
| Razole ..                           | Manepalli ..        | 18,753                                    | 5,932                             |                                       |
|                                     | Kadali ..           | 21,176                                    | 7,859                             |                                       |
|                                     | Razole ..           | 20,493                                    | 5,338                             |                                       |
|                                     | Antervedipalem ..   | 29,040                                    | 11,355                            |                                       |
|                                     | Total ..            | 89,462                                    | 30,484                            | 93,096                                |
| Yellavaram ..                       | Jaddangi ..         | 7,831                                     | 531                               |                                       |
|                                     | Addatigala ..       | 9,242                                     | 498                               |                                       |
|                                     | Pidathamamudi ..    | 9,322                                     | 260                               |                                       |
|                                     | Total ..            | 26,396                                    | 1,289                             | 5,975                                 |
| Amalapuram ..                       | Tottaramudi ..      | 23,434                                    | 7,755                             |                                       |
|                                     | Polavaram ..        | 26,797                                    | 7,938                             |                                       |
|                                     | Cheyyaru ..         | 31,627                                    | 11,513                            |                                       |
|                                     | Uppalagapatam ..    | 17,710                                    | 7,338                             |                                       |
|                                     | Amalapuram ..       | 39,832                                    | 9,196                             |                                       |
|                                     | Devagupatam ..      | 24,038                                    | 9,220                             |                                       |
|                                     | Total ..            | 162,438                                   | 52,960                            | 103,543                               |
| Bhadrachalam ..                     | Bhadrachalam ..     | 12,998                                    | 1,117                             |                                       |
|                                     | Marrigudem ..       | 10,421                                    | 1,513                             |                                       |
|                                     | Rakapalli ..        | 9,024                                     | 239                               |                                       |
|                                     | Total ..            | 32,443                                    | 2,869                             | 6,863                                 |

\* Population figures not given in 1941 Census tables.

7th February 1951]

| Taluk.                              | Firkas.       | Total number of voters (all communities). | Number of Scheduled caste voters. | Total population of Scheduled castes. |
|-------------------------------------|---------------|-------------------------------------------|-----------------------------------|---------------------------------------|
| (1)                                 | (2)           | (3)                                       | (4)                               | (5)                                   |
| <i>East Godavari District—cont.</i> |               |                                           |                                   |                                       |
| Nugur ..                            | Nugur ..      | 8,531                                     | 878                               |                                       |
|                                     | Cherla ..     | 8,324                                     | 894                               |                                       |
|                                     | Total ..      | 16,855                                    | 1,772                             | 4,283                                 |
| Chodavaram ..                       | Chodavaram .. | 10,067                                    | 15                                |                                       |
|                                     | Devipatnam .. | 10,064                                    | 261                               |                                       |
|                                     | Total ..      | 20,131                                    | 276                               | 2,153                                 |
| Total for the district              |               | 1,175,511                                 | 329,543                           | 458,358                               |

*West Godavari District.*

|                   |                   |         |        |        |
|-------------------|-------------------|---------|--------|--------|
| Eluru ..          | Eluru ..          | 47,551  | 5,640  |        |
|                   | Dendaluru ..      | 25,173  | 5,204  |        |
|                   | Pedapadu ..       | 21,902  | 3,182  |        |
|                   | Bhimadole ..      | 25,977  | 5,351  |        |
|                   | Total ..          | 120,603 | 19,377 | 42,824 |
| Tadepalligudem .. | Tadepalligudem .. | 30,781  | 8,937  |        |
|                   | Ungutur ..        | 16,834  | 3,923  |        |
|                   | Alampuram ..      | 19,540  | 4,429  |        |
|                   | Pentapadu ..      | 15,871  | 3,940  |        |
|                   | Ganapavaram ..    | 15,680  | 3,217  |        |
|                   | Nidamaru ..       | 8,261   | 1,324  |        |
|                   | Total ..          | 106,967 | 25,770 | 43,082 |
| Kovvur ..         | Kovvur ..         | 29,757  | 8,030  |        |
|                   | Nidadavole ..     | 27,284  | 7,342  |        |
|                   | Gopalapuram ..    | 18,555  | 4,403  |        |
|                   | Devarapalli ..    | 18,139  | 5,837  |        |
|                   | Total ..          | 93,735  | 25,612 | 52,672 |
| Bhimavaram ..     | Bhimavaram ..     | 32,739  | 3,143  |        |
|                   | Viravasaram ..    | 24,667  | 3,759  |        |
|                   | Undi ..           | 22,998  | 2,701  |        |
|                   | Akividu ..        | 21,661  | 2,202  |        |
|                   | Bondada ..        | 15,581  | 1,428  |        |
|                   | Total ..          | 117,646 | 13,233 | 30,355 |
| Tanuku ..         | Tanuku ..         | 36,612  | 6,646  |        |
|                   | Attili ..         | 37,178  | 3,957  |        |
|                   | Penumantra ..     | 19,762  | 4,382  |        |
|                   | Peraveli ..       | 26,078  | 4,910  |        |
|                   | Penugonda ..      | 28,545  | 4,507  |        |
|                   | Total ..          | 138,175 | 24,402 | 44,646 |
| Narasapur ..      | Narasapur ..      | 27,456  | 4,811  |        |
|                   | Palacole ..       | 26,837  | 5,037  |        |
|                   | Mogaltur ..       | 29,041  | 5,222  |        |
|                   | Junnur ..         | 21,045  | 5,052  |        |
|                   | Achanta ..        | 22,716  | 5,215  |        |
|                   | Doddipatta ..     | 24,175  | 6,799  |        |
|                   | Total ..          | 151,270 | 32,136 | 58,697 |

[7th February 1951]

| Taluk.                              | Firkas.             | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|-------------------------------------|---------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                                 | (2)                 | (3)                                       | (4)                                | (5)                                   |
| <i>West Godavari District—cont.</i> |                     |                                           |                                    |                                       |
| Chintalapudi ..                     | Chintalapudi ..     | 12,312                                    | 2,916                              |                                       |
|                                     | Dharmajugudem ..    | 14,963                                    | 4,038                              |                                       |
|                                     | Kamavarapukota ..   | 19,214                                    | 5,727                              |                                       |
|                                     | Total ..            | 46,489                                    | 12,681                             | 26,369                                |
| Polavaram ..                        | Polavaram ..        | 21,695                                    | 2,643                              |                                       |
|                                     | J. R. Gudem ..      | 14,755                                    | 2,027                              |                                       |
|                                     | Jeelugimilli ..     | 4,707                                     | 1,010                              |                                       |
|                                     | Total ..            | 41,157                                    | 5,680                              | 15,792                                |
| Total for the district ..           |                     | 816,042                                   | 158,891                            | 314,437                               |
| <i>Krishna District.</i>            |                     |                                           |                                    |                                       |
| Kaikalur ..                         | Kaikalur ..         | 15,130                                    | 2,278                              |                                       |
|                                     | Mandavalli ..       | 9,406                                     | 884                                |                                       |
|                                     | Kanukollu ..        | 7,806                                     | 675                                |                                       |
|                                     | Vadali ..           | 14,242                                    | 2,092                              |                                       |
|                                     | Kaldindi ..         | 14,207                                    | 1,079                              |                                       |
|                                     | Total ..            | 60,801                                    | 7,008                              | 15,202                                |
| Vijayavada ..                       | Vijayavada ..       | 70,634                                    | 3,637                              |                                       |
|                                     | Kondapalli ..       | 17,299                                    | 1,982                              |                                       |
|                                     | Mylavaram ..        | 20,080                                    | 2,332                              |                                       |
|                                     | Kankipadu ..        | 22,210                                    | 3,069                              |                                       |
|                                     | Valluru ..          | 31,376                                    | 4,137                              |                                       |
|                                     | Total ..            | 151,599                                   | 15,157                             | 34,166                                |
| Gudivada ..                         | Gudivada ..         | 31,334                                    | 5,470                              |                                       |
|                                     | Guddavalluru ..     | 19,258                                    | 4,662                              |                                       |
|                                     | Pamaru ..           | 22,093                                    | 4,906                              |                                       |
|                                     | Nandivada ..        | 15,105                                    | 2,256                              |                                       |
|                                     | Mudunepalli ..      | 14,134                                    | 2,732                              |                                       |
|                                     | Total ..            | 101,924                                   | 19,926                             | 36,004                                |
| Gannavaram ..                       | Gannavaram ..       | 30,612                                    | 2,631                              |                                       |
|                                     | Vuyyur ..           | 26,143                                    | 4,001                              |                                       |
|                                     | Kapileswarapuram .. | 19,425                                    | 3,842                              |                                       |
|                                     | Veeravalli ..       | 18,573                                    | 1,628                              |                                       |
|                                     | Total ..            | 94,753                                    | 12,102                             | 23,057                                |
| Divi ..                             | Avanigadda ..       | 19,817                                    | 3,754                              |                                       |
|                                     | Kaza ..             | 13,330                                    | 4,726                              |                                       |
|                                     | Nagayalanka ..      | 20,509                                    | 1,687                              |                                       |
|                                     | Challapalli ..      | 38,109                                    | 8,232                              |                                       |
|                                     | Kodur ..            | 14,861                                    | 1,995                              |                                       |
|                                     | Total ..            | 106,626                                   | 20,394                             | 40,414                                |
| Nuzvid sub taluk.                   | Nuzvid ..           | 22,383                                    | 3,468                              |                                       |
|                                     | Gopavaram ..        | 15,379                                    | 2,377                              |                                       |
|                                     | Eduलगudem ..        | 13,956                                    | 1,515                              |                                       |
|                                     | Total ..            | 51,718                                    | 7,360                              | 14,866                                |

7th February 1951]

| Taluk.                        | Firkas.            | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|-------------------------------|--------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                           | (2)                | (3)                                       | (4)                                | (5)                                   |
| <i>Krishna District—cont.</i> |                    |                                           |                                    |                                       |
| Nandigama ..                  | Nandigama ..       | 29,542                                    | 3,263                              |                                       |
|                               | Kanohikacherla ..  | 25,654                                    | 3,224                              |                                       |
|                               | Penuganohiprole .. | 20,169                                    | 3,158                              |                                       |
|                               | Total ..           | 75,365                                    | 9,645                              | 27,689                                |
| Jaggayyapet ..                | Jaggayyapet ..     | 26,503                                    | 4,741                              |                                       |
|                               | Mekkapet ..        | 15,067                                    | 2,204*                             |                                       |
|                               | Total ..           | 41,570                                    | 6,945                              |                                       |
| Bandar ..                     | Bandar ..          | 47,841                                    | 3,321                              |                                       |
|                               | Gudur ..           | 18,894                                    | 2,909                              |                                       |
|                               | Nandamur ..        | 18,586                                    | 1,638                              |                                       |
|                               | Malleswaram ..     | 13,653                                    | 2,155                              |                                       |
|                               | Total ..           | 98,974                                    | 10,023                             | 20,486                                |
| Tiruvur ..                    | Tiruvur ..         | 12,284                                    | 2,437                              |                                       |
|                               | Visannapet ..      | 19,260                                    | 2,982                              |                                       |
|                               | Chatral ..         | 12,571                                    | 3,036                              |                                       |
|                               | Gampalagudem ..    | 11,149                                    | 2,797                              |                                       |
|                               | Total ..           | 55,264                                    | 11,252                             | 18,562                                |
| Total for the district ..     |                    | 838,594                                   | 119,812                            | 230,346                               |
| <i>Guntur District.</i>       |                    |                                           |                                    |                                       |
| Narasaraopet ..               | Narasaraopet ..    | 35,177                                    | 1,300                              |                                       |
|                               | Nadendla ..        | 22,535                                    | 969                                |                                       |
|                               | Ohlakaturpet ..    | 28,082                                    | 1,180                              |                                       |
|                               | Martur ..          | 23,846                                    | 831                                |                                       |
|                               | Rompicherla ..     | 21,911                                    | 892                                |                                       |
|                               | Kommalapad ..      | 13,970                                    | 562                                |                                       |
|                               | Total ..           | 145,521                                   | 5,834                              | 20,660                                |
| Vinukonda ..                  | Vinukonda ..       | 16,601                                    | 729                                |                                       |
|                               | Vellatur ..        | 9,316                                     | 607                                |                                       |
|                               | Inavole ..         | 10,584                                    | 418                                |                                       |
|                               | Enugupalem ..      | 12,660                                    | 545                                |                                       |
|                               | Ipur ..            | 16,392                                    | 693                                |                                       |
|                               | Total ..           | 65,553                                    | 2,992                              | 5,082                                 |
| Painad ..                     | Gurzala ..         | 18,757                                    | 466                                |                                       |
|                               | Daohapalli ..      | 14,412                                    | 677                                |                                       |
|                               | Piduguralla ..     | 22,012                                    | 617                                |                                       |
|                               | Karempudi ..       | 16,779                                    | 946                                |                                       |
|                               | Veldurthi ..       | 14,419                                    | 2,520                              |                                       |
|                               | Macherla ..        | 18,754                                    | 3,005                              |                                       |
|                               | Total ..           | 105,163                                   | 8,231                              | 9,923                                 |

\* Population figures not given in 1941 Census tables.

[7th February 1951]

| Taluk.                       | Firkas.                          | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|------------------------------|----------------------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                          | (2)                              | (3)                                       | (4)                                | (5)                                   |
| <i>Guntur District—cont.</i> |                                  |                                           |                                    |                                       |
| Tenali ..                    | Tenali ..                        | 47,967                                    | 1,773                              |                                       |
|                              | Duggerala ..                     | 24,424                                    | 1,834                              |                                       |
|                              | Kolipara ..                      | 23,119                                    | 1,265                              |                                       |
|                              | Vemur ..                         | 23,143                                    | 1,558                              |                                       |
|                              | Amartalur ..                     | 23,833                                    | 1,846                              |                                       |
|                              | Chebrole ..                      | 25,612                                    | 1,660                              |                                       |
|                              | Kollur ..                        | 17,157                                    | 1,772                              |                                       |
|                              | Total ..                         | 185,255                                   | 11,208                             | 19,746                                |
| Repalle ..                   | Repalle ..                       | 26,191                                    | 2,265                              |                                       |
|                              | Dhulipudi ..                     | 13,738                                    | 1,212                              |                                       |
|                              | Kunchinapudi ..                  | 14,350                                    | 1,257                              |                                       |
|                              | Ohodayapalam ..                  | 12,149                                    | 1,056                              |                                       |
|                              | Cheukupalli ..                   | 18,818                                    | 1,605                              |                                       |
|                              | Pedamatlapudi ..                 | 10,844                                    | 943                                |                                       |
|                              | Total ..                         | 96,090                                    | 8,338                              | 17,103                                |
| Sattenapalli ..              | Sattenapalli ..                  | 30,242                                    | 1,917                              |                                       |
|                              | Pedakurapad ..                   | 27,025                                    | 1,899                              |                                       |
|                              | Bellamkonda ..                   | 20,736                                    | 1,476                              |                                       |
|                              | Atchampet ..                     | 19,397                                    | 1,750                              |                                       |
|                              | Phirangipuram ..                 | 34,861                                    | 2,203                              |                                       |
|                              | Total ..                         | 132,261                                   | 9,245                              | 21,803                                |
| Guntur ..                    | Guntur including Municipality .. | 80,248                                    | 4,301                              |                                       |
|                              | Pedakakani ..                    | 29,670                                    | 1,168                              |                                       |
|                              | Prattipad ..                     | 36,009                                    | 409                                |                                       |
|                              | Mangalagiri ..                   | 40,081                                    | 6,777                              |                                       |
|                              | Tadikonda ..                     | 31,801                                    | 5,578                              |                                       |
|                              | Total ..                         | 218,409                                   | 18,233                             | 25,660                                |
| Bapatla ..                   | Bapatla ..                       | 33,023                                    | 2,790                              |                                       |
|                              | Paruchur ..                      | 24,739                                    | 2,471                              |                                       |
|                              | Yazali ..                        | 19,922                                    | 1,688                              |                                       |
|                              | Ponnur ..                        | 31,938                                    | 3,159                              |                                       |
|                              | Kakumanu ..                      | 22,775                                    | 1,378                              |                                       |
|                              | Chirala ..                       | 51,694                                    | 979                                |                                       |
|                              | Santaravur ..                    | 23,872                                    | 758                                |                                       |
|                              | Total ..                         | 207,963                                   | 13,223                             | 20,696                                |
|                              | Ongole ..                        | 46,453                                    | 6,858                              |                                       |
|                              | Ammanabrolu ..                   | 27,395                                    | 3,320                              |                                       |
|                              | Santanuthalapad ..               | 29,410                                    | 3,384                              |                                       |
|                              | Addanki ..                       | 23,780                                    | 2,340                              |                                       |
|                              | Velampalli ..                    | 21,446                                    | 3,599                              |                                       |
|                              | Duddukur ..                      | 26,071                                    | 3,171                              |                                       |
|                              | Total ..                         | 174,555                                   | 21,672                             | 39,858                                |
| Total for the district ..    |                                  | 1,330,770                                 | 99,066                             | 180,531                               |

[7th February 1951]

| Taluk.                   | Firkas.             | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|--------------------------|---------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                      | (2)                 | (3)                                       | (4)                                | (5)                                   |
| <i>Nellore District.</i> |                     |                                           |                                    |                                       |
| Nellore ..               | Kondagiri ..        | 19,843                                    | 2,072                              |                                       |
|                          | Kandukur ..         | 22,246                                    | 2,976                              |                                       |
|                          | Ponnalur ..         | 16,106                                    | 2,959                              |                                       |
|                          | Singarayakonda ..   | 19,161                                    | 2,141                              |                                       |
|                          | Ohundi ..           | 10,256                                    | 2,709                              |                                       |
|                          | Gudlur ..           | 26,207                                    | 3,337                              |                                       |
|                          | Total ..            | 113,819                                   | 16,194                             | 32,637                                |
| Kanigiri ..              | Kanigiri ..         | 23,531                                    | 1,461                              |                                       |
|                          | Hajeepuram ..       | 12,703                                    | 769                                |                                       |
|                          | Mopad ..            | 18,653                                    | 1,809                              |                                       |
|                          | Veligandla ..       | 30,119                                    | 2,364                              |                                       |
|                          | Total ..            | 85,006                                    | 6,503                              | 11,679                                |
| Kavali ..                | Kavali ..           | 22,572                                    | 3,756                              |                                       |
|                          | Bogole ..           | 17,207                                    | 3,939                              |                                       |
|                          | Zaladonki ..        | 15,856                                    | 3,863                              |                                       |
|                          | Chinna Amalur ..    | 13,202                                    | 4,670                              |                                       |
|                          | Total ..            | 68,337                                    | 16,228                             | 25,616                                |
| Udayagiri ..             | Udayagiri ..        | 15,853                                    | 3,296                              |                                       |
|                          | Nandipad ..         | 17,986                                    | 3,487                              |                                       |
|                          | Kaniampad ..        | 20,945                                    | 3,606                              |                                       |
|                          | Naginenigunta ..    | 8,476                                     | 4,516                              |                                       |
|                          | Total ..            | 62,360                                    | 11,905                             | 20,989                                |
| Atmakur ..               | Atmakur ..          | 13,920                                    | 2,812                              |                                       |
|                          | Chiramana ..        | 9,901                                     | 1,654                              |                                       |
|                          | Devarayapalli ..    | 11,580                                    | 2,280                              |                                       |
|                          | Mahimalur ..        | 10,677                                    | 2,581                              |                                       |
|                          | Kaluvoya ..         | 12,500                                    | 2,454                              |                                       |
|                          | Yiruvur ..          | 11,243                                    | 2,055                              |                                       |
|                          | Total ..            | 69,820                                    | 13,836                             | 26,517                                |
| Rapur ..                 | Rapur ..            | 12,413                                    | 2,433                              |                                       |
|                          | Pedalukur ..        | 8,907                                     | 1,795                              |                                       |
|                          | Sydapuram ..        | 11,153                                    | 2,164                              |                                       |
|                          | Dachur ..           | 6,365                                     | 1,273                              |                                       |
|                          | Chittalur ..        | 6,375                                     | 1,277                              |                                       |
|                          | Total ..            | 45,218                                    | 8,941                              | 19,213                                |
| Kovur ..                 | Kovur ..            | 24,459                                    | 4,964                              |                                       |
|                          | Kondavalur ..       | 15,832                                    | 3,834                              |                                       |
|                          | Allur ..            | 21,301                                    | 4,767                              |                                       |
|                          | Buchi ..            | 21,670                                    | 3,050                              |                                       |
|                          | Duvvur ..           | 11,718                                    | 3,017                              |                                       |
|                          | Total ..            | 95,030                                    | 20,632                             | 37,737                                |
| Nellore ..               | Nellore Military .. | 33,885                                    | 1,294                              |                                       |
|                          | Nellore Firkas ..   | 14,687                                    | 3,468                              |                                       |
|                          | Indukurpet ..       | 19,312                                    | 3,719                              |                                       |
|                          | Pedur ..            | 14,774                                    | 3,618                              |                                       |
|                          | Kannapur ..         | 13,467                                    | 3,450                              |                                       |
|                          | Mathukur ..         | 13,483                                    | 6,106                              |                                       |
|                          | Survepalli ..       | 11,502                                    | 2,730                              |                                       |
|                          | Total ..            | 121,115                                   | 24,385                             | 43,942                                |

[7th February 1951]

| Taluk.                        | Firkas.                   | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|-------------------------------|---------------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                           | (2)                       | (3)                                       | (4)                                | (5)                                   |
| <i>Nellore District—cont.</i> |                           |                                           |                                    |                                       |
| Gudur .. ..                   | Gudur .. ..               | 23,444                                    | 3,981                              |                                       |
|                               | Thirukkavaram ..          | 9,687                                     | 2,076                              |                                       |
|                               | Yellasi .. ..             | 9,415                                     | 1,988                              |                                       |
|                               | Kota .. ..                | 13,679                                    | 3,015                              |                                       |
|                               | Total .. ..               | 56,225                                    | 11,000                             | 33,386                                |
| Darsi .. ..                   | Dodakonda .. ..           | 12,808                                    | 855                                |                                       |
|                               | Kurohedu .. ..            | 14,000                                    | 658                                |                                       |
|                               | Darsi .. ..               | 13,905                                    | 644                                |                                       |
|                               | Mundlamur .. ..           | 21,547                                    | 1,569                              |                                       |
|                               | Total .. ..               | 62,260                                    | 3,726                              | 6,956                                 |
| Podili .. ..                  | Kellampalli .. ..         | 11,145                                    | 570                                |                                       |
|                               | Pedarikatla .. ..         | 13,732                                    | 1,307                              |                                       |
|                               | Podili .. ..              | 12,270                                    | 417                                |                                       |
|                               | Tarlupad .. ..            | 11,669                                    | 433                                |                                       |
|                               | Total .. ..               | 48,816                                    | 2,627                              | 5,113                                 |
| Venkatagiri ..                | East Firka .. ..          | 14,747                                    | 3,693                              |                                       |
|                               | West Firka .. ..          | 28,750                                    | 5,718                              |                                       |
|                               | Total .. ..               | 43,497                                    | 9,411                              | 20,457                                |
| Sulurpet .. ..                | Nayudupet .. ..           | 14,258                                    | 4,378                              |                                       |
|                               | Polireddipalem ..         | 8,397                                     | 3,148                              |                                       |
|                               | Mallam .. ..              | 6,283                                     | 2,865                              |                                       |
|                               | Sullurpet .. ..           | 13,792                                    | 3,051                              |                                       |
|                               | Sriharikota .. ..         | 6,539                                     | 756                                |                                       |
|                               | Total .. ..               | 49,169                                    | 14,196                             | 35,447                                |
|                               | Total for the district .. | 920,672                                   | 159,644                            | 316,689                               |

## Rayalaseema—

*Kurnool District.*

|               |                                 |        |        |        |
|---------------|---------------------------------|--------|--------|--------|
| Kurnool .. .. | Kurnool including Municipality. | 30,946 | 3,337  |        |
|               | Kodumur .. ..                   | 15,057 | 2,241  |        |
|               | Gudur .. ..                     | 14,379 | 2,733  |        |
|               | Chinnatekur .. ..               | 8,992  | 1,569  |        |
|               | Orvskal .. ..                   | 11,101 | 1,301  |        |
|               | Ulohala .. ..                   | 10,617 | 2,370  |        |
|               | Total .. ..                     | 91,092 | 13,551 | 27,885 |
| Nandyal .. .. | Nandyal .. ..                   | 22,785 | 2,594  |        |
|               | Gadivemula .. ..                | 8,777  | 1,044  |        |
|               | Panyam .. ..                    | 9,492  | 1,839  |        |
|               | Thammadapalli ..                | 9,581  | 2,049  |        |
|               | Atmakur .. ..                   | 7,672  | 1,074  |        |
|               | Total .. ..                     | 58,307 | 8,600  | 11,236 |

[7th February 1951]

| Taluk.                        | Firkas.            | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|-------------------------------|--------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                           | (2)                | (3)                                       | (4)                                | (5)                                   |
| <i>Kurnool District—cont.</i> |                    |                                           |                                    |                                       |
| Allagadda (Sirvel).           | Rudravaram .. ..   | 9,936                                     | 1,843                              |                                       |
|                               | Allagadda .. ..    | 10,143                                    | 1,011                              |                                       |
|                               | Sirvel .. ..       | 10,536                                    | 1,585                              |                                       |
|                               | Gospad .. ..       | 5,766                                     | 1,400                              |                                       |
|                               | Chagalamarri .. .. | 11,929                                    | 774                                |                                       |
|                               | Total .. ..        | 48,360                                    | 6,614                              | 13,800                                |
| Koilkuntla ..                 | Koilkuntla .. ..   | 12,169                                    | 1,730                              |                                       |
|                               | Dornipad .. ..     | 9,330                                     | 862                                |                                       |
|                               | Lingamdinne .. ..  | 8,893                                     | 1,299                              |                                       |
|                               | Owk .. ..          | 7,709                                     | 1,354                              |                                       |
|                               | Koiligunda .. ..   | 7,149                                     | 1,450                              |                                       |
|                               | Total .. ..        | 45,259                                    | 6,695                              | 11,904                                |
| Nandikotkur ..                | Nandikotkur .. ..  | 13,310                                    | 1,949                              |                                       |
|                               | Midthur .. ..      | 11,869                                    | 1,590                              |                                       |
|                               | Prathakota .. ..   | 8,780                                     | 1,493                              |                                       |
|                               | Atmakur .. ..      | 19,736                                    | 1,996                              |                                       |
|                               | Pamulapad .. ..    | 8,921                                     | 1,969                              |                                       |
|                               | Velgode .. ..      | 10,558                                    | 1,494                              |                                       |
|                               | Total .. ..        | 73,174                                    | 10,491                             | 15,677                                |
| Dhone .. ..                   | Dhone .. ..        | 11,094                                    | 1,339                              |                                       |
|                               | Bethamcherla .. .. | 12,166                                    | 2,080                              |                                       |
|                               | Krishnagiri .. ..  | 7,265                                     | 1,133                              |                                       |
|                               | Veldurthi .. ..    | 13,657                                    | 2,200                              |                                       |
|                               | Peapally .. ..     | 13,432                                    | 1,544                              |                                       |
|                               | Total .. ..        | 57,614                                    | 8,296                              | 19,880                                |
| Giddalur (Cumbum).            | Giddalur .. ..     | 12,105                                    | 536                                |                                       |
|                               | Racherla .. ..     | 17,975                                    | 841                                |                                       |
|                               | Komarole .. ..     | 15,471                                    | 522                                |                                       |
|                               | Ardavid .. ..      | 13,681                                    | 773                                |                                       |
|                               | Cumbum .. ..       | 19,205                                    | 878                                |                                       |
|                               | Total .. ..        | 78,437                                    | 3,550                              | 4,894                                 |
| Markapur .. ..                | Markapur .. ..     | 16,614                                    | 1,043                              |                                       |
|                               | Dornal .. ..       | 14,091                                    | 879                                |                                       |
|                               | Dupad .. ..        | 9,441                                     | 717                                |                                       |
|                               | Thripuranthakam .. | 14,788                                    | 338                                |                                       |
|                               | Yerragondipalem .. | 14,505                                    | 1,224                              |                                       |
|                               | Total .. ..        | 69,439                                    | 4,201                              | 7,475                                 |
| Pattikonda ..                 | Pattikonda .. ..   | 15,291                                    | 1,464                              |                                       |
|                               | Peravali .. ..     | 14,553                                    | 1,715                              |                                       |
|                               | Karumanchi .. ..   | 12,347                                    | 820                                |                                       |
|                               | Devarakonda .. ..  | 8,336                                     | 768                                |                                       |
|                               | Goregondla .. ..   | 10,306                                    | 894                                |                                       |
|                               | Total .. ..        | 60,833                                    | 5,661                              | 51,720                                |

[7th February 1951]

| Taluk.                        | Firkas.              | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|-------------------------------|----------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                           | (2)                  | (3)                                       | (4)                                | (5)                                   |
| <i>Kurnool District—cont.</i> |                      |                                           |                                    |                                       |
| Banganapalli sub-taluk.       | Banganapalli ..      | 7,258                                     | 816                                |                                       |
|                               | Nandavaram ..        | 7,768                                     | 1,216                              |                                       |
|                               | Sanjamala ..         | 5,779                                     | 820                                |                                       |
|                               | Total ..             | 20,795                                    | 2,852                              | 10,384                                |
| Total for the district ..     |                      | 603,306                                   | 70,511                             | 174,844                               |
| <i>Cuddapah District.</i>     |                      |                                           |                                    |                                       |
| Sidhout ..                    | Sidhout ..           | 18,698                                    | 1,845                              |                                       |
|                               | Vontimitta ..        | 14,277                                    | 2,653                              |                                       |
|                               | Obulam ..            | 8,532                                     | 2,028                              |                                       |
|                               | Kondur ..            | 7,731                                     | 1,381                              |                                       |
|                               | Total ..             | 49,238                                    | 7,907                              | 16,476                                |
| Kamalapuram ..                | Gangireddipalli ..   | 11,356                                    | 1,882                              |                                       |
|                               | Yerraguntla ..       | 12,042                                    | 652                                |                                       |
|                               | Kamalapuram ..       | 13,018                                    | 1,210                              |                                       |
|                               | Total ..             | 36,411                                    | 3,743                              | 8,252                                 |
| Proddatur ..                  | Proddatur ..         | 22,893                                    | 2,940                              |                                       |
|                               | Chapad ..            | 8,748                                     | 978                                |                                       |
|                               | Mydukur ..           | 14,117                                    | 1,964                              |                                       |
|                               | Duvvur ..            | 11,172                                    | 1,761                              |                                       |
|                               | Arakatavemula ..     | 10,742                                    | 1,290                              |                                       |
|                               | Total ..             | 67,612                                    | 8,942                              | 10,925                                |
| Rajampet ..                   | Rajampet ..          | 20,482                                    | 3,375                              |                                       |
|                               | Obili ..             | 12,994                                    | 2,468                              |                                       |
|                               | Nandatur ..          | 10,377                                    | 1,754                              |                                       |
|                               | Pullampet ..         | 15,088                                    | 2,886                              |                                       |
|                               | Kodur ..             | 24,572                                    | 4,736                              |                                       |
|                               | Chitvel ..           | 16,644                                    | 3,122                              |                                       |
|                               | Total ..             | 100,157                                   | 18,341                             | 34,980                                |
| Badvel ..                     | Perumamilla ..       | 13,146                                    | 1,293                              |                                       |
|                               | Kalaseped ..         | 9,060                                     | 708                                |                                       |
|                               | Palaugurallapalle .. | 10,657                                    | 924                                |                                       |
|                               | Munelli ..           | 12,764                                    | 1,286                              |                                       |
|                               | Badvel ..            | 12,792                                    | 1,859                              |                                       |
|                               | Total ..             | 58,419                                    | 6,070                              | 13,903                                |
| Pulivendla ..                 | Pulivendla ..        | 10,388                                    | 756                                |                                       |
|                               | Vemula ..            | 15,132                                    | 1,235                              |                                       |
|                               | Thondur ..           | 9,343                                     | 695                                |                                       |
|                               | Simhadripuram ..     | 8,750                                     | 651                                |                                       |
|                               | Lingala ..           | 12,003                                    | 1,008                              |                                       |
|                               | Total ..             | 55,616                                    | 4,345                              | 9,930                                 |
| Cuddapah ..                   | Cuddapah ..          | 4,621                                     | 3,005                              |                                       |
|                               | Chintakommadinne ..  | 9,093                                     | 1,083                              |                                       |
|                               | Chennur ..           | 9,805                                     | 1,393                              |                                       |
|                               | Vallur ..            | 9,411                                     | 1,418                              |                                       |
|                               | Khajupet ..          | 10,728                                    | 1,174                              |                                       |
|                               | Pondimerri ..        | 9,374                                     | 1,178                              |                                       |
|                               | Total ..             | 73,032                                    | 9,263                              | 17,333                                |

7th February 1951]

| Taluk.                         | Firkas.             | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|--------------------------------|---------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                            | (2)                 | (3)                                       | (4)                                | (5)                                   |
| <i>Cuddapah District—cont.</i> |                     |                                           |                                    |                                       |
| Jammalamadugu.                 | Maddanur ..         | 12,527                                    | 1,040                              |                                       |
|                                | Jammalamadugu ..    | 19,147                                    | 651                                |                                       |
|                                | Pedda Mudium ..     | 12,044                                    | 1,153                              |                                       |
|                                | Talamanchipatnam .. | 6,441                                     | 710                                |                                       |
|                                | Tallaproddatur ..   | 10,131                                    | 1,037                              |                                       |
|                                | Total ..            | 60,290                                    | 4,591                              | 8,317                                 |
| Royachoty ..                   | Tsundapalli ..      | 15,554                                    | 2,189                              |                                       |
|                                | Chi Mandem ..       | 16,432                                    | 3,132                              |                                       |
|                                | Veeraballi ..       | 15,298                                    | 2,744                              |                                       |
|                                | Royachoty ..        | 15,375                                    | 1,962                              |                                       |
|                                | Lakkireddipalli ..  | 11,792                                    | 1,816                              |                                       |
|                                | Chekrayapet ..      | 8,739                                     | 938                                |                                       |
|                                | Galiveedu ..        | 12,124                                    | 818                                |                                       |
| Total ..                       |                     | 95,304                                    | 13,599                             | 24,421                                |
| Total for the district ..      |                     | 596,079                                   | 76,791                             | 144,437                               |
| <i>Anantapur District.</i>     |                     |                                           |                                    |                                       |
| Gooty ..                       | Gooty ..            | 16,943                                    | 2,374                              |                                       |
|                                | Thimmancherla ..    | 17,027                                    | 2,417                              |                                       |
|                                | Pamidi ..           | 11,404                                    | 1,836                              |                                       |
|                                | Nagasamudra ..      | 6,690                                     | 872                                |                                       |
|                                | Total ..            | 52,064                                    | 7,499                              | 26,971                                |
| Uravakonda sub-taluk.          | Uravakonda ..       | 23,626                                    | 3,199*                             |                                       |
|                                | Vajrakarur ..       | 15,314                                    | 2,553                              |                                       |
|                                | Total ..            | 43,940                                    | 5,752                              |                                       |
| Kadiri ..                      | Gunjapalli ..       | 11,613                                    | 1,030                              |                                       |
|                                | Kadiri ..           | 26,396                                    | 1,582                              |                                       |
|                                | Tanakai ..          | 16,778                                    | 1,481                              |                                       |
|                                | Muhammadsabad ..    | 13,399                                    | 1,218                              |                                       |
|                                | Nallamada ..        | 18,871                                    | 443                                |                                       |
|                                | Dhanyancheri ..     | 10,599                                    | 600                                |                                       |
|                                | Total ..            | 99,656                                    | 6,454                              | 19,213                                |
| Madakasira ..                  | Madakasira ..       | 16,234                                    | 2,498                              |                                       |
|                                | Rolla ..            | 20,066                                    | 3,252                              |                                       |
|                                | Hemavathi ..        | 19,143                                    | 3,945                              |                                       |
| Total ..                       |                     | 55,443                                    | 8,715                              | 22,006                                |
| Anantapur ..                   | Anantapur ..        | 26,329                                    | 2,582                              |                                       |
|                                | Bukkacherla ..      | 12,732                                    | 1,859                              |                                       |
|                                | Singanamala ..      | 11,325                                    | 2,433                              |                                       |
|                                | Narpala ..          | 12,900                                    | 2,006                              |                                       |
|                                | Kudair ..           | 12,987                                    | 2,042                              |                                       |
| Total ..                       |                     | 76,273                                    | 10,922                             | 22,008                                |

\* Population figures not given in 1941 Census tabulation.

[7th February 1951]

| Taluk.                          | Firkas.           | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|---------------------------------|-------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                             | (2)               | (3)                                       | (4)                                | (5)                                   |
| <i>Anantapur District—cont.</i> |                   |                                           |                                    |                                       |
| Dharmavaram ..                  | Dharmavaram ..    | 18,240                                    | 1,838                              |                                       |
|                                 | Medapuram ..      | 10,718                                    | 1,437                              |                                       |
|                                 | Ramagiri ..       | 7,461                                     | 1,237                              |                                       |
|                                 | Tadimerri ..      | 12,870                                    | 1,954                              |                                       |
|                                 | Kanaganapalli ..  | 7,873                                     | 1,311                              |                                       |
|                                 | Total ..          | 56,162                                    | 7,777                              | 16,812                                |
| Hindupur ..                     | Hindupur ..       | 29,359                                    | 4,011                              |                                       |
|                                 | Parigi ..         | 14,707                                    | 2,880                              |                                       |
|                                 | Chilamathi ..     | 10,998                                    | 1,169                              |                                       |
|                                 | Gorantla ..       | 16,781                                    | 1,565                              |                                       |
|                                 | Total ..          | 71,845                                    | 9,625                              | 13,781                                |
| Tadpatri ..                     | Tadpatri ..       | 18,684                                    | 2,045                              |                                       |
|                                 | Peddapappur ..    | 12,458                                    | 2,090                              |                                       |
|                                 | Yadiki ..         | 12,873                                    | 1,245                              |                                       |
|                                 | Pudoor ..         | 12,383                                    | 1,775                              |                                       |
|                                 | Yellanoor ..      | 13,000                                    | 2,612                              |                                       |
|                                 | Total ..          | 69,348                                    | 9,767                              | 29,586                                |
| Penukonda ..                    | Penukonda ..      | 14,373                                    | 2,637                              |                                       |
|                                 | Bukkapatnam ..    | 19,308                                    | 1,957                              |                                       |
|                                 | Roddam ..         | 12,822                                    | 2,206                              |                                       |
|                                 | Kothacheruvu ..   | 10,775                                    | 1,219                              |                                       |
|                                 | Total ..          | 57,278                                    | 8,019                              | 16,258                                |
| Kalyandrug ..                   | Beluguppa ..      | 11,617                                    | 1,627                              |                                       |
|                                 | Brahmasamudram .. | 8,547                                     | 1,537                              |                                       |
|                                 | Kalyandrug ..     | 13,643                                    | 1,967                              |                                       |
|                                 | Kundapur ..       | 12,195                                    | 2,320                              |                                       |
|                                 | Kambadur ..       | 11,456                                    | 2,172                              |                                       |
|                                 | Total ..          | 57,463                                    | 9,623                              | 17,816                                |
| Total for the district ..       |                   | 638,472                                   | 84,153                             | 189,051                               |

*Bellary District.*

|              |                |        |       |        |
|--------------|----------------|--------|-------|--------|
| Bellary ..   | Bellary ..     | 33,577 | 2,635 |        |
|              | Kolur ..       | 9,725  | 1,168 |        |
|              | Kurugodu ..    | 10,972 | 1,847 |        |
|              | Moka ..        | 11,008 | 787   |        |
|              | Rupanagudi ..  | 7,324  | 1,001 |        |
|              | Total ..       | 72,606 | 7,438 | 48,546 |
| Siruguppa .. | Siruguppa ..   | 9,442  | 1,777 |        |
|              | Tekkalakota .. | 12,606 | 1,555 |        |
|              | Katoholi ..    | 7,034  | 1,080 |        |
|              | Karur ..       | 8,786  | 966   |        |
|              | Total ..       | 37,868 | 5,328 | 10,657 |

[7th February 1951]

| Taluk.                        | Firkas.            | Total number of voters (all communities). | Number of Scheduled castes voters. | Total population of Scheduled castes. |
|-------------------------------|--------------------|-------------------------------------------|------------------------------------|---------------------------------------|
| (1)                           | (2)                | (3)                                       | (4)                                | (5)                                   |
| <i>Bellary District—cont.</i> |                    |                                           |                                    |                                       |
| Alur ..                       | Alur ..            | 16,048                                    | 5,354                              |                                       |
|                               | Chippagiri ..      | 14,792                                    | 5,532                              |                                       |
|                               | Peddahotur ..      | 14,843                                    | 5,146                              |                                       |
|                               | Hologundi ..       | 12,165                                    | 4,732                              |                                       |
|                               | Total ..           | 57,848                                    | 20,764                             | 19,661                                |
| Kudligi ..                    | Kudligi ..         | 11,224                                    | 4,156                              |                                       |
|                               | Gudekota ..        | 11,093                                    | 5,286                              |                                       |
|                               | Hosahalli ..       | 13,622                                    | 5,542                              |                                       |
|                               | Kottur ..          | 17,746                                    | 3,677                              |                                       |
|                               | Total ..           | 53,685                                    | 18,661                             | 13,011                                |
| Hospet ..                     | Hospet ..          | 23,633                                    | 5,662                              |                                       |
|                               | N.D. Keri ..       | 6,800                                     | 2,720                              |                                       |
|                               | Kampli ..          | 8,444                                     | 2,850                              |                                       |
|                               | Kamalapuram ..     | 8,003                                     | 1,272                              |                                       |
|                               | Total ..           | 46,880                                    | 12,504                             | 10,354                                |
| Sandur ..                     | Sandur ..          | 7,954                                     | ..                                 |                                       |
|                               | Choranur ..        | 7,294                                     | 3,536                              |                                       |
|                               | Tornagal ..        | 16,592                                    | 2,504                              |                                       |
|                               | Total ..           | 31,840                                    | 6,040                              | 4,591                                 |
| Harpanahalli ..               | Harpanahalli ..    | 16,501                                    | 2,164                              |                                       |
|                               | Chigateri ..       | 12,204                                    | 2,493                              |                                       |
|                               | Arsikere ..        | 9,716                                     | 2,163                              |                                       |
|                               | Teligi ..          | 13,587                                    | 2,238                              |                                       |
|                               | Total ..           | 52,008                                    | 9,058                              | 11,856                                |
| Hadagalli ..                  | Hadagalli ..       | 13,921                                    | 1,892                              |                                       |
|                               | Tambrahalli ..     | 9,189                                     | 1,456                              |                                       |
|                               | Ittigi ..          | 13,497                                    | 1,671                              |                                       |
|                               | Hirehadahalli ..   | 10,053                                    | 1,832                              |                                       |
|                               | Total ..           | 46,660                                    | 6,851                              | 11,030                                |
| Royadrug ..                   | Royadrug ..        | 20,634                                    | 6,590                              |                                       |
|                               | Kanekal ..         | 16,523                                    | 5,242                              |                                       |
|                               | Hirehal ..         | 11,196                                    | 3,692                              |                                       |
|                               | Bommanahal ..      | 10,834                                    | 4,218                              |                                       |
|                               | Total ..           | 59,187                                    | 19,742                             | 15,844                                |
| Adoni ..                      | Adoni ..           | 34,941                                    | 5,194                              |                                       |
|                               | Kowtalam ..        | 13,815                                    | 1,765                              |                                       |
|                               | Kosigi ..          | 11,811                                    | 1,455                              |                                       |
|                               | Pedda Thumbulam .. | 10,158                                    | 1,218                              |                                       |
|                               | Yammiganur ..      | 22,927                                    | 2,508                              |                                       |
|                               | Nandavaram ..      | 14,241                                    | 1,932                              |                                       |
|                               | Total ..           | 107,893                                   | 14,072                             | 23,018                                |
| Total for the district ..     |                    | 566,455                                   | 119,958                            | 173,568                               |



[7th February 1951]

| Taluk.                    | Firkas.                | Total number of voters (all communities). | Number of Scheduled caste voters. | Total population of Scheduled castes. |
|---------------------------|------------------------|-------------------------------------------|-----------------------------------|---------------------------------------|
| (1)                       | (2)                    | (3)                                       | (4)                               | (5)                                   |
| <b>Chittoor District.</b> |                        |                                           |                                   |                                       |
| Vayalpad ..               | Piler .. .. .          | 16,343                                    | 2,221                             |                                       |
|                           | Medikurthi .. ..       | 14,373                                    | 2,286                             |                                       |
|                           | Kadirayacheruvu ..     | 13,706                                    | 1,546                             |                                       |
|                           | Gannimitta .. ..       | 12,226                                    | 1,530                             |                                       |
|                           | Yerravaripalem ..      | 16,814                                    | 2,192                             |                                       |
|                           | Vayalpad .. .. .       | 17,790                                    | 3,199                             |                                       |
|                           | <b>Total ..</b>        | <b>91,252</b>                             | <b>12,974</b>                     | <b>23,088</b>                         |
| Kalahasti ..              | Nirpakota .. ..        | 5,839                                     | 1,750                             |                                       |
|                           | Kalathur .. .. .       | 5,993                                     | 1,323                             |                                       |
|                           | Pallamala .. .. .      | 6,715                                     | 1,912                             |                                       |
|                           | Kalahasti .. .. .      | 17,651                                    | 2,635                             |                                       |
|                           | Yerpadu .. .. .        | 4,983                                     | 1,535                             |                                       |
|                           | Konathaneri .. ..      | 9,588                                     | 2,887                             |                                       |
|                           | Pallam .. .. .         | 4,498                                     | 1,338                             |                                       |
|                           | Papanaidupet .. ..     | 7,268                                     | 1,411                             |                                       |
|                           | Pallakur .. .. .       | 5,116                                     | 1,386                             |                                       |
|                           | <b>Total ..</b>        | <b>67,651</b>                             | <b>16,157</b>                     | <b>35,244</b>                         |
| Punganur ..               | Ramasamudram ..        | 12,664                                    | 2,546                             |                                       |
|                           | Punganur .. .. .       | 30,095                                    | 4,881                             |                                       |
|                           | Rayalpet .. .. .       | 11,148                                    | 2,204                             |                                       |
|                           | Somala .. .. .         | 20,934                                    | 2,958                             |                                       |
|                           | <b>Total ..</b>        | <b>74,841</b>                             | <b>12,589</b>                     | <b>30,737</b>                         |
| Madanapalle ..            | Madanapalle, East ..   | 20,421                                    | 4,242                             |                                       |
|                           | Madanapalle, West ..   | 14,223                                    | 2,458                             |                                       |
|                           | Ghattur .. .. .        | 19,058                                    | 2,845                             |                                       |
|                           | Burakayalakota ..      | 11,665                                    | 1,628                             |                                       |
|                           | Peddattippasamudram .. | 14,158                                    | 3,050                             |                                       |
|                           | Thamballapalle ..      | 17,971                                    | 2,135                             |                                       |
|                           | <b>Total ..</b>        | <b>97,496</b>                             | <b>16,367</b>                     | <b>20,183</b>                         |
| Tiruttani ..              | Erumbi .. .. .         | 21,080                                    | 2,431                             |                                       |
|                           | Pallipet .. .. .       | 26,052                                    | 4,820                             |                                       |
|                           | Ramakrishnarajupet ..  | 21,811                                    | 3,581                             |                                       |
|                           | K. Chatram .. ..       | 25,080                                    | 4,880                             |                                       |
|                           | Tiruttani .. .. .      | 24,899                                    | 3,050                             |                                       |
|                           | <b>Total ..</b>        | <b>117,922</b>                            | <b>18,762</b>                     | <b>47,718</b>                         |
| Chandragiri ..            | Tirupathi .. .. .      | 32,266                                    | 3,564                             |                                       |
|                           | Chandragiri .. ..      | 12,235                                    | 2,133                             |                                       |
|                           | Penapakham .. ..       | 8,370                                     | 1,517                             |                                       |
|                           | Pakala .. .. .         | 23,166                                    | 3,799                             |                                       |
|                           | <b>Total ..</b>        | <b>76,037</b>                             | <b>11,013</b>                     | <b>26,138</b>                         |
| Chittoor ..               | Puthalpet .. .. .      | 14,036                                    | 3,189                             |                                       |
|                           | Penumur .. .. .        | 15,531                                    | 3,581                             |                                       |
|                           | Melpadi .. .. .        | 13,896                                    | 1,875                             |                                       |
|                           | Irala .. .. .          | 15,410                                    | 2,634                             |                                       |
|                           | Vepanjeri .. .. .      | 12,951                                    | 2,920                             |                                       |

[7th February 1951]

| Taluk.                         | Firkas.                          | Total number of voters (all communities). | Number of Scheduled caste voters. | Total population of Scheduled castes. |
|--------------------------------|----------------------------------|-------------------------------------------|-----------------------------------|---------------------------------------|
| (1)                            | (2)                              | (3)                                       | (4)                               | (5)                                   |
| <b>Chittoor District—cont.</b> |                                  |                                           |                                   |                                       |
| Chittoor—cont.                 | Naragantipaliam ..               | 10,311                                    | 3,034                             |                                       |
|                                | Yadamur .. .. .                  | 12,855                                    | 3,322                             |                                       |
|                                | Tavanampalle .. ..               | 13,433                                    | 2,321                             |                                       |
|                                | Bangaripaliam .. ..              | 18,250                                    | 3,394                             |                                       |
|                                | Gudipatipaliam ..                | 6,901                                     | 2,343                             |                                       |
|                                | Chittoor Municipality ..         | 26,936                                    | 3,430                             |                                       |
|                                | Chittoor Rural .. .              |                                           |                                   |                                       |
|                                | <b>Total ..</b>                  | <b>159,660</b>                            | <b>32,043</b>                     | <b>88,005</b>                         |
| Puttur ..                      | Narayanavanam ..                 | 27,673                                    | 7,114                             |                                       |
|                                | Nagari .. .. .                   | 25,529                                    | 5,951                             |                                       |
|                                | Vadamalpet .. .. .               | 19,873                                    | 4,250                             |                                       |
|                                | Karvetinagar .. ..               | 16,509                                    | 4,319                             |                                       |
|                                | Pathagunta .. .. .               | 17,638                                    | 4,492                             |                                       |
|                                | <b>Total ..</b>                  | <b>107,222</b>                            | <b>26,126</b>                     | <b>51,352</b>                         |
| Palmaner ..                    | Palmaner .. .. .                 | 13,227                                    | 2,888                             |                                       |
|                                | Bairreddipelle .. ..             | 10,665                                    | 2,856                             |                                       |
|                                | Venkatagirikota .. ..            | 10,219                                    | 2,381                             |                                       |
|                                | Ramakuppam .. .. .               | 5,520                                     | 1,212                             |                                       |
|                                | Kuppam, West .. ..               | 15,502                                    | 2,961                             |                                       |
|                                | Kuppam, East .. ..               | 12,820                                    | 2,847                             |                                       |
|                                | Vijilapuram .. .. .              | 9,083                                     | 1,680                             |                                       |
|                                | <b>Total ..</b>                  | <b>77,077</b>                             | <b>16,825</b>                     | <b>28,049</b>                         |
|                                | <b>Total for the district ..</b> | <b>869,158</b>                            | <b>162,856</b>                    | <b>330,514</b>                        |

## APPENDIX VI.

[Vide answer to unstarred question No. 56 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 7th February 1951, page 206 supra.]

## ANNEXURE I.

*The names of the managements that have been running the high schools in Rayalaseema.*

| Rayalaseema districts. | Names of managements of schools. |               |        |        |
|------------------------|----------------------------------|---------------|--------|--------|
|                        | Government.                      | Local bodies. | Aided. | Total. |
| 1 Cuddapah .. ..       | 2                                | 23            | 3      | 28     |
| 2 Kurnool .. .. .      | 3                                | 19            | 6      | 28     |
| 3 Bellary .. .. .      | 6                                | 15            | 4      | 25     |
| 4 Anantapur .. ..      | 2                                | 20            | 3      | 25     |
| 5 Chittoor .. .. .     | 2                                | 26            | 8      | 36     |

[7th February 1951]

## ANNEXURE II.

The following aided secondary schools in Rayalaseema have been in receipt of equipment grants noted against their names during the years 1948-49 and 1949-50.

| Name of school.                                              | Amount of grant sanctioned. |
|--------------------------------------------------------------|-----------------------------|
| RS.                                                          |                             |
| <b>1948-49.</b>                                              |                             |
| 1 Guntakal High School, Thimmancherla, Anantapur district .. | 2,221                       |
| 2 Setra Gurusanthalpa High School, Bellary ..                | 900                         |
| 3 St. Joseph's Girls' High School, Kurnool ..                | 344                         |
| 4 Coles Memorial High School, Kurnool ..                     | 835                         |
| 5 St. John's High School, Bellary ..                         | 1,393                       |
| 6 B.Z. Secondary School, Chittoor ..                         | 839                         |
| <b>Total ..</b>                                              | <b>6,532</b>                |

**1949-50.**

| RS.                                                             |               |
|-----------------------------------------------------------------|---------------|
| 1 B.Z. High School, Chittoor ..                                 | 2,660         |
| 2 Setra Gurusanthalpa High School, Bellary ..                   | 606           |
| 3 St. Joseph's Girls' High School, Kurnool ..                   | 912           |
| 4 S.K.P.D. High School, Dhane ..                                | 710           |
| 5 Coles Memorial High School, Kurnool ..                        | 413           |
| 6 Sai Baba National High School, Anantapur ..                   | 3,104         |
| 7 Sri Vivekananda High School, Giddalur, Kurnool district ..    | 2,103         |
| 8 Gandhi Memorial High School, Nandikotkur, Kurnool district .. | 2,300         |
| <b>Total ..</b>                                                 | <b>12,817</b> |

The names of schools in receipt of equipment grant for introducing bifurcated courses with the amount of grant sanctioned are furnished below.

|                                    | Grant sanctioned in 1948-49. | Grant sanctioned in 1949-50. |
|------------------------------------|------------------------------|------------------------------|
|                                    | (1)                          | (2)                          |
| RS.                                | RS.                          | RS.                          |
| <b>Chittoor District.</b>          |                              |                              |
| B.S. Kannan High School ..         |                              | 4,701                        |
| <b>Anantapur District.</b>         |                              |                              |
| L.M. High School, Gooty ..         | 4,635                        | 1,065                        |
| Sai Baba High School, Anantapur .. | 2,049                        | 3,651                        |
| <b>Total ..</b>                    | <b>6,684</b>                 | <b>9,417</b>                 |

**Equipment grants paid to secondary schools under local bodies**

| Name of school.                      | Amount of grant sanctioned. |
|--------------------------------------|-----------------------------|
| RS.                                  |                             |
| <b>Bellary District.</b>             |                             |
| <b>1948-49.</b>                      |                             |
| 1 Municipal High School, Adoni ..    | 2,338                       |
| 2 Do. Bellary ..                     | 2,450                       |
| 3 Board High School, Kottur ..       | 2,812                       |
| 4 Board High School, Allur ..        | 635                         |
| 5 Board High School, Harpanahalli .. | 800                         |
| 6 Board High School, Rayadurg ..     | 300                         |
| 7 Board High School, Hadagalli ..    | 250                         |
| <b>Anantapur District.</b>           |                             |
| Municipal High School, Anantapur ..  | 950                         |

7th February 1951]

Name of school.

Amount of grant sanctioned.  
RS.**1949-50.****Bellary District.**

Municipal High School, Hospet .. 1,500

**Anantapur District.**

Municipal High School, Tadpatri .. 2,180

The names of schools in receipt of teaching grant for introducing the bifurcated courses with the amount of grant sanctioned are furnished below.—

**Chittoor District.**

B. S. Kannan High School .. 500

**Anantapur District.**

L. M. High School, Gooty .. 1,229

Sai Baba National High School, Anantapur .. 481

**Total .. 500 2,210****Teaching grants paid to local board secondary schools.**

| District.    | Name of local body.         | Amount of grant authorized. |          |
|--------------|-----------------------------|-----------------------------|----------|
| (1)          | (2)                         | 1948-49.                    | 1949-50. |
|              |                             | (3)                         | (4)      |
|              |                             | RS.                         | RS.      |
| Cuddapah ..  | Cuddapah Municipality ..    | 10,746                      | 27,979   |
|              | Proddatur Municipality ..   | 4,270                       | 11,153   |
|              | Cuddapah District Board ..  | 25,438                      | 58,499   |
| Kurnool ..   | Kurnool Municipality ..     | 4,047                       | 14,750   |
|              | Nandyal Municipality ..     | 11,215                      | 16,006   |
|              | Kurnool District Board ..   | 52,114                      | 43,659   |
| Bellary ..   | Bellary Municipality ..     | 1,518                       | 19,082   |
|              | Hospet Municipality ..      | 4,400                       | 9,985    |
|              | Adoni Municipality ..       | 7,161                       | 20,577   |
|              | Bellary District Board ..   | 16,956                      | 68,938   |
| Anantapur .. | Anantapur Municipality ..   | 10,299                      | 16,898   |
|              | Hindupur Municipality ..    | 3,774                       | 8,988    |
|              | Tadpatri Municipality ..    | 1,692                       | 8,663    |
|              | Anantapur District Board .. | 21,725                      | 46,023   |
| Chittoor ..  | Tirupathi Municipality ..   | 1,628                       | 4,392    |
|              | Chittoor District Board ..  | 93,112                      | 90,470   |

## ANNEXURE III.

**Teaching grants paid to aided secondary schools.**

| District.    | Name of the school.                         | 1948-49. | 1949-50. |
|--------------|---------------------------------------------|----------|----------|
|              |                                             | RS.      | RS.      |
| <b>Boys.</b> |                                             |          |          |
| Kurnool ..   | Coles Memorial High School, Kurnool ..      | 11,365   | 15,276   |
|              | S.P.G. High School, Nandyal ..              | 17,051   | 19,612   |
|              | Ryots' High School, Allagadda ..            | 4,221    | 2,492    |
|              | S.K.P. High School, Dhane ..                | 5,527    | 7,423    |
|              | S.V. High School, Giddalur ..               | 3,559    | 4,312    |
|              | Gandhi Memorial High School, Nandikotkur .. | 3,429    | 6,110    |
|              |                                             |          |          |

[7th February 1951]

| District.     | Name of the school.                        | 1948-49.<br>Rs. | 1949-50.<br>Rs.         |
|---------------|--------------------------------------------|-----------------|-------------------------|
| <b>Girls.</b> |                                            |                 |                         |
| Bellary       | St. Joseph's Girls' High School, Kurnool.  | 2,554           | 6,960                   |
|               | Wardlaw High School, Bellary               | 12,708          | 15,188                  |
|               | St. John's High School, Bellary            | 7,168           | 7,714                   |
|               | S.G. High School, Bellary                  | 2,650           | 3,962                   |
|               | Y.M. Kannada High School, Adoni.           | 1,264           | 2,544                   |
|               | St. Anthony's High School, Adoni.          | 2,552           | Closed.                 |
| Anantapur     | L.M. High School, Gooty                    | 10,965          | 13,717                  |
|               | Guntakal High School, Thimmancherla.       | 4,589           | 4,864                   |
|               | Sri Sai Baba High School, Anantapur.       | 3,359           | 4,561                   |
| Cuddapah      | L.M. High School, Gooty                    | 10,965          | 13,717                  |
|               | Guntakal High School, Thimmancherla.       | 4,589           | 4,864                   |
|               | Sri Sai Baba High School, Anantapur.       | 3,359           | 4,561                   |
|               | S.B.V.D. Sabha High School, Pullampet.     | 3,482           | 4,807                   |
|               | S.P.B.V.D. Sabha High School, Upparapalli. | 2,985           | 3,540                   |
|               | Sri Ramakrishna High School, Cuddapah.     | Not opened.     | 2,087                   |
| Chittoor      | Theosophical High School, Madanapalle.     | 4,316           | 6,748                   |
|               | Devasthanam High School, Tirupathi.        | 13,000          | 19,301                  |
|               | B.Z. High School, Chittoor                 | 11,212          | 15,163                  |
|               | Basavaraja High School, Punganur.          | 2,423           | Taken by district board |
|               | The School, Rishi Valley                   | 8,326           | 11,652                  |
|               | P.M. High School, Renigunta                | 7,882           | 9,733                   |
|               | B.S. Kannan High School, Chittoor.         | 1,199           | 3,452                   |
|               | Hope Middle School, Madanapalle            | Not opened.     | 1,897                   |
|               | S.M. Girls' High School, Chittoor          | 10,285          | 13,899                  |
|               | A.A.M. Middle School, Madanapalle.         | 4,657           | 4,215                   |

## APPENDIX VII.

[Vide answer to unstarred question No. 58 asked by Sri B. S. Murthy at the meeting of the Legislative Assembly held on 7th February 1951, page 208 supra.]

## I

Statement showing the panchayat boards superseded from January 1949 to October 1950 according to districts.

## Anantapur.

|              |    |    |       |    |    |      |
|--------------|----|----|-------|----|----|------|
| 1 Madakasira | .. | .. | Major | .. | .. | 1949 |
| 2 Kalyandrug | .. | .. | Do.   | .. | .. | 1950 |

## North Arcot.

|              |    |    |       |    |    |      |
|--------------|----|----|-------|----|----|------|
| 1 Vettavalam | .. | .. | Minor | .. | .. | 1949 |
| 2 Alangayam  | .. | .. | Major | .. | .. | 1950 |

South Arcot—Nil.

7th February 1951]

|                       |    |    |                           |    |    |      |
|-----------------------|----|----|---------------------------|----|----|------|
| <b>Bellary.</b>       |    |    |                           |    |    |      |
| 1 Peddathumbalam      | .. | .. | Minor                     | .. | .. | 1949 |
| 2 Halaharvi           | .. | .. | Do.                       | .. | .. | 1949 |
| <b>Chingleput.</b>    |    |    |                           |    |    |      |
| 1 Villivakkam         | .. | .. | Major                     | .. | .. | 1950 |
| <b>Coimbatore.</b>    |    |    |                           |    |    |      |
| 1 Gobichettipalayam   | .. | .. | Major (now municipality). | .. | .. | 1949 |
| 2 Periyakoduveri      | .. | .. | Minor                     | .. | .. | 1949 |
| <b>Chittoor.</b>      |    |    |                           |    |    |      |
| 1 Proddaturpet        | .. | .. | Minor                     | .. | .. | 1949 |
| 2 Piler               | .. | .. | Major                     | .. | .. | 1949 |
| 3 Ramakrishnarajupet  | .. | .. | Minor                     | .. | .. | 1949 |
| <b>Cuddapah—Nil.</b>  |    |    |                           |    |    |      |
| <b>East Godavari.</b> |    |    |                           |    |    |      |
| 1 Jagannayakulapalem  | .. | .. | Minor                     | .. | .. | 1949 |
| <b>West Godavari.</b> |    |    |                           |    |    |      |
| 1 Ganapavaram         | .. | .. | Major                     | .. | .. | 1949 |
| 2 Valuru              | .. | .. | Minor                     | .. | .. | 1949 |
| 3 Attili              | .. | .. | Major                     | .. | .. | 1949 |
| 4 Kesavaram           | .. | .. | Minor                     | .. | .. | 1949 |
| 5 Kalavalapalli       | .. | .. | Do.                       | .. | .. | 1949 |
| 6 Kovvali             | .. | .. | Major                     | .. | .. | 1949 |
| <b>Guntur.</b>        |    |    |                           |    |    |      |
| 1 Parachur            | .. | .. | Major                     | .. | .. | 1949 |
| 2 Kantheru            | .. | .. | Minor                     | .. | .. | 1949 |
| 3 Uppugundur          | .. | .. | Do.                       | .. | .. | 1949 |
| 4 Gottikonda          | .. | .. | Do.                       | .. | .. | 1949 |
| 5 Nidubrole           | .. | .. | Major                     | .. | .. | 1949 |
| 6 Throvagunta         | .. | .. | Minor                     | .. | .. | 1949 |
| <b>South Kanara.</b>  |    |    |                           |    |    |      |
| 1 Puttige             | .. | .. | Minor                     | .. | .. | 1949 |
| <b>Krishna.</b>       |    |    |                           |    |    |      |
| 1 Kanukollu           | .. | .. | Minor                     | .. | .. | 1949 |
| 2 Nemmikur            | .. | .. | Do.                       | .. | .. | 1950 |
| 3 Gudlavalleru        | .. | .. | Major                     | .. | .. | 1950 |
| 4 Kankipadu           | .. | .. | Minor                     | .. | .. | 1950 |
| 5 Godavarru           | .. | .. | Do.                       | .. | .. | 1950 |
| 6 Patamata            | .. | .. | Do.                       | .. | .. | 1950 |
| <b>Kurnool—Nil.</b>   |    |    |                           |    |    |      |
| <b>Madurai.</b>       |    |    |                           |    |    |      |
| 1 Malamangalam        | .. | .. | Major                     | .. | .. | 1950 |
| 2 Melur               | .. | .. | Do.                       | .. | .. | 1950 |
| <b>Malabar.</b>       |    |    |                           |    |    |      |
| 1 Pattambi            | .. | .. | Minor                     | .. | .. | 1950 |
| <b>Nellore.</b>       |    |    |                           |    |    |      |
| 1 Atmakur             | .. | .. | Minor                     | .. | .. | 1949 |
| 2 Battipadu           | .. | .. | Do.                       | .. | .. | 1949 |
| <b>The Nilgiris.</b>  |    |    |                           |    |    |      |
| 1 Jagathala           | .. | .. | Minor                     | .. | .. | 1949 |

[7th February 1951]

## Ramanathapuram.

1 Nerukupai .. .. Major .. .. 1949

## Salem.

1 Mallur .. .. Major .. .. 1949  
2 Mohanur .. .. Do. .. .. 1949

## Tanjore.

1 Orathanad .. .. Major .. .. 1949  
2 Sirkali .. .. Do. .. .. 1949  
3 Thirutturaippundi .. .. Do. .. .. 1949  
4 Nannilam .. .. Do. .. .. 1949  
5 Devadanam .. .. Do. .. .. 1949  
6 Olayakunnam .. .. Do. .. .. 1950

## Tirunelveli.

1 Sathankulam .. .. Major .. .. 1950

## Tiruohirappalli.

1 Udayarpalayam .. .. Major .. .. 1949  
2 Pallapatti .. .. Do. .. .. 1949  
3 Jayankondan .. .. Do. .. .. 1949  
4 Puvalur .. .. Do. .. .. 1949  
5 Illupur .. .. Minor .. .. 1950  
6 Thuraiyar .. .. Major .. .. 1950

## Visakhapatnam.

1 Srungavarapukota .. .. Major .. .. 1949

## II

*Statement showing the presidents of panchayat boards removed  
from office from January 1949 to October 1950.*

| Serial number and name of the president,<br>panchayat board. | Name of the panchayat board. | Year. |
|--------------------------------------------------------------|------------------------------|-------|
| (1)                                                          | (2)                          | (3)   |

## Anantapur.

|                       |            |      |
|-----------------------|------------|------|
| 1 Sri Y. Thippayya    | Obolemarri | 1949 |
| 2 Sri Chinnappa Reddi | Kotnur     | 1950 |
| 3 Sri K. Nanjunda Rao | Kundurpi   | 1950 |

## North Arcot.

|                                |                   |      |
|--------------------------------|-------------------|------|
| 1 Sri N. Chinarama Gounder     | Malayanurchekkadi | 1949 |
| 2 Sri Natesa Pillai            | Kandapalayam      | 1949 |
| 3 Sri Narayanaswami Gounder    | Kottai            | 1949 |
| 4 Sri Kumaraswami Odayar       | Vanniyanur        | 1949 |
| 5 Sri G. Ramaswami Reddi       | Kajoor            | 1949 |
| 6 Sri K. A. Rajagopala Gounder | Pilasur           | 1949 |
| 7 Sri V. Muthuswami Odayar     | Oravaudavadi      | 1949 |
| 8 Sri Govindaswami Chettiar    | Moonagapattu      | 1950 |

## South Arcot.

|                          |               |      |
|--------------------------|---------------|------|
| 1 Sri V. T. Elaya Pillai | Vadakkanandal | 1949 |
|--------------------------|---------------|------|

## Bellary.

|                     |          |      |
|---------------------|----------|------|
| 1 Sri Gurnatha Gowd | Hyalayam | 1949 |
| 2 Sri B. Rudrappa   | Moka     | 1950 |

## Chingleput.

|                             |              |      |
|-----------------------------|--------------|------|
| 1 Sri Nainappa Naicker      | Pillaipekkam | 1949 |
| 2 Sri N. Srinivasachariar   | Neveli       | 1950 |
| 3 Sri T. Shanmuga Mudaliar  | Tirupporur   | 1950 |
| 4 Sri K. Ramaswami Ayyangar | Karinilam    | 1950 |

7th February 1951]

| Serial number and name of the president,<br>panchayat board. | Name of the panchayat board. | Year. |
|--------------------------------------------------------------|------------------------------|-------|
| (1)                                                          | (2)                          | (3)   |

## Coimbatore.

|                               |                |      |
|-------------------------------|----------------|------|
| 1 Sri R. Nallasami Gounder    | Dalavaipetnam  | 1949 |
| 2 Sri M. Sellappa Kavandar    | Suriyampalayam | 1949 |
| 3 Sri M. Krishnaswami Gounder | Kannampalayam  | 1950 |

## Chittoor—Nil.

## Cuddapah—Nil.

## East Godavari.

|                            |                     |      |
|----------------------------|---------------------|------|
| 1 Sri Suryanarayana Murthi | Kotikesavaram       | 1949 |
| 2 Sri Gollakoti Somaraju   | Cheyveru-Gunnepalli | 1949 |
| 3 Sri Goddi Seethaiah      | Udumudi             | 1949 |

## West Godavari.

|                               |               |      |
|-------------------------------|---------------|------|
| 1 Sri Battila Papiiah         | Mopparru      | 1949 |
| 2 Sri Tapa Venkataswamy       | Tyajampudi    | 1949 |
| 3 Sri Prerepa Narasimhamurthi | Inaparru      | 1950 |
| 4 Sri J. Venkatarayudu        | Chagallur     | 1950 |
| 5 Sri Kavuni Venkanna         | Rayakuduru    | 1950 |
| 6 Sri Pavuluri Seetharamiah   | Velagalapalli | 1950 |
| 7 Sri Kothapalli Brahma Rao   | Paidiparru    | 1950 |

## Guntur.

|                               |                   |      |
|-------------------------------|-------------------|------|
| 1 Sri Bellam Hanumiah         | Uppugundur        | 1949 |
| 2 Sri Jammula Narayana        | Gottipalla        | 1949 |
| 3 Sri Dornala Pulla Reddi     | Sankarapuram      | 1949 |
| 4 Sri Pusupuleti Peddavenkiah | Jaggadiguntapalem | 1949 |
| 5 Sri V. Subba Rao            | Kathapalli        | 1949 |
| 6 Sri Mandava Gopala Rao      | Chadalavada       | 1949 |
| 7 Sri N. Seethaiah            | Nadendala         | 1949 |
| 8 Sri Kavuni Kotiah           | Ghinnapulivarru   | 1949 |
| 9 Sri Myneni Ananda Rao       | Legadapadu        | 1950 |
| 10 Sri Gayam Appi Reddi       | Machavaram        | 1950 |
| 11 Sri Someruthu Rayudappa    | Bayyavaram        | 1950 |
| 12 Sri Kuntala Ramadasiah     | Annaram           | 1950 |
| 13 Sri Palli Appi Reddi       | Lankalakurapadu   | 1950 |

## South Kanara—Nil.

## Krishna.

|                              |           |      |
|------------------------------|-----------|------|
| 1 Sri Akkinni Rajagopala Rao | Boddapadu | 1949 |
|------------------------------|-----------|------|

## Kurnool—Nil.

## Madurai.

|                                |              |      |
|--------------------------------|--------------|------|
| 1 Sri Sundararaja Servai       | Sitharevu    | 1949 |
| 2 Sri T. Natarajan             | Kurivithurai | 1950 |
| 3 Sri R. Vellaichami Gounder   | Landakottai  | 1950 |
| 4 Sri S. N. Sivankalai Thevar  | Usilampatti  | 1950 |
| 5 Janab N. S. Syed Ali Rowther | Nagayakottai | 1950 |

## Malabar.

|                             |              |      |
|-----------------------------|--------------|------|
| 1 Sri A. Narayana Pisharodi | Tiruvegapura | 1949 |
|-----------------------------|--------------|------|

## Nellore.

|                                 |          |      |
|---------------------------------|----------|------|
| 1 Sri B. Pitchi Naidu           | Dampur   | 1949 |
| 2 Sri Kantabathuni Ramana Reddi | Sangam   | 1949 |
| 3 Sri R. Radhakrishnaya         | Kadivedu | 1949 |

## The Nilgiris.

|                              |            |      |
|------------------------------|------------|------|
| 1 Sri T. V. Chathukutti Nair | Gudalur    | 1949 |
| 2 Sri I. K. Nanja Gowder     | Ebbanad    | 1949 |
| 3 Janab H. Khasimkhan Sahib  | Naduvattam | 1949 |



[7th February 1951]

| Serial number. | Name of the mills.                                            | Total estimated production for September 1950. |     |     |     | Total estimated production for October 1950. |     |     |      | Deliveries to Madras Handloom Weavers' Provincial Co-operative Society Limited, Madras, September 1950. |      |      |      | Deliveries to Madras Handloom Weavers' Provincial Co-operative Society Limited, Madras, October 1950. |      |      |      | Counts and quantities expected to be sold. |
|----------------|---------------------------------------------------------------|------------------------------------------------|-----|-----|-----|----------------------------------------------|-----|-----|------|---------------------------------------------------------------------------------------------------------|------|------|------|-------------------------------------------------------------------------------------------------------|------|------|------|--------------------------------------------|
|                |                                                               | (3)                                            | (4) | (5) | (6) | (7)                                          | (8) | (9) | (10) | (11)                                                                                                    | (12) | (13) | (14) | (15)                                                                                                  | (16) | (17) | (18) |                                            |
| 6              | Coimbatore Spinning and Weaving Company, Limited, Coimbatore. | 76                                             | 48  | ..  | 60  | 19                                           | 12  | ..  | 15   | ..                                                                                                      | ..   | ..   | ..   | ..                                                                                                    | ..   | ..   | ..   | Counts and quantities expected to be sold. |
| 7              | Palani Andavar Mills, Limited, Udumalpet, Coimbatore.         | 18                                             | ..  | ..  | ..  | 44                                           | ..  | ..  | ..   | ..                                                                                                      | ..   | ..   | ..   | ..                                                                                                    | ..   | ..   | ..   |                                            |
| 8              | Karthikeya Mills, Coimbatore.                                 | 56                                             | ..  | 40  | ..  | ..                                           | ..  | 10  | ..   | ..                                                                                                      | ..   | ..   | ..   | ..                                                                                                    | ..   | ..   | ..   | Counts and quantities expected to be sold. |
| 9              | Kedri Mills, Limited, Odderpalayan, Coimbatore.               | 42                                             | ..  | 12  | ..  | ..                                           | ..  | ..  | ..   | ..                                                                                                      | ..   | ..   | ..   | ..                                                                                                    | ..   | ..   | ..   |                                            |
| 10             | The Coimbatore Kamala Mills.                                  | 49                                             | ..  | 12  | ..  | ..                                           | ..  | ..  | ..   | ..                                                                                                      | ..   | ..   | ..   | ..                                                                                                    | ..   | ..   | ..   | Counts and quantities expected to be sold. |
|                |                                                               | 483                                            | 168 | 253 | 147 | 844                                          | 424 | 58  | 37   | ..                                                                                                      | ..   | ..   | ..   | ..                                                                                                    | ..   | ..   | ..   |                                            |

Place where mills depots have been opened.

[7th February 1951]

## APPENDIX IX.

[Vide answer to unstarred question No. 62 asked by Sri A. J. Arunachalam at the meeting of the Legislative Assembly held on 7th February 1951, page 209 supra.]

Statement showing the quantity of yarn produced by the mills in Madras State and the quantity exported during the month of October 1950.

| Serial number and name of the Mills. |                                       | Quantity produced in lb. | Quantity exported in lb. |
|--------------------------------------|---------------------------------------|--------------------------|--------------------------|
| (1)                                  | (2)                                   | (3)                      | (4)                      |
| 1                                    | Kamala Mills                          | 80,497                   | ..                       |
| 2                                    | Pullicca Mills                        | 110,175                  | 60,000                   |
| 3                                    | Soundararaja Mills                    | 88,660                   | 40,000                   |
| 4                                    | Ramachandra Mills                     | 35,122                   | ..                       |
| 5                                    | Satyanarayana Mills                   | 36,600                   | ..                       |
| 6                                    | Suryanarayana Mills                   | 30,714                   | ..                       |
| 7                                    | Madura Mills (Madurai)                | 2,588,779                | 529,700                  |
| 8                                    | Do. (Ambur)                           | 1,72,200                 | 981,200                  |
| 9                                    | Do. (Tuticorin)                       | 27,705                   | 305,975                  |
| 10                                   | Kothandram Mills                      | 3,380                    | ..                       |
| 11                                   | Mettur Industries                     | 52,077                   | ..                       |
| 12                                   | Meenakshi Mills                       | 428,706                  | 497,000                  |
| 13                                   | Mahalakshmi Mills                     | 151,517                  | 136,000                  |
| 14                                   | Coimbatore Spinning and Weaving Mills | 514,030                  | 165,000                  |
| 15                                   | Kaleswarar Mills                      | 349,738                  | 110,000                  |
| 16                                   | Somasundaram Mills                    | 156,665                  | 70,000                   |
| 17                                   | Murugan Mills                         | 130,957                  | ..                       |
| 18                                   | Lakshmi Mills (Coimbatore)            | 287,484                  | 140,000                  |
| 19                                   | Do. (Koilpatti)                       | 154,145                  | 167,124                  |
| 20                                   | Radhakrishna Mills                    | 344,005                  | ..                       |
| 21                                   | Ranga Vilas Mills                     | 215,961                  | ..                       |
| 22                                   | Pankaja Vilas Mills                   | 270,990                  | 144,400                  |
| 23                                   | Rajalakshmi Mills                     | 239,008                  | 86,000                   |
| 24                                   | Kothari Textiles                      | 150,907                  | ..                       |
| 25                                   | Vasantha Mills                        | 258,616                  | ..                       |
| 26                                   | Saroja Mills                          | 149,993                  | 80,000                   |
| 27                                   | Kasthuri Mills                        | 74,693                   | 23,600                   |
| 28                                   | Cambodia Mills                        | 473,849                  | 153,800                  |
| 29                                   | Coimbatore Cotton Mills               | 309,305                  | 268,800                  |
| 30                                   | Janardhana Mills                      | 148,091                  | ..                       |
| 31                                   | Balasubramaniam Mills                 | 97,405                   | 44,000                   |
| 32                                   | Sri Sarada Mills                      | 99,935                   | 24,000                   |
| 33                                   | Lotus Mills                           | 162,370                  | 20,000                   |
| 34                                   | Vijayalakshmi Mills                   | 85,437                   | 50,000                   |
| 35                                   | Kumaran Mills                         | 54,638                   | 50,000                   |
| 36                                   | Gnanambika Mills                      | 131,534                  | 44,000                   |
| 37                                   | Palamalai Ranganathar Mills           | 68,183                   | ..                       |
| 38                                   | Buckingham and Carnatic Mills         | 1,856,533                | ..                       |



[7th February 1951]

| Serial number and name of the Mills.            | Quantity produced in lb. | Quantity exported in lb. |
|-------------------------------------------------|--------------------------|--------------------------|
| (1)                                             | (2)                      | (3)                      |
| 39 Thirumal Mills .. .. .                       | 106,465                  | 92,000                   |
| 40 Jawahar Mills .. .. .                        | 202,661                  | 42,800                   |
| 41 Dhanalakshmi Mills .. .. .                   | 226,818                  | 60,000                   |
| 42 Asher Textiles .. .. .                       | 98,755                   | 84,400                   |
| 43 Ramalinga Choodambika Mills .. .. .          | 114,880                  | 62,400                   |
| 44 Venkatesa Mills .. .. .                      | 262,411                  | 100,000                  |
| 45 Palani Andavar Mills .. .. .                 | 155,756                  | 104,000                  |
| 46 Thirumoorthy Mills .. .. .                   | 103,287                  | ..                       |
| 47 Malabar Spinning Mills .. .. .               | 95,600                   | ..                       |
| 48 Trichinopoly Mills .. .. .                   | 92,573                   | 92,800                   |
| 49 Rajapalayam Mills .. .. .                    | 90,479                   | ..                       |
| 50 Loyal Textiles .. .. .                       | 256,500                  | 14,000                   |
| 51 Raja Mills .. .. .                           | 61,582                   | ..                       |
| 52 Theagesor Ali .. .. .                        | 209,351                  | 128,000                  |
| 53 Sitaram Spinning Mills .. .. .               | 161,083                  | ..                       |
| 54 Shanmugam Mills .. .. .                      | 53,600                   | ..                       |
| 55 Central Jail Factory .. .. .                 | 35,437                   | ..                       |
| 56 Cannanore Spinning and Weaving Mills .. .. . | 217,464                  | ..                       |
| 57 Madras Spinning and Weaving Mills .. .. .    | ..                       | ..                       |
| 58 Premier Mills .. .. .                        | 83,035                   | 110,000                  |
| 59 Cauvery Spinning Mills .. .. .               | 75,352                   | 73,600                   |
| 60 Dawood Mills .. .. .                         | 8,338                    | ..                       |
| 61 Kadir Mills .. .. .                          | 113,497                  | 59,200                   |
| 62 Karthekaya Mills (Coimbatore) .. .. .        | 81,249                   | 24,800                   |
| 63 Do. (Ambasamudram) .. .. .                   | 7,562                    | ..                       |
| 64 Hemalatha Textiles .. .. .                   | 55,038                   | ..                       |
| 65 A.D. Cotton Mills .. .. .                    | ..                       | ..                       |

## ABSTRACT.

|                            | LB.        | BALES. |
|----------------------------|------------|--------|
| Total quantity produced .. | 16,920,371 | 42,301 |
| Total quantity exported .. | 5,213,609  | 13,034 |

Note.—The mills noted below have not sent their returns for the month of October 1950 and their figures have not been incorporated in the above figures:—

- (1) Pioneer Mills, Coimbatore.  
 (2) Jayalakshmi Mills, Coimbatore.  
 (3) Rajendra Mills, Salem.

7th February 1951]

## APPENDIX X.

[Vide answer to unstarred question No. 63 asked by Sri R. S. Manickam at the meeting of the Legislative Assembly held on 7th February 1951, page 210 supra.]

*Statement showing the particulars regarding the names of villages and the number of ration cards attached to the ration shop near Nalli Railway station, Sattur taluk, Ramanathapuram district and the distance of the village from the ration shop.*

| Number of villages attached to the ration shop near Nalli railway station. | Distance of the village from the ration shop. | Number of cards in each village. |
|----------------------------------------------------------------------------|-----------------------------------------------|----------------------------------|
| (1)                                                                        | (2)                                           | (3)                              |
| 1 Mullioheval .. .. .                                                      | 2 furlongs                                    | 128                              |
| 2 Muthusamiapuram .. .. .                                                  | 2 „                                           | 66                               |
| 3 Subramaniapuram .. .. .                                                  | 6 „                                           | 35                               |
| 4 Jagaveerapuram .. .. .                                                   | 1 mile                                        | 47                               |
| 5 Kuppureddiapatti .. .. .                                                 | 6 furlongs                                    | 31                               |
| 6 Chokkalingapuram .. .. .                                                 | 6 „                                           | 31                               |
| 7 Nallamuthanpatti .. .. .                                                 | 1 mile                                        | 82                               |
| 8 Akkivadampatti .. .. .                                                   | 1 „                                           | 39                               |
| 9 Ovayanaickenpatti .. .. .                                                | 1½ „                                          | 9                                |
| 10 Doraisamiapuram .. .. .                                                 | 2 miles                                       | 10                               |
| 11 Chinnoodampatti .. .. .                                                 | 1 mile                                        | 97                               |
| 12 Pethureddiapatti .. .. .                                                | 1½ mile                                       | 125                              |
| 13 Periodapatti .. .. .                                                    | 1 mile                                        | 78                               |
| 14 Sublapuram .. .. .                                                      | 1½ mile                                       | 98                               |
| 15 Chinnatherupapuram .. .. .                                              | 1½ mile                                       | 44                               |

920

## THE MADRAS LEGISLATIVE ASSEMBLY.

Thursday, the 8th February 1951.

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

## I.—QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

*Drinking Water-supply Scheme for Sankarankoil Panchayat.*

\* 704 Q.—SRI P. A. THANGASWAMI NADAR (on behalf of Sri K. T. Kosalam): Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have received any representations from the Sankarankoil Panchayat Board and the Members of the Legislative Assembly for a Drinking Water-supply Scheme for that panchayat board area; and

(b) if so, what action has been taken on them?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Minister for Health:—“(a) The answer is in the affirmative:

“(b) The Water-supply Scheme of the Panchayat Board has been assigned the 93rd rank in the compendium approved by the Government. The Government have informed those who have made the representations that the scheme will be taken up according to its turn in the compendium and that however they will be prepared to consider the question of sanctioning the investigation of the scheme earlier if the panchayat is able to find funds to meet the entire cost of the scheme.”

JANAB ABDUL HAMEED KHAN:—“May I ask what is the total number that is still awaiting disposal by the Government?”

THE HON. SRI B. GOPALA REDDI:—“A priority scheme has been prepared for the northern zone and the southern zone and the hon. Gentleman is requested to refer to the Government Order issued in the matter.”

SRI P. A. THANGASWAMI NADAR:—“Are not the Government prepared to make any special grant towards this scheme?”

THE HON. SRI B. GOPALA REDDI:—“No, Sir, it must await its turn; there are ever so many panchayats and urban areas which are in need of water-supply, and therefore the priority list has been prepared and it must await its turn.”

*Appointment of Honorary Presidency Magistrates.*

\* 705 Q.—BAGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Education be pleased to state whether it is a fact that there is only one Muslim in Madras City to-day who holds the office of Honorary Presidency Magistrate?

[8th February 1951]

THE HON. SRI K. MADHAVA MENON :—" The answer is in the affirmative."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know what is the total number of Honorary Presidency Magistrates in the City? "

THE HON. SRI K. MADHAVA MENON :—" There is no fixed number. During the previous term there were 150 Honorary Magistrates; we have reduced the number this time by 33 and only 117 magistrates have been appointed now on the recommendation of the Chief Presidency Magistrate."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know why out of such a large number, the Government have found it possible to have only one Muslim as Honorary Presidency Magistrate, whereas previously there were many, I believe, about 30 Muslim Honorary Presidency Magistrates in the City? "

THE HON. SRI K. MADHAVA MENON :—" Sir, the information given is not correct; during the previous term, there were 9 Honorary Presidency Magistrates who were Muslims. I may say that the appointment of Honorary Magistrates is not dependent on any particular community; the Government have appointed a committee and on the recommendation of that committee, the Chief Presidency Magistrate makes his recommendation according to the suitability of the persons, and on that recommendation, the Government make the appointment."

JANAB ABDUL HAMEED KHAN :—" May I know whether these Muslims that were there already were found unfit and that it was the reason why the committee did not recommend them for reappointment? "

THE HON. SRI K. MADHAVA MENON :—" I do not know anything about the hon. Gentleman's information about the capacity of those persons but the committee has not recommended many people who were there before. After the term of the then existing Magistrates expired, the committee made its recommendations to the Chief Presidency Magistrate who recommended them to the Government, and his recommendations were accepted."

JANAB MOHAMED ABDUL SALAM :—" Since the coming into existence of this Government, the number of Muslims both in the City and in the districts who were formerly Honorary Magistrates has been reduced. May I know whether it is due to any policy or whether this Government have no responsibility in the matter of selection? "

THE HON. SRI K. MADHAVA MENON :—" As I said, Sir, nobody has been excluded on the ground of belonging to any particular community. The Government appointed in every place a committee consisting of a Member of the Legislature, a non-official and the district authorities, to recommend the names for appointment as Honorary Magistrates and their recommendations have been invariably accepted."

[8th February 1951]

SRI P. NATESAN :—" Sir, are applications invited or received from candidates for these Magistrates' posts or are people simply selected from among well-known persons and appointed? "

THE HON. SRI K. MADHAVA MENON :—" I do not think applications are invited by advertisement. But I know there were a number of applications received by the Government which were forwarded to these committees, and perhaps the committees themselves would have received applications."

JANAB ABDUL HAMEED KHAN :—" May I ask when the Government are going to make this State really a secular State? "

THE HON. SRI K. MADHAVA MENON :—" If the hon. Gentleman thinks that it is not so, he can take such action as he thinks fit, to remain in the State or not."

JANAB MUHAMMAD RAZA KHAN :—" Will the Hon. Minister cause an enquiry to be made into the whole matter of selection, as to how very good educated Muslims of very good and high families, having all the merits and qualifications necessary, have been removed from the list, while those who have been taken—at any rate a good number of them—have neither merit nor educational qualifications? "

THE HON. SRI K. MADHAVA MENON :—" The hon. Gentleman may have his own opinion about the matter and it may be perfectly true to say they are all very creditable and good; but it is very wrong to say that anybody has been removed from the list; in fact, there is no question of list at all. Appointments are made for two years, and at the end of the two years, fresh appointments are made."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know, Sir, how the committee was not able to find more than one Muslim in a big city like Madras competent to hold the office of Honorary Presidency Magistrate? "

THE HON. SRI K. MADHAVA MENON :—" I cannot probe into the mind of the committee. The committee consists of a Member of the Legislature also, Mr. Fernandez."

JANAB MUHAMMAD RAZA KHAN :—" He is no good as far as we are concerned."

MR. SPEAKER :—" Order, order."

THE HON. SRI K. MADHAVA MENON :—" It is not for the good of a particular individual or of a particular community that the committee is appointed, and it is not also to please any person or any community. A member has been selected from this House and he is Mr. Fernandez; there is another non-official member and the Chief Presidency Magistrate and the Commissioner of Police—all of them sit together and make the recommendation. I do not think they have been guided by any communal considerations in regard to this matter. But for the knowledge and information of this House, I may say that when this matter was pointed out by the hon. Member, Begum

[8th February 1951]

Saheba, we informed the Chief Presidency Magistrate that in selecting the remaining 33 members, he may consider about the question of communities which are not sufficiently represented in respect of these offices."

JANAB SHAH ALAM KHAN SAVOI :—" May I know Sir, on what consideration and on what basis these appointments are made? "

THE HON. SRI K. MADHAVA MENON :—" On considerations of merit and suitability and on the basis of the recommendation made by the committee itself."

*Levy system in procurement.*

\* 706 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Food be pleased to state—

(a) whether the levy system in procurement has been given up by the Government and if so, the reasons therefor;

(b) whether the Government have examined the zonal scheme in distribution and if so, what the result is; and

(c) whether the Government have any proposal for the introduction of zonal scheme in this State and if so, when and where and if not, why not?

THE HON. SRI J. L. P. ROCHE VICTORIA :—" (a) The levy scheme resulted in hardship to the ryots with small extents of land as the flat-rate of levy did not allow for their full requirements of consumption for their families. On the other hand the scheme left the bigger ryots with large surpluses even after meeting the levy demand and did not help to procure the full surpluses from them. The Government have therefore decided to give up the levy scheme and restore the Intensive Procurement Scheme.

" (b) & (c) The Government examined the question of adopting a zonal scheme for distribution of foodgrains by attaching certain deficit districts to certain surplus districts with a free movement of foodgrains within the zone and considered it neither necessary nor desirable to introduce such a scheme, as a kind of zonal scheme can be said to be in operation even now (though there is no free movement) in that the movement is so arranged that the deficit districts get their supply from the nearest surplus districts as far as possible."

MR. SPEAKER :—" I may inform hon. Members that on the 12th instant, the House will have a debate on food."

SRI A. VEDARATNAM PILLAI :—" May I know Sir, what sort of difficulty the Government anticipate by introducing the zonal system in the surplus districts and whether the Government will come forward and try this zonal scheme at least in one surplus district, as an experimental measure? As the zonal scheme in respect of the movement of other commodities is working very successfully and satisfactorily, why not the Government come forward to experiment this zonal scheme at least in one of the surplus districts in our State?"

[8th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Whatever reason there might have been previously, owing to the new system of derationing adopted by the Government, even that justification is now removed, and at present there is absolutely no necessity to have the zonal system. Because we have to keep the statutorily rationed areas under the rationing system and we have removed rural rationing in the deficit areas, the zonal system cannot be introduced under the present policy adopted by the Government."

SRI V. I. MUNISWAMI PELLAY :—" May I know, Sir, whether the Hon. Minister has received any representation from the South Arcot district, especially from the Tirukoilur taluk, that the levy system has worked very hard on those people who are having less than five acres? If so, will the Government consider the question over again? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, Sir; in introducing the levy system in certain districts now, the Government have issued orders that the levy system should be enforced only in the delta areas, wherever there are sufficient facilities and not in the dry parts of the districts."

SRI L. N. GOPALASWAMI :—" May I ask the Government Sir, why an admittedly bad system like the levy system, which has not worked successfully in the Coimbatore district, is sought to be introduced in the Tiruchirappalli district and at the same time no relief is sought to be given to the poor ryots who admittedly are not getting any relief under the levy system? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Sir, conditions are now different from what they were before, i.e., when the levy system was introduced and tried in the Coimbatore district and failed. According to the present system, Tiruchirappalli is considered as more or less a self-sufficient district, and by having this levy system mostly in the delta areas, the Government hope that it will be possible to make supplies go round within the district more liberally than was the case before."

SRI K. RAJARAM NAYUDU :—" May I know, Sir, whether the Government are aware that in this levy system, producers are not allowed sufficient quantities for their own consumption before procurement takes place. Therefore, will the Government direct the Collectors to leave a certain margin for the producers for their own consumption and for agricultural necessities, and then procure the remaining quantity? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, Sir; necessary instructions will be issued."

SRI V. C. PALANISWAMI GOUNDER :—" May I know, Sir, whether the levy system that has been introduced in Tiruchirappalli and other districts is the same kind of levy system which was prevailing in the Coimbatore district, or a modified system? "

[8th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ There is some modification in it as regards the difficulties referred to by the hon. Member who has just spoken, that is, not leaving a sufficient quantity for the consumption of the small landholders. It is proposed to modify that difficulty in the levy system which is now being introduced in other districts.”

JANAB K. M. SEETHI :—“ May I know, Sir, whether the Hon. Minister's attention has been drawn to the statements which are found in certain publications of the Publicity Department of the Government of Madras, that the levy system had worked satisfactorily in the Coimbatore district. In fact, I have myself seen such statements issued by the Publicity Department that the system worked successfully in Coimbatore. I want to know whether the Hon. Minister's attention has been drawn to such statements? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ That was in the beginning, that is, for about a few months after its introduction it was supposed to have worked satisfactorily, but ultimately it did not prove so much of a success; on the contrary we had to stop it owing to its failure.”

SRI A. VAIDYANATHA AYYAR :—“ Sir, are the Government aware that under the levy system, the extent of land belonging to the landowner, for instance 20 acres, if leased to each tenant at the rate of two acres, each of the tenants of those two acres, is asked to give under the levy system as much as the rate for the 20 acre-landowner and not as for the two-acre landowner? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Yes, Sir, all such difficulties could be explained by the people affected to the Collectors concerned, who have got necessary instructions to see that no hardship is caused on account of this new system.”

JANAB MOHAMED ABDUL SALAM :—“ Sir, whatever name might be given by the Government to the new system or the procurement they are making in the districts, may I know whether it is not advisable to exempt people possessing three acres of land and less, from procurement? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The extent of land to be exempted from procurement has not been finally fixed. It was generally thought that one acre would be sufficient, but since there is some difficulty as pointed out by some hon. Members just now, that question also will be considered.”

JANAB M. S. ABDUL MAJID :—“ Is it a fact, Sir, that this levy system is based upon production reports submitted by the village officers and that the revenue officials are coercing the village officers to show higher production figures? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ No, it is not exactly the same as the procurement system. We do not entirely depend upon the village officers in assessing this levy. I think the kind of difficulty which the hon. Member expects will not be repeated under the new levy system.”

[8th February 1951]

SRI M. S. PATTABHIRAMIAH :—“ Sir, is the Hon. Minister aware that a very exorbitant rate of levy has been fixed in Madhurai district, that an estimate of outturn is sought to be fixed by the village officials and that fixing of the average outturn in respect of any village is impossible? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ As I have already said, local difficulties may be brought to the notice of the Collector.”

SRI V. RAGHAVAYYA :—“ Sir, whatever may be the system whether it is the levy system or the zonal system, have the Government come to realize that procurement has been so unsatisfactory and low, that in the derationed rural areas of the State, people have been left to themselves high and dry, without even a shop being made available to them wherefrom they could get even the rationed quotas and that a section of the people are put to great hardship and reduced to abject poverty and misery? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Wherever it is necessary, relief shops are being opened to meet these difficulties, but the difficulties are only present in some areas and the Government are taking all necessary steps to see that their hardship is reduced as much as possible.”

SRI R. RAGHAVA MENON :—“ Sir, will the Hon. Minister be pleased to state what is the quantity of the reserve stock that the State Government have with them, so that if any emergency arises in any area, they could feed the people of the locality concerned? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ At present we are only living from hand to mouth and it is proposed to build stock as soon as supplies are available.”

SRI B. S. MURTHY :—“ Sir, may I know whether the Government will give definite instructions to Collectors to exempt all those ryots who are owning five acres of land, from coming under the purview of the levy system? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ The question has already been answered that it is not possible to issue such instructions, because in some areas, the ryots themselves are satisfied with a smaller acreage than 5 acres.”

SRI L. N. GOPALASWAMI :—“ Sir, by exempting the non-delta areas from procurement, have the Government realized that big landholders in those areas are given the greatest scope for blackmarketing, because they produce large quantities of rice and they are situated in an area which is largely wanting in that quantity? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ I think some arrangement will be made to put these landholders also on the list with a view to give the Government the exact position with regard to stocks at their disposal. They will not be left free as they like to distribute their stock. They must also account for the stock which they may hold over and above their own requirements.”

[8th February 1951]

**SRI A. VAIDYANATHA AYYAR:**—"Sir, will the Government kindly inform how Madhurai district which was till now declared a deficit district, has suddenly become more or less self-sufficient overnight so as to have procurement again immediately?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"Though, of course, it was treated as a deficit district so far, according to the present arrangement, with some effort in some parts of the district, it is possible to get more out of the district and so it was thought that Mathurai would be one of the districts where, if the levy system were worked properly and they also adhered to the present system of derationing in rural areas and statutory rationing in Madhurai and other industrial areas, it would prove a success. We only want the co-operation of the people in the district."

**SRI V. I. MUNISWAMI PILLAY:**—"Sir, is it a fact that the Government issued orders to Collectors to procure two-thirds of the whole produce wherever there is at least 5 annas worth of masool irrespective of the acreage?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"I have not got the details with me and so I cannot give the information."

**SRI K. KOTI REDDI:**—"Sir, may I know whether the Government have given any instructions to the Collectors that under this system or any other system of procurement, a sufficient quantity of foodgrains should be left for the consumption of both the landowners, including the land-owning agriculturists, and the manual labourers who are working in the field, in order to keep themselves and their labourers not only alive but to maintain sufficient stamina, whether it is 16 oz. which is the Government rate or 30 or 40 oz. which is needed for workers?"

**MR. SPEAKER:**—"The hon. Member should face the Chair and put the question."

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"Producers will naturally be assured of supply for all their requirements and so they will not be experiencing any such difficulty as the hon. Member fears."

**SRI L. C. PAIS:**—"May I enquire, Sir, when and why the South Kanara district which was always considered to be a deficit district, has suddenly been classed along with self-sufficient districts?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"Though we have been supplying some foodgrains from outside to the South Kanara district, it was never considered as a regular deficit district, because according to calculations, the district produces more than its requirements. So, we thought that the people of the district could enjoy whatever they produce than ask the Government to continue the supply from outside. It is a district which is more favourably placed than many other districts in the State."

[8th February 1951]

**SRI V. C. PALANISWAMI GOUNDER:**—"Sir, in view of the statement made by the Hon. Minister just now that the levy system has been introduced in the wet districts, am I to understand that in districts like Coimbatore and other places where there are tracts which are very well supplied with water, this levy system will not be introduced?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"According to present calculations, Coimbatore is a heavily deficit area and according to the general principle we are not introducing any levy system in Coimbatore. On the contrary, as I have said, all the big landholders will be expected to show an account of what they produce and their distribution also."

**SRI T. S. PATTABHIRAMAN:**—"May I know, Sir, whether it is a fact that the levy system confers greater benefit on the richer landlords and greater hardship to the poorer landowners?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"That was why it was a failure in Coimbatore, but as I have said, at present we are working it in such a way that some of the difficulties previously experienced are not there."

**SRI M. S. PATTABHIRAMIAH:**—"Sir, arising out of the answer to my question that local grievances have to be represented to the local officials, may I ask the Hon. Minister whether it is not a fact that the Government have insisted upon the Collector to collect 30,000 tons of paddy from Madurai from a limited irrigated area and such being the case, how is it possible for the local officials to redress our grievances?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"The hon. Member must be more specific and I cannot answer such a general question as this."

**JANAB M. S. ABDUL MAJID:**—"Sir, is it a fact that because one or two taluks in a particular district are self-sufficient, the whole district has been declared self-sufficient and thereby the district suffers?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"No. The conditions in the whole district are taken into consideration before a district is considered surplus."

**SRI K. RAJARAM NAYUDU:**—"Sir, may I know from the Hon. Minister whether the Government have sent specific instructions to the Collector of Madurai where the levy system has been introduced, that procurement should not be made in non-Periyar areas, of either millets or paddy, either by the levy or any other system?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"I have no information on this matter, because it is a matter of detail."

**SRI ROKKAM RAMAMURTHI:**—"Sir, is it a fact that Sri-kakulam which was originally considered to be a deficit district, was subsequently considered a surplus district and procurement is going on now under the levy system?"

[8th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Before Visakhapatnam was divided into two districts, it was considered a deficit district, but now taking Srikakulam by itself, it is considered to be not so deficit. On the contrary it is a surplus district."

*Recruitment of Sub-Inspectors of Police.*

\* 707 Q.—SRI B. S. MURTHY : Will the Hon. the Chief Minister be pleased to state—

(a) the number of Sub-Inspectors of Police recruited in 1950; and

(b) the number of Harijans, Christians and Muslims recruited in that year?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—" (a) 392 (in two batches).

" (b) The number of Harijans and Christians recruited is 45 and 31 respectively.

Muslims were excluded from the selections as they were already over-represented in the category of Sub-Inspectors."

11-30 a.m. SRI B. S. MURTHY :—" Will the Hon. the Leader of the House be pleased to state the number of Harijan applicants? "

THE HON. SRI B. GOPALA REDDI :—" I have got the number of applications; but even with regard to the present recruitment, there were a large number of exemptions required, both in respect of physical requirements and educational qualifications."

JANAB MOHAMED ABDUL SALAM :—" Is it not a fact, Sir, that it is not the Muslim community alone that is over-represented in the department but there are other communities also. May I know, Sir, whether their recruitment also was stopped? "

JANAB MUHAMMAD RAZA KHAN :—" It is an old thing."

THE HON. SRI B. GOPALA REDDI :—" It is an old question and the answer also will be very old."

SRI B. S. MURTHY :—" May I point out, Sir, that my question as to the number of applications from the Harijan community has not been answered. I know, Sir, the Government have been very considerable towards the Harijans and I want to know the extent of the consideration shown by the Government to them."

THE HON. SRI B. GOPALA REDDI :—" I would like to have separate notice but, as I said, Sir, the fact remains that even with regard to the present recruitment, they do not come up to the required standards and in many cases we had to give them exemptions both from physical requirements and educational qualifications."

[8th February 1951]

SRI K. BRAHMANANDAM REDDI :—" Are the Government aware of the special disease prevailing in almost all the districts, namely, that too many unlettered head-constables are appointed as Sub-Inspectors and if so, whether the Government would not directly recruit young, qualified and energetic officers to fill this most important and responsible job in the Police administration? "

THE HON. SRI B. GOPALA REDDI :—" We are aware of the disease and of the treatment also." (Laughter.)

JANAB MUHAMMAD RAZA KHAN :—" May I ask the Hon. Chief Minister through the Leader of the House, Sir, whether the declared policy of the Government, namely, that the ban on the recruitment of Muslims will be withdrawn, has been given effect to inasmuch as even in the latest recruitment of Sub-Inspectors, Muslims have been excluded from appointment? "

THE HON. SRI B. GOPALA REDDI :—" The decision taken previously had to be implemented and the new decision will be implemented in the next recruitment."

SRI V. I. MUNISWAMI PILLAY :—" Is it not a fact, Sir, that six Sub-Inspectors who were recommended by the Inspector-General of Police for recruitment in East Godavari have been rejected by the Government, because they were not considered fit enough, which is specially due to the short supply of food there just now? "

THE HON. SRI B. GOPALA REDDI :—" I want notice of that question. I do not think the Government rejected the Inspector-General's recommendation; perhaps the medical certificates were not produced by the candidates."

JANAB H. S. HUSSAIN :—" If the rule of exclusion from recruitment to the Police service is enforced against the Muslim as well as the other communities, may I know, Sir, which are the other communities which have been excluded from recruitment on the ground of over-representation? "

THE HON. SRI B. GOPALA REDDI :—" As far as I am aware, there is no other community."

JANAB N. MUHAMMAD ANWAR :—" Question."

SRI A. SUBRAHMANYAM :—" May I know, Sir, the number recruited from backward communities? "

THE HON. SRI B. GOPALA REDDI :—" The question relates to Harijans, Christians and Muslims and I have given the figures for those communities."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know, Sir, why the decision of the Government to remove the ban on the recruitment of Muslims, should not be implemented forthwith instead of at a future date? "



[8th February 1951]

THE HON. SRI B. GOPALA REDDI:—"The Hon. the Chief Minister tells me that it has been implemented even in the present recruitment; anyway, we shall look into the matter."

SRI R. V. SWAMINATHAN:—"Is it not a fact, Sir, that on several occasions Hon. Ministers have agreed to give figures of backward communities whenever figures were asked for, and may I know why in this special case, figures are not given?"

MR. SPEAKER:—"Because the main question concerns the number of Harijans, Christians and Muslims."

THE HON. SRI B. GOPALA REDDI:—"We have no objection, Sir; but as the question has been put specifically about the number of Harijans, Christians and Muslim Sub-Inspectors recruited in the last two recruitments, I did not give the figures, for instance, of the Non-Brahmans or Brahmans, but only with regard to those three communities I have given figures."

SRI P. KAKKAN:—"I understand, Sir, that in the recruitment of Harijan candidates, they are considering even marks. May I ask the Hon. Minister not to consider marks in the case of eligible Harijan candidates appearing for Sub-Inspectors' selection?"

THE HON. SRI B. GOPALA REDDI:—"Even as it is, with regard to Harijans and backward Hindus, the prescribed educational qualification is the minimum educational qualification, namely, School Final. With regard to others, it is a pass in the Intermediate examination, and if the hon. Member suggests that even that minimum educational qualification should be waived, I do not think it is fair, Sir."

MR. SPEAKER:—"What the hon. Member suggested that the Harijan and backward Hindu candidates who have not obtained marks for eligibility, may be given exemption regarding marks."

THE HON. SRI B. GOPALA REDDI:—"Even as it is, they get a concession of two years over other candidates, as the qualifications prescribed for others is a pass in the Intermediate examination. The minimum educational qualification, therefore, must be necessary, Sir."

JANAB N. MUHAMMAD ANWAR:—"Sir, will the Hon. the Leader of the House confess with all his conscience that this is a hostile policy intended . . ."

MR. SPEAKER:—"Will the hon. Member repeat his question; why should he refer to conscience at all when putting a supplementary question?"

JANAB N. MUHAMMAD ANWAR:—"Will the Hon. Minister from his conscience speak whether this hostile policy against the Muslims is not detrimental to the interests of a Secular State?"

THE HON. SRI B. GOPALA REDDI:—"We do not know how to speak except from conscience."

[8th February 1951]

*House-sites for Harijans in Srivilliputtur taluk.*

\* 708 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Rural Development be pleased to state—

(a) whether the Government have recently received any representation as regards house-sites for the Harijans of P. Kari-salkulam, Srivilliputtur taluk; and

(b) if so, what action has been taken on that representation so far?

THE HON. SRI B. PARAMESWARAN:—" (a) No.

" (b) Does not arise."

SRI S. NAGAPPA:—"Sir, as regards the provision of house-sites to Harijans, there has been considerable delay and therefore, will the Government be pleased to apply emergency provisions wherever such applications are received in order to provide house-sites for Harijans?"

THE HON. SRI B. PARAMESWARAN:—"The Government are not prepared to go into general questions; the policy is there and if specific cases are brought to the notice of Government, they will certainly go into the question and expedite matters."

*Alleged death of a Circle Inspector of Police near Bapatla.*

\* 709 Q.—SRI A. KALESWARA RAO: Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that a Circle Inspector of Police was shot at by the communists last month in a raid in a village near Bapatla in Guntur district;

(b) whether the said Circle Inspector died of the injuries caused by the gunshot; and

(c) whether any compensation is to be given by the Government to his family?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—" (a) & (b) The hon. Member is presumably referring to the incident which took place on the night of 2nd November 1950 when police raided a house in Bapatla on information that wanted communists were hiding there. On seeing the Police party, the inmates of the house opened fire at them and in the exchange of fire that followed a Circle Inspector of Police received a grievous injury having been hit by a revolver bullet. He died in Guntur Hospital on the morning of 8th November 1950.

" (c) The Government have sanctioned an ex-gratia grant of Rs. 3,000 to the widow of the deceased Inspector. The question of sanctioning extraordinary pension to his family is also under the consideration of Government."

[8th February 1951]

SRI A. KALESWARA RAO :—" May I know, Sir, what is the strength of the family of the Inspector who died a martyr in the cause of peace and order of the State? "

THE HON. SRI K. MADHAVA MENON :—" As far as the Government are aware, he had only a wife."

*Pilot scheme under the Employees' State Insurance Act.*

\* 710 Q.—SRI S. NAGAPPA : Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the Government are contemplating to introduce a pilot scheme under the Employees' State Insurance Act in certain selected places in this State by the middle of next year;

(b) if so, what the places selected are;

(c) whether the working of the scheme will be entrusted to any non-official organization or Government organization or quasi-Government organization; and

(d) how the Government propose to meet the cost of this scheme?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Minister for Health) :—" A statement \* is placed on the table of the House."

SRI S. NAGAPPA :—" May I point out, Sir, that answer to clauses (b) to (d) has not been furnished."

THE HON. SRI B. GOPALA REDDI :—" This is a composite answer for clauses (a) to (d)."

SRI S. NAGAPPA :—" In the answer placed on the table of the House, the Government have stated that the sharing of the expenditure has not been settled; may I know, Sir, what the difficulty is in settling this small thing? "

THE HON. SRI B. GOPALA REDDI :—" Sometimes protracted discussions take place with regard to even small things."

SRI S. NAGAPPA :—" In view of the importance of this subject, Sir, will the Government consider the desirability of expediting the matter and settle this amount at an early date? "

THE HON. SRI B. GOPALA REDDI :—" The Government will take all possible steps to expedite it but of course, Sir, the question of finance has to be considered because it involves a lot of expenditure."

SRI S. NAGAPPA :—" It has been said that the scheme is to be introduced in five towns. Will the Government be pleased to tell the names of the towns selected and whether that includes any town from Rayalaseema? "

THE HON. SRI B. GOPALA REDDI :—" It is too premature to name the towns because the scheme itself has not been finalized. It is premature to think of the towns."

8th February 1951]

*Pay of Hindi Pandits in Guntur district.*

\* 711 Q.—JANAB MOHAMED ABDUL SALAM : Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that all the Hindi Pandits in the District Board, Guntur, who are entitled to the scheduled scales of pay under G.O. No. 996, dated 5th April 1949, are not being given such scales of pay; and

(b) if so, the reasons therefor and what the Government propose to do in the matter?

THE HON. SRI K. MADHAVA MENON :—" (a) & (b) Though the district board has given effect to the orders referred to in the question, certain doubts are reported to have been raised by the President, District Board, in regard to the appointment of a few of the existing incumbents in posts in the I grade. The President has made a reference to the Director of Public Instruction who will issue suitable instructions in the matter."

*Number of stock-yards for iron and steel.*

\* 712 Q.—SRI V. M. RAMASWAMI MUDALIYAR : Will the Hon. the Minister for Industries be pleased to state the number of stock-yards for iron and steel in the Tamil districts and the capacity of each stock-yard?

THE HON. SRI C. PERUMALSAMI REDDI :—" A statement \* is placed on the table of the House."

SRI V. M. RAMASWAMI MUDALIYAR :—" May I invite the attention of the Hon. Minister to the desirability of at least having one stock depot at the headquarters of each of the Tamil districts? I see that one or two do not have any at the headquarters. Might I, therefore, ask whether the Government would be pleased to recommend to the authorities concerned the desirability of locating stock depots in each district headquarters? "

THE HON. SRI C. PERUMALSAMI REDDI :—" The number of stockists is fixed at the instance of the Government of India and we are not able to increase the number now."

SRI V. RAGHAVAYYA :—" Judging from the large number of stockists claimed by Madras district, do not the Government think it desirable to distribute them throughout the State, particularly in the neglected districts of the Andhra? "

THE HON. SRI C. PERUMALSAMI REDDI :—" All districts have got stockists. As Madras is a big City, there are 40 stockists."

*Teaching of Hindi in schools under the Guntur District Board.*

\* 713 Q.—JANAB MOHAMED ABDUL SALAM : Will the Hon. the Minister for Education be pleased to state—

(a) the number of schools under the Guntur District Board where Hindi is taught in the higher forms to the tune of 12 periods or more;

[8th February 1951]

(b) in how many cases the allowance of Rs. 10 has been granted as per G.O. No. 1532, dated 17th May 1950; and

(c) whether this allowance has been given in all cases and if not, what action the Government have taken to implement the Government Order?

THE HON. SRI K. MADHAVA MENON :—“(a) Twenty-one.

“(b) & (c) It has been reported that the district board was not aware of the orders of Government on the subject until recently. The President, District Board, has been asked to grant the allowance in all cases where it is admissible.”

*Incidence of leprosy in Davanoor village.*

\* 714 Q.—SRI V. I. MUNISWAMI PILLAY: Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the Government have deputed the Provincial Leprosy Survey Unit to Davanoor (Mohayoor firka) in September 1950 to conduct a survey of the village around Aragandanallur (Tirukkoyilur) as to the incidence of leprosy; and

(b) if the answer to (a) is in the affirmative, what the result of the survey was?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Minister for Health) :—“(a) & (b) A routine leprosy survey of the Davanoor village and Davanoor cheri was carried out by the Provincial Leprosy Survey Unit, in September last, in the usual course of its work. The survey has shown that the incidence of leprosy in the area is moderate, being 38 per 1,000 in the case of the village proper and 10 per 1,000 in the case of the cheri, the incidence of infective cases being only 11 per 1,000 in the village and 3 per 1,000 in the cheri.”

*Representations from the weavers of Salem regarding inadequate supply of yarn.*

\* 715 Q.—SRI T. S. PATTABHIRAMAN (on behalf of Sri S. Nagaraja Manigar): Will the Hon. the Minister for Industries be pleased to state—

(a) whether representations have been made to the Collector and the other concerned authorities about the plight of weavers of Salem due to the inadequate supply of yarn; and

(b) if so, what action has been taken to give relief?

THE HON. SRI C. PERUMALSAMI REDDI :—“(a) Yes.

“(b) The plight of the weavers is due to the overall shortage of yarn to this State. When adequate supplies are received from the Government of India, additional quantities of yarn will be allotted to afford relief to the weavers of Salem.”

SRI T. S. PATTABHIRAMAN :—“May I know, Sir, whether the Government are aware that due to the inadequate

[8th February 1951]

supply of yarn and the consequent poverty of weavers, they started picketing Government offices both in Salem and in Tiruchengode?”

THE HON. SRI C. PERUMALSAMI REDDI :—“Yes, Sir; that is the report.”

*Food situation in Tambaram.*

\* 716 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that women representatives from Tambaram waited on him in deputation recently in connexion with the food situation there;

(b) if the answer to (a) is in the affirmative, what points were urged by them; and

(c) the reply given to them by the Hon. Minister?

THE HON. SRI J. L. P. ROCHE VICTORIA :—“(a) Yes. On 21st November 1950.

“(b) They represented that—

(1) people residing in Tambaram and the neighbouring villages are getting only meagre rations, which are not sufficient even for a few days in the week; and

(2) the quality of rice issued was bad. They urged that they may be supplied with the full 6 ounces rice ration, that immediate relief should be given and that regular supplies of food should be ensured.

“(c) I have promised to look into the matter and try to redress their grievances as far as possible.”

BEGUM SULTAN MIR AMIRUDDIN :—“May I know, Sir, what the Hon. Minister has done since then to redress their grievances?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“We immediately despatched food to them and got over the difficulty then. After that I had occasion to meet the same set of people, and I have assured them that now rural rationing is to be abolished, in which category Tambaram falls and we are going to have some relief shops there.”

JANAB P. K. MOIDEEN KUTTY :—“Are the Government aware that this hardship is not restricted to the women residents of Tambaram alone, but that it is a situation obtaining in other similar areas throughout the State; I mean, it is not a question confined to Tambaram alone, but it is a general question?”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“Yes; other areas like Tambaram in other parts of the presidency are also experiencing the same difficulty.”

JANAB N. MUHAMMAD ANWAR :—“Does it make any difference to the Hon. Minister if women, instead of men, wait in deputation upon him?” (Laughter)

[8th February 1951]

*Number of colleges in Rayalaseema.*

\* 717 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Education be pleased to state—

(a) the total number of colleges, I grade and II grade, in Rayalaseema, districtwar;

(b) the number of students in each one of them;

(c) how many of them belong to Scheduled Castes, Tribes and backward classes; and

(d) how many of these students belonging to the above-mentioned classes are I and II group students?

THE HON. SRI K. MADHAVA MENON:—“A statement is placed on the table of the House.”

SRI S. NAGAPPA:—“Sir, from the statement placed on the table of the House, I find that in all the six colleges put together only 155 pupils belonging to the Scheduled Castes and only 377 pupils belonging to the other backward castes have been admitted. May I ask the Hon. Minister to call for a report as to what is the total number of boys from Scheduled Castes and backward castes that sought admission in these six colleges?”

THE HON. SRI K. MADHAVA MENON:—“If my hon. Friend wants the information, I shall call for it.”

*Refund of special surcharge collected from procuring agents.*

\* 718 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. Minister for Food be pleased to state—

(a) whether the Government have refunded the amount of special surcharge collected from the procuring agents and ordered by the High Court to be refunded and if not, why not;

(b) whether the Government propose to refund all the amounts so collected from other procuring agents and, if not, the reasons therefor; and

(c) whether the Government have increased the price of paddy then for the benefit of middlemen?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“(a) One Sri P. Subramaniam Ayyar filed a suit against the Government in the Sub-Court, Mayuram, for refund of a surcharge amount of Rs. 5,935-8-1 collected from him and the sub-court decreed against the Government. But an appeal has been filed in the High Court against the decision of the sub-court and it is still pending. The amount has, however, been paid to him on his executing the necessary security bond, pending the results of the appeal, as directed by the sub-court.

“(b) This does not arise, pending the decision of the High Court.

“(c) No; the increase was sanctioned for the benefit of the producers only.”

[8th February 1951]

SRI A. VEDARATNAM PILLAI:—“May I know whether the Government will refund all the other surcharges collected from persons who did not file a suit against the Government, if the High Court decision is in favour of the party?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“That is why I have said in my answer to clause (b) ‘this does not arise, pending the decision of the High Court’.”

*Fixation of fair prices for raw rubber.*

\* 719 Q.—SRI N. S. VARADACHARI: Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government are aware of the sad plight of the raw rubber production industry in the State; and

(b) if so, what remedial measures do they propose to help the industry?

THE HON. SRI C. PERUMALSAMI REDDI:—“(a) Yes, Sir.

“(b) This is a Central subject and the Government of India have referred the question of fixation of fair prices for raw rubber to the Tariff Board.”

SRI N. S. VARADACHARI:—“Sir, may I plead with the Hon. Minister that he should make suitable representations to the Government of India that the price of rubber should be enhanced forthwith considering the fact that the plantations are almost threatened with closure?”

THE HON. SRI C. PERUMALSAMI REDDI:—“This Government have made representations to the Central Government and they are considering the question of raising the price of rubber to Rs. 122-8-0, and they have referred it to the Tariff Board.”

SRI N. S. VARADACHARI:—“Would not the Government make representations to the Central Government that without waiting for the recommendation by the Tariff Board, this enhancement should be given immediately?”

THE HON. SRI C. PERUMALSAMI REDDI:—“It is a question for the Central Government. This Government cannot do anything in the matter.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I know Sir, what happened to the promise of the Hon. Mr. Mahtab when he visited this State as regards the increase in the price of rubber, and why the Government of this State do not inform the Central Government about the said plight of the rubber industry?”

THE HON. SRI C. PERUMALSAMI REDDI:—“We have informed them that the price of rubber should be increased to Rs. 122-8-0. The Hon. Mr. Mahtab also has promised to consider it and refer it to the Tariff Board.”

[8th February 1951]

*Allegations against the Taluk Supply Officer, Nellore.*

\* 720 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that the Taluk Supply Officer, Nellore, Mr. Venkatachalam, drew for himself more ration than he was entitled to in August 1950;

(b) whether it is a fact that he received one bag of 72 seers on 20th August 1950 and another bag of 72 seers on 23rd August 1950 from the Government Servants' Co-operative Stores, Nellore;

(c) whether any complaints were sent about this; and

(d) what action was taken by the Government in the matter?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“(a) & (b) No.

“(c) & (d) Complaints were received making some allegations against the Taluk Supply Officer, Nellore. On enquiry it has been found that all the allegations are baseless.”

SRI V. RAGHAVAYYA:—“Are the Government at least sure that the registers of the co-operative society, of which this gentleman is the president,—he is the president of the Government Servants' Co-operative Stores—do not bear evidence of these allegations, for it is impossible, physically, for these allegations to be incorrect.”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The matter has been again and again investigated and the conclusion Government have arrived at is that no further action is necessary as the allegations have not been completely proved.”

*Appointment of rural medical practitioners.*

\* 721 Q.—SRI T. S. PATTABHIRAMAN (on behalf of Sri S. Nagaraja Manigar): Will the Hon. the Minister for Health be pleased to state—

(a) whether enough rural medical practitioners are forthcoming and available and whether all rural medical centres are provided with such practitioners without much delay; and

(b) if not, the reasons therefor?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Minister for Health):—“(a) Sufficient number of medical practitioners of modern medicine are not forthcoming for taking up appointments as rural medical practitioners. About 50 rural dispensaries of modern medicine have been converted into those of indigenous medicine and about 70 rural dispensaries are closed for want of medical practitioners.

“(b) There is a dearth of medical practitioners of modern medicine who prefer to settle in urban areas. The situation can be improved only by increasing the output of medical graduates by opening additional medical Colleges which question is under consideration.”

[8th February 1951]

*Appointment of Prohibition Propaganda Officers.*

\* 722 Q.—SRI B. S. MURTHY: Will the Hon. the Minister for Prohibition be pleased to state—

(a) with reference to question No. 143 answered on 8th September 1950, whether the Government have appointed any prohibition propagandists so far;

(b) if so, the total number of prohibition propagandists now employed and the number to be employed in the State;

(c) the expenditure incurred on them;

(d) the training, if any, given to these propagandists and the duration of such training with the subjects taught; and

(e) for how long these propagandists will be kept in service?

THE HON. SRI N. SANJEEVA REDDI:—“(a) No, Sir.

“(b) The Government have sanctioned the employment of 442 Prohibition Propaganda Officers but no appointment has been made so far.

“(c) & (d) These questions do not arise.

“(e) It is intended that the period of their employment will be for a period of one year.”

*Abolition of rationing in rural areas.*

\* 723 Q.—SRI ROKKAM RAMAMURTHI (on behalf of Sri G. Sanyasi Rao): Will the Hon. the Minister for Food be pleased to state whether there is any proposal to take the opinion of the Members of the Legislative Assembly before abolishing the system of informal rationing in rural areas?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The attention of the hon. Member is invited to the statement on food situation placed on the floor of the Assembly on 8th December 1950, inviting the views of the Members of the House on the proposal to abolish rationing in the rural areas of the State.”

MR. SPEAKER:—“We will now take up the short notice question.”

*Allotment of yarn by the Union Government.*

\* 703-A Q.—SRI L. S. KARAYALAR: Will the Hon. the Minister for Industries be pleased to state—

(a) the quota of yarn allotted for this State by the Centre for January, February, March and April 1951;

(b) whether the entire quota for January has been received;

(c) when the February quota will be expected; and

(d) whether the situation in Salem and Tirunelveli districts compels immediate attention of the Government?

[8th February 1951]

THE HON. SRI C. PERUMALSAMI REDDI:—“(a) The quota of yarn that would be delivered to this State as announced by the Hon. Minister for Commerce and Industry, Government of India, is as follows:—

|               |     |     |     |               |
|---------------|-----|-----|-----|---------------|
| January 1951  | ... | ... | ... | 17,451 bales. |
| February 1951 | ... | ... | ... | 18,801 „      |
| March 1951    | ... | ... | ... | 19,037 „      |
| April 1951    | ... | ... | ... | 22,500 „      |

“(b) No. The mills have offered to the extent of 15,164 bales only.

“(c) The mills are expected to offer their anticipated production during February 1951 for delivery to Madras State by the 7th February 1951.

“(d) The Government are keenly alive to the serious shortage of yarn not only in the Salem and Tirunelveli districts but in other districts also and are doing their best to relieve the distress of the weavers.”

SRI L. S. KARAYALAR:—“May I inquire Sir, whether it is not a fact that this State requires about 30,000 bales of yarn per mensem and whether representations have been made to the Government of India to get this quantity?”

THE HON. SRI C. PERUMALSAMI REDDI:—“Yes, we have already made representations to them to raise our basic allotment to 30,000 bales.”

SRI R. V. SWAMINATHAN:—“Is it not a fact Sir, that the total production of yarn in our State is about 43,000 bales and our requirements for the whole State is only about 28,000 bales or say, 30,000 bales, and that being the case, why not this Government put up proposals to the Central Government to give us at least our requirements and then take away the surplus bales, as the Madhya Pradesh Government did in the case of food?”

THE HON. SRI C. PERUMALSAMI REDDI:—“That representation we have already made to the Central Government; but they say, it is not possible, for, the whole yarn should go first to the all-India pool.”

SRI P. NATESAN:—“Sir, arising out of the answer, of the Hon. Minister that the Government are doing their best to relieve yarn shortage in Salem and other districts, may I know what is it that the Government are actually doing? Until a specific answer comes from the Hon. Minister, people will not be satisfied.”

THE HON. SRI C. PERUMALSAMI REDDI:—“The Government of India were addressed urging the withdrawal of concession of free sale of yarn by the mills and the stopping of exports of yarn to areas outside the Union before the requirements of the internal market were fully met. The Government of India have agreed to our request and withdrawn the concession of free sale of yarn by the mills and also stopped exports of all counts of yarn.”

[8th February 1951]

SRI K. KOTI REDDI:—“May I know Sir, whether pending adequate supply of yarn, this Government will give money relief to these weavers?”

THE HON. SRI C. PERUMALSAMI REDDI:—“If local officers report that money relief is necessary, then that thing will be considered by the Government.”

SRI V. S. SANKARASUBRAMANIA MUDALIYAR:—“Sir, in view of the fact that the Central Government are unable to supply us our full quota for handloom weavers and as they are giving us yarn, only after meeting the need of the composite mills, will the Government consider the desirability of urging on the Central Government to reduce pro rata the supply of yarn to the composite mills whenever there is yarn shortage, instead of allowing them the full quota of yarn?”

THE HON. SRI C. PERUMALSAMI REDDI:—“After the withdrawal of the concession of free sale of yarn by the mills and also the stoppage of exports, it was thought we would be able to meet the demand for yarn by the weavers. The quantity allotted for free sale of yarn by the composite mills forms only 7 per cent of the yarn available; the requirements of the composite mills amount to nearly 55 per cent of the total quantity of yarn available in the pool. We have represented to the Central Government to reduce the allotment made to the composite mills, and they have replied that they are unable to do it.”

SRI B. S. MURTHY:—“To meet the yarn deficit, may I know Sir, why this Government should not try to increase the output of yarn?”

THE HON. SRI C. PERUMALSAMI REDDI:—“We have represented this to the Central Government, and they are doing their best to increase the output.”

SRI S. NAGAPPA:—“Arising out of the answer of the Hon. Minister that the quota for this States comes to 22,000 odd bales of yarn from the Central pool, may I know, Sir, why they accepted only a lesser amount for January, February and March of this year?”

THE HON. SRI C. PERUMALSAMI REDDI:—“The hon. Member has not understood me aright. Twenty-two thousand bales we would get if there is full production. But, we have got only fifteen thousand bales, and besides that, a grace of two thousand bales.”

JANAB M. S. ABDUL MAJID:—“Considering the precarious yarn situation at present, may I inquire Sir, why Government sought to create a false position in the country before?”

THE HON. SRI C. PERUMALSAMI REDDI:—“Because the Hon. Minister from Central Government promised that they would try to import cotton from foreign countries and that the mills would be able to spin more yarn.”

[8th February 1951]

SRI L. N. GOPALASWAMI:—" May I draw the attention of the Hon. Minister to the rosy picture he drew in December last saying that everything would be alright in January next. and may I ask him what had transpired since then for this ridiculous position now? "

THE HON. SRI C. PERUMALSAMI REDDI:—" The prophecy has failed."

SRI V. M. RAMASWAMI MUDALIYAR:—" May I know whether it is not a fact and whether Government are aware of it, that the five lakhs of families in our State dependent on the five lakhs of handlooms for their livelihood are unable to get food now and are therefore starving, because there is no work for them and so no wages are earned by them? "

THE HON. SRI C. PERUMALSAMI REDDI:—" The Government are aware of it."

SRI T. S. PATTABHIRAMAN:—" Is it not a fact that the Central Government promised to give us seventeen thousand bales in January last but we have received only fifteen thousand bales; and if so, will this Government make a special representation to the Central Government that we should be given at least what is promised to us? "

THE HON. SRI C. PERUMALSAMI REDDI:—" We have asked the Central Government to give us the undelivered bales of this month also next month, besides the allotted bales for the next month."

SRI K. RAJARAM NAYUDU:—" Is the Hon. Minister aware of the news item which appeared in evening newspapers yesterday that the weavers in Mathurai district are going to picket Government offices from the 10th February, and may I know what action is being taken by Government to prevent it? "

THE HON. SRI C. PERUMALSAMI REDDI:—" Yes, we get reports from district officers. We leave it to the local officials to deal with such things."

SRI L. S. KARAYALAR:—" Now that the Hon. Minister has accepted the existence of yarn scarcity in the Tirunelveli district and the consequent unemployment among the weavers, may I inquire whether the Government will come forward and extend money relief to the weavers of Tirunelveli district also? "

THE HON. SRI C. PERUMALSAMI REDDI:—" I have already mentioned that if local officers report such a thing is necessary, it will be considered by Government."

12 noon. SRI A. J. ARUNACHALAM:—" May I know the basis on which the bales are distributed to the districts? "

THE HON. SRI C. PERUMALSAMI REDDI:—" They are distributed on the loom basis."

SRI G. NARASIMHA RAO:—" A certain percentage of the production of sugar mills has to be delivered to the Government."

[8th February 1951]

Likewise will the Hon. Minister recommend to the Central Government the adoption of the same basis with regard to textile mills taking into consideration the average production of each mill and allow the mills to sell the excess yarn directly to the weavers? "

THE HON. SRI C. PERUMALSAMI REDDI:—" I will communicate the suggestion."

SRI V. C. PALANISWAMI GOUNDER:—" In view of the uniform policy in the distribution of yarn to handloom weavers, why is there more distress in the Salem district than in the Coimbatore district? While the Government are giving cash doles in Salem, why are they not giving in Coimbatore? "

THE HON. SRI C. PERUMALSAMI REDDI:—" Because weavers in the Salem district are concentrated in the Salem town, there is more distress there. That is not the case in other districts."

SRI A. KALESWARA RAO:—" Instead of dealing with the problem symptomatically and temporarily, what steps are the Government taking to increase cotton production in the country and also hand-spun yarn so that the problem may be solved permanently and every weaver enabled to get food? "

THE HON. SRI C. PERUMALSAMI REDDI:—" I do not know whether hand-spun yarn will solve the problem. Anyhow, the Government of India are taking steps to produce more cotton and bring more land under cotton cultivation."

JANAB M. S. ABDUL MAJID:—" In reply to my supplementary question, the Hon. Minister was pleased to say that the Government of India were making efforts to import cotton from overseas countries. Is it not a fact that all the cotton-producing countries overseas have sold their cotton for the year, and that the Government cannot expect any more cotton from overseas countries for a year to come? "

THE HON. SRI C. PERUMALSAMI REDDI:—" I do not know. Anyhow, I will make a representation to the Government of India."

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

## II.—MOTION UNDER RULE 24 OF THE MADRAS ASSEMBLY RULES.

THE HON. SRI B. GOPALA REDDI:—" Mr. Speaker, Sir, I move—

*'That rule 24 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 8th February 1951.'*

MR. SPEAKER:—" Motion moved—

*'That rule 24 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 8th February 1951.'*



[Mr. Speaker] [8th February 1951]

"I must inform the House that the Hon. Leader of the House has moved the motion with the consent of the Leaders of Parties."

SRI A. KALESWARA RAO:—"The demand of this House pressing the Government of India for the early formation of the Andhra State has been pending. We thought that the resolution would come up before the House to-day, as it had been admitted by you. By postponing it, we are indefinitely postponing the formation of the Andhra State."

MR. SPEAKER:—"We will have some other non-official day for that."

SRI A. KALESWARA RAO:—"We will not have any other non-official day because I understand that we are rising earlier than next Thursday."

MR. SPEAKER:—"We cannot say that so soon. Because there are a number of Bills, we may have to sit till next Thursday. But I am not certain of that. To-morrow the Hon. Leader of the House will announce the programme of the House. The question is—

'That rule 24 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 8th February 1951.'"

The motion was carried.

### III.—GOVERNMENT BILL.

THE MALABAR TENANCY (AMENDMENT) BILL, 1950 (L.A. BILL NO. 30 OF 1950)—cont.

MR. SPEAKER:—"Hon. Member Sri R. Raghava Menon will now continue his speech."

SRI R. RAGHAVA MENON:—"Mr. Speaker, Sir, yesterday I placed before this Assembly the financial position of the so-called janmis of Malabar. About 95 per cent of them own less than 5 acres of land and they do not have enough to maintain their families consisting of 10 to 15 members or even 5 to 10 members. These persons are said to be big janmis against whom so many sections of the people want to wage a war! Now the tenants are sought to be protected by some interests, the so-called kisans, etc., from the atrocities of a class of janmis who themselves have not enough to eat twice a day. As a result of the growth of population in Malabar, the yield for the last thirty years from the land that the janmis have been cultivating has not been enough to maintain their families. So they have been obliged to send their young boys to distant places to eke out their livelihood in whichever way possible. The adventurous spirit for which the Malayalees are accused and sometimes appreciated is the result of the economic condition at home. The income derived from their ancestral occupation of cultivation has not been enough to maintain their families."

[8th February 1951] [Sri R. Raghava Menon]

"Having explained the position of 95 to 98 per cent of the janmis or landlords, I wish to say a few words about the condition of the tenants. The relationship between the landlords and the tenants has been very cordial and there has been no discordant note. But the question may be asked why there is so much of communist tendency and agitation in Malabar. The agitation comes not from the tenants but from the landless labourers who are a good many in number. The landless labourers in Malabar are perhaps a little more educated and cultured than the landless labourers in other parts of the State. They have nothing except the wages they get and hence there is always an agitation to increase the wages which the tenant-cultivators or the landlord-cultivators are giving them. It is that that has been misunderstood as agitation by the tenants. I may tell the Hon. Minister that even to-day much of the agitation comes not directly from the cultivating tenants under the landlords but from organizations which are led not by actual cultivators but by persons who have got a communist tendency and who have got hold of this rich field for their propaganda. Persons whom they could approach are the landless labourers. They are the first victims of this propaganda, and perhaps a few of the cultivators also but they are only very few."

"As I submitted yesterday, the fertility of the soil and the yield vary with different taluks. In my (Palghat) taluk, the cultivating tenants have become by far richer than the landlords. Some of them are worth lakhs of rupees and are themselves Janmis. The economic condition of the tenants in Walluvanad taluk may not be so prosperous as that in Palghat taluk which is a surplus area. In other places, landlords and tenants have been getting on well. We have not heard of any deaths from starvation due to the land tenure systems prevailing in Malabar. The landlords with the rents that they are getting and the tenants with the profits that they are getting have been adjusting among themselves. While that is so, how did the question of tenancy reform arise? Large promises were held out by the Communist leaders to the landless labourers that the land ought to belong to the cultivating tenant and the landlord, whatever his financial position may be, should have nothing to do with the land and must be satisfied with whatever the tenant is pleased to give. That attitude has been propagated and that is now considered to be one of the best economic propositions which must be accepted by this Government. I would request the Hon. Minister in charge of this Bill not to forget that under no civilized, democratic or ultra-democratic Government is a landlord refused permission to cultivate his own land. Especially in India where agriculture is said to be prosperous and the country's economy is predominantly agricultural, every landlord must be encouraged to become a cultivator himself and live contentedly in his own homestead from the fruits of his cultivation. The Hon. Law Minister must not forget that Dr. J. C. Kumarappa, who is a redoubtable champion of the cultivators, wants that a landlord who wants to cultivate himself must be given at least a minimum of twenty acres."

[8th February 1951]

\* THE HON. SRI K. MADHAVA MENON :—" Will my hon. Friend kindly tell me whether his idea is that the provisions of the 1945 Act should or should not be retained in the Bill? "

SRI R. RAGHAVA MENON :—" I am thankful to the Hon. Minister. I am saying this to strengthen the hands of the Hon. Minister and the Government who were good enough at the Select Committee stage to provide for the eviction of tenants by poor landlords who want their lands for cultivation by themselves. But there is a lot of criticism and even some Congressmen have gone to the extent of saying that the tenants have been betrayed. Even if they are Congressmen, they have no right to criticise the Government or the Select Committee that has been wise enough to give to the poor landlords owning 2 or 3 acres the right to evict the tenant and cultivate the land themselves to enable them to provide food for their family at least once a day.

12-15 p.m. " Sir, I was not criticizing the Government blindly. That is not my policy. I was only defending them. The original proposition was that fixity of tenure must be given to the tenants whatever be the consequences to the poor landholders, whose lands the tenants were cultivating. Even in the Joint Select Committee, it was found that the position of the landholder was much worse than that of the tenant, and in some cases, it was decidedly a thousand times worse than that of the tenants under them. The Joint Select Committee was wise enough and the Government accepted the recommendation of the Committee. I am very glad of it, and in spite of all the criticisms coming from whichever quarter it may be the Government have accepted the recommendation. That criticism is highly suicidal for the welfare of the country, whoever be the critics.

" Another thing that I want to say is about the reduction of rent that was made. As regards eviction which is now allowed, there is one difficulty. A number of tenants, who are poor, will be thrown out of work by equally poor landlords. The landlords are allowed to evict their tenants. The existing Act does not contemplate that. I am not satisfied with that provision nor anybody will be satisfied with it. There are a good number of tenants who are cultivating lands which are more than necessary for the maintenance of their families. Some of them are cultivating 100 acres in Palghat taluk. There are others who cultivate more acres than one hundred. Still they are all classified as tenants. They are richer by twenty times or even 100 times than their poor landlords. Why not take away a portion of their lands? There are lands which are available and cultivable but which are not cultivated. The Act does not contemplate this. The Hon. the Minister might say 'we are not here to find out lands for all people who require land.' But I would tell him 'nor are we here to take away the land which belongs to one and give it to another.' The criticism that eviction, to whichever extent allowed, is bad, and that the tenants' cause is betrayed, is not correct. At the same time, the Government, though not to-day, at least in the near future, must have an economic survey taken and must have distribution made

[8th February 1951] [Sri R. Raghava Menon]

properly. Even in that distribution, it is unfortunate that we would not find a bit more than one acre per head. That is the position in the country. All of us can only be sorry for it, but none can help.

" As regards rent, the principle that is adopted is one which necessitates the eviction of tenants as a logical consequence. Rent is now fixed at 50 per cent net, allowing, as I adverted to yesterday, about 22 paras for cultivation. First of all, it is not correct, because the expenses in various taluks will vary. Secondly for each crop the cultivation expenses will vary. Second crop requires invariably only about 2/3rds or less than 2/3rds of the cultivation expenses for first crop. The fixation of 22 paras and 44 paras is too high. It has to be reduced. There is another method which I would suggest to the Hon. Minister, and which was also discussed in the Joint Select Committee. That is, instead of allowing the cultivation expenses and then arriving at the net produce, the gross produce should be divided in the proportion of fifty-fifty, whatever be the yield of the land. Let the landlord take half the yield and pay the land revenue. Let the tenant take the other half and meet the cultivation expenses. This will be a fair arrangement and there will be no trouble about drought or pest. The tenant will have no trouble. Whether there is drought or not, he will have to pay only one half to the landlord. If this arrangement is agreed to there will be no eviction at all. Now, the poor landlord, who is not able to feed his children, finds that he will be getting practically nothing when the rent is reduced. A family that was getting 100 paras of paddy will now get only 60 paras according to the fair rent that is going to be fixed roughly. It is only 50 per cent of the net yield. The Rent Settlement authority may be all right and he may be efficient. I have nothing to say against him. But the principle, as it is, will compel the poor landlord to evict his tenant. Then only he will be able to make both ends meet. I would submit to Government that instead of adopting this principle of 50 per cent of the net produce, making a big allowance, or even more than what is necessary, for cultivation expenses, it will be much better that the gross produce is divided between the landlord and tenant, the landlord paying the land revenue and the tenant meeting cultivation expenses. The tenant will be getting straw and cultivating blackgram, horsegram, greengram and other things. Under the Bill, the landlord will have to be satisfied with a few paras of paddy which he gets. His family cannot keep a cow, because he cannot have straw. It is already conceded that he is as poor as his tenant. He cannot have blackgram, and he cannot raise it on his land. He would not get all the articles for his domestic use. But if it is a question of half and half of the gross produce, the landlord will also get a share of what the tenant raises on his lands—not only on the wet lands but also on paramba or dry lands. So, it will be much better if the gross produce is divided between the landlord and the tenant equally. Even when the Government were considering the matter, people were saying that the Government were trying to shelve the legislation.

[Sri R. Raghava Menon] [8th February 1951]

There has been a lot of trouble for the Government also. I was one who wrote that there was no urgency in this very important matter. The Government could have left alone the rent question, and then given fixity of tenure. The arrangements existing up till now have worked satisfactorily except for the agitation carried on by interested persons. The tenants themselves are satisfied. At least in my taluk they have become rich. Elsewhere the position of the tenant and the landlord is alike poor, because the land does not yield much. We would have given fixity of tenure keeping the present rate of rent. That would have avoided any hardship to the landlords. We can give 50 per cent of the gross produce each to the landlord and the tenant, making the tenant meet the cultivation expenses and the landlord paying land revenue. Instead of that, we have now reduced the rent by 40 per cent of what the landlord was previously getting. For this, the Hon. the Minister who was the Chairman of the Joint Select Committee and the Members of the Committee do not deserve the special thanks of the poor landholders."

MR. SPEAKER:—"The hon. Member has already taken 18 minutes."

SRI R. RAGHAVA MENON:—"When I speak about the poverty of a class of people, even if I go on for two hours, Sir."

MR. SPEAKER:—"I think the hon. Member will be able to finish his speech if I give him five minutes more."

SRI R. RAGHAVA MENON:—"Sir, I shall not take much time, and I shall not spend any time in bargaining also."

MR. SPEAKER:—"Let the hon. Member continue his speech."

SRI R. RAGHAVA MENON:—"Sir, if the Hon. the Minister would consider the question of giving 50 per cent of the gross produce, I think the landlords would be grateful, because they can avoid all the trouble of taking to cultivation themselves after evicting their tenants. This is a question affecting both the landlord and the tenant. I know the difficulties. It would be better to allow the existing conditions to continue and then give fixity of tenure so that there may not be any harassment. According to me the relations between the landlord and the tenant were good till the agitation was started. Now there is trouble, because the tenants expected much from the Government. The Government later found out that they could not go so far and give them all that they wanted. The Kumarappa Committee recommended that every family must be given 20 acres. The Government must provide the lands necessary for the tenants and must not ask the landlord to go wherever he likes with a view to giving fixity of tenure to the tenants."

"Another point that I wish to state is that when one talks about the poor janmi he is considered to be a janmi's man. When one thinks of the welfare of the whole district, then he is accused

[Sri R. Raghava Menon] [8th February 1951]

that he is not a Congressman. I do not know whether Congressmen can advocate only the welfare of the workers or the tenants. Hunger is like for all. Poverty is alike for all. The fact that one man has got janmam lands instead of kanam lands or verumpattam lands must not be a crime. If we want to do justice, we must do justice for all. Here is the case of janmis whose ancestors did not get these lands for a mere song. They purchased all these janmam lands. Four or five janmis in North Malabar living in the mountains might be persons who bought a portion of their lands or got them by fighting with other people. But what about the janmis whose grandfathers purchased the lands by thrift and not by the present-day methods, which everybody condemns publicly but welcomes privately? By thrift, industry and economic methods, those people purchased those lands, and they have acquired those janmam rights. Those people were getting renewal fee at the rate of 2½ times the yearly rent according to the present Act. Their michavaram was not very exorbitant. The michavaram was only 10 per cent. If the yield was 100 paras, the michavaram was only 10 paras. That was the moderate amount. The janmi also has to feed himself and his children. If the janmi gives fixation at the time of renewal by all means do away with renewal. Do not have documents. But why should not the Government compensate them for the rights which they take away from the janmis? This renewal was one which went to feed him and his children. It is not justice to take it away. I may be accused that I am a janmi's man. I care a little for it. I am here as a Congressman to support everybody. Otherwise I will not be worth the salt. I am a 1928-29 Congressman not one of 1948 and 1950. My model is 1929. (Interruption.) My hon. Friend says 1920. I have given some examples. I am speaking as a 1920 Congressman. I am not afraid of the criticism that I take up the case of the janmis. I am not a rich janmi. The rich man is everywhere free. Even if we consciously make a law to affect him, it will not affect him, because he will find out ways of circumventing that law. All poor janmis necessarily require renewal. But now there is no relief provided for them. I quite agree to the abolition of the renewal fee."

"Now they are getting a renewal fee. The period can be reduced. The gross produce may also be reduced and made into net produce. Deduct from it the michavaram that is already due and the interest which the janmi has to pay on the kanam. Divide the balance into twelve parts and add it to the michavaram, and make it payable to the janmi as compensation. That will be very fair and necessary. If this is not done, the janmi who is relieved of the fruits of his land will suffer one day because of the ingratitude now shown to him. My hon. Friend of 1920 will on the other hand compel them and bring them to this position, but I request he must not submit to such pressure. Where the kanamdar is not the actual cultivator, i.e., where he has got a tenant under him who cultivates the land, that tenant must pay half and the kanamdar the other half. This is because the rent

12-30  
p.m.

[Sri R. Raghava Menon] [8th February 1951]

is very much reduced. I represent to the Hon. the Minister in charge of the Bill that it will not be fair for us to pass legislation totally ignoring the claims of poor jannins to have something at least by way of renewal fee which is absolutely necessary to keep them out of starvation. If necessary, the provision for renewal fee can be restricted to those who have an annual income of less than Rs. 3,000 or Rs. 2,000. This provision need not apply to all rich jannins. Only the nichavaram and the renewal fee are keeping the poor jannins out of starvation. The other thing is that 50 per cent of the fair rent should be paid by the landlord and 50 percent by the tenant.

"Regarding kudiyruppus, we are giving fixity of tenure to the tenant and that is a very important factor. Even now he has got almost complete fixity of tenure. Provision is also made for the purchase of the landlord's right by the tenant. The extent of a kudiyruppu is also fixed at 25 cents in urban areas and 50 cents in rural areas.

"I do not want to take up the time of the House any longer and encroach on the indulgence of the Hon. the Speaker. We have given notice of some amendments. The time for sending in amendments was very short. We were taken by surprise as it were yesterday when at 5 p.m. the Speaker announced that the time for receipt of amendments was over."

MR. SPEAKER:—"I have already waived the time-limit in one or two cases."

SRI R. RAGHAVA MENON:—"Some other amendments which we want to give notice of are only meant to make the meaning clear."

\* THE HON. SRI K. MADHAVA MENON:—"Sir, I may say that I do not come in the way of extending the time for giving notice of amendments. If you are willing to allow them, I have no objection."

MR. SPEAKER:—"I have already waived the time-limit in the case of hon. Members Janab Moideen Kutti and Janab Schaminad. I shall waive the time-limit in the case of the hon. Member, Sri Raghava Menon also."

SRI R. RAGHAVA MENON:—"Finally, we are glad that the Tenancy Bill has come. Let us put our heads together and with the co-operation of the hon. Members of this august Assembly, pass a legislation which will hurt anybody."

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, the legislation is territorial in its nature, concerning particular tenures which are a speciality of one part of the State. Even so, there run through it indications of a general spirit which might possibly have to be carefully kept under control in all legislations of the present time. One of them is the birth of our independent State and independent Union of India by virtue of a popular will. There has been a continuous attempt to please the popular will even to

[Sri A. Vaidyanatha Ayyar] 8th February 1951]

the extent of riding rough-shod sometimes over what would be regarded as rights of individuals. It is for this that the Constitution has first been framed so that legislations either of the Parliament or of the States may be kept within bounds and the rights of any individual citizen may not be either extinguished altogether or be so attenuated as to be hardly called worthwhile or have anything like the value which it possessed before. Therefore, while undertaking legislations of this kind, we should not be carried away by the fact that there is a cry for them. It may be to some extent necessarily compelling but we should also keep in mind the fact that such legislations as we carry out should not hurt unnecessarily or to a larger extent the rights of other individuals than what would ordinarily and justly be permissible under the law. One of those things which has become a favourite thing particularly in the interval between our State coming into existence and its first elections is the desire to give a very large amount of rights to landless people, namely, cultivators. I could understand it if the spirit behind is to absorb all landless labourers, i.e., those who have no economic background. I could understand it if there has been an attempt by means of these several land legislations that have till now been undertaken, to find for them a permanent place with an economic background in our country. My regret is that in all these legislations these poor men whose voices are hardly heard are still kept in the background, but the persons who are sought generally to be protected are those who have already got some convenient background and their position is still more strengthened at the cost of those below and those who hold the land now. For example, in the course of the legislation for the abolition of zamindaris, I pointed out that the proper thing would be to provide for the landless poor first with the help of porambokes and then if necessary, for the Government to acquire these zamindaris and inams. On the other hand, the Hon. the Minister who was then in charge of the Bill said that the right to the land would be allowed to filter only to the pattadar below or the tenant below but it would not be allowed to go down to the ordinary landless cultivator. I find in all these legislations the same kind of principle being adopted as the guiding factor. However he may be called, kanamdar, kuzhikanamdar, pattamdar or verumpattamdar, we see there is a set of people below who may be merely cultivating the land and receiving wages but cannot own the land. Their position is forgotten though it is the fundamental basis upon which the whole structure of land rests.

"My second complaint is this, Sir. On the one hand, we are told by all economists, those who think in terms of the good of the country, that the proper thing for people to do is to go back to the land. We are told that it is the duty of persons who own lands and who are said to be unnecessarily living in towns, to go and develop their lands. I want to ask the Hon. the Minister in charge one question. If a man has let his land to either verumpattamdar or customary verumpattamdar or any other cultivating tenant and if he wants now to take this sage advice and go back to his land, can he go and take back the land and plough it? The

[Sri A. Vaidyanatha Ayyar] [8th February 1951]

position is this. Even though the land belongs to him, because he comes under the head of jammī, the only ground on which he can take back the land is either default in payment of rent by the person in possession now or the need for the cultivation of the land by himself for his maintenance."

THE HON. SRI K. MADHAVA MENON :—" May I point out that that is the provision in the present law? "

SRI A. VAIDYANATHA AYYAR :—" I am glad, Sir, the Hon. Sri Madhava Menon recognizes the existing law in this case at least. But in the case of other laws which were sought to be amended, the fact that they existed as the present laws was not a ground for keeping them up. When it pleases the Hon. the Law Minister, he says it is the existing law. What I am trying to point out is, where is the ground for the man to say that he will go back and cultivate his land? What is the provision that we make for this purpose? We have to think over this when we make the legislation.

" Sir, it has been counselled all over ' you must take up lands, and have co-operative farming because you can invest money on it and do it much better than the small cultivator and grow more food.' Suppose there is a man who has got a large extent of land and who is likely to have more money to invest. That is where he comes in in our economy. The poor man has to use all the produce of his land for his subsistence, maintenance of himself and his family and for some other purposes. But the man who has got some money to spare, merely for the sentiment of his owning the land, is able to invest much more on the land and possibly may develop it in a way in which the Government want it to be developed for the purpose of growing more food. What are we seeing to-day? We see all those people, the middle-class men who have invested their life's earnings in some substantial extent on land are being practically effaced out of existence and driven into one of two positions: either they must be big landholders capable of holding the land, loss or no loss, or must be driven into the grooves of mere cultivators. The man who has been the backbone of the community is effaced out of existence and is given no quarter or position.

12.45 p.m. " It is no excuse to say that this was done in 1929. Are the Government keeping all those things of 1929? For example, distinctions were made as explained by Sri Raghava Menon. What about the renewal fee? They have taken away many things which existed in 1929. All the amenities are taken away. It is now pointed out by the Hon. Minister that a particular individual clause is one remnant of the past. I submit we have to take the whole thing into consideration with its benefits. Or, if the Government think it necessary to change the provisions and thus deprive the man of the subsidiary benefits, then they must give him some kind of relief which will enable him to go back to the original position and take to cultivation. Why should the owner of the land alone be given benefits? We ought not to make a fetish of trying to please everybody by saying that the position of those who are

[8th February 1951] [Sri A. Vaidyanatha Ayyar]

low will be raised and all those things. I must point out that such kind of things have worked economic havoc in this country. By the enforcement of the Shop Assistants Act and numerous other enactments, business as a matter of fact is slowly getting diminished. The same thing applies to factories as well where production is going down from day to day. By the interference of the Government in the name of land reforms, food production is lowered, mainly because of the lack of enthusiasm on the part of the owners of land. Even to the man to whom the Government are at present giving fixity of tenure, what guarantee is there? Who knows that tomorrow someone with a greater demagogic spirit will not come up and say, ' Well, I will take away all these lands from these people and give them to those people who are really suffering and are in need of the same '. Tomorrow, our Friend Sri Venkateswarlu or Sri Anandan Nambiar may come and say to the people, ' Well, look here! Those people to whom the other Government had given these lands are only middle-class people. We represent the poor classes. The poor class people, who are many in number, want these lands and are suffering a great deal without these lands. So let us dispossess all those people of their lands, take their lands away and distribute them among the really poor classes.' All these will lead to some sort of undesirable craze for distribution. I want the Government to keep this tendency under control. Because, in the past we have had reasons to regret such things and in respect of many legislations, we had to bring in amendments after amendments. As a matter of fact, we find that the swing of the pendulum goes too far. We tried to take away the lands from the zamindars and passed legislation in that regard. We have now got Committees sitting and considering the question as to how the zamindars could be saved at the expense of those who have lent them moneys and how the alienations by the zamindars can be blown up. That is how we are doing our work. Let us not do that. Let us keep that in mind whether it is 1929 or not.

" With regard to the main policy I detected a kind of subdued note in the opening speech of Hon. Sri Madhava Menon. He seems to recognize that there are two opposing views with regard to this Bill. There are those who pull it from one end and there are those who pull it from the other end. In the middle, I find that he is prepared to give abundant space for those who put forth any reasonable point of view. Let me hope that he would be kind enough to keep that up till the end and give room for any reasonable suggestions and amendments.

" There are one or two things to which I have to draw the attention of the hon. Members. One of them is this. In this Bill also, I find the same suspicion of Court. If the Government want to give the right of appeal in respect of a particular matter, let them give. If they do not want to give that, let them say ' no '. In cases where drastic amendments are being made, for instance with regard to fixation of fair rent, the new clause 8-D says—

" Any person aggrieved by any order passed by the Rent Settlement Authority under clause (b) of sub-section (3) of section 8 or under sub-section (1)



[Sri A. Vaidyanatha Ayyar] [8th February 1951]

of section 9-C may appeal against the order within such time as may be prescribed to the Subordinate Judge or the Principal Subordinate Judge, as the case may be.'

So far so good. But the next sentence says—

'He shall hear the appeal as a *persona designata* and his decision thereon shall be final.'

I cannot at all understand this question of a Judge sitting as a *persona designata*. I would like to know under what law is he administering this. Suppose it goes against law and procedure. Will there be no right of appeal by the mere fact that you have mentioned '*persona designata*'? By putting this word, the Government are seeking to issue a *carte blanche* to the Judge. However learned or whoever he may be this is not desirable. He may give any decision he pleases. Unfortunately I have got reasons to believe, with regard to the enquiries that are going on before the Settlement Officers at present in connexion with other cases, that they are cautioned off, sufficiently in advance, as to what the general policy of the Government is and their final decision as *persona designata* or final authority is guided in a particular way by means of orders or notions of policy which are not available to the litigant public. Therefore there is always the danger of the adjudications not being fair, but more or less being arbitrary. Such a thing as *persona designata* must under all circumstances be avoided. If you allow it to stand, it will give to the Judge full liberty as it were, to do things as he pleases just like in election cases.

"Then there are two or three sections which require drastic changes or deletion altogether. I cannot understand section 52-A, which gives very wide powers. It says, '... any person interested in any land may apply to the Rent Settlement Authority for a declaration that a transaction entered into on or after the 1st January 1916 ...'. Properly what would have happened was this: 'At a time when the question was whether certain janmis were not really taking as mortgages what were really kanams or kuzhikanams or things which were leases under the guise of mortgages.' There have been some reports about them. In the past, the Kuttikrishna Menon Committee and also the Special officer who enquired into the matter and whose reports were published recently, pointed out in their reports that in certain cases it was found that leases were really substituted by mortgages. They observed that in such cases it was a deliberate attempt to make a mortgage of what really was a lease, and therefore that ought to be treated as a lease. One can understand the limitations and recommendations of such Committees along with their limited spirit. In cases of leases, fixity of tenure is sought to be given. But what we now find is that a general authority is given to the Rent Settlement Authority to decide whether a particular transaction is a mortgage or a lease, or whether it falls under the heads kanam, kuzhikanam, etc. This section provides that transactions which might have taken place on or after 1st January 1916 may also be examined. This attempt to give a millennium cannot be understood. If the Hon. Minister comes forward and wants this Assembly to give the Rent Settlement Authority power to examine

[Sri A. Vaidyanatha Ayyar] [8th February 1951]

transactions which might have taken place recently or say, in 1945 or 1946, one can understand it. But if power is given to him to examine transactions which have taken place before 35 years or so, it will be really very hard to the parties concerned. I do not know why it was fixed as 1st January 1916. Nowhere, it is said that this date was fixed for any particular reason and no reasons are given for the Government fixing the date as 1st January 1916. Except that the date happens to be the middle of the First World War. I am not able to see any particular reason. This really takes away the rights of parties. After examining a particular transaction which might have taken place in 1916, if it was decided that that transaction was not a mortgage, but only a lease and if the party concerned were to be informed accordingly that fixity of tenure will be given, then the Government will be indirectly taking away the rights of persons in a number of cases. The giving of retrospective effect to transactions which took place 35 years ago or so, under whatever disguise it may be, is really very bad and will work great hardship. One may as well say that transactions entered into from the time of Adam and Eve, or from the time Malabar appeared or even from the time of Lord Parasurama, will be examined by the Authority. The date that the Government may fix should be reasonable and logical. It should be one or two years or a few years more; but to fix it as 1st January 1916 is really not good.

"Again we find the provision, 'Notwithstanding anything to the contrary contained in any law for the time being in force ...'. This provision will also place the parties concerned in the same unfortunate predicament. Suppose a Civil Court had decided that a particular transaction was a mortgage and not a lease. If this provision is to be applied, what will happen? Even if a man had obtained a decree of the High Court and the Privy Council to the effect that a particular transaction was a mortgage, are the Government going to treat it as a lease thereby disturbing the settled rights? This is too wide a power. Such retrospective powers, which appear time and again like King Charles' head, are always bad.

"There is one other matter. Under section 52-A, sub-section (2), it is said that the Subordinate Judge or the Principal Subordinate Judge shall hear the appeal as a *persona designata* and his decision thereon shall be final. May I point out to the Hon. Law Minister that among these Subordinate Judges, about 50 per cent come from Palghat. Most of them happen to belong to the class of janmis, and so have got sympathy towards the class of vested interests and rights. I know, in the working of the Agriculturists Debt Relief Act, 1937, it was found that as a matter of fact their sympathy was with the creditors. By prescribing '*persona designata*' or by saying that their decision shall be final, the Government will not be helping the poor tenants or the lessees. They cannot be sending office notes or confidential Government Orders to these Subordinate Judges. Let them understand that. Therefore to put the Subordinate Judges as *persona designata* and make them the final authorities in a matter relating to rights to properties covering

[Sri A. Vaidyanatha Ayyar] [8th February 1951]

vast extents would be thoroughly wrong. Therefore I request the Hon. Minister who seems to be very sweetly reasonable in this particular Bill pertaining to his part of the State, to take this point into consideration.

"There is one other provision which I consider to be a blot upon this legislation. Mr. Speaker, have you ever seen any Bill brought forward whereby a man's property is sought to be taken away in such a manner as is done in section 52-B (1)? This section says—

'The State Government or such officer as they may authorize in this behalf may, by order, require the landlord of any waste or forest land to lease it for agricultural purposes to such person, for such term, subject to such conditions and within such time as may be specified in the order.'

Such a provision as this, however good-intentioned it may be, should not be there. Whatever the good intentions behind this section may be, the drafting of the Bill is not good and it should not be allowed to stand as it is. This provision will give the Government an opportunity to favour a large number of persons who may support them by personal gifts. I cannot simply understand the implication of this section 52-B. Surely the Government cannot take power to lease the properties taken over by them to any person, for any term and under any conditions they may think fit.

1 p.m. "Suppose I have a friend whom I cannot disoblige if he asks for help. Suppose I am not in a position to help him. Now, here is something which I can offer to him. 'I' means the Minister. He can ask the landlord to give his waste or forest land to that friend on lease for a period of 100 years or a period of 999 years or 1,000 years for a peppercorn rent. After all, the Minister will go away after some time and this lease will remain. Ministerships are not a bed of roses and this should be realised by one and all. Is it not most unfortunate that A's property should be taken away and given to B though it will go by the name of lease? The conditions of lease are not also mentioned. Every lease is for a definite period of years, say, two years, three years and so on. There are leases even for 999 years. But, here there is no limit fixed. Apparently, the Government must have thought that there were some people in Malabar who did not cultivate their lands and that they were lying waste. Sir, this premises, I cannot accept. When there is so much talk about the need for cultivating waste lands, is it likely that a janmi would allow his lands to lie waste? Then, about the forest land, Mr. Speaker, the latest theory, as propounded by the Hon. the Minister for Agriculture, is that if forest lands are used for agricultural purposes, the Grow More Food campaign itself will suffer as the yield will be less. It happens thus. If forests are converted into agricultural lands, then there is a failure of rains caused by the denudation of forests. Forests are indispensable for bringing rains and if there is no rainfall, there is no production. We know what has happened in places like Kodaikanal and the Nilgiris where all lands were used for potato and wheat cultivation. Everything was done but God's rain has failed. Whatever that is, when we destroy forests we do it with the intention of

[Sri A. Vaidyanatha Ayyar] [8th February 1951]

converting them into agricultural lands. That is, we want to put them to use in the public interests. If that be the case, the Government can very well take other powers to acquire such lands and use them for purposes of the Grow More Food schemes. If that is done, it would be in consonance with the spirit of the Constitution. The Government have already taken such powers under the Essential Supplies (Temporary Powers) Act which we have ourselves given them. Wherever there is waste land which the landlord does not cultivate, the Government should invoke such ordinary provisions and not 'authorize any officer to require the landlord of any waste or forest land to lease it for agricultural purposes to such person, for such term, subject to such conditions and within such time as may be specified in the order.' This is nothing but nepotism. It will give room to a charge of nepotism. However well-intentioned the Government may be, this provision will destroy all rights of persons to own private property. The officer is authorized to issue a lease deed in favour of anybody he thinks proper. Sir, even under Martial Law such a provision will not obtain. Even the courts have such powers only in cases where a specific performance has been decreed. If this provision is removed, I think it will be much better.

"Then, Sir, you are aware that this august body is entrusted with the powers of making laws and therefore, if ever a period of limitation is fixed in respect of any matter, it must have the approval of this body. The Government say that the land must be leased out 'within such time as may be specified'. The period of limitation may be fixed under the rule making powers of the Government. This is indeed a back door method. The Supreme Court has frequently referred to the fact that we cannot bring in legislation by the back door. In many cases, they have held such powers as were conferred on the authorities under the Rules, *ultra vires*. May I request you, Sir, therefore, that whenever the Government prescribe a limit, it should be placed before this House for its approval? I think that would be the proper method. The Government take certain rule making powers under clause 54 of the Bill. Sub-clause (3) thereof says that all rules made under clause 54 will be placed on the table of each of the Chambers of the State Legislature while that chamber is in session for a period of not less than three months before they come into force. Now, how is this Assembly treated? At least in certain of the measures we have passed, there was the provision 'with the approval of the Assembly'. But here, they will be placed on the table of the House. They will simply guard the desks and become law by virtue of having been placed on the desk. There is no power to review the rules. These are things which, I hope, the Hon. the Minister for Law will investigate. Of course, coming from another part of the State, I cannot have as much forceful say with regard to the details of the Bill as others from Malabar. On the main policy of the Government we should have some say and I would ask the Government to change the spirit with which this legislation has been brought forward. I would tell the Government, 'whenever you make a rule, do not try to tread on another



[Sri A. Vaidyanatha Ayyar] [8th February 1951]

man's corn for the purpose of getting a better site for a football match. In order to do somebody else a little good, do not do much greater havoc to others. Otherwise, the Government may have to bring in a Janmis' Relief Bill within the next three years, as by then all the janmis will have gone under. Let it not be thought that I am in a carping mood. What I want to say is that certain general evils which are now found are sought to be perpetuated under this Bill. Let me hope that these evils will be removed."

\* SRI L. C. PAIS :—" Mr. Speaker, Sir, I do not propose to speak at length just now because I have given notice of a few amendments while moving which, I can press my viewpoints more fully. At this stage, I would like to make one or two observations on the general principles of the Bill. Those who have been connected with this Bill know that the demand for this measure was made and is being made not only by people from these 33 villages in Kasaragod alone but by the entire population of South Kanara. Sir, I am particularly happy that the Hon. the Minister for Revenue is also in the House. I would like to bring to his notice the consistent and persistent agitation that has been carried on since 1946 by the ryots of South Kanara for a measure of this kind which unfortunately extends only to 33 villages there. I may recall to this House that at the time of Sri Prakasam's Chief Ministership, we were told that some sort of legislation to improve the lot of the ryots of South Kanara would be undertaken. We did not then ask for an all-embracing reform. The Hon. Minister-in-charge was told, 'Pending an elaborate investigation on tenures, please pass some law to prevent eviction of tenants, good tenants at least, so long as they are paying their rents in full'. But that Ministry soon thereafter went out of office and with the Ministry this promise also vanished. But we did not give up our fight; we did not give up our agitation. We agitated before the succeeding Ministry and every time we agitated we were told that the legislation was coming. I would particularly refer to one incident which took place some time ago. A kisan conference was held at a place called Mulki which I had the privilege of presiding over and which was inaugurated by our Hon. the Minister for Law

\* THE HON. SRI K. MADHAVA MENON :—" On a point of order, Sir, the hon. Member cannot avail of the present occasion to speak about conditions obtaining in other parts of the State. He must seek some other platform or some other place to speak about them."

MR. SPEAKER :—" The hon. Member will confine his speech to this Bill."

\* SRI L. C. PAIS :—" Sir, only 33 villages have been included in this Bill whereas there are several other villages clamouring for this legislation. I am placing only that fact before the House and I am perfectly in order when I say this. If the other villages had also been included in the Bill, I would have said nothing.

8th February 1951] [Sri L. C. Pais]

What I feel is, you are trying to bring certain lands within the purview of this measure; why not you extend it to other villages also when there is a demand for it?"

MR. SPEAKER :—" Let the hon. Member say, 'Government' and not 'you'."

\* SRI L. C. PAIS :—" I have no quarrel with the Government for having brought in a legislation to help the ryots of Malabar. I have equally no quarrel with them for having included the 33 villages in the Bill. What I say, however, is when they are not able to do anything specially for South Kanara, why should not they extend these provisions to many more of the villages in South Kanara. Sir, if I may be permitted, I would like to invite the attention of hon. Members to a statement published in 'The Mail' issued by Mr. K. G. Sivaswami, Director, South Indian Federation of Agricultural Workers' Research Institute. The news item says—

'He represented the urgent necessity to give relief to "tenants-at-will" in South Kanara and save them from the present insecurity and rack-renting.'

He submitted that, if the Government was anxious to implement the Congress election pledges, it should undertake tenancy legislation. Tenants in North Kanara, Bombay State, had to pay only a third of their gross produce as rent and were not evicted, while, in South Kanara, they had to pay two-thirds and three-fourths of the gross produce. The least the Government could now do was to introduce in the Legislature (now in session) an amendment to the Ryots and Tenants Protection Act, extending its scope to South Kanara, to stay eviction proceedings pending in courts and also to fix the rent so as not to exceed one-third of the gross produce.'

"I am referring to this aspect. If a person who is an absolute stranger to South Kanara had the opportunity and occasion to study the conditions in South Kanara and had come to the conclusion that at least in the interest of the 'tenants-at-will,' this sort of legislation, i.e., the Tenants Protection Act, should be introduced, there is all the justification to extend this legislation to South Kanara also. I admit it may take time to bring in an elaborate legislation, and it may not be easy to bring in such sort of legislation having regard to other circumstances also. But what we are clamouring for and what I also am pressing before the House is this. Eviction of good tenants who have been paying the rents regularly and who have been there for the last fifty or hundred years is now going on due to the fear that some tenancy legislation might come and they might be permanently placed in possession of the land. I appeal to the Hon. the Revenue Minister and to the Hon. the Law Minister that the demand and the claim of the cultivating tenants of the South Kanara district should be taken into account and some relief given to them. I shall deal with the various provisions of the Bill in detail when I come to the amendments that I have given notice of."

\* JANAB P. K. MOIDEEN KUTTY :—" Mr. Speaker, Sir, before I speak on this amending Bill, I just want to answer one or two points raised by my hon. Friend Sri Vaidyanatha Ayyar. He referred to the question of popular will and pleasing the

[Janab P. K. Moideen Kutty] [8th February 1951]

popular will. Unfortunately, I must say that that is the bane of democracy. He also referred to the infringement of the rights under the Constitution. I must remind my hon. Friend that even constitutions have been scrapped by the free and popular will of the people. It is the popular will that is supreme and sovereign. Then he made reference to the pitiable plight of the janmis or other interests who invested money on lands and entrusted these lands to other people for cultivation. He was pleading so much for these gentlemen forgetting at the same time the sad plight of the people who are there on the land for a number of years eking out their existence by cultivation. It is in fact the large number of these people who have been living on land and earning their livelihood that have to be helped. It is, therefore, rather too late in the day to plead against the popular will. The hon. Member was also saying that one day our hon. Friends Sri Anandan Nambiyar and Sri Venkateswaralu might be coming. If in fact my hon. Friend wants to prevent such things happening, I would request him to support measures like this and pass legislations of this sort. In this connexion, I must say I am not approving of the legislation as a whole. At least I must be thankful for the small mercies. I want to remind my hon. Friend that at least by passing such measures like this he can prevent them from coming in and doing whatever they liked.

"Then, Sir, coming to the Bill itself, I must say that I am thoroughly disappointed. I am feeling very unhappy about the manner in which this Bill has emerged out of the Select Committee. In fact, I must say, Mr. Speaker, that the Calicut conference about which you might also have heard was the climax of the whole show. This I must admit with some sense of pride. Probably, the Hon. Minister for Law who was in the flush of the assumption of office was rather enthusiastic about the rights of the tenants. I remember his crossing swords with the President of the Kerala Provincial Congress Committee, Mr. Kelappan, with regard to the provision by which fixity was given to ulkudi tenants. He was trying to out-Congress the Congress itself. High hopes were given to the tenants in Malabar about the impending legislation. Conference after conference, all the proposals were watered down and this is the Bill that you are getting to-day. This I must say is much ado about nothing. I am reminded of the old story of the father, his son and the donkey. The Hon. Minister who is pressed from all sides is trying, rather he has tried, to please all. The result is he has pleased none. He is not pleasing the janmi who is still out for his pound of flesh, nor has he pleased the tenant who was given such high hopes that he was going to live in a paradise very soon. All these hopes have been shattered and I must say in this connexion that this agitation has been there from the inception, of the Congress or at least from the time the Congress manifesto was issued. When the Congress assumed office in 1937, that agitation was given an impetus and I think it was in 1937, the then Minister for Land Revenue, Mr. Prakasam, appointed a committee to go

[8th February 1951] [Janab P. K. Moideen Kutty]

into the question. Now it is 13 years since the people have been waiting for this beneficial piece of legislation and if we tell them that they are going to get only this measure, I do not know what the future will be for these people.

"Sir, I want to say one or two words about the speech made by the hon. Gentleman Sri Raghava Menon. I was really surprised at it. I was wondering from where this gentleman was coming from. (Interruption.) I took him for a janmi representative or I even thought it was the hon. Member Mr. Kammaran Nambiar that was speaking through the mouth of the hon. Member Sri Raghava Menon. Unfortunately, I was not here yesterday, when he was pleading so strongly for the four lakhs of poor janmis; small poor janmis. I do not know whether he has forgotten the other 36 lakhs of people in the Malabar district. Probably, he is obsessed with the existence of one or two big flourishing janmis in his taluk and, therefore, forgets the rest of the population of Malabar. I have only pity for the hon. Gentleman who spoke as he did as a representative of the Congress which has stood all these years for the rights of the poor, down-trodden 'have-nots.' I must also sympathize with the Hon. Minister. He began very well and ended miserably. Probably, he will rise and show his two trump cards to the House, that is, the abolition of the renewal fee, and fixation of fair rent. With regard to the abolition of the renewal fee, I must ask him which class is it going to benefit. Is it going to benefit only a small number of people, the kanamdar, a class to which I myself belong and probably to which the Hon. Minister also belongs?"

THE HON. SRI K. MADHAVA MENON:—"I am not a kanamdar."

\* JANAB P. K. MOIDEEN KUTTY:—"The Hon. Minister is not a kanamdar but he belongs to a family of kanamdars. Whatever it is, it benefits only a small number of kanamdars and verumpattamdars. Then the other trump card is fixation of fair rent. Yes, the Government are appointing a rent settlement authority, a high sounding name, no doubt, but he is a mere clerk, an upper division clerk. Mr. Speaker, Sir, you must remember that this fixation is left to the discretion of this great officer. You can more or less imagine in whose favour the decision of the Revenue department official will be. As I will have to speak on the various amendments even with regard to the appointment of these rent settlement authorities, I need not say much about them here. I earnestly pleaded that, at least judicial officers, such as District Munsif, should be appointed as rent settlement authority. I do not want him to leave it to courts. The Hon. Minister might reply that the working of it will be elaborate or very costly. There is no need to have commissions and all that. I do not want such things at all. What I want to have is a fair minded and judicial minded authority to fix the fair rents. Here again, the Hon. Minister is taking away by the left hand what he has given by the right hand, by giving discretion to the rent

[Janab P. K. Moideen Kutty] [8th February 1951]

settlement authority even in the matter of cultivation expenses. For the guidance of the rent settlement authority, he has put 22 paras of paddy. He can even alter it to the greatest disadvantage of the tenant. Therefore, it is, I suggest, that it is no use giving such powers—a very dangerous discretion—to the rent settlement authority.

“Then, Sir, another very reactionary proposal which has found a place in the Bill as it emerged from the Select Committee . . .”

MR. SPEAKER:—“If the hon. Member will finish in one or two minutes he may do so.”

JANAB P. K. MOIDEEN KUTTY:—“I will continue after lunch, Sir.”

The House then adjourned for lunch.

(After lunch--2-30 p.m.)

\* JANAB P. K. MOIDEEN KUTTY:—“Mr. Speaker, Sir, I was referring, before we adjourned for lunch, to the method of payment of rent. With regard to this question, I am sorry to say that the Hon. Minister for Law has succumbed to the very strong opposition of the landlords. So far as this is concerned, even in the original draft put forward by the Government, it was provided that rent need be paid only at the option of the tenant, whether in kind or in money. As I said before, the Hon. Minister for Law who was very enthusiastic about the tenants' interests, cooled down a little after, I think, that unfortunate tour of Malabar. In fact, even as things stand now, if a tenant defaults in payment, the landlord's remedy is only to get the rent in money even if he goes to court. I do not see any reason why such a retrograde and reactionary proposal should be introduced so late in the day. I oppose that provision with all the vehemence and all the strength I have at my command.

“Then with regard to the question of eviction, I am one of those who think that there should not be any eviction at all as long as the tenant pays the fair rent fixed and also as long as he does not deny the title of the landlord. In fact, though people had very high hopes with regard to this question of eviction, I find that the old clauses are nearly retained in this Bill also. I would request the Hon. Minister even now to reconsider this matter and see that clauses (5) and (6) under sections 14 and 20 of the Act are removed completely.

“With reference to the question of payment in kind, I must bring to the notice of the House that it was after a pretty strong agitation that the Government themselves came to the view that payment in kind led to a lot of harassment, such as demanding more dryage, etc. It was on this account that Government came to the conclusion that option should be given to the tenant to pay in money. I know the Hon. Minister is anxious to safeguard the reasonable interests of the temples which I understand are in need of paddy for what they call ‘naivedhyam’. It was his anxiety

[8th February 1951] [Janab P. K. Moideen Kutty]

to safeguard those religious observances that probably compelled him to introduce this step. I have no complaint against this; I can certainly agree to his making some provision to the effect that where temples need paddy, they are given paddy, i.e., rent in kind.

“Another matter I wish to refer to is this: unfortunately, neither the Government nor the authorities concerned have given any thought to the question of eliminating the intermediaries. I am one of those who feel that in between the State and the actual cultivator, there should not be anybody else. It is unfortunate, Sir, that no serious attention has been paid to this aspect of the question.

“An important question which should have engaged the attention of Government is that of further sub-letting. In these days of acute scarcity of food, it is in the interests of the State that we must devise some means whereby economic holdings are prevented from being further subdivided; and it is also very necessary that some method must be found to stop further sub-letting of these holdings.

“On the subject of the wiping off of arrears of rent, I must say it is also very disappointing because, as we all know, the cultivator of paddy is doing cultivation in these hard days at a great loss. It is therefore only reasonable and necessary that at least in the matter of wet lands, payment of six years' rent to wipe off all the arrears should be reduced, if we are to see that the actual cultivators of paddy are helped to some extent.

“I also wish to refer, Sir, to the appeal made by the hon. Gentleman Mr. Govinda Menon yesterday, an appeal, I must say, addressed to wrong quarters. He was appealing to the janmis to move with the times; on the other hand, I would ask him to appeal to the tenants to put up with the small things which the Government are providing in this piece of legislation, and to congratulate the janmis on the fact that they have got almost what they wanted by their organized and very strong opposition. This amending Bill, according to me, Sir, will benefit only a section of the community, i.e., that section which is employed in Government service, to get more and more jobs. We will be having, I am told, at least an officer of the grade of a Tahsildar in every firkā as a settlement authority; and so, more than anybody else, this measure is going to benefit only that small section of the community.

“On the other details of the Bill, I shall be speaking at the time of discussing the amendments. I shall close with an appeal to the Hon. Law Minister even now to keep an open mind and to see that when reasonable amendments are moved, he accepts them at least in the name of the tenants whose interests he is supposed to safeguard.”

JANAB MAHIN SCHAMNAD:—“Mr. Speaker, Sir, this Bill includes a provision for the extension of the Malabar Tenancy Act to 33 villages in my constituency in the Kasaragod taluk on

[Janab Mahin Schamnad] [8th February 1951]

the ground that the land tenure in these 33 villages are similar to those in the Malabar district. Whether the land tenures in these 33 villages are similar to those in the Malabar district or not is quite a different question and I do not want to discuss it just now; but I want to place certain relevant points relating to these 33 villages before the House, so that the House may come to a right conclusion and decide whether this Act should be extended to the 33 villages, i.e., a few villages in the neighbouring district. Sir, the tenures in Malabar are verumpattam, customary verumpattam, kanam, kanartham, ulkudi, kudiyruppu, intermediaries, etc., which you find mentioned in the Bill. All these terms are clearly defined in the Bill; but the land tenures in South Kanara which are chalgani, mulgani, vaidgani, arvaram, iliyarvaram and such other things, do not find a place in the Bill at all and they are not defined. It will therefore be difficult for hon. Members of this House to find out what the tenures really are in these villages. Unless they know the nature of the tenures, they cannot decide whether the Act should be extended to the 33 villages of South Kanara district. I submit that as the tenures in these 33 villages are not defined in the Bill, they cannot come under the scope of this Bill. Moreover, we have no evidence before us to prove that the tenures in these 33 villages are similar to those in Malabar. The Joint Select Committee examined several witnesses; but not a single witness said that the tenures in these 33 villages are similar to the Malabar tenures. Memorandum after memorandum was received, but not a single said anything about the similarity of these tenures to the Malabar tenures. The old report of the Board of Revenue was only on the basis of language and not on the basis of land tenures. The recent report which the Government called for from the Collector of South Kanara also does not say anything about the tenures in these 33 villages. Conditions in South Kanara, I submit, are not similar to those in Malabar. In Malabar, the janmis are the proprietors of the land; in South Kanara, the land belongs to the State and the landholders are only pattadars. The relations between the tenants and landholders in South Kanara are also quite different from the relations existing between tenants and janmis in the Malabar district.

2-45 p.m. "Now, Sir, legislation after legislation has been made and so many Acts have been passed in respect of tenures in Malabar. For instance, the Malabar Tenancy Act, the Malabar Compensation for Tenants Improvements Act, the Malabar Land Registration Act and so on, have been passed from time to time, but so far there is not even a single Act like these for South Kanara relating to tenures. Now, if this Bill is intended to be applied to these villages in South Kanara, all those Acts which have been in existence in respect of Malabar for so many years, will be forced upon the people of these 33 villages all of a sudden. It will be a big burden on them and they will be suffocated."

"Again, Sir, the Land Reforms Committee has completed its report and I hope it has been received by the Government.

[8th February 1951] [Janab Mahin Schamnad]

That will not affect Malabar, but it will affect all other districts in the State, including the South Kanara district. Then, we will have a separate Tenancy Bill for South Kanara district and so when there is going to be a separate tenancy law for the South Kanara district, I do not understand why only these 33 villages in the Kasaragod taluk should be excluded from the tenancy legislation of South Kanara district. Then, Sir, although these villages are in the South Kanara district, why should they be added on to the Malabar district. I do not at all understand why the Malabar people are anxious to take away these few villages from South Kanara and tack them on to Malabar."

"Sir, these are some of the important points which the hon. Members of the House ought to consider and see whether this Act should really be extended to these few villages in the neighbouring district of South Kanara."

SRI A. VAIDYANATHA AYYAR :—"On a point of information, Sir, may I ask the Hon. Minister whether what the hon. Member just now mentioned is correct, namely, that in these 33 villages, the land is not owned by janmis but by the Government or the pattadars. That is one point and secondly, the complaint was that these 33 villages never came under the provisions of any of the previous Acts which were passed relating to the Malabar district, and that the tenures in these villages were quite different from those in Malabar. That is what the hon. Member Mr. Schamnad made out."

\* THE HON. SRI K. MADHAVA MENON :—"I may inform the hon. Member Mr. Vaidyanatha Ayyar that during the first reading stage of the Bill, the hon. Member Mr. Schamnad put forward the plea that the 19 villages should be excluded and that these 33 villages should be included in the Bill."

SRI A. VAIDYANATHA AYYAR :—"The Hon. Minister has not answered my points."

\* THE HON. SRI K. MADHAVA MENON :—"I shall answer them in my reply to the general discussion. I hope the hon. Member Mr. Vaidyanatha Ayyar has got with him the Kutti Krishna Menon Committee report which says what the tenure there is."

\* SRI P. KAKKAN :—"கனம் சபாநாயகர் அவர்களே ! கனம் கல்வி மந்திரி அவர்களால் கொண்டுவரப்பட்ட இந்த மலபார் டெனன்ஸரி (திருத்த) மசோதாவை நான் முழுமனதுடன் ஆதரிக்கிறேன். இந்த சட்டத்தின் மூலம் கனம் மந்திரி அவர்கள் மலையாள விவசாய மக்களின் அன்பையும், ஆதரவையும் அதிகமாகப் பெற்றிருக்கிறார்கள் என்று இந்தச் சபையிலே உங்களுக்கு முதலில் சொல்லுகிறேன்."

"இந்தச் சட்டத்தைச் செய்வதன் மூலம் உண்மையிலேயே உண்மை அதிகம் உற்பத்தி செய்வதற்கு நிறைய இடமிருக்கிறதென்று நான் எண்ணுகிறேன். ஏனென்றால் குத்தகைக்காரர்கள், ஜென்மியென்று சொல்லப்படுகிற அந்த நிலச்சுவாந்தாரர்களிடமிருந்து அதிகமான குத்தகைக்கு வாங்குங்காலத்தில் வருஷா வருஷம் அதிகப்பணம் கொடுக்கவேண்டியிருக்கிறது. அது மட்டுமல்ல. அவர்கள் தாங்களும், தங்கள் சிப்பந்திகள் (sub-tenants)-களுக்கு விட்டால்கூட யார் ஜாஸ்தி ரூபாய் கொடுத்திருக்கிறார்களோ அவர்களுக்குத்தான் விடுகிறார்கள். ஆகையால், இப்படி வருஷா

[Sri P. Kakkan] [8th February 1951]

வருஷம் அதிகத் தொகைக்காக கைமாறிக் கொண்டிருப்பதால் உணவு உற்பத்தி பெரிசாகி வருகிறது. அந்தப் பெரிய உணவு உற்பத்திக்குறைவை இந்தச் சட்டத்தின் மூலம் நிச்சயமாக அதிகம் நிலத்திற்கு ஏற்பாடு செய்திருக்கிறார்கள். ஏனென்றால் விவசாயிகள் நிலத்தில் அதிக உரம் போடுவதாயிருந்தால், அந்த நிலம் எவ்வளவு வருஷம் தம் கையில் இருக்கும், எத்தனை வருஷம் உழலாம் என்று கணக்கிட்டே போடுகிறார்கள். அதிக வருஷம் தாம் உழுவதாயிருந்தால்தான், மாட்டுச்சாணம், தழை முதலியவைகளைப்போட்டு உற்பத்தியைப் பெருக்குவார்கள். இதுபற்றியந்தம் விவசாயிகள் அந்தமாதிரி நிலத்தின் தரத்தை உயர்த்தப் பாடுபடுவீர்கள். ஏனென்றால், அடுத்த வருஷம் ஜென்மி வந்து அந்த நிலத்தைப் பிடுங்கி குத்தகை அதிகத்திற்காக வேறு யாரிடமாவது கொடுத்து விடுவார்கள் என்கிற எண்ணம் அவர்களுக்கு இருந்துவந்தது. அதனாலேயே அதிக உற்பத்தியில் ஊக்கம் செலுத்தவில்லை. இப்பொழுது இந்தச் சட்டத்தின் மூலம் அவர்களுக்கு, நிச்சயமாக மலையாள ராஜ்ய மக்கள் அதிக உணவு உற்பத்தி செய்வதற்கு நன்மை செய்திருக்கிறார்கள். ஆனால் சொல்லலாம் 'டென்னட்ஸ்', உழைக்கிறார்கள். நிலத்தின் சொந்தக்காரர்கள் ஜென்மிகள். இவர்களுக்கு இடையே உள்ள காணத்தார்கள்தான் இந்தச் சட்டத்தால் அதிக நன்மை பெறுகிறார்களேயொழிய, உண்மையாக உழைக்கும் பாட்டாளிகள் நன்மையடையவில்லை. பாட்டாளிகள் உழைக்கிறார்கள். ஆனால் உண்மையில் அவன் அனுபவிக்கவில்லை. இடையேயுள்ளவர்கள் (காணத்தார்கள்) அனுபவிக்கிறார்களென்று சொல்லலாம். ஆனால், நான் சொல்லுகிறேன், 'அறையில் ஆடித்தானே அம்பலத்தில் ஆடவேண்டும்'. திடீரென்று இன்றைக்கே இந்தப் பிரச்சினையை நாம் தீர்த்துவிட எண்ணினாலும்கூட, பாட்டாளி, விவசாய மக்களுடைய நிலைமையை உயர்த்துவதற்கு காணத்தார்களுக்கு உதவியாக இருக்குமென்று சொல்லும் இந்தச் சட்டம் ஒரு முதற்படியாகுமென்று நான் சொல்லுகிறேன். இந்த மலபார் டென்னன்ஸி (திருத்தச்) சட்டத்தின் மூலம் உண்மையாக இந்த மாகாணம் முழுதிற்குமே ஒரு நல்ல காரியத்தை நாம் செய்யப்போகின்றோம். அந்த ஜமிந்தார்களுடைய சங்க செக்ரடரி அச்சிட்ட கொடுத்த 'pamphlet'-களைப் பார்த்தோம். மேற்கே அடிக்கும் காற்று கிழக்கேயும் அடித்து இங்கும் விவசாயக் கிளர்ச்சியை உண்டாக்குமென்று அச்சிட்ட நோட்டீஸ்களைக் கொடுத்தார்கள். ஆனால், நான் சொல்லுகிறேன், அந்தக் காற்று கிழக்கே அடிப்பதோடு நிற்காமல் மாகாணம் பூராவும் அடிக்கவேண்டும். அப்பொழுதுதானே அண்ணல் காந்திஜி அவர்கள் உபதேசித்த திட்டத்தை நிறைவேற்றியவர்கள் ஆவோம். உழைப்புக்குத் தகுந்த கூலி கிடைக்கவேண்டுமென்று காந்திஜி அவர்கள் சொன்னார்கள். ஜனப் மொகுதின் குட்டி பேசும்போது உழைக்கும் விவசாயிகளுக்குத் தகுந்த கூலியும், வசதியும் அளிக்கப்படவேண்டுமென்று அனந்தன் நம்பியாரும், வெங்கடேசுவரனும் கிளர்ச்சி செய்வார்கள் என்று சொன்னார்கள். இவர்கள் சொல்வதற்கு முன்பே அண்ணல் காந்திஜியும் இதையேதான் சொன்னார்கள். நாட்டின் சுதந்திரம் எதுவரைக்கும் இருக்கும்? ஏழை பாட்டாளிமக்கள் எல்லோருக்கும் உண்ண உணவும், உடுக்க உடையும், இருக்க இடமும் அளிக்கும்வரைக்கும் தான் நாட்டின் சுதந்திரம் நிலைக்குமென்பதை காங்கிரஸ் சொல்லுகிறது. நாங்கள் சொல்லுகின்றோம். அவர்களைப்போல மக்களுக்கு ஆசைகாட்டி காரியத்தில் நடத்த முடியாதவைகளைப்பற்றி மக்களிடையே சொல்லக்கூடிய கட்சி காங்கிரஸ் கட்சியல்ல. ஆகவே, இந்தச் சட்டத்தை நாம் நிறைவேற்றுவதுடன் கூட, இந்த மாகாணத்திலேயுள்ள விவசாய பாட்டாளிமக்களின் நன்மையை உத்தேசித்து, வாரம், குத்தகை, முதலியவைகளை நிர்ணயிக்கும் சுப்பிரமணியம் கமிட்டியின் முடிவுகள் கிடைத்ததும் அதை எவ்வளவு சீக்கிரம் முடியுமோ அவ்வளவு சீக்கிரம் அமுலாக்கவேண்டுமென்று கனம் மந்திரி அவர்களைக் கேட்டுக்கொள்ளுகிறேன்.

"இந்த மலபார் டென்னன்ஸி (திருத்தச்) சட்டம் உண்மையில் பாட்டாளி, விவசாயிகளுடைய குறைகள் யாவையும் நீக்கிவிடவில்லை. அவைகளைச் செய்வதற்கு முன்கூட்டியாக இந்தச் சட்டம் வந்திருக்கிறது. இந்த மாகாணத்தில் வரப்போகும் குத்தகை, வாரம் போன்ற விவசாய சீர்திருத்தங்களுக்கு இது ஒரு ஏற்பாடாகும். விவசாய, தொழிலாளர் பிரச்சினைகளில் கட்சிகள் தங்களுக்குச் சாதகமாகப் பயன்படுத்திக்கொண்டு

[8th February 1951] [Sri P. Kakkan]

பிரசாரம் செய்து வருகிறார்கள். தாங்கள் விவசாயிகளுக்காக வேலை செய்வதாக அவர்கள் சொல்லுவதைவிட தீமையே அதிகம் விளைவிக்கிறார்கள். இம்மாதிரியான சட்டத்தினால் விவசாயிகளுக்கும், நிலச்சுவாந்தார்களுக்கு முள்ள சிக்கலை நிரந்தரமாக நீக்கிவிட்டால் இப் பிரச்சினை தீர்ந்துவிடும். விவசாயிகளும் உண்மையாக உழைக்கவேண்டும். நன்றாக உழைக்க வேண்டும். அதைச் செய்வதற்கு இந்த நல்ல சந்தர்ப்பத்தை இச் சட்டம் கொடுத்திருக்கிறது. தவிர, 10 வருஷம், 12 வருஷம் உழலாமென்ற நம்பிக்கையில் விவசாயிகள் நன்கு உரமிட்டு நிலத்தைச் செப்பணிட்டு உற்பத்தியைப் பெருக்குவார்கள். ஆகவே இந்த மலபார் டென்னன்ஸி (திருத்தச்) சட்டத்தைக் கொண்டுவந்த கனம் மந்திரி அவர்களை உண்மையாகவே நான் பெருமைக்குச் சொல்லவில்லை—'மலையாள மக்களின் தந்தை' என்று சொல்லி, இந்த திருத்தச் சட்டத்தை நான் ஆதரிக்கிறேன்."

\* JANAB H. S. HUSSAIN :—"Mr. Speaker, Sir, after hearing my hon. Friend, Mr. Schamnad Sahib, I feel compelled to say a few words on this occasion. As we all know, the hon. Member Mr. Schamnad comes from the Kasaragod taluk, he and his ancestors have lived there and now here in the Assembly he represents that area. So far as Malabar is concerned, the people and its representatives know what is best for them in the matter of tenancy reform in that district, but so far as the tenancy reform which is proposed to be introduced by the present legislation affects any portion of my district of South Kanara and that portion happens to be the homeland of hon. Member Mr. Schamnad Sahib, the interests of which he himself represents here, I think, I must also join with him in protesting against the dismemberment of my district."

SRI K. BRAHMANANDAM REDDI :—"Is it justice or sympathy, Sir?"

\* JANAB H. S. HUSSAIN :—"Of course, it is justice. If the land tenures there have got any semblance to the land tenures in Malabar, there is justification, I say, but if as hon. Member Mr. Schamnad Sahib says, the land tenures are quite different, there is no justification at all, because there is no truth in it. There cannot be any justification unless there is truth and truth is most important whether it is in legislation or in private life. That is my plea, Sir. When we are legislating for tenancy reform for a particular type of tenure, which is peculiar to a certain district, there must be justification for bringing within the purview of that legislation any other area. It may be said that it is a question of language, but language is not tenancy; language is not land tenure and these are different rights. These are rights that have vested in the people for generations and recognized by all civilized Governments and by all civilized people. You cannot take away anything by force or on some pretext or reason. If it is a question of language affinity, we can bring under this legislation any area. There may be a number of Malayalee gentlemen residing in Madras, because a good number of the sections here speak Malayalam and so at least that portion of the city occupied by them may be brought under the purview of this Bill. But that is not the proper method of doing this. I am saying this because, hon. Member Mr. Schamnad Sahib



[Janab H. S. Hussain] [8th February 1951]

revealed these things to me. Of course, I have no personal knowledge of these things and he spoke with personal knowledge and experience and I also understand that his relations possess lands in those villages and so he knows from personal knowledge what kind of tenure is prevalent there. If there is no janmam right, there is the pattadar there and the Government is the owner of the land, as it is the case in other parts of the district. So, if there is the pattadar there and if chalgani, mulgani and vaidgani and some other kinds of tenures that are prevalent in South Kanara are also there and not any single trait of tenure that is found in Malabar, I think, no Government has any right to take away the vested rights of the people of South Kanara in these villages. That is my plea, Sir. If, on the other hand, the truth is otherwise, certainly I shall be the first to support the plea put forward by the Hon. the Law Minister to include these 33 villages in the schedule of the proposed legislation. Of course, when the question comes later of the division of the State into linguistic provinces, then it will be time to consider which are the areas where Malayalam is spoken and which are the areas where Kannada is spoken. Then certainly according to the principle and truth the areas must be divided and simply because some tenancy reform is to be effected in some district which will reform the tenures that are peculiar to that district, you cannot dismember and chop away a portion of another district where the truth is otherwise. Therefore, I would like strongly to protest against the inclusion of these villages, along with hon. Member Mr. Schamnad Sahib, if the truth is as he has stated."

3 p.m. JANAB K. M. SEETHI:—"Mr. Speaker, Sir, I listened to some of the speeches of my hon. Colleagues on the floor of the House on this important piece of legislation. I thought they suggested that the tenancy question of Malabar was on all fours with the system obtaining in the other districts and there is nothing by way of even a whisper from any section of the people that there should be an enactment of this nature and the Government are simply going out of their way in imposing a piece of legislation upon an unwilling people. I should respectfully submit that that is a perversion of truth and has absolutely no support in the real state of things in Malabar.

"The question of Malabar tenancy is not a matter of recent genesis or recent development. It began as early as 1881."

SRI M. P. DAMODARAN:—"1836."

JANAB K. M. SEETHI:—"That was the year of the first Moplah Rebellion and the Government then appointed Mr. Logan to investigate into the conditions of the tenants of Malabar. He made a detailed investigation and made out a case for the introduction of an ameliorative measure for tenancy reform. But vested interests stood in the way of such a legislation and the Government appointed another Committee under the chairmanship of the late lamented Sir T. Madhava Rao and that Committee also went

[8th February 1951] [Janab K. M. Seethi]

into the question and reported that it was absolutely essential that there should be legislation to improve the condition of the tenants and to protect their interests and to allay the discontent that was rampant in those days; when communism was not heard of in any part of the world and the slogan of the kisan movement was not even heard in the faintest whispers, in Malabar the question of tenancy reform was discussed and steps were taken in that direction.

"As hon. Members would be aware, it is not the ryotwari system that we are having in Malabar. The janmi has absolute proprietary right in the land and he is the supreme landlord who has nobody to look up to by way of paramount landlord, not even the Government and when from the definition of 'janmi' the word 'absolute' was sought to be removed, there were protests that it should not be removed as though their rights, their supreme rights, their rights only secondary to the Supreme Being might be affected by that word 'absolute' being taken out. This hierarchy of persons interested in the land is there in Malabar and the man on the land has to look up to that Supreme Person who has to be propitiated if he is to eke out his existence. Such being the position, discontent is bound to exist and ameliorative measures are absolutely necessary. In fact, what is it that happened in Russia in 1931? The big landed interests were grinding down the poor tenantry and the cry of the Communists: 'Down with the landed aristocracy; down with the landlords' gained momentum with the result that the land system of that country was exploded and reduced to smithereens. It is just to avoid that contingency of doing away with the landlords and of avoiding even insecurity for their peaceful existence that ameliorative measure of this nature has been undertaken by the Government and the Government have to be congratulated on what they have done though they do not deserve congratulations on their having whittled down certain very important provisions of the Bill by trying to appease vested interests, to which I shall refer in due course.

"I submit, Sir, that the attack made by the landed interests on the Hon. Minister for Law who is in charge of the Bill that he is the enemy of the janmis arises from this well accepted principle of strategy, namely offensive is the best form of defensive. I do not think they could have any real grievance against the Hon. the Law Minister because, Sir, the Law Minister is not responsible for this measure. As early as 1939, the Government appointed a Committee to go into this question, the Kuttikrishna Menon Committee and that Committee made certain recommendations and as a matter of fact, the provisions of this Bill are not far different from the recommendations made by that Committee. The Hon. Law Minister was neither responsible for the recommendations of that Committee nor for the agitation that was afoot as early as 1881. (Sri M. P. Damodaran: 'From 1836.') The cry was there even from 1836 as the hon. Gentleman, Mr. Damodaran pointed out; the problem was there so early as that and it would be extremely unwise on the part of Friends who are interested

[Janab K. M. Seethi] [8th February 1951]

otherwise to pick holes in the Bill and attack the Hon. Minister in charge of the Bill, taking him to task for rushing with it and ascribing all sorts of personal motives to him. It is disingenuous on their part to say that the whole thing has been hurried through, that public opinion was not taken note of and the various interests concerned were not represented before the Committee. In fact, Sir, I may tell the House that the landed interests had two full days for making their representations before the Select Committee while the tenants' interests were put forth before the Committee in a few hours' time. The charge has also been made that when the Members of the Committee went to Malabar, they were not given an opportunity to meet them. I ask, Sir: Why should they be given further opportunity when they had their full say even here and in the light of their representations, the Members of the Committee wanted certain things to be verified by a personal visit and wanted to satisfy themselves about certain points urged before them by the interests concerned. That was the purpose of the visit of the Committee. I think, Sir, it is a case of inventing grievances and shouting them out saying that the Committee refused to hear their representations. This is a very disingenuous attitude on the part of the affected interests. They send printed memoranda, the same thing but coming from different places, more or less identical resolutions; these are not going to deceive anybody nor mislead the House.

"The problem of tenancy is a serious one which is likely to affect the quiet and tranquillity and peace of the district and if the landed interests are to live in peace, amity and cordiality without any outbreaks in any part of the district, a tenancy legislation is quite necessary and that is what is attempted to be done. Who can ever deny the fact that there is rackrenting in Malabar? Who can deny that the tenants are obliged to pay high rents? Who can ever gainsay the fact that there is all round discontent against the janmis for their irresponsible and arbitrary evictions? Eviction and rackrenting are very rampant in the district and that is the reason why the Government had to appoint commission after commission to investigate the matter and promulgate legislation. The Tenants' Improvements Act of 1900 secured the value of improvements for the tenants and that was considered to be their Magna Carta.

"The hon. Gentleman, Sri Vaidyanatha Ayyar was asking why there should be retrospective effect given to kanapanayams from 1916 onwards. The agitation for tenancy reform was acute in 1916 and that was the signal for janmis to convert tenures into mortgages and so, that is the starting point from which we have to decide whether it is a kanam or a mortgage and that is the reason why that date has been fixed. Later in 1926, Sir M. Krishnan Nair was responsible for a Bill and it was actually passed by the Legislative Council but unfortunately the Governor's assent was not given to it and so, it had to lie over. Afterwards, Mr. Raghavayya was appointed to preside over a Committee and on the basis of the report of that Committee, the 1930 Act was passed and

8th February 1951] [Janab K. M. Seethi]

our Friends are just trying to make us believe that everything is going on peacefully in the district—this is just what Mr. Raghava Menon said—and there is no urgent necessity for a Bill of this nature. Evidently, my hon. Friend does not remember that during the Advisers' regime in 1945, they promulgated an amendment for the tenancy legislation which is now going to be retained and that arose from alarming reports from the district of a number of suits for eviction by the janmis for recovery of lands for their own *bona fide* needs on the strength of some remarks made by the High Court relating to the needs of the janmi. There were suits galore for eviction and that brought about this amendment. I wish to ask my hon. Friend: Was it for nothing that the Advisers' regime undertook this amendment? It was not for pleasing the public. As a matter of fact, they wanted to reverse many of the popular reforms introduced by the Congress Government and every popular reform effected by them, they wanted to upset; they even wanted to scrap prohibition. It was that Government that sponsored the amendment and they restricted the needs of the janmi, as absolute *bona fide* needs for his own maintenance. I feel that though this is an essential piece of legislation, this is a belated legislation. Many a time, on the floor of the House the Hon. the Law Minister was asked when this Bill would be brought forward and so many times, he had to save his face saying that it would come in this session and that and such a Law Minister it is who is supposed to be enemy of the janmi; that is the Law Minister to whom personal motives are ascribed while, on the other hand, the popular feeling has been there and representatives of the people have been agitating for it and have been finding fault with the Government for delaying the introduction of the measure.

"As my hon. Friend Mr. Moideen Kutty pointed out, I have also certain grievances about the provisions of the Bill and that is the right given to the janmi for eviction in cases where he requires the land for his own *bona fide* maintenance. What I am afraid is that the provision appears to be unsound. In my opinion, it is pregnant with evil potentialities of an unimaginable nature. My Friends may not understand the inequitable system of granting melcharth, namely, the janmi granting a demise or lease or transfer in favour of a stranger; if a janmi is displeased with a tenant, or if he wants to get him out, he will grant a transfer in favour of another person and he will file a suit for evicting the tenant. That used to be the practice which the janmis used to resort to and it was this system of melcharth which started tenancy agitation and was responsible for the momentum gathered by the agitation for tenancy legislation. That system was sought to be killed by the Act of 1930, by I believe is section 40. It prohibits a melcharthdar from claiming recovery of possession on the ground of *bona fide* requirement. While that right is denied by a specific section, that will be indirectly perpetuated by a provision that we are now making; it will not be the impecunious janmi that will be filing the suit; if he is not in a position to make out a case for 'bona fide requirements for his own maintenance', the handy thing for him would be to make a transfer in



[Janab K. M. See'hi] [8th February 1951]

favour of another person and that person will file the suit and he will be satisfying the requirements of law and he may say that this is the only land on which he depends for his maintenance. That danger is there and it is going to create a grave situation in the district.

3-15  
p.m.

"The personal enemy of a tenant will take advantage of this provision, he will take a transfer of the tenancy right and evict him from his holding. The obvious contingency, of what we think might happen, may not happen always. A janmi will find very many ways by which he can get recovery of possession. What is sought to be ended by this tenancy legislation, namely, the right of melcharth will certainly be perpetuated by a janmi by transferring his right in favour of a stranger and getting him to evict the tenant. So we should make some provision in the Bill to meet such a contingency. My honest opinion is in cases where a janmi will be in a miserable condition unless he is given possession of his land, relief should be provided for. But if the janmi is well off otherwise and the tenant would be worse off by being deprived of the land, in such a case the tenant should be entitled to possession. Where both are badly off, the preference should be given to the janmi. So my respectful request to the Hon. Minister is that he should give serious consideration to this matter. There must be some Government amendment moved which would avoid the danger I have pointed out. Sub-clauses 5 and 6 may be retained as there is no danger of their being abused by the janmi. I have given notice of certain amendments to prevent the danger I have pointed out just now. I shall not speak further on this aspect of the question at present. I shall reserve my remarks to the time when the particular clause is taken up for consideration by the House. With these words, Sir, I wholeheartedly support the Bill, and I can assure Government, they will have nothing to be anxious about it. By passing a Bill of this kind, they will be earning the gratitude of lakhs of people. Their gratitude will be genuine and heartfelt, and the more so, if only some of the loopholes, which are there in the Bill and which might cause grave injustice to the tenants, are done away with by Government themselves bringing in suitable amendments by accepting the amendments I have brought forward."

\*SRI K. SANKARAN:—"ബഹുമാനപ്പെട്ട സ്പീക്കർ അവർകളേ, ഈ ബില്ലിനെപ്പറ്റി രണ്ടു വാക്ക് പറയാതിരിക്കാൻ എനിക്ക് നിവൃത്തിയില്ല. മലബാറിലെ കടിയന്മാർ ഉപകാരം ചെയ്യുകയാണ് ഈ ബില്ലിന്റെ ഉദ്ദേശം. കൃഷിക്കാർ, ഹരിജനങ്ങൾ തുടങ്ങിയ പാവപ്പെട്ടവരാണ് ഈ കടിയന്മാർ. കൂടുതൽ നിയമത്തിന്റെ കഠിനം ഹേതുവായി അവർ ഇതുവരെ അനുഭവിച്ചുവന്നിരുന്ന ദുരിതങ്ങൾ പറഞ്ഞുനീക്കാൻ പ്രയാസമാണ്. കോൺഗ്രസ്സുകാർക്കി അധികാരത്തിൽവന്ന് രണ്ടു കാര്യങ്ങൾ നേരെയായാകുന്ന കാര്യങ്ങൾ അവർ ഇതേവരെയും ഉറപ്പുനോക്കിക്കൊണ്ടിരിക്കുകയാണ്. ഈ നിയമം അവരുടെ നിലയും പുരയിടവും സംരക്ഷിക്കുമെന്നു ഞാൻ ആഗ്രഹിക്കുന്നു. ഹരിജനങ്ങളെ സംബന്ധിച്ചെടുത്തതും ഈ നിയമം അവർക്ക് വലിയ കാര്യങ്ങളെന്നും നേടിക്കൊടുക്കുന്നില്ലെങ്കിലും, ഇനി മേലിൽ അവരെ കടിയന്മാരുടെ ആരംഭത്തിലായിരുന്നതിൽ ഞാൻ സന്തോഷിക്കുന്നു. ഇതുവരെയും പാവപ്പെട്ട ഹരിജനങ്ങളെ പലവിധത്തിലും കൂടുതൽ ഉപയോഗിച്ചിരുന്നു. ഈ ബില്ലിനെപ്പറ്റി ആരും

8th February 1951] [Sri K. Sankaran]

ചിത്തവൽ നിയമിച്ച സെലക്ട് കമ്മിറ്റിയുടെ ചേർമാനായ ബഹു: മന്ത്രിയുടെ പരിശ്രമം മൂലം ഹരിജനങ്ങൾക്കു സ്ഥിരം കടിയന്മാരുപകാരം ലഭിച്ചിരുന്നു അവർ എന്നെന്നും നന്ദിയുള്ളവരാണ്.

"ഇതുവരെയും പത്തിൽ ആറും പത്തിൽ നാലും ജന്മികർ പാട്ടം പിരിപ്പിച്ചുവന്നിരുന്നു. കടിയന്മാർ അതിലധികമായി വല്ലതും വേണമെന്ന് തോന്നുകയാണെങ്കിൽ അധികമായി ആഗ്രഹിച്ചതാകുമല്ല, തന്റെ കാമരായിയായി ലഭിച്ചിരുന്നതുകൂടി കിട്ടാതെയായിരുന്നു. ജന്മിയുടെ ആളുകൾ വന്നു കാമര കൊണ്ടുപോകുന്നതുവരെയും ധാന്യം കന്നുകാലികളുടേയും പക്കികളുടേയും ആകൃഷ്ടതയിൽനിന്നു രക്ഷിച്ചു കളപ്പുറയിൽ സൂക്ഷിക്കേണ്ട രേഖയും കടിയന്റെറായിരുന്നു. കൂടാതെ ആളുടെ അടുത്തുനിന്ന്, ആളുകൾ വേണ്ടി വാങ്ങിയ ആളെ സഹായിച്ച ശ്രീ സി. കെ. ഗോവിന്ദൻ നായരോടും ആളുകൾ നന്ദിയുള്ളവരാണ്. മറ്റൊരു വസ്തുതയും എനിക്ക് ഇവിടെ പറയുവാനുണ്ട്. ജന്മിയുടെയും, കാണാമാരിന്റെയും, വെറുംപാട്ടം മാരിന്റെയും വീട്ടിൽ വല്ല വിവാഹമൊ മറ്റു അടിയന്തരമൊ ഉണ്ടെങ്കിൽ അതിന്റെ മുഴുവൻ ചിലവുകളും കടിയൻ നിർബ്ബന്ധപൂർവ്വം വഹിക്കേണ്ടി വന്നിരുന്നു. അതെല്ലാം ഈ ബിൽമൂലം നിർത്തൽ ചെയ്യുന്നുണ്ട്. ഇനിമേലിൽ തെരുവ് മോരും വെണ്ണയും വാഴക്കുലയും തേങ്ങയും ചക്കയും മറ്റും കടിയൻ തിരുമുൽക്കാരമായി കൊണ്ടു പോകേണ്ടതില്ല. ഇതുവരെയും, ഇതെല്ലാം കൊടുത്തില്ലെങ്കിൽ, അടുത്ത അവസരത്തിൽ വല്ല കാരണവും പറഞ്ഞു കടിയനെ കഴിപ്പിച്ചിരുന്നു. ജന്മിയേക്കാളധികം, കാണാമാരും വെറുംപാട്ടംമാരും ഇത്തരം അഴിമതികൾ ചെയ്യുന്നുണ്ട്. സ്വന്തം സ്ഥിതിയെ നന്നാക്കാനാണ് അവർ ഇതെല്ലാം ചെയ്യുന്നതല്ല. ഈ നിയമം ഇത്തരം അഴിമതികളെ തടയുന്നതുകൊണ്ട് എല്ലാ കടിയന്മാർക്കും സ്വാഗതാർഹമാണ്, ഈ നിയമം.

"കോൺഗ്രസ്സ് പാട്ടി പല വലിയ കാര്യങ്ങളും പറയുകയുണ്ടാകുന്ന പാവങ്ങളുടെ സ്ഥിതി നന്നാക്കുവാൻ യാതൊന്നും ചെയ്യുന്നില്ലെന്നു കമ്മ്യൂണിസ്റ്റ് കാരും സോഷ്യലിസ്റ്റ് കാരും കൃഷിക്കാരുടെയിടയിൽ പ്രചാരവേല ചെയ്യാറുണ്ട്; അതെല്ലാം പൊതുജനങ്ങളുടെ അറിവില്ലായ്മയെ ചൂഷണം ചെയ്യുവാൻ വേണ്ടിയുള്ളതാണ്. മലബാറിലെ കടിയന്മാർ ഈ നിയമം കാര്യമായ പലതും ചെയ്തിട്ടുണ്ടെന്ന് ഇപ്പോൾ ആർക്കും പൊതുസമേതം പറയാവുന്നതാണ്. മലബാറിനവേണ്ടി കോൺഗ്രസ്സ് ഗവണ്മെന്റ് പലതും ചെയ്തിട്ടുണ്ടെങ്കിലും അവയിൽ ചെറു ഏറ്റവും പ്രധാനപ്പെട്ടത് ഇതാണെന്ന് എനിക്ക് നിസ്സംശയം പറയാൻ കഴിയും. അതുകൊണ്ടു മലബാറിലെ കടിയന്മാർക്കെതിരായി മേധാവികളുപയോഗിച്ചിരുന്ന നോട്ടീസ്സു കൊടുത്തിട്ടുള്ള മെമ്പർമാരോടു അതെല്ലാം പിൻവലിക്കാൻ ഞാൻ അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു. ക്ലാർണ, കൃഷിക്കാരുടെ ജീവിതം നന്നാക്കുവാൻ പരിശ്രമങ്ങളെ എതിർക്കുന്ന മഹാത്മാ ഗാന്ധിയുടെ അനുയായികൾക്കു അനുചിതമാണ്. ഈ ബില്ലിനെപ്പറ്റി ഇക്കീർ കൂടുതൽ പറയാൻ ഇപ്പോൾ ഞാൻ ആഗ്രഹിക്കുന്നില്ല; എല്ലാ മെമ്പർമാരോടും ഈ ബില്ലിനെ പിൻകൊണ്ടാൻ ഞാൻ അഭ്യർത്ഥിച്ചുകൊള്ളുന്നു."

SRI A. KAMESWARA RAO:—"Mr. Speaker, Sir, I am supporting this Bill, but not wholeheartedly because, while moving for the consideration of the Bill, the Hon. Minister said that many of the clauses had been amended by the Select Committee in favour of the landlords. If that is true, it is not a compliment to the Select Committee Members. That Members like my hon. Friends Sri M. P. Damodaran and Sri K. Brahmanandam Reddi, who are always for the have-nots and Gandhian principles, have not been able to withstand the pressure of landlords is not a compliment to them."

SRI M. P. DAMODARAN:—"Question."

SRI A. KAMESWARA RAO:—"Why does the hon. Member question? It is a confession made by the Hon. Minister in the Assembly. I may call this as something-is-better-than-nothing

3-30  
p.m.

[Sri A. Kameswara Rao] [8th February 1951]

Bill. It is only a half measure, not a full measure. Many hon. Members from the other side who have spoken traced the history of the Malabar land tenure system and told how the prevalence of similar conditions led to great revolutions in Russia. But I would like to take the hon. Members not to Russia but to Malabar where the seed of communism took root in 1930 and subsequent years. It was due to the janmi system and the existence of many intermediaries. I will be glad if even at this stage, this Bill is made more favourable to the tiller of the soil. Ultimately in the world the principle that the land belongs to the tiller of the soil is going to be enforced. If my Congress Friends are going to remove the inequities of the system according to Gandhian principles, there will be a peaceful evolution. Otherwise a bloody revolution will come and change the whole system. I am only sorry that the Members of the Select Committee have not done full justice to the tenants. I hope that the Hon. Sri Madhava Menon will be able to move suitable amendments so as to make the Bill more beneficial to the tenants than to the landlords. I do not congratulate him but I thank him for the Bill."

JANAB MUHAMMAD RAZA KHAN:—"Mr. Speaker, Sir, my participation in this discussion may cause a good deal of surprise to the Hon. the Law Minister and to some of the hon. Members from Malabar and make them wonder as to what place I have in the discussion of a Malabar tenancy legislation. Having heard with all the attention that they deserve the speeches of the several hon. Members of the party in power and also of the party to which I have the honour to belong, I thought that I should have a say, because Members like me may do some dispassionate thinking.

"The Malabar tenancy system seems to be a little bit complicated to many of us. From the speeches of the several Members it looks as if the Hon. Law Minister started with the best of intentions, good motives and a laudable principle. Unfortunately, being so intimately connected with his district of Malabar and in a way representing the district not only in the Legislature but also in the Ministry, he seems to have promised too much to everybody. The speeches made by several Members seem to suggest that by this Bill he is trying to slaughter the janmis. At the same time, the cry has been heard that the janmis have been left intact and that their position is not affected considerably. There are others who have said that he has promised so much to the poor tenants who have been suffering for so many decades but that they do not get any substantial benefit from the legislation. Therefore the Hon. Law Minister finds himself in a very unenviable position. Left to myself, I would have suggested that this legislation ought to have been sponsored jointly by the Hon. Revenue and Law Ministers. At the time when the Bill was introduced and also in the Select Committee stage, though I was not a member of that Committee. I was wondering what place had the Hon. Revenue Minister in the present legislation. After

[8th February 1951] [Janab Muhammad Raza Khan]

all this Bill is not a legal measure to justify the Hon. Law Minister to pilot it; this is purely a revenue measure. The Hon. Law Minister and the Members of his party may say that the Hon. Revenue Minister may not be well conversant with the land tenure systems and the conditions prevailing in Malabar and that therefore he is not in such a good position as the Hon. Law Minister is. I admit that. But once this Bill gets through this House and the Council and emerges as an Act, it is the Revenue Minister who is going to administer it and not the Law Minister. No doubt the Revenue Minister may seek the advice of the Law Minister now and then. But the subject is entirely within the purview of the Revenue Minister. I do not like to talk things which are not relevant to the subject. It looks as if sometimes our Ministers are taking undue advantage of your ruling that any Minister can reply to questions or pilot Bills on behalf of any other Minister. It may become necessary in some cases. I have got a great regard for the Hon. Revenue Minister who is a very eminent lawyer and who understands things very quickly. How is it that I find him taking practically no interest right through this legislation? I am wondering whether he is yet taking time to understand the land tenure system of Malabar.

"Some reference was made in a controversial spirit to the tour of the Select Committee in certain parts of Malabar starting from Palghat and ending with Mr. Schamnad's place Kasaragod. I cannot reconcile myself to the view expressed by the Hon. Law Minister that the Committee went to Malabar on the definite understanding of not taking any oral evidence from the affected parties. If it was so, what was the purpose of the tour at all? I do not think it was a pleasure tour. Having gone to Malabar, it is in the fitness of things that it should have heard the point of view of those who came forward to tender evidence. It is true that the Committee heard in Madras the people who came from Malabar and tendered evidence. Still, there might have been some people representing either landlords or tenants who, for some reason or other, could not come to Madras but wanted to avail themselves of the opportunity of the Committee's tour in Malabar to tender evidence. The Hon. Revenue Minister was nowhere to be seen in the tour. In fact, that was an opportunity for him to go to Malabar and understand the position there. I do not know for what reason he stayed away entirely from that tour. I remember to have read a speech of our ex-Minister Sri K. R. Karanth at a public meeting somewhere in Kasaragod in which he drew the attention of the public to the fact that so far as this legislation was concerned, the Revenue Minister seemed to be out of the picture. However the Hon. Law Minister will have his own view and I am sure he will express it while replying to the debate.

"From the trend of the speeches made during the last two days, I am sure the Hon. Law Minister was feeling very happy that he got a good support from all the three Members of my party representing Malabar who have spoken. They have taken a definite stand. If I have correctly understood their speeches,

[Janab Muhammad Raza Khan] [8th February 1951]

they said: 'We stand definitely and categorically for the rights of the tenants because they have been suffering considerably for a long time under the landlords. Therefore we want to give all the support to the Hon. Law Minister in this measure.' After listening to the speeches of some of the Members of the party in power, I could not come to a conclusion whether there was that unanimity of opinion among them. In fact, some of the Members who spoke were a little bit apologetic. They said: 'I do not represent the landlords; still I want to plead for the landlords. I do not represent the intermediaries and yet I want to make a plea on behalf of them. I am not a tenant and yet I have to plead for the tenants.' Therefore it looks as if the party in power has not made up its mind.

"Already there is a talk that the Government of Madras want this measure to be on the Statute Book as an election stunt and not as an agrarian reform intended for helping the tenants. This is a point on which we have to satisfy the public. It is quite likely that people may read something different from the real object of the Bill. Some people may construe this measure as a preparation for the coming elections, as the party in power may approach the tenants who constitute a solid mass of votes and say: 'We have done so much for you. Therefore give us your vote.' The Hon. Law Minister should clear that point."

"Many a time it has been said on the floor of this House that the land tenure and other systems of Malabar are quite different from those prevailing in the other parts of the State. I admit that it may be so. But may I ask the Hon. Law Minister as to why he could not think of making the Malabar system applicable to the whole State if he really feels that that system is the best? My Malayalee Friends always claim that the Malabar system is the best. They, particularly the Muslim Friends, can never tolerate anything said against Malabar. That has always been our experience in dealing with our Malabar Muslim Friends. They say that whatever good is bestowed by God is bestowed first upon Malabar and then upon the rest of the State. That spirit is good as it leads to a healthy competition.

"If the Government feel that the system in Malabar is the best one, why not they apply it to other areas? If that system is the ideal one, surely Andhra area and Tamilnad area may adopt it."

SRI M. P. GOVINDA MENON:—"We welcome others to follow our system."

JANAB MUHAMMAD RAZA KHAN:—"After all we have appointed a committee known as the Subrahmanyam Committee. I really do not know whether that committee has been asked to enquire into the systems of land tenure in Malabar also. The Government should have waited for that report, so that the whole House may have a good and clear picture of the entire land system in the State."

[8th February 1951] [Janab Muhammad Raza Khan]

"With regard to the various clauses of the Bill, Sir, I should like to say one or two words. I know it will not be possible for a man like me to study the whole thing, and give suggestions. It is a difficult job, I admit. I know my hon. Friend Janab Seethi gave his wholehearted support to that particular clause which gave retrospective effect. He made that a strong point. At the same time, the hon. Member Mr. Vaidyanatha Ayyar stated that it would not hold good in law. It may look a little bit surprising to us, but all the same we request the Hon. the Law Minister to satisfy the Members of the House that such a clause is necessary, and that retrospective effect should be given. I do not want to sit in judgment over this matter, nor am I competent to do so. But still the Hon. the Law Minister owes a duty to the House just to explain the imperative necessity of having that clause."

"Sir, I was wondering why no reference was made by some of the Members to another clause which was dealt with at length by the hon. Member Mr. Vaidyanatha Ayyar. It is the clause which empowers the Government to allow or allot a part of the land so authorized by them to any one whom they like. If really the meaning of that clause is the same as that stated by the hon. Member Mr. Vaidyanatha Ayyar, it is certainly not desirable. I know, Sir, the difficulties of the Hon. the Minister. After all, on these occasions there are too many to come and pester the Ministers or add to their difficulties. If such a clause is there, it will only be adding to the difficulties of the Government. When once people come to know that there is something in the legislation, they will be coming and worrying the Hon. Ministers so that they may get some favours. I am sure the Hon. the Law Minister is having an open mind in the matter."

"Many references have been made by hon. Members, particularly by those from South Kanara—I know Mr. Schamnad feels very strongly about it—to the inclusion of 33 villages. Even the whole of India is nothing to my hon. Friend Mr. Schamnad when compared to the 33 villages. Unfortunately these 33 villages took him away from our party. He feels so strongly in the matter. If the Hon. the Minister feels that the tenure system in these villages is the same as in Malabar, he must make out a case. Otherwise he must exclude these villages."

"The Hon. the Minister is very accommodating, and I am sure he will be accommodating in this Bill. When he feels that he has to do justice to a class who deserve justice, surely he should come out with all the courage and take the responsibility for it. If the landlords are offended, he should say 'I am not perturbed; I want to stand by my people and by the Government; I think this is a right measure'. If this legislation is passed in that spirit, surely the younger generation and the generations to come—let alone the present generation—will remember the name of the

[Janab Muhaminad Raza Khan] [8th February 1951]

Hon. Minister Mr. Madhava Menon as the author of this legislation, and be thankful to him. I want that this measure when it emerges from this Assembly should be of that pattern and type. I support this Bill, Sir."

\* SRI V. I. MUNISWAMI PILLAY :—" Mr. Speaker, Sir, though I did not think of taking part in the debate, after hearing the speeches of some hon. Members who preceded me, I have to make certain observations. I am not at all glad of either the deliberations of the Joint Select Committee or of the report that has emanated from that august body. When this Bill was on the anvil of this Assembly, I made certain observations that this Bill did not contemplate the conferring of any real benefit on the tiller of the soil. My hon. Friends Mr. Kakkan and Mr. Sankaran thought that this Bill gave some scope for benefit. I do not know where they got this idea of benefit from this Bill. Further, it has been the unanimous view of the Members of this Assembly and the people outside that the time has come when the tiller of the soil must be given a place in the economy of the land. Especially to improve the lot of the Harijans, there must be something definite. But I fail to see any important change in the Bill after it emanated from the Joint Select Committee. Sir, this Bill contemplates bringing within its purview a portion of the Nilgiris district, Gudalur taluk. As one coming from the Nilgiris district, I do not think that even the intermediary is going to get much of a benefit from this Bill. Unless the Hon. the Minister for Law makes up his mind to concede some benefit to the tiller of the soil, especially the Harijans who form a greater percentage in that field of avocation, I do not think it will be welcomed by people like myself who feel that something ought to be done for the elevation of this unfortunate community.

"It was asked here to-day by hon. Members Mr. Kakkan and Mr. Raza Khan whether the Subrahmanyam Committee on land reforms has finished its report. I may say, Sir, that the second part has been finished and printed, and that is with the Government now. It is up to the Government to examine the report and bring in a legislation before this august body. Let them not think that the Members of the Land Reforms Committee have not taken up this matter very seriously. The Bill contemplates the taking in of the Gudalur taluk of the Nilgiris district. My hon. Friend the Minister for Revenue has forestalled the Hon. the Law Minister by bringing a Government Order banning all assignments of land except in the case of political sufferers. After so many years of agitation, the former Revenue Minister Mr. Kala Venkata Rao brought in G.O. No. 1523. It was discussed in this House for several days, and it was thought advisable to assign lands, among others, to Harijans and landless people. When this is there in force, I do not know what the reasons are for the banning of assignments for 10 years irrespective of the economic status of the people who had to get an advantage out of it. The hon. Member Mr. Vaidyanatha Ayyar stated that both in the

[8th February 1951] [Sri V. I. Muniswami Pillay]

Palnis and in the Nilgiris they have devastated the lands, and potato cultivation has come in and there is the consequent failure of rain. It is not in the Nilgiris alone that there is no rain. Practically in all the places in the South there has been failure of rains. The monsoons have failed not for one year or two years. I did not know whence my hon. Friend got the inspiration when he said there was soil erosion, as if there was no erosion in any other district. That is most unfortunate. Who was responsible for allowing all the devastation? It is not the public. The Revenue and the Forest Departments are responsible for the erosion of lands in not sticking fast to the terms of the lease. Whatever that is, the Hon. the Minister for Revenue should have waited for the passing of this Bill before issuing a Government Order banning all assignments. After all Gudalur taluk, as the Hon. the Minister knows, is a plain place, and I do not think there is any such thing as soil erosion except in a very negligible degree. As I heard the speeches of the hon. Members and as the Bill is barren of any real benefit to the tiller of the soil, I would request the Hon. the Minister to consider this point, and do something so that the condition of the tiller of the soil may be elevated. He can bring in amendments, and see what can be done. Mahatma Gandhi and other right-minded people said that in the interests of the economic improvement of the country the intermediaries must go, that greater benefits should be given to the agriculturists and that at the same time, the men in the lower rung of the ladder must also be raised. With these few words, Sir, I support the motion."

SRI A. VAIDYANATHA AYYAR :—" Sir, I rise on a point of information. May I know whether in any part of the world, or at any time up till now, there has been a case where the rent is to be delivered not at the place of the landlord or in a place where the holding is situate, but has to be delivered in the village belonging to the tenant, and that the landlord should take it from the village belonging to the tenant? I want to know whether there is any precedent for this."

\* THE HON. SRI K. MADHAVA MENON :—" Sir, the hon. Member Mr. Vaidyanatha Ayyar wants me to give the information whether there is any place in the world where the landlord has to take the rent from the tenant's village. I am not conversant with all the things that happen in the world. The existing Act says that the tenant shall deliver it to the landlord in a place within three miles of the village where the land is situated. It need not be taken to the landlord's house. We have now provided that it might be delivered at the threshing floor, and, if not, at some place belonging to the tenant of which notice has been given to the landlord. There are various reasons for this, and I shall explain them at the proper stage. Even if this is a new procedure, if it is a good one, it will be followed in other parts of the world. That is all I can say.

"The hon. Member Mr. Vaidyanatha Ayyar asked, regarding the inclusion of the 33 villages of the South Kanara district,

[Sri K. Madhava Menon] [8th February 1951]

whether the lands in those villages were ordinary patta lands as in the ryotwari area or the tenures of those lands were the same as in Malabar. Sir, Malabar also is having ryotwari tenure. There is the janmi. The janmi is supposed to be the ultimate proprietor, and, so, he has got a patta. In these villages, I cannot definitely say that the question of janmam rights will arise. But in some villages it does arise. Kanam and kuzhikanam do obtain in these villages. For this statement I rely on what the hon. Gentleman Janab Mahin Schamnad himself said here I did not think his memory would be so short as to forget what was said here only a few days ago. When I introduced the Bill in this House, the hon. Gentleman Janab Schamnad said the following with regard to the 52 villages which were originally included in the Schedule attached to the Bill :—

‘For all reasons this Bill is meant only for Malabar district and also for some of the villages in Kasaragod taluk where the system of tenure is similar to that of Malabar. It is not at all meant for the Kannada villages in South Kanara district where the system of tenure is quite different from that of Malabar and is similar to that of those villages in the north of South Kanara district. Therefore I appeal to the Government to exclude at least the 19 villages out of the 52 villages mentioned in the schedule to the Bill and include them among the villages to the north in South Kanara district. We may have a separate tenancy Bill for the whole of South Kanara district for the protection of the tenants and for maintaining friendly relations between the janmis and the tenants. Our forefathers and ancient leaders have put the Chittari river as the boundary for makkattayam and marumakkattayam among the Muslims. The people to the north of Chittari river follow makkattayam and the people to the south of the Chittari river follow marumakkattayam. The present Government and our present leaders also may fix the same river as the boundary for the Malabar Tenancy Act and the South Kanara Tenancy Act.’

This is what he said and that is what we have done. Then, I asked a question which was as follows :—

‘May I know from the hon. Member whether he wants the villages to the north of the Chittari river to be excluded from the Bill and the villages to the south of the Chittari river to be included in the Bill?’

Janab Mahin Schamnad replied as follows :—

‘Villages to the north of the Chittari river may be excluded and villages to the south of Chittari river may be included.’

This is what we have done now, Sir. My hon. Friend Sri Karanth demanded the identical thing in the House. I may tell the House that we toured all over Malabar and Kasaragod. At no time during the Kuttikrishna Menon Committee's deliberations was any evidence tendered that these 33 villages should not be included. On the other hand, there was insistent demand that these 33 villages should be included. When we went to South Kanara, the demand of the representatives of that area was to include more villages in the Bill. The report of the Collector was that 46 villages should be included, because to some extent in 33 villages the tenure was the same and in other villages there was a combination of the other tenure. In their report the Revenue Board suggested that 52 villages should be included, because Malayalam was the language spoken in the area. I made it clear that it was wrong to say that an attempt was made to carve out Kerala State. On every possible occasion, I made it clear that this was only a Tenancy Bill and not a Linguistic Area Bill. I definitely told the

[8th February 1951] [Sri K. Madhava Menon]

people when they asked me to include other areas also that this was not a Linguistic Area Bill and that only places where the tenure was the same would be included.

‘The hon. Gentleman Janab Schamnad moved in the Select Committee also for the omission from the Schedule of villages Nos. 1 to 16, 20, 47 and 52, i.e., 19 villages. That was his amendment there. We have therefore excluded those villages. The Select Committee went to Kasaragod taluk and took oral evidence. Not one person said that these 33 villages should not be included. Everybody said that those villages should not be excluded, because Malayalam was being spoken there. So, even there the cultivators were insistent that we must include them on the ground that they might get relief from eviction. We asked them ‘Can you show one document to prove that this sort of tenure exists here?’ They said that they had no documents. We could not depend upon oral statements. But after the Select Committee report was published, some of the landholders of these villages found that 19 villages had been excluded. They therefore came to Madras and thought that this was an opportunity for them to get these 33 villages also excluded. It was with that view that they came to Madras. The hon. Gentleman Janab Schamnad specifically said that these 33 villages might be included. But he has now suddenly turned the table. I do not know whether the facts stated by him previously were correct or not, but he said so and, therefore, I took it they were correct.’

SRI T. VISWANATHAM :—‘May I know whether the Hon. Sri Madhava Menon is replying to the general debate?’

MR. SPEAKER :—‘Yes.’

SRI T. VISWANATHAM :—‘I thought he was replying to the point raised by my hon. Friend Sri A. Vaidyanatha Ayyar.’

MR. SPEAKER :—‘No, the Hon. Minister is replying to the general debate.’

SRI T. VISWANATHAM :—‘I wanted to speak, Sir.’

\* THE HON. SRI K. MADHAVA MENON :—‘I know my hon. Friend will make up for lost time in the discussion on the other portions of the Bill.’

‘My hon. Friend Sri K. R. Karanth also said the following during the introduction of the Bill in this House :—

‘At the same time, in certain of the areas to which I say I have no objection, there are also “kanams” and kuzhikanams. There are as many reasons for as against. But more than all, the prevailing voice of the cultivators is that they are covered by the Tenancy Bill. I agree to that. . . . There is also the feeling that the majority of the population are Malayalam-speaking people and therefore that they should join Malabar. In a memorandum submitted by me to Government a year and nine months ago I said that I had no objection to including 33 villages. But with regard to the other 13 villages which I have named in the memorandum, about the details of which I shall not tire the House, the tenures are absolutely non-Malayalam and are part and parcel of the tenure of South Kanara.’

This is what he said although both the hon. Members Sri K. R. Karanth and Janab Schamnad represent the same area.’



[8th February 1951]

JANAB MAHIN SCHAMNAD :—" Sir, it is a fact that I pleaded for the exclusion of 19 villages from the Bill. Now I place before the House the grievances of the people in these 33 villages and all the relevant evidence so that the House may decide whether these villages should be included or not."

\* THE HON. SRI K. MADHAVA MENON :—" On the earlier occasion the hon. Gentleman spoke on facts; now he is arguing somebody else's case. It is apparent from his own statement."

" My hon. Friend Sri V. I. Muniswami Pillay said that the tiller of the soil had not been given any protection in this Amending Bill. From the very beginning, I have not claimed that this is a perfect Bill where every difficulty of a cultivating tenant or a farm labourer or agricultural labourer has been guarded against. I have agreed to many provisions, suppressing considerably my personal opinions and feelings in the matter. To me it is more a matter of compromise. It is only through compromise that we can get on in the world and not always by conflict. As for the 'tiller of the soil', I do not know the exact connotation of the term. The Bill only seeks to protect from arbitrary eviction a cultivating tenant who is in possession, whether he be a Harijan or some other, and also secure for him a fair share of the produce. The agricultural labourer is similar to a labourer in any other field. Even the rickshawala in the street may not have land in his possession. That problem is not confined to a particular State, but it relates to the whole of India and perhaps the whole world. The problem of the tiller of the soil is not confined to Malabar alone. Now we have to think only of the tenancy and not of giving land to all landless people. We are only regulating the tenancy which is existing now. It is not possible to give fixity of tenure to a person who has no tenure at all. We cannot give fixity of tenure in land or a fair share of produce to a person who does not possess the land or who is not a cultivator of the land. Agricultural labour problem is a State-wide problem. If the Subramaniam Committee, of which my hon. Friend Sri Muniswami Pillay is a distinguished member, makes recommendations for providing for the tillers of the soil, I am sure the tillers in Malabar will also benefit thereby."

" Sir, I am glad that the Members coming from Malabar have generally supported the Bill. Even my hon. Friend Sri Raghava Menon said that he supported the Bill and when I asked him a specific question whether with regard to the provision concerning the landlord cultivating the land for his own maintenance, it was his idea that the existing provision in the 1945 Act should be changed, he said, "I do not say so". So, even he supported the Bill as amended by the Joint Select Committee but suggested some more amendments which, according to him, were proper. Only in some details, some of the hon. Members urged that the Bill has not gone sufficiently far and that it must go a little further so that the benefit might be tangible. I shall deal with them generally."

" One of the hon. Members, Janab Muhammad Raza Khan, spoke not on the merits of the Bill but asked, ' Why is the Revenue

[8th February 1951] [Sri K. Madhava Menon]

Minister not in charge of the Bill? Why should he abdicate his functions in favour of the Hon. the Law Minister who is coming from Malabar? "

SRI T. VISWANATHAM :—" What is the implication? "

\* THE HON. SRI K. MADHAVA MENON :—" The implication is that the Law Minister, as one coming from Malabar, may be prejudiced or biased one way or the other. This is only a sly attempt to provoke the Hon. the Revenue Minister. Sir, the Bill was drafted during the time when Sri Kala Venkata Rao was the Revenue Minister. We were working together and, in fact, the major portion of it was done by Sri Kala Venkata Rao and myself. Having had the advantage of working on the Bill with him then, Government thought it better that I should pilot the Bill. Not a single decision has been taken without first obtaining the approval of the Hon. the Revenue Minister. Only after that, the matter came up before me. Every decision taken by me on this measure has got the full concurrence and approval of the Hon. the Revenue Minister. I am only piloting this Bill as I have piloted other Bills also."

" Suppose Hon. Sri Sitarama Reddi had piloted this Bill. Then according to a Sanskrit *nyayam* (असक वनीक न्यायन) a ques- 4-15 P.m.

tion will be raised as to why a Minister who is not conversant with Malabar and the peculiar aspects of Malabar tenancy should pilot this Bill, especially when a Minister who is well-conversant with Malabar tenancy and who has been handling cases relating to the same for some time is available. I know that question will be raised by the same Janab Raza Khan. I also know that the hon. Member did not seriously intend to make a criticism with regard to this point, but he only wanted to provoke some sort of discussion about that."

" Coming to hon. Member Sri Vaidyanatha Ayyar's objection to section 52-B, which gives power to the Government to require the landlords to lease out their waste or forest lands for agricultural purposes, hon. Member Janab Raza Khan said that he was surprised at that clause and asked why none of the Members from Malabar said anything about that. The hon. Member will be surprised at so many things which cannot be helped. But I can say this much, Sir, that the Members from Malabar know why that section is there. Hon. Member Sri Vaidyanatha Ayyar does not know the reason why it is there. The position is this. There was a provision in the original Bill to give fixity of tenure and fair rent to what is called *punam* cultivation. The nearest translation to this term in English as mentioned in the Bill is ' fugitive cultivation '. In the case of forests belonging to the landlords, they permit the tenants, or the tenants, without taking any specific permission but under some sort of implied permission, go to these forests, clear them, burn them and raise paddy crop there. They get a good crop. They need not necessarily do this the next year."



[Sri K. Madhava Menon] [8th February 1951]

They may do it this year and may not be able to do or may not be permitted to do it next year. The landlords and the tenants share the produce so raised in a particular proportion. This sort of cultivation goes on on a large scale in Malabar. Most of the forests are private forests and a vast extent of such forest lands is brought under cultivation by the hard labour of the tenants. In the past, considerable trouble had arisen in Malabar, particularly North Malabar, over this kind of cultivation. Because, at the time of sharing the produce raised by cultivation in these forests, it may be that the tenant may not get his full share, or that the landlord does not get his full quota, or for any other reason the landlord does not allow this kind of cultivation and refuses permission to the tenant, the tenant without paying heed to the refusal of permission may get into the forest and begin to cultivate. In that case, the landlord will prefer a complaint for trespass and for recovery of rent. Because of all these troubles, a lot of tension had arisen in North Malabar. At one time, even the law and order position was seriously threatened because of tension created by this sort of fugitive cultivation. All these are due to the fact that the original Bill provided for fixation of fair rent and fixity of tenure even in respect of fugitive cultivation and also for giving a sort of permanency to such cultivation. It would be really difficult to provide for any fixity of tenure or fair rent in respect of this cultivation as it consisted of clearing of the forest or forest lands and raising crop in one portion of the land in one year and raising a crop subsequently in another part of the land in the next year. So, the Select Committee also found that it would be obviously impossible to give any fixity of tenure and fair rent in respect of this cultivation as it would be unmanageable. Moreover when once the fair rent is fixed, the tenant is bound to pay it and at times this will work hardship to the tenant. Four years ago, for some reason or other, there was some misunderstanding between the landlords and tenants of a particular area and the landlords refused to permit any *punam* cultivation. The tenants were naturally disappointed and there was considerable tension prevailing in that area. Ultimately the Collector of the place had to intervene, and with great difficulty, he was able to effect a compromise between the two sections of the community and the tension was eased to some extent. To avoid all these confusions and troubles, the Select Committee thought that no fixity of tenure or fair rent should be provided for this cultivation. On this point, there was no difference of opinion in the Select Committee. I understand that even the Kuttikrishna Menon Committee report as well as the evidence adduced before that committee go to show that they were of the view that where the landlord refuses to give cowl grants, the Government must take the lands, lease them out to tenants and ask them to pay the fair rent to the landlord according to the rates that may be prevailing in Malabar. Raghavendra Rao's Committee also favours the giving of power to the Government to do that. That is why the Government have taken power to ask the landlord to lease out

[8th February 1951] [Sri K. Madhava Menon]

his waste or forest lands and if he refuses, to take the lands themselves and lease them to the tenants who are to be asked to pay fair rent to the landlord. Sri Vaidyanatha Ayyar says that even if the objective of the Section may be good, it cannot be effectively achieved by having the existing wording in the Section, which he considers objectionable. I shall certainly examine it further and see if the wording could be improved and if possible I shall come with it before this House before it finishes this Bill.

"Another very great objection raised, by hon. Gentleman Janab Raza Khan as well as my hon. Friend Sri Vaidyanatha Ayyar is with regard to fixing 1916 as the year to decide whether a particular transaction is a mortgage or a tenancy. The reason for fixing 1916 has been very clearly put forward by hon. Gentleman Janab Seethi Sahib. That is the real reason. It was in the year 1915, tenancy agitation started and began to grow in a very serious manner and the landlords were feeling that some legislation was going to come in favour of the tenants. The Courts had already held that if it is anything like *kanam*, *kuzhikanam* or *verumpattam*, tenancy will apply and if it is a mortgage, the Transfer of Property Act will apply. So there was a feverish attempt on the part of the landlords to convert all leases into mortgages. This process was gradually growing. I may tell my hon. Friend Sri Vaidyanatha Ayyar that we held a conference in Kozhikode of representatives of landlords and tenants and Members of Legislature from Malabar. At this first conference, we invited the Bar Associations of Kozhikode, Tellicherry and Palghat to give evidence. The President of the Calicut Bar Association, Sri K. V. Suryanarayana Ayyar, demanded on behalf of the Calicut Bar Association that the Section should apply to cases of conversion after 1915. He went further and said that all transactions that take place within a particular period should be presumed to be leases and not mortgages. He was of the opinion that as the tenancy agitation started as far back as 1915, this Section should apply to cases of conversion that have taken place from 1916. So, that is the opinion given by the President of the Bar Association of Kozhikode. Generally, we Members of the Bar are rather conservative in the matter of giving retrospective effect to any legislation. But when the President of a Bar Association himself has given an opinion like that it shows that there is sufficient strength in that matter. Sri U. Gopala Menon also is of the same opinion. Of course, the landholders' representatives are opposed to this provision. The Palghat Bar Association also opposed this provision and represented that it could not agree with the views expressed by the Calicut Bar Association. The representatives of this Association felt that transactions that have taken place after 1938 only should be examined. I think the hon. Members will now be able to appreciate the reasons that prompted the fixing of the year as 1916. It was generally felt that if sufficient proof—I mean documentary evidence—was available that a particular transaction was a lease and not a mortgage from 1916 onwards, the Rent Settlement Authority should treat the transaction as a lease and give the benefit to the parties concerned.

[Sri K. Madhava Menon] [8th February 1951]

" Hon. Gentleman Janab Moideen Kutty said that I had out-congressed the Congress in Kozhikode. The hon. Member was himself the President of the Congress Committee for some time and he has out-done himself thereafter. Apart from that, it is not a question of out-congressing the Congress or any such thing. We did make certain tentative proposals. After examining the reports of the Kuttikrishna Menon Committee and the Raghavendra Rao Committee, the Government came to certain tentative conclusions and certain tentative proposals were formulated. With these proposals, we went to Malabar and placed them before the legislators from Malabar and also representatives of landlords and tenants. We did this as we wanted to know the reactions of the representatives of the different interests in Malabar to our proposals. This was in 1948. No doubt, these proposals were confidential. I hope hon. Members will agree with me that when these proposals are circulated to 50 or 60 people, it is very difficult to keep them as confidential. Perhaps some of the tenants might have come to know what these proposals were. That is all. After hearing the views expressed at this conference, the Government made certain alterations and formulated a further provisional proposal. We called for another conference of representatives of different interests of Malabar and legislators of Malabar at Madras and placed our provisional conclusions before them. After discussing the pros and cons of the provisional conclusions, we made further changes and drafted the Bill which came before the Joint Select Committee. So, let me make it plain that it was not with a view to please everybody these changes were made and that I have tried the out-congress the Congress or any such thing. If Janab Moideen Kutty thought that at first I was very well-intentioned in respect of the various provisions of the Bill, but subsequently I was overwhelmed and I succumbed to the organized agitation of the landlords, I can only say, 'Oh! Good Lord!', if only hon. Gentleman Janab Moideen Kutty knew what these landlords are speaking about me and what sort of propaganda has been carried on against me and how even printed pamphlets are circulated against me, he would not have made such a remark'. The landlords have attributed so many things to me which I have never intended. I only pray to God that He should forgive them, as they do not know the real state of affairs. Hon. Gentleman Janab Seethi Sahib has also referred to this aspect of the matter. If after hearing all these, one is to say that I have succumbed to the influence and agitations of the landlords, it is then, to say the least, very uncharitable. That is all what I can say with regard to that point.

" Another very serious objection which hon. Gentleman Janab Moideen Kutty raised was to the method of payment of rent. I wish hon. Gentleman Janab Kutty was present and heard my hon. Friend Sri Vaidyanatha Ayyar's speech this morning. Hon. Gentleman Janab Moideen Kutty said that we should have retained the original provision in the Bill as it was. My hon. Friend Sri Vaidyanatha Ayyar will perhaps be surprised to hear that in the original Bill it was said that the rent shall be paid in kind or

[8th February 1951] [Sri K. Madhava Menon]

money according to the option of the tenant. So, it was within the option of the tenant not to pay the rent in kind at all according to the original proposal. I gave a rather long explanation in my opening speech as to why I agreed to the change effected by the Select Committee to the effect that the rent should be paid in kind. This change was effected as the majority of the Members of the Select Committee thought that it was but fair that the landlord should be enabled to take the rent in kind. The Committee felt that the option to pay in kind or cash would result in hardship to a large class of small landholders who would be forced to purchase paddy for their own use in the open market at a higher price. The Proceedings of the Committee are before the hon. Members. It will be seen therefrom that this was a majority decision agreed to by me that in respect of wet lands, the rent should be paid in kind only, except in cases where the landlord and tenant have agreed that it should be paid in money and that the rent in kind should preferably be paid on the threshing floor and if that was not possible, it should be paid at the tenants' place which should be notified beforehand. We had to provide for the method of collection also here as we had bitter experience in the past. No doubt, the landlords may be good persons; but their agents need not necessarily be so. I may tell this much, that the unhappy rebellions and troubles in Malabar which took place in 1886 and a number of times subsequently, were due to the methods adopted by the agents of these landlords in collecting the rents from the tenants on behalf of their masters. I am of opinion that this should have been the reason for all the troubles. I know that the Communist trouble in North Malabar is chiefly due to the methods adopted by these landlords. There has been considerable harassment by these agents. The manner in which these agents collected the rents from the tenants always provoked the tenants and naturally they were feeling very much over this question. That is the reason why we have made adequate provisions to ensure that such kinds of troubles and harassment do not take place.

" Sir, hon. Gentleman Janab Moideen Kutty was saying that there should be no eviction under any circumstances. I am sorry that he was not present when hon. Members Sri Vaidyanatha Ayyar and Sri Raghava Menon were speaking. The contention of landlords as represented by these two hon. Members is that they should be allowed to resume their lands whenever they return to their villages for doing cultivation themselves. They feel that it is wrong to stand in their way if they want to revert to the lands. Hon. Gentleman Janab Moideen Kutty says that there should be no eviction under any circumstances. Once a lease, always a lease, is his plea. So, Sir, as a *via media*, we have decided to retain the existing provision relating to eviction. Under the Malabar Tenancy Act of 1929, the landlord could ask for the eviction of a tenant if he requires the land *bona fide* for his own use or the use of the members of his family. The Courts were putting so many interpretations on the term '*bona fide* purposes' and finally, in the year 1942, the High Court decided

[Sri K. Madhava Menon] [8th February 1951]

that if the landlord said that he wanted the lands for his *bona fide* use, that was enough. The High Court said that it was a thing that could not be thoroughly proved and that it should be presumed it was only for *bona fide* purposes that the landlord has asked for eviction. Following this decision, there were innumerable eviction suits filed by the landlords. The position grew so grave that the Advisers' Government in 1945 passed legislation that eviction could be ordered only if the landlords required the lands for purposes of their own maintenance or for the members of their families. This is the present law and we have now allowed it to remain as it is. In the original Bill as published, the provision was as desired by hon. Gentleman Janab Moideen Kutty. But the Joint Select Committee thought that it was too much and that the present position might continue. Let us not go further and let us hope that that provision will work all right.

"Hon. Gentleman Janab Seethi pointed out two or three difficulties that might be experienced in working the present measure. They are real and if need be, we will bring in amendments. He said that under the new provisions, a clever janmi could transfer his right to a benamidar and thus defeat the purposes of the Bill. Sir, a melcharatdar cannot take advantage of sub-clauses (6) and (7) of clauses 14 and 20. But, we lawyers can try to find many loopholes in the Bill. It is very difficult to anticipate situations that the ingenuity of the lawyers may make them do. I shall, however, examine the question and if anything needs to be done, it will certainly be done.

"Sir, it was suggested by hon. Members Janab Raza Khan and Sri Vaidyanatha Ayyar—though the latter did not put it in so many words—that we should not make a fetish of levelling up . . . ."

SRI A. VAIDYANATHA AYYAR :—"What I said was that there should be no levelling up by levelling down."

\* THE HON. SRI K. MADHAVA MENON :—"Then, Sir, hon. Gentleman Janab Raza Khan said that this measure had been brought forward for election purposes. Everything seems yellow to a jaundiced eye. He is dreaming of elections and nothing else. (Laughter.) This measure was first taken up in 1938 for examination by a special committee. It could not be taken up for examination by the Government till 1946 and the reasons are obvious. It is coming to fruition only now, in the year 1951. If we had been told in 1938 that the elections would come in 1951, then hon. Gentleman Janab Raza Khan's charge might have some meaning. Therefore, to talk of elections here is not at all fair. (Interruption by Janab Raza Khan who was sitting in the seats meant for visiting Members of the Upper House.)"

MR. SPEAKER :—"Hon. Member Janab Raza Khan is occupying one of the seats intended for the Members of the other House." (Laughter.)

JANAB MUHAMMAD RAZA KHAN :—"I am sorry."

8th February 1951]

\* THE HON. SRI K. MADHAVA MENON :—"Sir, my hon. Friend Sri Pais said that there should be a legislation like this for the whole State. At any rate, he opposed the inclusion in the Bill of 33 villages only from South Kanara. But, hon. Member Janab Schannad and Sri Karanth were for inclusion of 33 villages only. Hon. Friend Sri Pais is always particular about some promise made during the 1946 Ministry that something would be done for the ryots of South Kanara. He must naturally feel sorry that that Ministry had shortly afterwards gone out of office. But, as far as I am aware, no specific legislation was sponsored by the 1946 Ministry in this matter. Then, he referred to a conference that was held in Mulki at which I was present. What I said then was that the Subramaniam Committee had been asked to submit a report on the land tenures obtaining in the State and as soon as that Committee submitted its report, it would be considered and something would be done. I did not say that any interim legislation would be brought in. I said that an interim report had been called for and that the whole matter would be looked into as soon as that report was received.

"Sir, hon. Friend Sri Raghava Menon said that there were about four lakhs of pattadars in Malabar who were janmis. This statement, if I may say so without meaning any offence to him, is a half-truth. Except perhaps half a dozen landlords, none can be called a full janmi. Others are mostly janmis-cum-kanamdars-cum-verumpattamdars. Conditions in Malabar vary from taluk to taluk. What may be correct in one taluk cannot be applied to another taluk. There may be only half a dozen jenmis in Malabar.

"The same hon. Member wanted that fifty per cent of the gross produce must constitute fair rent. Sir, in the Joint Select Committee we examined the various aspects of this question. At one stage, we suggested that the total produce might be divided into three parts and that one part might be set apart against cultivation expenses, another for the tenant and the third for the landlord. But the landholders were not agreeable to this. After thoroughly considering the question, we felt that the present provision was fair inasmuch as the cultivator financed the cultivation and put in his own labour. It is not fair, therefore, that he should give fifty per cent of the gross produce or get only fifty per cent of the gross as his share.

"Hon. Friend Sri Govinda Menon was disappointed because all the fifty-two villages from the Kasaragod taluk have not been retained in the Bill. His contention was they are all Malayalam-speaking areas. I admit they are. But here it is not a question of language. It is a question of tenancy and tenure. It was also said that the definitions of terms like 'kanam', etc., might not apply to those places. Sir, if there is any difficulty about it, we shall certainly examine the question.

"Reference was made by my hon. Friend Sri Raghava Menon to renewal fee. Renewal fee is nothing but a part of the rent.

[Sri K. Madhava Menon] [8th February 1951]

The justification for renewal fee has always been that the *kunamdar* is getting a large portion of the produce from his tenant as rent and that the landlord or *janmi* must also have a share of it. This share is being paid at the end of twelve years as renewal fee. Now, Sir, when we have fixed fair rent, I feel that there is absolutely no justification for renewal fee. I may tell you, Sir, that in no part of the world such a thing as renewal fee obtains. This is peculiar only to Malabar. This is exactly the cause of ruin of many a family in Malabar. When once we have fixed fair rent, we cannot have renewal fee. If we have both, then it would mean double exaction.

"It was said, Sir, that I should not be afraid of criticisms. If it is a question of my being afraid of criticisms, I would have done many more things. If the criticism is good, I take it. I have always been taking a dispassionate view of things despite my personal convictions. My view has been to do some good if possible, and if not, not to do anything bad. That is my idea and that is why I accepted certain amendments proposed during the Select Committee stage. I hope the measure will receive the wholehearted support of all sections of the House."

SRI A. VAIDYANATHA AYYAR:—"Sir, I want some information. I drew the Hon. the Minister's attention to clause 52-A (1) and enquired whether the provision contained therein would cover court decrees also. Then, Sir, my other point is . . ."

MR. SPEAKER:—"I think this can be raised when we take up the Bill clause by clause. If the Hon. the Minister wants to answer, I have no objection."

\* THE HON. SRI K. MADHAVA MENON:—"Sir, the words 'including court decrees' are not used in that clause. I cannot say now whether 'law' includes court decrees also. Ordinarily, if it is intended that court decrees should be also included, the clause would say, 'including court decrees'. The word used there is 'law'. Anyway, I shall have the question examined. May I know the other point, Sir?"

SRI A. VAIDYANATHA AYYAR:—"Sir, assuming that the whole matter should be investigated into, is it not necessary to protect the interests of those who have entered into transactions *bona fide* on the basis of the court decrees?"

4-45 p.m. \* THE HON. SRI K. MADHAVA MENON:—"What is contemplated under the Bill is that the Rent Settlement Authority shall decide whether a particular transaction is a mortgage or a lease. As these come from the civil courts they must be under evidence. If it is a mortgage the man will not get any advantage out of this. If it is a lease, the man will certainly get advantage. However it is a matter borne on evidence."

[8th February 1951] [Sri K. Madhava Menon]

"Another point raised was in regard to the *persona designata*. Evidence collected and representations made by the Bar Associations were in favour of a District Judge being made the *persona designata*, the reason being that the Rent Settlement Authority has to do things quickly and if the rent is not fixed quickly and held up for a long time it will cause inconvenience to both the landlord and the tenant. The Select Committee considered this and decided that it may be a Subordinate Judge or the Principal Subordinate Judge as the case may be and therefore this has been accepted."

\* SRI V. I. MUNISWAMI PILLAY:—"Sir, in reply to the debate, the Hon. Minister for Law sarcastically remarked whether I have recommended for giving lands to the landless poor. I request him to go through the report and my dissenting minutes and notes . . ."

\* THE HON. SRI K. MADHAVA MENON:—"I want to disabuse the mind of my hon. Friend. I never made any remark to leave such an impression on him. I am not likely to make such a remark at any time about my hon. Friend because I know him very well. I only said that I had no occasion to study the report, that I had very great expectations of the hon. Member and that his dissenting minutes must be in favour of the landless poor and if a provision was made there for the grant of lands to the landless poor, it will be applicable for the whole State and not for a particular area. I meant only what those words could ordinarily mean and nothing more."

MR. SPEAKER:—"The question is—

'That the Malabar Tenancy (Amendment) Bill, 1950 (L.A. Bill No. 30 of 1950), as amended by the Joint Select Committee be taken into consideration at once.'"

The motion was carried.

MR. SPEAKER:—"The House would remember that I gave a ruling on Monday. Before we disperse I wish to say something regarding that matter."

"Ever since I have given a ruling on Monday, the 5th February 1951, there seems to be an impression in the minds of some editors that my ruling stands in the way of the freedom of the Press. On that day I quoted two authorities in England. The difficulty arises regarding interpretation of the two quotations that I have given. Given a wide and liberal interpretation and the uniformly good and happy co-operation the Chair has been always getting from the Press, I do not think any difficulty will arise. (Hear, hear.) I may here give an instance; influencing the voting *improperly* before the debate concludes can be taken as breach of privilege. Anyhow I am going to call a conference of the editors before I come to conclusion and have the position clarified beyond any shadow of doubt. I may also tell the House there is nothing undignified or degrading in the article of Sri Khassa Subba Rao

[Mr. Speaker] [8th February 1951]

of which mention was made on Monday last. Sri Khasa Subba Rao told me that he has been in correspondence with the representatives of his paper in London with regard to this matter. I told him that if at all he consulted anybody, it was better he consulted a person who could be considered an authority on the subject. Therefore, I told him that to my mind there could not be one more capable or qualified to give an opinion on the point than Sir Frederic Metcalfe, the Clerk of the House of Commons. The House will also remember that in quite a number of my rulings, I incorporated the considered opinions of his predecessor, Sir Gilbert Campion.

"The House will now adjourn and meet again on Friday, the 9th February 1951, at 11 a.m."

The House then adjourned to meet again at 11 a.m. on Friday, the 9th February 1951.

8th February 1951]

## APPENDIX I.

[Vide answer to starred question No. 710 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 8th February 1951, page 318 supra.]

The Employees' State Insurance Corporation suggested that the scheme under the Act may be introduced in five towns in this State from the middle of 1951. In view of the fact that details of the scheme, and the precise sharing of expenditure between the Corporation and the Government had not been settled as required under the Act, the financial position and the impossibility of constructing buildings, etc., required for the scheme in a few months' time, the Government have informed the Corporation that they would be prepared to consider implementing the scheme in only one or two towns to start with, provided the question of apportionment of costs is settled and fifteen months' time is given for the construction of buildings, etc.

The Act contemplates medical relief to workers, both in Government and Local Board institutions and in private dispensaries and hospitals, including those maintained by employers.

## APPENDIX II

[Vide answer to starred question No. 712 asked by Sri V. M. Ramaswami Mudaliyar at the meeting of the Legislative Assembly held on 8th February 1951, page 319 supra.]

There are 99 stockyards for Iron and Steel in the Tamil districts as detailed below:—

| Name of registered stockist.                                        | Capacity of the stockyard in tons. | Name of registered stockist.                             | Capacity of the stockyard in tons. |
|---------------------------------------------------------------------|------------------------------------|----------------------------------------------------------|------------------------------------|
| (1)                                                                 | (2)                                | (1)                                                      | (2)                                |
| Chingleput district—                                                |                                    | Madras district—cont.                                    |                                    |
| A. B. Selvanatham Chetty, Tiruvallur .. .. .                        | 240                                | 4 A. Ali Muhmed & Co. .. ..                              | 600                                |
| Coimbatore district—                                                |                                    | 5 M. Arumugha Chetty .. ..                               | 501                                |
| 1 A. Marimuthu Mudaliar & A. Arumuga Mudaliar, Erode ..             | 240                                | 6 G. R. Datchanamurthy Chetty & Sons .. .. .             | 400                                |
| 2 K. V. Vyyapuru Chetty, Erode ..                                   | 250                                | 7 Fakruddin & Co. .. .. .                                | 750                                |
| 3 R. M. Annamalai Chettiar & Krishna Chettiar & Sons, Sulur .. .. . | 240                                | 8 Gulamali Abdul Hussein & Co. ..                        | 2,000                              |
| 4 N. Mohideen Khan Sahib & Sons, Tiruppur .. ..                     | 240                                | 9 P. M. Kalathi Chetty, P. M. Muthumanickas Chetty .. .. | 480                                |
| 5 India Company, Ltd., Union High School Road, Coimbatore .. .. .   | 3,000                              | 10 Kali Natesa Chetty .. .. .                            | 480                                |
| 6 V. Arthanari Mudaliar, Erode ..                                   | 250                                | 11 V. Kanakiah Chetty & Co. .. ..                        | 1,500                              |
| Madras district—                                                    |                                    | 12 A. T. Korikwala & Co. .. ..                           | 1,800                              |
| 1 M. M. Abbas & Bros. .. ..                                         | 300                                | 13 V. Kuppuswamy Chetty .. ..                            | 600                                |
| 2 Abdul Hussain Salebbhoy & Co. .. .. .                             | 240                                | 14 M. Kuppuswamy Naicker .. ..                           | 3,000                              |
| 3 S. Akbaraly Hyderally & Co. ..                                    | 240                                | 15 Mayuranatham & Co. .. ..                              | 240                                |
|                                                                     |                                    | 16 Mohamedally Sarafally & Co. ..                        | 4,000                              |
|                                                                     |                                    | 17 A. Mohammed & Co. .. ..                               | 1,200                              |
|                                                                     |                                    | 18 Murlimal Santharam & Co. .. ..                        | 5,000                              |
|                                                                     |                                    | 19 V. M. Periaswamy Chetty & Co. .. .. .                 | 6,000                              |
|                                                                     |                                    | 20 A. K. Muthukumaraswami Chetty .. .. .                 | 240                                |

[8th February 1951]

| Name of registered stockist.                        | Capacity of the stockyard in tons. | Name of registered stockist.                           | Capacity of the stockyard in tons. |
|-----------------------------------------------------|------------------------------------|--------------------------------------------------------|------------------------------------|
| (1)                                                 | (2)                                | (1)                                                    | (2)                                |
| <b>Madras district—cont.</b>                        |                                    | <b>South Arcot district—</b>                           |                                    |
| 21 A. Radhakrishna Chetty ..                        | 1,200                              | 1 B. Rajagopal Naidu & Sons, Cuddalore ..              | 320                                |
| 22 M. C. S. Rajan & Co. ..                          | 1,200                              | 2 T. A. S. Palani Mudaliar, Tindivanam ..              | 240                                |
| 23 P. M. Ramanjulu Chetty ..                        | 750                                | 3 S. N. Lakshminipatai Chetty & Sons, Villupuram ..    | 300                                |
| 24 T. S. Ramaswamy Iyer & Bros., Ltd. ..            | 240                                | <b>Salem district—</b>                                 |                                    |
| 25 Saleh Bros. ..                                   | 1,500                              | 1 K. V. Narayana Chetty ..                             | 100                                |
| 26 C. Senjoo Chetty. ..                             | 1,600                              | 2 B. Ranganathan Chetty & Sons. ..                     | 700                                |
| 27 M. C. Sunderarajan & Co ..                       | 1,200                              | <b>Tanjore district—</b>                               |                                    |
| 28 A. K. Abdullahoy & Co. ..                        | 1,010                              | 1 K. A. M. Shanmugavelu Pillai, Kumbakonam ..          | 240                                |
| 29 H. A. A. Tyabab & Co. ..                         | 250                                | 2 Haji T. Md. Ibrahim Salih, Mannargudi ..             | 400                                |
| 30 C. Thirunavakkarasu Chetty ..                    | 600                                | 3 M. S. Ramamurthy Iyer, Mayuram ..                    | 240                                |
| 31 K. Thiruvengadam Chetty & Co. ..                 | 600                                | <b>Tirunelveli district—</b>                           |                                    |
| 32 K. Srinivasachari ..                             | 1,500                              | 1 M/S. K. A. M. A. Kaliappa Nadar & Sons. ..           | 500                                |
| 33 O. A. Galiakobwala & Co., Ltd. ..                | 8,000                              | 2 M. A. C. Nataraja Nadar, Tuticorin ..                | 600                                |
| 34 India Company, Ltd. ..                           | 6,000                              | 3 M. Chidambara Nadar, Tuticorin ..                    | 1,001                              |
| 35 K. Thangavelu Chetty. ..                         | 720                                | 4 M/S. K. A. M. A. Kaliappa Nadar & Sons, Tuticorin .. | 1,000                              |
| 36 K. R. Chari & Co. ..                             | 800                                | 5 M. K. N. Sivamandhi Nadar & Co., Tuticorin ..        | 340                                |
| 37 C. R. Muthukumaraswamy Chetty. ..                | 240                                | 6 V. A. Aiyas Nadar & Sons, Tuticorin ..               | 1,000                              |
| 38 Abdul Hoosain Jeevaji & Co. ..                   | 528                                | 7 P. R. T. D. Rajamani Nadar, Tuticorin ..             | 720                                |
| 39 C. Natesa Chetty. ..                             | 400                                | 8 V. A. M. Ratnam & Bros., Tuticorin ..                | 2,400                              |
| 40 T. Doraiswami Nayagar. ..                        | 240                                | 9 S. L. Sankarakumar Nadar, Tuticorin ..               | 400                                |
| 41 T. T. Yagappa Chetty & Sons. ..                  | 240                                | 10 V. A. Palaniaraswamy Nadar & Sons, Tuticorin ..     | 600                                |
| <b>Madurai district—</b>                            |                                    | 11 K. A. M. A. K. Dharmaraja Nadar, Tuticorin ..       | 1,500                              |
| 1 A. V. G. Arunagiri Nadar ..                       | 240                                | 12 M. A. O. Theagaraya Nadar & Co., Tuticorin ..       | 1,200                              |
| 2 M. S. A. Chidambara Nadar ..                      | 320                                | 13 V. A. K. Krishna Nadar, Tuticorin ..                | 240                                |
| 3 M. K. N. Mukuntha Nadar ..                        | 300                                | <b>Tiruchirappalli district—</b>                       |                                    |
| 4 V. Muthuswamier & Sons. ..                        | 240                                | 1 K. P. Krishnamurthy Chettiyar, Karur ..              | 240                                |
| 5 P. S. M. N. Mariappa Nadar & Co. ..               | 720                                | 2 S. Khader Ibrahim Rowther ..                         | 1,000                              |
| 6 T. S. Periakaruppa Nadar ..                       | 240                                | 3 M/S. K. A. M. A. Kaliappa Nadar & Co. ..             | 1,200                              |
| 7 V. A. Punniappa Nadar & Co. ..                    | 300                                | 4 A. K. Sharafudeen ..                                 | 2,000                              |
| 8 V. A. S. Shunmugasundara Nadar & Sons ..          | 200                                | 5 S. Syeda Md. Rowther & Sons. ..                      | 500                                |
| 9 V. A. S. Arunjunai Nadar & Bros. ..               | 340                                | 6 India Company, Ltd. ..                               | 2,000                              |
| 10 V. A. M. Velaiyappa Nadar & Sons. ..             | 1,300                              | 7 M/S. Noor & Co., Pudukkottai ..                      | 168                                |
| 11 V. A. Kanda Nadar & Sons. ..                     | 480                                | 8 M. S. Ganapathi Pillai & Sons, Pudukkottai ..        | 240                                |
| 12 V. A. C. Chidambara Nadar ..                     | 1,000                              | <b>North Arcot district—</b>                           |                                    |
| 13 V. A. M. Chidambara Nadar & Sons. ..             | 1,500                              | 1 Loganatha Mudaliar & Bros., Tiruvallipuram ..        | 240                                |
| 14 P. S. Neelamega Nadar ..                         | 300                                | 2 M. K. Abdul Rahman Basha, Tiruvannamalai ..          | 240                                |
| <b>North Arcot district—</b>                        |                                    | <b>Ramanathapuram district—</b>                        |                                    |
| 1 Loganatha Mudaliar & Bros., Tiruvallipuram ..     | 240                                | 1 A. S. K. P. Ganapathi Nadar ..                       | 240                                |
| 2 M. K. Abdul Rahman Basha, Tiruvannamalai ..       | 240                                | 2 M. A. C. Muthumanicka Nadar & Co., Sattur ..         | 1,200                              |
| <b>Ramanathapuram district—</b>                     |                                    | 3 M. A. C. Ramachandra Nadar, Sattur ..                | 240                                |
| 1 A. S. K. P. Ganapathi Nadar ..                    | 240                                | 4 M. K. N. D. Kariraja Nadar & Co., Virudhunagar ..    | 500                                |
| 2 M. A. C. Muthumanicka Nadar & Co., Sattur ..      | 1,200                              | 5 H. C. A. A. Lakshmana Nadar, Sattur ..               | 750                                |
| 3 M. A. C. Ramachandra Nadar, Sattur ..             | 240                                | 6 V. A. K. Krishna Nadar, Virudhunagar ..              | 240                                |
| 4 M. K. N. D. Kariraja Nadar & Co., Virudhunagar .. | 500                                |                                                        |                                    |
| 5 H. C. A. A. Lakshmana Nadar, Sattur ..            | 750                                |                                                        |                                    |
| 6 V. A. K. Krishna Nadar, Virudhunagar ..           | 240                                |                                                        |                                    |

8th February 1951]

## APPENDIX III.

[Vide answer to starred question No. 717 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 8th February 1951, page 322 supra.]

## (a) Number of colleges (districtwar).

| District.    | Number of colleges. |           |
|--------------|---------------------|-----------|
|              | I grade.            | II grade. |
| Anantapur .. | 1                   | ..        |
| Bellary ..   | ..                  | 1         |
| Ouddapah ..  | ..                  | 1         |
| Kurnool ..   | 1                   | ..        |
| Chittoor ..  | 2                   | ..        |

## (b) Number of students castewar and groupwar.

| Name of the college.                        | Number of students. | Number belonging to Scheduled Caste. | Number belonging to Backward Caste. | Number of Scheduled Caste students. |           | Number of Backward Caste students. |           |
|---------------------------------------------|---------------------|--------------------------------------|-------------------------------------|-------------------------------------|-----------|------------------------------------|-----------|
|                                             |                     |                                      |                                     | Group I.                            | Group II. | Group I.                           | Group II. |
| (1)                                         | (2)                 | (3)                                  | (4)                                 | (5)                                 | (6)       | (7)                                | (8)       |
| 1 Government Arts College, Anantapur.       | 990                 | 36                                   | 136                                 | 16                                  | 11        | 45                                 | 35        |
| 2 Veerasaiva College, Bellary.              | 145                 | 3                                    | 43                                  | 2                                   | Nil.      | 19                                 | 2         |
| 3 Government College, Ouddapah.             | 206                 | 16                                   | 68                                  | 7                                   | 2         | 32                                 | 12        |
| 4 Osmania College, Kurnool.                 | 535                 | 17                                   | 65                                  | 4                                   | 1         | 19                                 | 13        |
| 5 Besant Theosophical College, Madanapalle. | 322                 | 70                                   | 13                                  | 53                                  | 11        | 8                                  | 2         |
| 6 A.V. College, Tirupathi.                  | 400                 | 13                                   | 52                                  | 5                                   | 6         | 21                                 | 13        |





Friday, the 9th February 1951.

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

I.—QUESTIONS AND ANSWERS:

STARRED QUESTIONS.

*Use of promacetin in leprosy clinics.*

\* 724 Q.—SRI B. S. MURTHY: Will the Hon. the Minister for Health be pleased to state—

- (a) whether promacetin is administered to patients in leprosy clinics in the State;
- (b) the annual consumption of promacetin in the State; and
- (c) the effects of this new drug?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Minister for Health):—“(a) So far as Government institutions are concerned, promacetin is being administered to leprosy patients in the Silver Jubilee Children's Clinic, Saidapet, and in the Leprosy Unit, Pentland Hospital, Vellore. Information regarding non-Government institutions is not available.

“(b) The annual consumption of the drug in the two institutions mentioned above is approximately 8,760 grams.

“(c) The results as assessed in the Research Department of the Lady Willingdon Leprosy Sanatorium, Tirumani, indicate that promacetin may be effective in certain cases of leprosy but that in others it may cause frequent and severe lepra reactions which are a serious disadvantage to the patient.”

SRI B. S. MURTHY:—“May I know in what cases it is effective and what the Government are going to do to see that the drug is used only for such cases?”

THE HON. SRI B. GOPALA REDDI:—“Yes, Sir; that research is being done now. So far, they have examined five cases, and in three cases it has been very favourable and in two cases it has been very unfavourable.”

SRI V. RAGHAYYA:—“Since I know the evil effects of this drug on some patients whom I came across, may I know whether the Government have taken care to see that this drug is administered by surgeons of a status or cadre not lower than an Assistant Surgeon?”

THE HON. SRI B. GOPALA REDDI:—“Sir, it is not a wonder drug as it is claimed to be, and that is the opinion of our

[9th February 1951]

doctors; in some cases, it had very bad reactions and it remains to be seen by research in what cases it will be favourable and in what cases it will be unfavourable."

JANAB H. S. HUSSAIN:—"May I know if the Government have enquired and ascertained whether this drug is used with good effect and also extensively in the western countries and whether this Government have received any report with regard to the good effects of this drug in the western countries and in the United States of America?"

THE HON. SRI B. GOPALA REDDI:—"Of course we can get reports from the western countries, but we must also actually use it on our patients in our sanatoria and watch its reactions, and I suppose for that purpose the research has to be carried on for some more time before we can come to any definite conclusion in the matter."

JANAB MOHAMED ABDUL SALAM:—"Since the question and the answer are technical, may I know whether this is the reply of the Hon. Dr. Rajan or of the Leader of the House, and who is responsible for the information that is given to the House?"

THE HON. SRI B. GOPALA REDDI:—"We are acting under the advice of the experts; we may be lay people, but certainly we have got all expert opinion available in the matter."

*Use of Rajaji Hall for public functions.*

\* 725 Q.—SRI A. KALESWARA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether permission has been refused to the President of the Visalandhra Mahasabha for holding the Visalandhra Anniversary on 26th November 1950 in Rajaji Hall, Mount Road; and

(b) if so, what the reasons for the refusal are?

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

" (b) By the end of October 1950, the Government decided that the Rajaji Hall should be made available only for certain specific purposes. As the purpose for which the Hall was asked for by the President of the Visalandhra Mahasabha, was not covered by the decision mentioned above, the Hall could not be made available to the Mahasabha for holding their first Anniversary celebrations on the 26th November, 1950."

SRI A. KALESWARA RAO:—"May I know what are the purposes for which the hall was settled to be given? Do they include marriage parties or meetings to praise the Ministry, etc.? What are the purposes?"

THE HON. SRI M. BHAKTAVATSALAM:—"If the hon. Member will put a separate question, I can furnish the information, but I can tell him that the purposes do not at all include any marriage parties or meetings to praise the Ministers or any such thing."

[9th February 1951]

SRI B. S. MURTHY:—"Sir, the annual conference of the Visalandhra Mahasabha is merely a socio-political conference; may I know why the Government have taken special exception to such an innocuous and innocent meeting like that?"

THE HON. SRI M. BHAKTAVATSALAM:—"No special exception was taken to the meeting of the conference of the Visalandhra Mahasabha, but this was not included among the purposes which have been agreed to by the Government. Generally, Government have been trying to avoid meetings of a controversial character being permitted to be held in the hall."

SRI A. KALESWARA RAO:—"May I know, without knowing the purposes which the Government have settled for permitting the use of the hall, how the public can act?"

THE HON. SRI M. BHAKTAVATSALAM:—"We have included certain categories and purposes for letting the hall for holding meetings, and the Government saw that this could not come under any one of those categories."

SRI K. BRAHMANANDAM REDDI:—"I want to know from the Minister (i) who the President of the Visalandhra Mahasabha is and (ii) whether Visalandhra includes Madras City?"

THE HON. SRI M. BHAKTAVATSALAM:—"I have no information, Sir."

SRI S. NAGAPPA:—"May I ask the Government what prompted them to come to the decision of listing out the purposes for which only they should give this hall and whether dancing parties and bharata natyam are included in the list of purposes for which the Government let out this hall?"

THE HON. SRI M. BHAKTAVATSALAM:—"That was because the Government felt that the use of the hall must be restricted, and under the orders issued in October 1950, dancing parties and other parties would not be permitted in the hall."

SRI B. ANANTHACHAR:—"Sir, in October 1950 when the purposes were revised, were the purposes enlarged or restricted?"

THE HON. SRI M. BHAKTAVATSALAM:—"Evidently they were restricted, Sir."

JANAB MOHAMED ABDUL SALAM:—"May I know whether it is a fact that permission for the Socialist party and the Dravida Kazhagam to hold meetings there was refused? If so, is it that this Government are trying to refuse permission to any party which is opposed to the party in power?"

THE HON. SRI M. BHAKTAVATSALAM:—"If permission was refused to the Dravida Kazhagam to hold its meetings there, it does not necessarily mean that this Government are opposed to providing amenities for parties which are opposed to the Government."

[9th February 1951]

**SRI V. RAGHAVAYYA** :—“ The Government have stated that they have made some rules for controlling the permission. May I know what is the specific rule under which or the offence for which this request of the Mahasabha has been refused? ”

**THE HON. SRI M. BHAKTAVATSALAM** :—“ The rule enumerates the associations and the purposes for which the use of the hall could be permitted and this does not come under that.”

**JANAB MUHAMMAD RAZA KHAN** :—“ If the object in refusing permission for this Mahasabha was that it was likely to discuss controversial matters, how is it that the Tamilnad Congress Committee, which is a political body, always have their meetings and other things only in that hall and how controversial discussions do take place there? ”

**THE HON. SRI M. BHAKTAVATSALAM** :—“ It is not that all meetings of the Provincial Congress Committee are held in that hall. Again, that there were likely to be controversial discussions was not the only ground on which permission was refused in this case. I have stated already that this does not come under the categories which have been enumerated in the rule issued.”

**SRI M. S. PATTABHIRAMIAH** :—“ When the Andhra Congress, by their disunity, have lost the opportunity of getting a nucleus state for forming the Visalandhra, what is the meaning of the Mahasabha celebrating the Visalandhra Anniversary? ”

**MR. SPEAKER** :—“ How can the Hon. Minister answer such a question, I cannot understand.”

**SRI T. VISWANATHAM** :—“ The Hon. Minister was referring to some categories and purposes enumerated in the order of Government; may I know what are the categories and what are the purposes, and whether the general public were made aware of them and if so, when? ”

**THE HON. SRI M. BHAKTAVATSALAM** :—“ I have already stated that if a separate question is put, I can furnish the information.”

*Water-supply in Kurnool Municipality.*

\* 726 Q.—**SRI S. NAGAPPA** : Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that Kurnool Municipality has been repeatedly requesting the Government to provide facilities for the increased water-supply in Kurnool Municipality;

(b) if so, what action the Government have taken so far; and

(c) if not, why not?

**THE HON. SRI B. GOPALA REDDI** (on behalf of the Hon. the Minister for Health) :—“ (a) & (b) A few requests have been received. A statement\* showing the action taken so far is placed on the table of the House.

\* Printed as Appendix I on page 459 infra.

[9th February 1951]

“ (c) The question does not arise.”

**SRI S. NAGAPPA** :—“ From the statement laid before the House, it is found that the Government have been trying to increase water-supply to Kurnool from 1946. As the Government are aware, we are now in 1951; may I know why the Government have taken such a long time for providing increased water-supply to a municipality? ”

**THE HON. SRI B. GOPALA REDDI** :—“ Sir, Kurnool is not the only municipality in the State; the paucity of technical personnel, scarcity of essential materials, viz., pipes, etc., are also there; and so, of course some delay is inevitable.”

**SRI S. NAGAPPA** :—“ From the statement laid on the table of the House it is seen that ‘ the manufacturers have also been addressed ’ in the matter. May I know by whom they were addressed, when they were addressed, what is their reply and when they are going to supply the materials? ”

**THE HON. SRI B. GOPALA REDDI** :—“ They were addressed by competent authorities on the due date.”

**JANAB ABDUL HAMEED KHAN** :—“ May I know what place Kurnool occupies in the priority list? ”

**THE HON. SRI B. GOPALA REDDI** :—“ I do not know the exact number in the priority list; but we are trying to see that as soon as the second quota of pipes is received, the work is taken up. We have already sanctioned a special subdivision with one Assistant Engineer; the necessary staff are already there and possibly the scheme will be taken up very soon.”

**JANAB N. MUHAMMAD ANWAR** :—“ Will the Government revise upwards this priority list with reference to places where munificent benefactors are willing to come forward with half the net cost as their donation? ”

**THE HON. SRI B. GOPALA REDDI** :—“ After all, it means only that advanced municipalities will be getting the finance by patronage; but it is also our policy that backward municipalities and those having no financial resources should also get the benefit.”

**SRI K. BRAHMANANDAM REDDI** :—“ May I know, Sir, what the general policy of the Government with regard to second and third-class municipalities is and what amounts of loan or grant are made available to those municipalities where water scarcity is acute? ”

**MR. SPEAKER** :—“ Let the hon. Member put a separate question.”

**SRI D. V. RAMASWAMI** :—“ May I ask, Sir, how long ago the Government have addressed the Chief Engineer, Public Works Department, to complete the improvements to the water-supply scheme in Kurnool? ”

11-15  
a.m.

[9th February 1951]

**THE HON. SRI B. GOPALA REDDI:**—"The Government are taking the necessary steps and I do not know the exact date when the Chief Engineer, Public Works Department, was addressed by the Government. But, as soon as the second quota of pipes is received, the staff who are already on the spot will undertake the work."

**SRI T. VISWANATHAM:**—"Sir, the Hon. Minister was pleased to refer to paucity of personnel. May I know whether the Government will be prepared to consider the encouragement of starting of water-supply corporations so that this work can be undertaken by them?"

**THE HON. SRI B. GOPALA REDDI:**—"Sir, the Government have no objection to encourage any *bona fide* institutions of competent Engineers."

**SRI S. NAGAPPA:**—"Sir, the Hon. Minister was pleased to say that the improvements to the water-supply scheme in Kurnool will be taken up as soon as they receive the next quota of pipes and it is stated in the paper placed on the table of the House that other municipalities also have been addressed. May I know, Sir, which are those municipalities that have been addressed, and when? Is it not a fact that the pipes are available with the Guntur Municipality and they have not supplied?"

**THE HON. SRI B. GOPALA REDDI:**—"Perhaps the Guntur Municipality required the pipes for its own use as it is bigger than Kurnool. The Government are taking the necessary steps and nothing can be done unless the pipes are received as the Government are not the manufacturers of pipes."

**SRI P. VENKATASUBBAIAH:**—"Sir, in view of the fact that the Kurnool Municipality has been recently classed as a first-class municipality and that the filter beds are ready, may I request the Government to expedite the improvements of the protected water-supply and see that it is made available to the growing population there as early as possible?"

**THE HON. SRI B. GOPALA REDDI:**—"Sir, we are anxious to take up the work immediately and complete it as expeditiously as possible and we will certainly see that the requirements of the Kurnool Municipality are fully met."

**JANAB MUHAMMAD RAZA KHAN:**—"May I ask, Sir, what the present source of water-supply to the people of Kurnool is and wherefrom they get water?"

**THE HON. SRI B. GOPALA REDDI:**—"The people of Kurnool get their water from the Tungabhadra river and I visited the water-works myself some time ago."

**JANAB MUHAMMAD ANWAR:**—"I am afraid, Sir, that my question has not been understood. May I ask the Hon. Minister whether as a matter of policy the Government will revise upwards the priority list, i.e., the compendium of water-supply schemes in this State, particularly for such places where munificent benefactors come forward with their donations to meet half the expenditure?"

[9th February 1951]

**THE HON. SRI B. GOPALA REDDI:**—"Certainly, Sir, it will be one of the contributory causes which will weigh with the Government to take up the scheme as early as possible but it cannot be given the topmost priority simply because money is forthcoming from other sources."

*Pumping project at Guntupalle.*

\* 727 Q.—**SRI A. KALESWARA RAO:** Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the pumping project from the Krishna river near Guntupalle is proposed to be taken over by the Government under their management;

(b) if so, under what conditions; and

(c) the extent of land irrigated under that project?

**THE HON. SRI M. BHAKTAVATSALAM:**—" (a) & (b) The matter is under examination by the Chief Engineer (General and Irrigation).

" (c) 2,709 acres were irrigated in fasli 1359."

**SRI A. KALESWARA RAO:**—"May I know, Sir, when the Government expect to take up this scheme?"

**THE HON. SRI M. BHAKTAVATSALAM:**—"Sir, the Government will take up the scheme as soon as the report is received from the Chief Engineer."

**SRI A. KALESWARA RAO:**—"Sir, can it be expected within one year?"

**THE HON. SRI M. BHAKTAVATSALAM:**—"I cannot say exactly, Sir, but I can assure the hon. Member that the Government will take it up as early as possible."

**SRI A. KALESWARA RAO:**—"May I ask, Sir, whether the Government are aware that during the last season there was failure of water-supply due to the machines having gone out of order and therefore whether the Government would take up this scheme immediately at least for the next season?"

**THE HON. SRI M. BHAKTAVATSALAM:**—"The Government are aware of that, Sir, but they had also the report that there has been no further development of trouble in the machines and therefore the Government felt that before they could decide to take up the scheme, they must get it examined thoroughly. Therefore, Sir, the Government will take up the scheme as soon as they receive the report from the Chief Engineer."

**SRI B. S. MURTHY:**—"May I know, Sir, what the expected cost of the scheme is and whether the Government are trying to get anything from the public?"

**THE HON. SRI M. BHAKTAVATSALAM:**—"I want notice, Sir."

[9th February 1951]

*Banning the export of chillies.*

\* 728 Q.—SRI D. DURAIRAJA PANDIAN: Will the Hon. the Minister for Food be pleased to state whether it is a fact that this Government have banned the export of chillies to the adjoining States recently and if so, the reason for the same?

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The answer to the first part of the question is 'No'; the latter part of the question does not arise."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether the Government have taken any measures to bring down the prices of chillies to a reasonable level for the reason that they are being sold at abnormal prices in the market?"

MR. SPEAKER:—"The question is with regard to export of chillies. How does the question of prices arise?"

*Postponement of the collection of kist in Visakhapatnam district.*

\* 729 Q.—SRI D. V. RAMASWAMI (on behalf of Sri G. Sanyasi Rao): Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government are aware of the failure of rains in Visakhapatnam district and if so, in which taluks;

(b) the steps the Government are taking to provide work for the agricultural labourers; and

(c) whether the collection of kist is postponed to next year?

THE HON. SRI H. SITARAMA REDDI:—" (a) The rainfall in July 1950 was above normal, but in August and September 1950 the rainfall was considerably below the normal in all the taluks of Visakhapatnam district except in Chintapalli (Agency).

" (b) No steps to provide employment to labourers were found necessary in view of the fact that there was not so much of unemployment among agricultural labourers as to warrant the opening of works under the provisions of the Famine Code.

" (c) The Collector has promised to recommend the postponement of the collection of kists, if found necessary, soon after the outturn of the paddy crop is known."

SRI D. V. RAMASWAMI:—"Are the Government aware, Sir, that the paddy crop is already cut in Visakhapatnam district and will they immediately go into the question of giving suitable remission to the tenants affected and advise the Collector accordingly?"

THE HON. SRI H. SITARAMA REDDI:—"Sir, the Collector has already reported that he is awaiting certain reports from his subordinate staff and that as soon as those reports are received, he will take adequate steps."

[9th February 1951]

JANAB N. MUHAMMAD ANWAR:—"Sir, will the Government set up a special committee to investigate the causes for the failure of rainfall?"

*Centres for Typewriting Examination in Andhra districts.*

\* 730 Q.—SRI B. S. MURTHY: Will the Hon. the Minister for Education be pleased to state—

(a) the number of centres for the Typewriting Examination in Lower Grade held in April 1950 in the Andhra districts;

(b) the number of candidates who appeared in each centre;

(c) the number that had passed; and

(d) the percentage of passes for the last three years?

THE HON. SRI K. MADHAVA MENON:—" (a) to (d) A statement<sup>a</sup> is laid on the table."

SRI B. S. MURTHY:—"May I know, Sir, the reasons for such a low percentage of passes as 16.1 during the April 1950 examination?"

THE HON. SRI K. MADHAVA MENON:—"Obviously the students did not answer properly."

SRI B. S. MURTHY:—"Is it not a fact, Sir, that sometimes the questions are so set as to make the boys unable to know what exactly is wanted?"

THE HON. SRI K. MADHAVA MENON:—"It can be otherwise, Sir."

SRI T. VISWANATHAM:—"The Hon. Minister said, 'obviously the students did not answer well'. Does he mean 'presumably' or 'obviously' and has he gone into the matter?"

THE HON. SRI K. MADHAVA MENON:—"Sir, the question asked is about the percentage of passes and I have given the percentages. I have no other information with me, Sir."

*Protected water-supply scheme.*

\* 731 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Health be pleased to state—

(a) whether there is any scheme under the contemplation of the Government to provide protected water-supply to major villages like Pattikonda, Dhone, Kondur, Gudur, Gonegandla, Veldurthy and Peapally in Kurnool district;

(b) if so, what the scheme is; and

(c) when it is likely to be given effect to?

THE HON. SRI B. GOPALA REDDI (on behalf of the Minister for Health):—"A statement<sup>b</sup> is laid on the table of the House."

<sup>a</sup> Printed as Appendix II on page 460 infra.

<sup>b</sup> Printed as Appendix III on page 461 infra.

[9th February 1951]

**SRI S. NAGAPPA:**—"Sir, in respect of Dhone it is stated in the paper placed on the table of the House that proposals for the introduction of a protected water-supply scheme are under examination by the Revenue Department. May I know, Sir, how long this scheme has been under the examination of the Revenue Department and when it is likely to be taken up?"

**THE HON. SRI B. GOPALA REDDI:**—"Sir, there is a five-year programme beginning with 1948-49 for the execution of well works in rural areas and the well works will be taken up according to the programme. The Government have authorized the Board of Revenue to carry out modifications in the programme whenever necessary. So, Sir, the Collectors are competent and the Board of Revenue will take it up as soon as possible."

**SRI S. NAGAPPA:**—"Sir, the programme was started in 1948-49. This is 1950-51 nearing completion. There is no water-supply to towns or major villages with about 10,000 population. When are the Government going to provide protected water-supply to those places?"

**THE HON. SRI B. GOPALA REDDI:**—"Sir, the proposals for the introduction of protected water-supply are under the examination of the Revenue Board. In some cases further investigation is being taken up and in some cases the question of sinking draw-wells is under the consideration of the Government. Therefore, Sir, we are certainly moving in the matter."

**SRI A. KALESWARA RAO:**—"May I know, Sir, whether in settling the priorities for certain municipalities and also in settling the five-year programmes for the rural water-supply, the Government are following any of the recommendations of the Provincial Water-Supply and Drainage Committee?"

**THE HON. SRI B. GOPALA REDDI:**—"I think, Sir, the priority was fixed by the Provincial Water-Supply and Drainage Committee and we are following that priority list."

**SRI P. VENKATASUBBAIAH:**—"May I draw the attention of the Government to the fact that there are some rocky villages in Kurnool district where tapping of water is impossible and sinking can be done only by power-drill? In one or two villages, the work has been done by applying power-drill and no engine is able to pump water. May I request the Government to see that such cases are examined immediately and pumps of suitable size are supplied to them?"

**THE HON. SRI B. GOPALA REDDI:**—"Sir, there are certain difficulties about this power drilling and it is not going to meet the requirements of the district. We shall certainly look into the matter and see what could be done for the rural villages of the Kurnool district."

9th February 1951]

**JANAB MOHAMED ABDUL SALAM:**—"Is it not a fact, Sir, that these five-year plans, priority lists and appointment committees, are the works of the Advisors' Government and that this Government have not done anything in this matter?"

**THE HON. SRI B. GOPALA REDDI:**—"The hon. Gentleman is at liberty to have his own inference and make it an issue at the next elections."

**JANAB MUHAMMAD RAZA KHAN:**—"Arising out of the answer given to my hon. Friend Mr. Abdul Salam, apart from the investigations and examinations, in how many cases is protected water-supply given since this Ministry came into office?"

**THE HON. SRI B. GOPALA REDDI:**—"Sir, the information can be gathered from the Administration Reports and if any further statistics are required, we will certainly supply them."

**SRI V. RAGHAVAYYA:**—"Is it a fact, Sir, that out of the 29 power drills at the disposal of the Government to-day, as many as 16 have been given to North Arcot district?"

**THE HON. SRI B. GOPALA REDDI:**—"I have no information, Sir. If North Arcot district deserved 16 power drills, certainly they must be given. If more are required, more must be given."

**SRI B. S. MURTHY:**—"While being gratified to know that the Government are moving in the matter, may I know, Sir, whether the Government can move quicker and swifter in a matter like this affecting the health and wealth of the Nation?"

**THE HON. SRI B. GOPALA REDDI:**—"Sir, we are trying to move faster. It is no use asking us to move very fast and beyond our capacity."

**SRI S. NAGAPPA:**—"Sir, it is stated in the paper placed on the table of the House that so far as Maddikera is concerned, the District Board, Kurnool, is not willing to shoulder any portion of the maintenance charges and that the question of sinking 2 or 3 wells every year according to a ten-year programme is under the consideration of the Government. May I ask the Government, Sir, that according to the ten-year programme how many wells have been sunk till now at the rate of 2 or 3 wells every year?"

**THE HON. SRI B. GOPALA REDDI:**—"A separate question may be put."

**MR. B. W. BATCHELOR:**—"Sir, may I ask whether the Government have seriously considered the question of employing private enterprise in the form of Public Utility Corporations for the increase of these necessary amenities, such as water-supply in rural areas?"

**THE HON. SRI B. GOPALA REDDI:**—"Sir, while replying to hon. Member Mr. Viswanatham's question, I said, we certainly welcome well-organized public corporations, so that we can quicken the pace of execution of these works."

11-30  
a.m.



[9th February 1951]

*Opening of the new railway line from Mangalore to Hassan.*

\* 732 Q.—SRI K. ISHWARA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether this Government have received any communication from the Government of India, regarding the opening of the new railway line from Hassan to Mangalore;

(b) whether this Government have received any communication from the Mysore Government regarding the opening of the new railway line from Mangalore to Hassan; and

(c) if so, what action this Government have taken on those communications?

THE HON. SRI M. BHAKTAVATSALAM:—“(a) At its meeting held in January 1950, the Central Board of Transport decided that the Mangalore-Hassan Project should be held over for the time being. No further communication on the subject has been received by this Government from the Government of India.

“(b) No.

“(c) Does not arise.”

SRI K. R. KARANTH:—“Are the Government aware, Sir, that this line was surveyed nearly 50 years ago and that the matter was held up with the West Coast Ports Committee, who were asked to investigate this question along with that of the West Coast Ports? That question was deferred and there is a feeling in the public that this Government is not pressing the Central Government sufficiently. So, since this line was surveyed more than 50 years ago, may I ask whether the Madras Government will take up the matter and see that it is pushed up as far as possible?”

THE HON. SRI M. BHAKTAVATSALAM:—“Sir, I would like to assure the hon. Member that so far as this question is concerned, they are doing whatever is possible in the matter. We did press this at the meeting of the Central Board of Transport, which decided that this could be held over. After further discussion with the Government of India, I got this from the Government of India, that having deferred the question of deep-sea harbour in the west coast, the Government of India feel that the taking up of this line should go along with the decision on major ports in the west coast and therefore till that is decided, they could not take up the question of construction of this line.”

SRI V. JAGGA RAJU:—“Sir, will the Hon. Minister for Public Works be pleased to tell us whether they are contemplating the construction of Kotipalli-Kakinada branch line?”

MR. SPEAKER:—“The hon. Member may put a separate question.”

9th February 1951]

*Cut in rations.*

\* 733 Q.—SRI B. S. MURTHY: Will the Hon. the Minister for Food be pleased to state—

(a) whether there is to be any cut in rations from January 1951;

(b) if the answer to (a) is in the affirmative, the reasons for the same; and

(c) the methods pursued by the Government to restore full rations?

THE HON. SRI J. L. P. ROCHE VICTORIA:—“(a) Yes. The overall ration has been reduced from 12 ounces to 9 ounces from 28th January 1951; however the rice part of the ration has been increased from 6 to 7 ounces.

“(b) In view of the low stock position of foodgrains in the country as a whole and the difficulty in getting adequate imports owing to want of shipping facilities for some time to come, the Government of India requested all State Governments in the Union to reduce their overall rations by 25 per cent. In compliance with this request, this Government had to reduce the overall ration from 12 ounces to 9 ounces.

“(c) To restore the overall ration to the original level of 12 ounces, it is necessary to be assured of adequate supplies of wheat and millets. Due to the difficulties mentioned in the answer to clause (b) above, the Government of India are not in a position to supply sufficient stocks for a short time to come. The scale will be restored to 12 ounces immediately adequate stocks of other grains are received.”

SRI B. S. MURTHY:—“Sir, may I know whether the Hon. Minister for Food is aware that a number of deaths are occurring here and there in our State for want of sufficient food and that during the war aeroplanes were employed for rushing foodgrains to areas where they were required? So, may I ask, if shipping facilities are not available, whether the Government will persuade the Government of India to see that necessary quantities of food-stuffs are brought over to India by other means, especially planes?”

THE HON. SRI J. L. P. ROCHE VICTORIA:—“The suggestion of the hon. Member is very impracticable and nobody can seriously consider it.”

SRI C. M. KOTHARI:—“Sir, is the Hon. Minister aware that even in areas like the Nilgiris, 4 ounces are not available and in some plantations there is no rice at all?”

MR. SPEAKER:—“We are going to have a debate on this subject on Monday next.”

[9th February 1951]

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"In the Nilgiris district some scarcity has been reported and we are now making special arrangements to see that labourers in the plantations are sufficiently supplied with rations."

**JANAB ABDUL HAMEED KHAN:**—"May I ask, Sir, what was the rice content of the ration which the Government intended to give to the people of the State this year, when the Hon. Minister made his application to the Government of India?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"Our application to the Government of India was based upon the original rate of 8 ounces of rice in the overall ration of 12 ounces, but owing to the general difficulty, as the hon. Gentleman knows, we had to reduce rice to 6 ounces and now we have increased it to 7 ounces, and as we expect if the food position improves sufficiently, the rice level will be restored to 8 ounces."

**SRI V. M. RAMASWAMI MUDALIYAR:**—"May I ask, Sir, whether this uniform cut of 25 per cent, which has been undertaken at the instance of the Government of India, has affected the people badly from the point of view of health by the reduction in the calorific value of the rice given, and may I also ask how we stand with regard to this overall ration that is now given, namely, 9 ounces per head, with sister States like Bombay, Uttar Pradesh, West Bengal and so on?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"This cut has been uniform throughout the country and so all the other States also follow the same procedure. With regard to reduction, as I have already said, it is only a temporary reduction and we had to accept it, as there was no other way out of the difficulty."

**JANAB ABDUL HAMEED KHAN:**—"Sir, in view of the fact that when a small State like Bihar gets 6 lakhs of tons of foodgrains, how is it that a State like ours which has got a population of 50 millions could get only 4 lakhs of tons? Does it mean, Sir, that this Government have not sufficiently impressed upon the Government of India the exact conditions in this State?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"When allotments are made by the Government of India, they take into consideration the conditions prevailing in the different States, for instance, how much is produced in the State itself, how much is required to keep up the minimum supply and so on. Bihar, as hon. Members know, passed through a critical period in which practically all their produce was destroyed and they could not get grains from their usual supplies and so they had to rely only upon imports to keep up the ordinary supply to the people. That is the reason for the difference and it is not due to any want of sufficient pressure from us on the Government of India."

[9th February 1951]

**SRI N. M. R. SUBBARAMAN:**—"May I know, Sir, whether the Government are aware that even the reduced quantity is not regularly supplied, and if so, will the Government see that this quantity at least is supplied in full?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"Yes, Sir, the matter is receiving our attention."

**JANAB H. S. HUSSAIN:**—"Sir, in view of the fact that the coming months, commencing from May, will be more difficult, may I know how the Hon. Minister for Food will make it convenient to increase the rice content to 8 ounces during the course of this year?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"That will depend upon how much we are able to get out of the present harvest in our State and also how much has been promised us of what we are able to get from outside."

**SRI L. C. PAIS:**—"May I enquire, Sir, whether the Government are aware of the unanimous resolution passed by the District Food Committee of South Kanara to the effect that on account of the scarcity of foodgrains, Government may be pleased to permit the manufacture of sweet toddy and its sale through co-operative societies?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"I am not aware of such a request; probably it has gone to my Colleague, the Hon. Minister for Prohibition."

**SRI D. V. RAMASWAMI:**—"Sir, apart from the question of raising the rice content from 6 to 7 ounces, is the Hon. Minister not aware that in several places in the Visakhapatnam district, reports are also being sent to the Government—they are not receiving even 4 ounces of rice in the shops?"

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"We are rectifying those difficulties as far as possible."

**MR. SPEAKER:**—"On Monday next there is a debate on Food. So, I now pass on to the next question."

*Loans to Cottage Industries Co-operative Societies.*

\* 734 Q.—**SRI S. NAGAPPA:** Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Government are contemplating to grant loans to Cottage Industries Societies;

(b) if so, the conditions under which such loans will be granted;

(c) the rate of interest that will be charged;

(d) the maximum time allowed to clear such loans; and

(e) who the loans distributing authority is?

**THE HON. SRI K. CHANDRAMOULI:**—" (a) The Government have authorized the Registrar of Co-operative Societies to disburse State loans to Cottage Industries Societies, subject to the limit of the provision made annually in the budget."

[9th February 1951]

"(b) A copy \* of the rules governing the grant of these loans is placed on the table of the House.

"(c) Four per cent per annum.

"(d) The maximum period of repayment is 12 months in the case of loans advanced for the purchase of raw materials, and 10 years in the case of loans advanced for the purchase of equipment, and for the construction of workshops or workshops or storage accommodation.

"(e) Registrar of Co-operative Societies."

SRI S. NAGAPPA:—"May I ask the Government, Sir, to lay on the table of the House, a list of the cottage industries and also, may I ask the Hon. Minister to inform the House whether tanning comes under cottage industries?"

THE HON. SRI K. CHANDRAMOULI:—"I think it is also a cottage industry."

JANAB ABDUL HAMEED KHAN:—"May I ask the Hon. Minister to let us know who are all the members of the Cottage Industries Co-operative Societies and who manages these societies?"

THE HON. SRI K. CHANDRAMOULI:—"These Cottage Industries Co-operative Societies are under the Co-operative organization."

JANAB M. S. ABDUL MAJID:—"May I know, Sir, whether the loans advanced to these cottage industries societies, are examined by the Board of Industries before they are granted?"

THE HON. SRI K. CHANDRAMOULI:—"No, Sir."

JANAB MOHAMED ABDUL SALAM:—"May I know, Sir, what are the categories of industries that come under cottage industries according to the present Government, so that they can apply for loans?"

THE HON. SRI K. CHANDRAMOULI:—"A separate question may be put."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I ask whether there is any maximum limit fixed for these loans and what is the provision that has been made in the Budget for the grant of loans to cottage industries, Sir?"

THE HON. SRI K. CHANDRAMOULI:—"Provision has been made for Rs. 10,000 in the current year and Rs. 30,000 during the next year."

SRI C. M. KOTHARI:—"May I know, Sir, whether any mortgage is taken before such loans are granted and whether the Directors of the Co-operative Societies are responsible for paying back the money to the Government if there is a failure of the societies?"

\* Printed as Appendix IV on pages 462-466 infra.

[9th February 1951]

THE HON. SRI K. CHANDRAMOULI:—"The society concerned is responsible for the repayment of the loan and it will be collected from the society."

*Prevention of cattle trespass.*

\* 735 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received any proposal from the Collector of Tanjore regarding cattle trespass and if so, what it is;

(b) what action the Government have taken on this; and

(c) whether the Government intend to take any action regarding the destruction of the food crops by pigs and if so, what it is?

THE HON. SRI H. SITARAMA REDDI:—" (a) & (b) Yes. The Collector of Tanjore has brought to the notice of the Government that damage to crops caused by vagrant cattle has become considerable in the area comprising the villages of Vedaranyam Panchayat area, Thopputhurai, Thothagudi North, Thothagudi South, Naivilakku, Vedaranniyampatnam, Agastiyampalli of Tiruthuraipoondi taluk, Tanjore district. He has suggested that the owners of the straying cattle should be made to realise their duty to keep them well within control and to restrain them from damaging others' crops and that for this purpose the local area comprising the villages mentioned above, may be notified under section 26 of the Cattle Trespass Act, 1871 (Central Act I of 1871) as one in which the said section would apply as if it had reference to cattle generally and as if the words 'fifty rupees' were substituted for the words 'ten rupees.' The proposal of the Collector is under the consideration of the Government.

"(c) The attention of the hon. Member is invited to section 26 of the Cattle Trespass Act, 1871. The Government consider that the provisions contained in the section are adequate for the purpose."

SRI A. VEDARATNAM PILLAI:—"May I know, Sir, at what stage the proposed Cattle Trespass Bill stands now?"

THE HON. SRI H. SITARAMA REDDI:—"The Central Act is already there, Sir, and we have increased the fine in certain cases by 25 per cent and also the rate for goats from annas 6 to annas 12 and as I said, another of the questions under examination is the suggestion of the Collector of Tanjore. Recently also, Sir, the Government assured the House that they would examine an amendment of the Act on the lines suggested by the hon. Member Sri Karanth in one of the Bills he gave notice of here."

SRI V. C. PALANISWAMI GOUNDER:—"May I ask the Hon. Minister in view of the answer given by him whether goats also come under the purview of the Act?"

[9th February 1951]

THE HON. SRI H. SITARAMA REDDI:—"Goats are classified as cattle, Sir."

SRI K. R. KARANTH:—"May I know, Sir, when the Government expect to bring in the proposed legislation?"

THE HON. SRI H. SITARAMA REDDI:—"There have been complaints from several parts of the State about the damage caused to crops by vagrant cattle and several hon. Members have also written to that effect. As I said, Sir, I should like to bring in legislation as early as possible to see that the people who have grown the crops with great trouble are protected from the ravages of vagrant cattle."

JANAB N. MUHAMMAD ANWAR:—"For the first offence, Sir, cattle that trespass are impounded and may I have an assurance from the Government that if the cattle repeat the offence they should be sent to the slaughter house so that there will be a solution of the problem once and for all?" (Laughter.)

THE HON. SRI H. SITARAMA REDDI:—"It may be a very good solution so far as the hon. Gentleman is concerned." (Laughter.)

SRI A. VEDARATNAM PILLAI:—"As the cattle are already destroying crops in the areas mentioned by the Collector, may I know, Sir, what is the difficulty in notifying the area under the Act and enforcing the Act in the area? May I know, Sir, whether the Government will bring it into force as soon as possible?"

THE HON. SRI H. SITARAMA REDDI:—"I shall expedite it, Sir."

#### *Korthikanuma Canal Scheme.*

\* 736 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Public Works be pleased to state the reasons for not including the Korthikanuma canal under the scheme of Krishna-Pennar Project?

THE HON. SRI M. BHAKTAVATSALAM:—"The Korthikanuma canal has not been included in the Krishna-Pennar Project as it has been found that the levels of the intermediate places do not permit a channel being taken. Tunnelling of a length of not less than 25 miles and deep cutting would be necessary which would be prohibitively costly. The attention of the hon. Member is invited to my reply on 18th September 1948 to his supplementary question under question No. 340."

SRI S. NAGAPPA:—"Though the scheme is costly, is it not a fact, Sir, that the provision for the Korthikanuma channel under the Krishna-Pennar Project, would bring in an additional 14 lakhs of acres under this Project?"

THE HON. SRI M. BHAKTAVATSALAM:—"The design of the project has not yet been finalized and as soon as the

[9th February 1951]

report from the Chief Engineer is received, we shall consider all aspects of the question including the one suggested by the hon. Member."

SRI V. RAGHAVAYYA:—"At least after three years after the project has been conceived, investigation has started, will the Government be in a position to tell the House with certainty that it will be started at least in the next year?"

THE HON. SRI M. BHAKTAVATSALAM:—"I can assure the hon. Member that the period of conception may not have been too long but about starting, it is not exactly in the hands of this Government."

#### *Assignment of lands to political sufferers in Coimbatore district.*

\* 737 Q.—SRI V. C. PALANISWAMI GOUNDER: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the Coimbatore district is unable to provide lands for all local political sufferers;

(b) if so, what steps the Government intend taking to provide lands for such of the persons who have not been provided for hitherto; and

(c) whether it is a fact that the Collector of the Nilgiris had passed an order recently refusing to assign lands to political sufferers who came from outside the district?

THE HON. SRI H. SITARAMA REDDI:—" (a) & (b) No. Large extents of cultivable lands are available for assignment to the political sufferers, in Kollegal and Gobichettipalayam taluks. The Government are also considering the question of disreserving certain forests in the Coimbatore district with a view to providing lands to political sufferers."

" (c) Yes. This was done in pursuance of the orders issued by the Government banning the assignment of lands in the Nilgiris district for a period of ten years, except to the political sufferers of that district, with a view to prevent soil erosion and to preserve the beauty of the Hill station."

SRI V. C. PALANISWAMI GOUNDER:—"Is it not a fact, Sir, that the Government assigned certain lands in the Nilgiri district to certain political sufferers of Coimbatore but at the same time they refused to assign lands there to some of the political sufferers who applied along with those persons?"

THE HON. SRI H. SITARAMA REDDI:—"Yes, Sir."

#### *Local Fund Hospital at Melur.*

\* 738 Q.—SRI P. KAKKAN: Will the Hon. the Minister for Health be pleased to state whether the Government are taking any steps to convert the Local Fund Hospital at Melur into a Government Hospital?

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

[9th February 1951]

SRI P. KAKKAN:—"The daily number of out-patients is increasing and there are no beds for in-patients and the medicines supplied by the District Board are not sufficient; so, Sir, may I ask the Hon. Minister to re-consider the question of converting the Local Fund hospital into a Government hospital?"

THE HON. SRI B. GOPALA REDDI:—"It is so close to Madurai town, Sir. It may not be possible to take up all the headquarters hospitals straightway; we provided for the conversion of six Local Fund hospitals into Government hospitals last year but for various reasons, they could not be taken up and we are also providing in this year's Budget for taking over six Local Fund dispensaries."

MR. SPEAKER:—"Next question, No. 739."

SRI S. NAGAPPA:—"I put question No. 739 on behalf of hon. Member Sri Venkanna."

MR. SPEAKER:—"I do not understand why hon. Member Mr. Nagappa should put the question when hon. Member Mr. Venkanna is present in the House. I wish to know if hon. Member Mr. Venkanna is putting the question."

SRI G. VENKANNA:—"I put the question, Sir."

*Cyclone relief works in West Godavari district.*

\* 739 Q.—SRI G. VENKANNA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the amounts that had been allotted to each taluk of West Godavari district out of the amount sanctioned for West Godavari district for cyclone relief works;

(b) whether the Government have received any complaints that the money had not been properly distributed to the cyclone affected people in Narsapur taluk; and

(c) if so, what action the Government are going to take in such cases?

THE HON. SRI H. SITARAMA REDDI:—" (a) No amount has been allotted from Government funds for cyclone relief works in West Godavari district.

" (b) No.

" (c) Does not arise."

*Tank improvement scheme.*

\* 740 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the preliminary investigations in respect of irrigation sources in the State have been completed by the Special Engineering staff in charge of the works taken up under the Tank Improvement Scheme;

(b) if so, how many of them are in the Rayalaseema area;

[9th February 1951]

(c) the total number and the estimated cost of such works;

(d) the total cost of such works in the Rayalaseema area;

(e) the number of such works sanctioned in the Rayalaseema area so far;

(f) the total estimated extent of land that will be brought under irrigation; and

(g) how much of this land is in the Rayalaseema area?

THE HON. SRI M. BHAKTAVATSALAM:—" (a) No. The investigation work is still in progress.

" (b) The number of works selected for investigation in the Rayalaseema area is 759 of which investigation has been completed in respect of 230 works.

" (c) Up to 30th November 1950, 1,321 works have been sanctioned for execution under the Tank Improvement Scheme in this State at an aggregate cost of Rs. 1,00,79,859.

" (d) The total cost of the works sanctioned up to 30th November 1950 in Rayalaseema is Rs. 12,10,100.

" (e) The total number of works sanctioned up to 30th November 1950 in Rayalaseema area is 172.

" (f) 94,621 acres are expected to be brought under cultivation on completion of the sanctioned works.

" (g) An extent of 8,332 acres in the Rayalaseema area stands to be benefited."

SRI S. NAGAPPA:—"May I know, Sir, whether the Government have a five-year or ten-year programme in order to complete all the works mentioned in clause (a)?"

THE HON. SRI M. BHAKTAVATSALAM:—"We are doing that expeditiously and we shall try to complete it even within five years."

*Appointment of Lay Secretaries in hospitals.*

\* 741 Q.—JANAB MUHAMMAD RAZA KHAN (on behalf of Janab Hajee Moulvi Abdul Khader Jamali): Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that the Madras Public Service Commission selected some candidates for appointment as Lay Secretaries in 1947 and whether the Commission placed some of them on the reserve list;

(b) how many of the reserve candidates have so far been appointed;

(c) whether any candidate who is not on the reserve list has been appointed under the emergency rule, in preference to the reserve candidates, and if so, the reasons therefor; and

(d) whether there is a proposal under the consideration of the Government to appoint a candidate who is not on the reserve list for any newly sanctioned post of Lay Secretary?

[9th February 1951]

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. Minister for Health):—“(a) Candidates were selected by the Madras Public Service Commission in 1948 and all were appointed. No one was placed on the reserve list.”

“(b) & (c) Do not arise.

“(d) The Commission has been asked to select candidates to fill new posts. If it becomes administratively essential to fill any of the posts before the Commission makes the selection, purely temporary emergency appointments will, as usual, be made by Government.”

BEGUM SULTAN MIR AMIRUDDIN:—“May I know, Sir, whether the ban on the appointment of women as Lay Secretaries in hospitals has been removed now and whether the Public Service Commission has been intimated to that effect?”

THE HON. SRI B. GOPALA REDDI:—“It is a general question and I do not know how it arises out of this question.”

BEGUM SULTAN MIR AMIRUDDIN:—“This pertains to the appointment of Lay Secretaries and I wish to know whether the ban on the appointment of women to such posts has been removed?”

THE HON. SRI B. GOPALA REDDI:—“I think it has been removed. Even if it is not, all those disqualifications will automatically lapse under the new Constitution.”

BEGUM SULTAN MIR AMIRUDDIN:—“The Hon. Minister may remember that some time ago, I brought a question with reference to this matter as then there was a ban on the appointment of women as Lay Secretaries. I wish to know whether that ban has now been removed.”

THE HON. SRI B. GOPALA REDDI:—“May I know when that question was brought?”

BEGUM SULTAN MIR AMIRUDDIN:—“A long time ago.”

THE HON. SRI B. GOPALA REDDI:—“Not after the new Constitution. Those disqualifications have automatically lapsed under the new Constitution.”

JANAB MOHAMED ABDUL SALAM:—“May I know, Sir, whether under the new Constitution, the Government have got power to give instructions to the Service Commission from time to time with reference to any matter concerning selection of candidates?”

THE HON. SRI B. GOPALA REDDI:—“We cannot instruct them in the case of individual appointments; but we are competent to make rules and we do make rules on other matters.”

9th February 1951]

*Assignment of lands to political sufferers in South Kanara district.*

\* 742 Q.—SRI K. ISHWARA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that a deputation, consisting of Sri K. K. Shetty, Secretary, and some other Congress workers of South Kanara District Congress Committee recently submitted a memorandum to the Hon. Minister in connexion with the assignment of lands to political sufferers;

(b) whether the Government have taken any action on this memorandum so far and if so, when and what it is; and

(c) if not, why not?

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

“(b) & (c) The memorandum contained four requests which are—

(i) The work of assignment to political sufferers in the South Kanara district should be expedited;

(ii) river accretions should be assigned to political sufferers;

(iii) the assignment of Kottari Kudru in Harekal village and Adambu Kudru in Jeppinamogru village, Mangalore taluk, which has been pending for a long time, should be expedited; and

(iv) the rules and by-laws for the formation of the Co-operative Societies should be amended to enable the political sufferers to organize themselves conveniently into such societies.

As regards request (i), the number of pending applications at the end of November 1950 was only 92 and deducting the applications that would have been disposed of so far, since then, the pendency would now be very small. No action is therefore considered necessary in respect of this request.

Requests (ii), (iii) and (iv)—They are under the consideration of the Government and all possible steps will be taken to expedite them.”

SRI K. R. KARANTH:—“May I know, Sir, whether without prejudice to the just claims of political sufferers to village grazing grounds and lands like Adambu Kudru mentioned in the answer, areas in which poor people have been there for several years and have made cultivation and improved the lands will be left in their possession; will the Government kindly see that injustice is not done to them by political sufferers walking in now and deprive others of their rights and privileges?”

THE HON. SRI H. SITARAMA REDDI:—“Orders issued by the Government already protect such people.”

JANAB P. K. MOIDEEN KUTTY:—“May I know, Sir, in view of the unceasing number of questions that crop up on the floor of the House on this matter, whenever this question is being raised,

12 noon.



[9th February 1951]

whether the Government will be pleased to appoint a special officer or a small committee to expedite the matter and be done with it once for all?"

THE HON. SRI H. SITARAMA REDDI:—"Government do not feel there is any need for it."

JANAB MUHAMMAD RAZA KHAN:—"May I know, Sir, how long is this assignment of land to political sufferers to continue; is there no time limit or finality to it?"

THE HON. SRI H. SITARAMA REDDI:—"There can be no question of finality in this; because there has been finality in the date by which these people should apply; and we are trying to see that the applications that have been received are expeditiously disposed of."

JANAB MOHAMED ABDUL SALAM:—"Sir, if all the cultivable and available land is to be given to political sufferers, what is to happen to the future Government, who would like to give lands to the persons who would have suffered in the present regime?" (Laughter.)

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

SRI A. KALESWARA RAO:—"Sir, may I inquire whether the Government have issued any instructions to their district officers to reserve the vacant lands comprised in the zamindari areas, when those areas are taken over by Government, for assignment to political sufferers in blocks?"

THE HON. SRI H. SITARAMA REDDI:—"There is no need for that; for, once those lands become Government lands, the G.O. governing the assignment of Government lands would apply to them also."

SRI B. S. MURTHY:—"May I know, Sir, whether the Government have considered seriously the proposal that instead of giving lands to each and every political sufferer, they should start co-operative farms and get Government financial help as well?"

THE HON. SRI H. SITARAMA REDDI:—"The hon. Member is expressing his views and not seeking any information from Government." (Laughter.)

JANAB ABDUL HAMEED KHAN:—"In view of the answer given by the Hon. Minister, may I inquire whether the Hon. Minister will consider the desirability of returning the lands that have been taken away from people who were in possession and who have effected improvements to them, so that the order promulgated by the Government may be honoured and carried out?"

THE HON. SRI H. SITARAMA REDDI:—"Whenever matters were brought to our notice that certain orders were violated Government have interfered and seen to it that the order is respected."

[9th February 1951]

*Supply of electricity to Nandigama taluk.*

\* 743 Q.—SRI A. KALESWARA RAO: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the people of Nandigama taluk sent any representations to the Government to extend the supply of electricity to that taluk for irrigation and industrial purposes; and

(b) if so, what steps the Government propose to take for that purpose?

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

" (b) A preliminary investigation of the feasibility of extending supply of electricity to Jaggayyapeta and certain other villages in Nandigama taluk, Krishna district, was carried out by the Government Electricity Department in 1948-49, and the extension was found to be not economical in view of the inadequate loads forthcoming in the area. On re-examination ordered by Government, it was reported that a further detailed investigation would be necessary, and this is now in progress."

SRI A. KALESWARA RAO:—"Are the Government aware that Nandigama taluk is a very backward area and also a dry area and so unless electricity is taken there, particularly for irrigation under wells and for undertaking small industries there can be no progress possible in that area?"

THE HON. SRI M. BHAKTAVATSALAM:—"Government have no doubt about the value of electricity for these dry areas; but unless people come forward and take advantage of the transmission lines passing by that way and demand to have a distributing station nothing can be done. Further to have one such centre, a certain minimum load should be guaranteed before any scheme can be sanctioned."

SRI A. KALESWARA RAO:—"May I know whether any effort was made to call for applications from the ryots there?"

THE HON. SRI M. BHAKTAVATSALAM:—"Whatever is done in other areas is done in that area also."

MR. SPEAKER:—"Question hour is over."

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

II.—SITTINGS OF THE HOUSE.

SRI A. VEDARATNAM PILLAI:—"Before we take up the next item, Sir, I want to know the programme of the House. The other day the Hon. Leader of the House told us that this session will continue up to the 10th instant. It seems, now, that we are sitting on the 12th instant also. I wish to know whether we are finishing our work on the 12th or continuing further."

THE HON. SRI B. GOPALA REDDI:—"We do not know how long the Malabar Tenancy Amendment Bill will be discussed."

[Sri B. Gopala Reddi] [9th February 1951]

We would like to finish the entire agenda before we break up and reassemble for the Budget session. Therefore we will have to sit on the 13th and even on the 14th. Hon. Members should be prepared to sit on the 14th also. As far as the 12th instant is concerned, motions on food and famine will be moved on that day and discussed for about 2½ hours or so, and then for about 1½ hours the yarn position will be discussed."

## III.—GOVERNMENT BILL.

THE MALABAR TENANCY (AMENDMENT) BILL, 1950  
(L.A. BILL NO. 30 OF 1950)—*cont.*

MR. SPEAKER:—"We will now proceed to the next item on the agenda, viz., consideration of the Malabar Tenancy (Amendment) Bill, clause by clause. I shall put the Preamble and clauses 1 and 2 in the end. The House will now take up discussion of clause 3."

## Clause 3.

MR. SPEAKER:—"There are no amendments under clause 3. The motion is—

'That clause 3 do stand part of the Bill.'"

\* SRI T. VISWANATHAM:—"Sir, I want to speak on clause 3. In clause 3, in sub-section (i) it is said that the following should be added to sub-section (2) of section 1, namely:—

*'to the Gudalur taluk of the Nilgiri district, and to the villages in the South Kanara district specified in the Schedule.'*

Apparently, Sir, this refers to the 33 villages which are enumerated in the Schedule to the Act. I submit, Sir, yesterday there was some discussion about the desirability or otherwise of the inclusion of these 33 villages under the Act. You may remember, Sir, there was some emphatic statement of views on both sides, that is, one side representing members from Malabar and the other side, of equally emphatic view, coming from the members representing South Kanara. The members representing South Kanara said that these villages ought not to be included; the members representing Malabar were equally emphatic that these villages should also be included within the purview of this Bill. Sir, I do not belong, of course, either to South Kanara or to Malabar. But Sir, since some doubts have arisen in my mind, I, as a member of this Legislature, think that I should put them for clarification to the Hon. Minister before this clause is passed.

"Yesterday, the Hon. Minister was pleased to say that nobody who was affected by the inclusion of these 33 villages came forward at any time and represented that these villages ought not to be included within the ambit of this measure. May I draw his attention to one memorandum presented by the ryots and pattadars of Kasaragod to the Governor in 1939? Surely it must be on the records of the Government, for, then, this very same question was

[Sri T. Viswanatham]

raised. It would appear, they presented a memorandum to the Governor protesting against the inclusion of the 33 villages. Of course, I am not going into the merits of it here. But I am just now on the point, whether the Hon. Minister was right when he said yesterday that there was nobody who raised any objection at any time. Then, Sir, it would appear in 1946 some landlords—Sir, in 1939 it was the ryots and pattadars who protested—but in 1946 and 1950 there were some landlords (they had a landlords' association) who protested against the inclusion of the 33 villages. This is the information I have received, Sir, I have the copies in my hand. So, I would request the Hon. Minister to once again go into this question, as he has categorically stated that nobody raised any objection to the inclusion of these 33 villages. I myself want to know the correctness or otherwise of this. There certainly was some feeling exhibited on the other side, and members from South Kanara have felt, as I inferred from their speeches, that this portion of South Kanara is being added to Malabar by this clause. Of course, the Hon. Minister has vigorously protested that it means nothing of that sort; and that it is only an extension of the tenures to these 33 villages. I take it that the Hon. Minister's intentions are well stated and correct and there is no room for misconception and that this is not introducing the thin end of the wedge and all that. After all, everyone here knows that the formation of linguistic provinces will not and cannot be made by any side-door or side-wing. I am perfectly satisfied with the Hon. Minister's statement, and I hope also Hon. Members from South Kanara are satisfied with it. But I am putting forward this point only for clarification. Yesterday, the Hon. Minister said that in Raghavendra Rao's report also these 33 villages, or rather the villages south of the river Chandradri or Chandragiri.—I do not remember the name of the river correctly (chittari) should be included. I myself went through that report, for the Hon. Minister was good enough to give me a copy of it for my perusal; and I found there, the conclusions were not entirely supported by the premises that the special officer put forward. I find there, some two Collectors who were asked to investigate this question, reported against the inclusion. I hope the Hon. Minister has gone into this memorandum which I cited.

"He also said that nobody gave evidence before the select committee when they took evidence, that these villages should not be added. Also, Sir, there was an argument made that no ryot has raised any objection to this inclusion and that it is but natural that landlords would object as their interests are affected. But I am told that on 24th December 1950 a memorandum was presented to the Hon. Minister—I hope he has seen it, because it is a memorandum submitted to the select committee itself. I find in it, among the signatories, the names of some tenants also among the names of landlords. I request to be pardoned if I am wrong. The names are P. M. C. Muhammad Kunhi, Pelapurathu Jain, M. Abdur Rahman, T. Suleman, S. Anilath and N. P. Kunha Mali. Now, Sir, these are the names of tenants. Therefore we see

[Sri T. Viswanatham] [9th February 1951]

that there is really objection to the inclusion of these 33 villages. We can understand opposition from landlords as their privileges are being sought to be abridged. But among the signatories I find some tenants also. I have put these points for consideration of the Hon. Minister so that it cannot be said by persons coming from these villages that things were done in a hurry and in haste. But if these are real facts I would request the Hon. Minister to clarify the position and reconsider, if necessary, for things done by consent will always enure for a longer time than otherwise."

THE HON. SRI K. MADHAVA MENON:—"Sir, I have nothing to add to what I said yesterday. Apart from that, Sir, I personally inquired into this question; I asked hon. Gentleman Mr. Schamnad, in fact, I put a specific question to him, for he represented that area, whether all the thirty-three villages should be included or only those villages south of the Chittari river should be included; and he replied that all the thirty-three villages may be included. I also wrote to hon. Member Mr. Karanth about this, and he spoke in this House about it. So there is absolutely no doubt in this matter. Sir, I have nothing more to say."

Clause 3 was put and carried.

Clause 4.

12-15  
P.M.

MR. SPEAKER:—"The motion is—

"That clause 4 do stand part of the Bill."

JANAB K. M. SEETHI:—"Sir, I move—

"That in clause 4 (iii) and other places where it occurs in the Bill for the word "kudikadappu" substitute the word "kudikidappu"."

JANAB M. V. HYDROSS:—"I second the amendment, Sir."

THE HON. SRI K. MADHAVA MENON:—"I accept the amendment, Sir."

The amendment was put and carried.

Clause 4, as amended, was put and carried.

Clause 5.

MR. SPEAKER:—"The motion is—

"That clause 5 do stand part of the Bill."

SRI R. RAGHAVA MENON:—"Sir, I move—

"That in section 3 (g) of the Act, add at the end "or for growing other fruit-bearing trees".

Sir, garden land, according to the Act, means any land used principally for growing fruit-bearing trees. The definition given in the amending Bill is, "Garden land" means any land used

9th February 1951] [Sri R. Raghava Menon]

principally for growing coconut trees or areca trees or both'. This definition, I submit, is not enough. For instance, there are gardens where there are either a few coconut trees or a few areca trees or no coconut trees or no areca trees. There are tamarind trees, mango trees, jack trees and other kinds of trees. These areas are assessed as garden lands by Government. In order that it may be in conformity with the practice and with the existing condition of things in Malabar, it is necessary that garden land must include all other kinds of trees. It is also necessary because, in deciding the question of fair rent if this definition is not adopted, there will be difficulties, and we would not be able to make good provision for the payment of rent in kind by the tenants. I submit the amendment in that view, and I hope the Government will accept it."

SRI T. VISWANATHAM:—"I second the amendment, Sir."

MR. SPEAKER:—"Amendment moved—

"That in section 3 (g) of the Act, add at the end "or for growing other fruit-bearing trees"."

THE HON. SRI K. MADHAVA MENON:—"I oppose the amendment, Sir. This is a matter which was discussed at length in the Joint Select Committee. The Kuttikrishna Menon Committee's recommendation is that the definition should like the one proposed in the present Bill. There may be other trees like cashew, jack, nux-vomica, etc. But they are not permanent trees like coconut or areca. The fair rent fixed on the income from such trees, which are very transient, will be hard on the tenants. So, the Kuttikrishna Menon Committee, after going into the matter very deeply, and on a consideration of the evidence on record, gave a definition and we have strictly followed that. We have accepted that recommendation. Therefore, I cannot accept the amendment of the hon. Member Mr. Raghava Menon."

SRI R. RAGHAVA MENON:—"Sir, it is not correct to say that coconut trees and areca trees have longer lives than tamarind and other trees. The Kuttikrishna Menon Committee has recommended many things which we are not adopting. It has been stated that it will work hardship on the tenant. But we must also consider the position of the landlord and see how he will be affected. We must see that he gets a share of the income from the lands. After all it has already been placed before this House that the landlords are no better than their tenants. I submit that it is only equitable that this amendment should be accepted by the Government."

MR. SPEAKER:—"The question is—

"That in section 3 (g) of the Act, add at the end "or for growing other fruit-bearing trees"."

The amendment was lost.

[9th February 1951]

Sub-clause (viii).

JANAB M. V. HYDROSS:—"Sir, I move—

*"That in proposed clause (1) (2) after the word "Kanartham" add the following:—**"unless otherwise agreed to by the parties." "*

I move this amendment in order to avoid one difficulty in the definition of 'kanartham.' Here the payment of interest is made compulsory. There may be documents where interest might not be stipulated. It is only to cover such documents, I move this amendment."

JANAB K. M. SEETHI:—"I second the amendment."

MR. SPEAKER:—"Amendment moved—

*"That in proposed clause (1) (2) after the word "Kanartham" add the following:—**"unless otherwise agreed to by the parties." "*

THE HON. SRI K. MADHAVA MENON:—"I accept the amendment, Sir."

MR. SPEAKER:—"The question is—

*"That in proposed clause (1) (2) after the word "Kanartham" and the following—**"unless otherwise agreed to by the parties." "*

The amendment was carried.

Sub-clause (ix).

SRI R. RAGHAVA MENON:—"Sir, I move—

*"That in section 3 (m) (1) add at the end the following:—**"provided the total extent of a separable kudiyruppu shall be twenty-five cents in an urban area and fifty cents in a rural area." "*

Kudiyruppu is not only a small portion of a very extensive land. It is not necessary to fix the limit for the purpose of kudiyruppu as defined by this Bill. But it is absolutely necessary that when once we give fixity for separable kudiyruppu, we must know over what extent the tenant must be given fixity. In a large area of a holding where a tenant has put up a building, if he is to be given fixity, what should be the extent of the area over which he must be given fixity? For his convenient enjoyment 25 cents in an urban area and 50 cents in a rural area will be enough. At the time of purchasing the janmam rights, the tenant may say that he has put up separate buildings, and that he should be given fixity. He may claim 'I have put up a building in a portion of the land of two acres or three acres; it is necessary for the convenient enjoyment of my kudiyruppu.' To obviate this difficulty, I have introduced the limits for the separable kudiyruppu. I hope the Government will accept the amendment. I think 50 cents in the rural area will be decent enough."

[9th February 1951]

SRI T. VISWANATHAM:—"I second the amendment, Sir."

MR. SPEAKER:—"Motion moved--

*"That in section 3 (m) (1) add at the end the following:—**"provided the total extent of a separable kudiyruppu shall be twenty-five cents in an urban area and fifty cents in a rural area." "*

JANAB M. V. HYDROSS:—"Sir, I oppose the amendment for this reason, namely, that it is for the Court or for the officer appointed to decide what is the exact extent of the land that is to be allowed to a tenant as kudiyruppu in each individual case. Therefore, if we put down here the extent of the land that could be given, it will be very unwise, and it will only affect the peaceful life of a number of tenants in the villages. On this ground, I oppose the amendment."

THE HON. SRI K. MADHAVA MENON:—"The object of the hon. Member Mr. Raghava Menon is served by the amendment to Section 9 of the Act. In the case of urban areas, we have fixed 25 cents. Section 9 (b) says—

*"In the case of other lands situated within the said limits, the fair rent shall be the fair rent determined under sections 5 to 8, or the fair rent determined under sub-section (a) of this section, whichever is higher."*

"Clause 12 of the Bill says—

*"In section 9 of the said Act, to sub-section (b), the following shall be added, namely:—*

*"Provided that in the case of a kudiyruppu situated within the said limits, fair rent shall be—*

*(i) if the kudiyruppu is twenty-five cents or less in extent, the fair rent determined under sections 5 to 8 or the fair rent determined under sub-section (a) of this section, whichever is less,*

*(ii) If the kudiyruppu exceeds twenty-five cents in extent, the fair rent determined under clause (i) up to twenty-five cents . . ."*

So far as urban areas are concerned, we have already conceded what the hon. Member Mr. Raghava Menon wants. Separable kudiyruppu is defined as a kudiyruppu which is included with other property in a holding and which is not necessary for the convenient enjoyment, as usual, of any other part of the holding. If we provide for 50 cents in non-urban areas, the kudiyruppu would be taken by the tenants under any one of the leases, namely, kanam, or kuzhikanam, and a building will be put upon it, and the other provisions of the Act will apply. The amendment seeks to limit the holdings being subdivided in non-urban areas. So, there is no necessity to fix 50 cents in non-urban areas. In urban areas we have already fixed 25 cents as desired by the hon. Member."

SRI R. RAGHAVA MENON:—"Sir, the Hon. the Minister is not correct when he says that the Government have already fixed a limit of 25 cents. The fact that in rural areas the tenant may be holding the property under any one of the different kinds of tenure has no application to the extent of kudiyruppu. What I mean is separable kudiyruppu and not kudiyruppu. It must be separable according to the Bill that is going to be passed and

[Sri R. Raghava Menon] [9th February 1951]

according to the Act that is in existence. So, to define the extent of the separable kudiyruppu will not conflict with any of the other kinds of tenure that are existing or that will come into existence on the passing of this Bill. I am sorry that the Government do not see the way to accept my amendment."

THE HON. SRI K. MADHAVA MENON:—"Sir, separable kudiyruppu is defined as follows:—

'Separable kudiyruppu' means a kudiyruppu which is included with other property in a holding and which is not necessary for the convenient enjoyment, as usual, of any other part of the building.'

It is only that portion which is not required for the convenient enjoyment, which will be a separable kudiyruppu."

MR. SPEAKER:—"The question is—

'That in section 3 (m) (1) add at the end the following:—

"provided the total extent of a separable kudiyruppu shall be twenty-five cents in an urban area and fifty cents in a rural area."'

The amendment was lost.

SRI K. T. KUNHIKAMMARAN NAMBIAR:—"Sir, I move—

'That in section 3 (g) add the words "and 1/12th of the annual fair rent under this Act".'

The full definition of michavaram will then be—

'Michavaram means whatever is agreed by a kanamdar in a kanam deed to be paid periodically in money or in kind or in both to or on behalf of the janmi and 1/12th of the annual fair rent under this Act.'

This is intended to benefit the janmi for the loss he has sustained by the abolition of the renewal fee. The michavaram rent in the case of kanam tenure holders in South Malabar is only very nominal. The main source of the income of South Malabar janmis is what is called renewal fee which a kanam tenant has to pay to his janmi once in twelve years. If the renewal fee is to be abolished, many of the South Malabar janmis will have no means for their livelihood. The Tenancy Committee members will remember the case of respectable Nair ladies who personally saw them and represented their grievances before them at Palghat. After partition of families and divisions of properties, no member belonging to a janmi family is rich now. It may be argued that to give a big sum, though it is only once in twelve years, will be hard on any individual. I shall, therefore, request the Government to see that an increase is made in the michavaram of janmis by dividing one year's fair rent into twelve instalments and that amount being also included in the michavaram. One-twelfth of the fair rent which I have suggested is much lower than the amount the janmi is entitled to get under the existing Tenancy Act. I am sure the kanam tenure holders will not grudge the janmi this payment, and I believe the Hon. the Minister will accept the amendment."

The amendment fell through for want of a seconder.

9th February 1951]

SRI R. RAGHAVA MENON:—"Sir, I move the following 12-30 p.m.  
amendment:—

'That in section 3 (g) of the Act, after the word "periodically" insert the words "with any additional payments provided by this Act".'

'Michavaram' is defined as meaning whatever is agreed by a kanamdar in a kanam deed to be paid periodically, in money or in kind or in both, to or on behalf of the janmi. I want to add the words 'with any additional payments provided by this Act' after the word 'periodically'. This Bill contemplates the complete abolition of renewal fee which is paid by the tenant at the end of the twelfth year for the enjoyment of land. If the House agrees to any increase in the annual michavaram payable to the janmi in lieu of the renewal fee, I want that it must also be included. If I would be in order, I submit that in the course of the Select Committee discussions, we wanted to provide that kanaris must pay 6 years' net fair rent to the janmi and the other six years' rent must come from the actual verumpattamdar, because the fair rent which the kanari would get was very much reduced. It is not fair to call upon kanaris to pay one year's full net fair rent. If the gross rent is to be changed, then I think there should be an increase in the michavaram. That is why I move the amendment."

SRI V. RAGHAVAYYA:—"Sir, I have great pleasure in seconding the amendment moved by my hon. Friend Sri R. Raghava Menon."

MR. SPEAKER:—"Amendment moved—

'That in section 3 (g) of the Act, after the word "periodically" insert the words "with any additional payments provided by this Act".'

SRI A. VAIDYANATHA AYYAR:—"Sir, there has been a small mistake made in drafting. A new kind of tenure is newly brought into this Bill. The word 'kanam-kuzhikanam' is one that is newly invented, so far as this Bill is concerned. It has got its incidents and michavaram is payable. While defining 'kanam' in clause 3 (1) we have inserted a sub-clause saying 'the payment of michavaram by the transferee'. The word 'kanam-kuzhikanam' is defined as follows:—

'"Kanam-kuzhikanam" means and includes a transfer by a landlord to another (called the "kanam-kuzhikanamdar") of garden lands or of other lands or of both with the fruit-bearing trees, if any, standing thereon at the time of the transfer, for the enjoyment of those trees and for the purpose of planting such fruit-bearing trees thereon the incidents of which transfer include—

(1) a right in the transferee to hold the said lands liable for the consideration paid by him or due to him which consideration is called "kanartham" and

(2) the liability of the transferor to pay to the transferee interest on the kanartham.'

Admittedly, michavaram is payable in the case of kanam-kuzhikanam also. I do not believe the Hon. the Law Minister intended

[Sri A. Vaidyanatha Ayyar] [9th February 1951]

that michavaram should not be payable in the case of kanam-kuzhikanam. I think the other clause providing for the payment of michavaram has been omitted by mistake in drafting. In that case, we will have to add another clause (3) to clause (11). Similarly, in sub-clause (g) which defines 'Michavaram', we will have to say—

“‘Michavaram’ means whatever is agreed by a kanamdar in a kanam deed or by a kanam-kuzhikanamdar in a kanam-kuzhikanam deed, to be paid periodically, in money or in kind or in both, to or on behalf of the janmi.”

I do not think that this omission was intentional. Kanam-kuzhikanam was not in the old Act. We are bringing that new tenure in this Bill. So by mistake it has been omitted. Under clause 29 (3) of the Bill, the liability to pay the revenue to the Government is placed upon the landlord. Therefore, I think the provision for payment of michavaram is purely a drafting omission in sub-clause (11).

“Similarly, the definition of ‘Michavaram’ should be so amended as to include whatever is agreed by a kanam-kuzhikanamdar in a kanam-kuzhikanam deed to be paid periodically.”

THE HON. SRI K. MADHAVA MENON:—“Sir, my hon. Friend Sri Vaidyanatha Ayyar’s reference is not with regard to the amendment that has been moved but he wants to clear a particular point. We have introduced newly kanam-kuzhikanam. He thinks that the provision for payment of michavaram in this case has been left out by oversight. I submit it is not a mistake but it was deliberately done. Kanam-kuzhikanam is nothing more than an ordinary kuzhikanam. In the case of kuzhikanam there is no such thing as michavaram. But there are some kuzhikanams where some money has been advanced and the documents are called kanam-kuzhikanam deeds. Kuzhikanam is defined as follows:—

“‘Kuzhikanam’ means and includes transfer by a landlord to another (called the kuzhikanamdar) of garden lands or of other lands or of both, with the fruit-bearing trees, if any, standing thereon at the time of the transfer, for the enjoyment of those trees and for the purpose of planting such fruit-bearing trees thereon.”

Under the fair rent clause, kanam-kuzhikanamdar is liable to pay fair rent to the landlord but there is no michavaram payable. That is why michavaram is not mentioned in the definition of ‘kanam-kuzhikanam’.”

SRI A. VAIDYANATHA AYYAR:—“Sir, may I suggest a point for the consideration of the Hon. the Law Minister? Under clause 29 (3), the kanam-kuzhikanamdar is also liable to pay the revenue to Government. That clause reads as follows:—

“Save as otherwise expressly provided in this section or elsewhere in this Act, as between any landlord and a cultivating tenant other than a kanamdar or customary verumpattamdar, the assessment payable to the Government in respect of the land shall be borne wholly by the landlord and the cesses payable to local bodies in respect of the land shall be borne by the landlord and the tenant in equal shares.”

9th February 1951] [Sri A. Vaidyanatha Ayyar]

Therefore, the kanam-kuzhikanamdar who is the owner of a kanam-kuzhikanam should pay the revenue to the Government. Except a kanamdar or customary verumpattamdar, the landlord will have to bear the assessment payable to the Government. The result will be that the kanam-kuzhikanamdar will be paying the revenue without getting the michavaram. Is that what the Hon. the Law Minister contemplates?”

MR. SPEAKER:—“Let us consider the question when we take up clause 29.”

THE HON. SRI K. MADHAVA MENON:—“In the case of verumpattam or kanam-kuzhikanam there is no michavaram. It is concerned with only fair rent.

“Sir, the amendment that was moved by my hon. Friend Sri R. Raghava Menon is the same as the one which was moved by my hon. Friend Sri K. T. Kunhikammuran Nambiar. The only thing is that this amendment is in a different form. Sri Raghava Menon wants that provision should be made for renewal fee. Sri Nambiar in his amendment said ‘1/12th of the annual fair rent under this Act’. My hon. Friend Sri Raghava Menon did not use the word ‘1/12th’, but said ‘with any additional payment provided for in this Act’. He made it clear in his speech that because we are removing the clause relating to renewal fee, some other provision must be made in lieu of that. I yesterday explained why we had abolished the renewal fee. I cannot accept the amendment, Sir.”

SRI R. RAGHAVA MENON:—“Mr. Speaker, Sir, except 12-45  
that I am enabled to speak more number of times by way of reply, p.m.  
I do not think that it makes any impression on the Government.  
What I wanted in my amendment is this. Under this Bill,  
renewals and renewal fee are abolished. So, if the Government  
fix or provide any additional payments, let it be included under  
the definition.”

THE HON. SRI K. MADHAVA MENON:—“The principle has  
already been accepted and the matter cannot be reopened.”

THE HON. SRI R. RAGHAVA MENON:—“I am not putting  
forward anything indirectly. I am openly saying what I feel.  
I only thought that it would be better if some concessions are  
given to the janmis. That is why I have brought forward my  
amendment. If the hon. Members think that it is necessary, let  
them accept it; otherwise they may reject it. I have no objec-  
tion.”

MR. SPEAKER:—“The question is—

“That in section 3 (g) of the Act, after the word ‘periodi-  
cally’ insert the words ‘with any additional payments provided  
by this Act’.”

The amendment was lost.



[9th February 1951]

‘ Clause 5 (xiii).

JANAB P. K. MOIDEEN KUTTY:—“ Mr. Speaker, Sir, I move the following amendment standing in my name:—

‘ That in clause 5 (xiii) substitute the following for proposed clause (uu):—

“ ‘ Rent Settlement Authority ’ means a judicial officer not below the rank of a District Munsif to be appointed by the Government.” ’

Even yesterday, I explained my difficulty in accepting the Government proposal. What I want is that an officer who is invested with such powers should have a judicial bent of mind and also must be as fair-minded as possible. I am afraid even according to the proposals of the Government as adverted to by the Hon. the Minister for Law, they are going to appoint only the Revenue authorities for this purpose. I would request the Hon. Minister even at this late hour to reconsider the position and see that only a judicial officer is appointed for this purpose. I would even request him to see that officers who are retired Subordinate Judges may be utilized for this purpose, as has been done in the case of the Debt Conciliation Boards. The Government can appoint retired Subordinate Judges or retired District Judges. I therefore request the Hon. Minister to accept my amendment.”

JANAB H. V. HYDROSS:—“ I second the amendment, Sir.”

MR. SPEAKER:—“ Amendment moved—

‘ That in clause 5 (xiii), substitute the following for proposed clause (uu):—

“ ‘ Rent Settlement Authority ’ means a judicial officer not below the rank of a District Munsif to be appointed by the Government.” ’

THE HON. SRI K. MADHAVA MENON:—“ Sir, I cannot accept the amendment; nor can I accept the arguments advanced in support of it. This is a matter relating to settlement work. Therefore those who are engaged in settlement work and who are working in the Revenue Department will be much better for this job than people who are merely doing the judicial work. This work has to be done expeditiously and what is most needed in this matter is experience in settlement work. I am not able to see why the officer should be one coming from the Judicial Department. I do not think that it will be feasible or desirable to ask a Judicial Officer to do this work. We have Revenue Settlement Officers and have seen how they have been working. For settlement purposes, it would be much better to have people who are well-conversant with such work. Therefore I am unable to accept the amendment of the hon. Member.”

JANAB P. K. MOIDEEN KUTTY:—“ Mr. Speaker, Sir, I am also not convinced of the arguments of the Hon. Minister for Law. I still maintain that this work can be done more judiciously and more fair-mindedly by Judicial officers who know something of the law. Therefore I press my amendment.”

9th February 1951]

MR. SPEAKER:—“ The question is—

‘ In clause 5 (xiii), substitute the following for proposed clause (uu):—

“ ‘ Rent Settlement Authority ’ means a judicial officer not below the rank of a District Munsif to be appointed by the Government.” ’

The amendment was lost.

Clause 5 (XV) (vv).

SRI M. P. GOVINDA MENON:—“ Mr. Speaker, Sir, I move the following amendments standing in my name:—

‘ That in clause 5 (XV) (vv)—

“ (1) for items (a) and (b), viz., ‘ (a) in Fort Cochin; or (b) in . . . behalf, substitute the words “ in Fort Cochin ” ’.

(2) Omit the proviso.” ’

There are two classes of tenants included in this Bill which are not found in the previous Act, viz., Ulkudi and Kudikadappu. There has been some doubt as to whether they are tenures or licences. Ulkudi and Kudikadappu mean any portion of a garden land in which a person is allowed to put up a hut and reside therein. This land may have been given by the landlord for use by the tenant who may be a watcher of a big compound with coconut trees or other trees. This is not a regular lease, but it is some sort of licence by which the man in possession of the hut is allowed to occupy that hut. Difficulty about this Ulkudi arose as there is density of population in Fort Cochin. Mr. Speaker, you may perhaps be aware that in the whole of the country, the density of population in Fort Cochin is the thickest. It is a small area where the population is very thick. Many of the persons who reside in Fort Cochin are residing in what are known as Ulkudis or Kudikadappus, that is, small huts provided for them inside big gardens. The Hon. Minister was naturally anxious to give some sort of protection to these persons, though they did not come under regular land tenure. Now, the proposal of the Select Committee is to include similar persons living in similar Kudikadappus and Ulkudis in the rest of Malabar under this clause. No specific provision is made in this Bill with regard to those places, but the Government are given the authority to notify such areas in the Fort St. George Gazette, when they want to extend the provisions to those places. Sub-clause (b) says, ‘ in any other area which the State Government may by notification in the Fort St. George Gazette specify in this behalf ’. I want that this should be omitted. The remaining portion of this sub-clause, viz., ‘ in which a person is allowed to put up a hut and reside therein or is allowed to reside in a hut put up by the landlord at the landlord’s pleasure, whether such person has agreed to pay rent or not ’, will remain as it is.

[Sri M. P. Govinda Menon] [9th February 1951]

"I also want that the proviso to this clause should also be omitted as it is only the result of a notification provided for under sub-clause (b) which also I want to be deleted. When sub-clause (b) is deleted, there will be no necessity for this proviso. By my amendment I wanted to confine the Ulkudis and Kudikadappus to Fort Cochin only and authority should not be given to extend this provision to other areas by notification later on in the Gazette. There is sufficient reason to give fixity to this kind of house-holders in Fort Cochin where the density of population is thick. I would request the Government to confine this to Fort Cochin and not extend it to other areas. There is always the danger that if a future Government want to apply the same provisions to rehabilitate their own men in a particular area, they can by one stroke of the pen say, 'We will apply these provisions to that area and extend the provisions to the rest of the district.' The immediate object of the Hon. Minister and the Government would be best served by confining this provision to the area, Fort Cochin. If it is found necessary to extend this provision to other areas at a future date, an Amending Act can be brought in. Let us not now authorize the Government under this Bill to extend the provision at a later date. They are not the Legislature proper and so they should not be given a new power to the effect that they can extend the provisions to other areas by publishing a notification in the Gazette. I request that my amendments may be accepted."

SRI M. P. DAMODARAM:—"I second the amendments, Sir."

MR. SPEAKER:—"Amendments moved—"

"That in clause 5 (XV) (vv)—"

"(1) for items (a) and (b), viz., '(a) in Fort Cochin, or (b) in . . . behalf', substitute the words 'in Fort Cochin'."

(2) Omit the proviso."

\* SRI V. I. MUNISWAMI PILLAY:—"Mr. Speaker, Sir, I am opposing the amendment moved by my hon. Friend Sri Govinda Menon. I think in the whole Bill, Ulkudis and Kudikadappus are meant to help the poor people who do not have fixity of tenure for habitation and who are exposed to eviction from these areas. That seems to be the main feature of the Bill relating to these things. If it is the object of the hon. Mover of this amendment to confine this provision to Fort Cochin alone, then the rest of Malabar will be deprived of the benefit, I mean the small privilege that is sought to be given to them by this Bill. In fairness to these people, I think the amendment has to be voted down."

SRI N. S. VARADACHARI:—"Mr. Speaker, Sir, I would not have ordinarily joined this discussion, but for a feeling in my mind that we are trying to probe into everything at one stretch."

9th February 1951] [Sri N. S. Varadachari]

though it may not be urgently needed. Sri Govinda Menon explained why some kind of fixity of habitation has to be assured to the people living in Fort Cochin, which is a very densely populated area. In the rest of Malabar, every day there is quarrel between landlords and tenants and a number of evictions are taking place. There is no fixity of habitation. In fact, all these people have lived there. The landlord wants the tenants for attending to his cultivation and the tenants want houses to live in. It is not as if by mere sufferance they live there. It is because, Nature has so arranged it that, in Malabar, landlords and tenants must live together. The tenant must have habitation and the landlord must get his land cultivated. If in other places, people have been living in peace and are not being evicted every now and then, why should the Government probe into those places by extending this provision and thus encourage litigation?

"Again, this is not a matter pertaining to pure land tenure but is something which is very different. I would therefore request the Government to see if it is not possible to limit it to Fort Cochin and not extend it to other areas by notification. The Government may leave this to the future to take care of. They may keep a watch over the working of this provision and after judging the results of this experiment if they find that the landlords do not behave in the manner they should they may seriously consider the question of applying this provision to them. But as it is, the intentions are more important than the wording. The wording of a Bill is not the real Scripture, but what is really important is the spirit and the intention behind its wording. If the Bill, as it is, seeks to give fixity of habitation only to a certain people, let it be given to them in the first instance. I hope the Hon. Minister will be able to consider these amendments favourably."

THE HON. SRI K. MADHAVA MENON:—"Sir, I cannot accept this amendment. I am glad that I got the expected support from hon. Friend Sri Muniswami Pillay in this matter. Ulkudi and kudikadappu relate to the poorest people in the land. It is not correct to say that in any case they do not come under tenure. Whatever that may be, in the latter provisions as to fair rent and eviction, we have laid down that in the case of an ulkudi tenant, even if the landlord wants him to go away, the landlord will have to show him some other land in that village to which he can shift. Then only the tenant can be asked to vacate the land. We have provided that this provision will apply to Fort Cochin, and that it may be extended to other areas at a later date by Government, after publication of a notification in the Gazette. I think this is very necessary. Sri Govinda Menon said that because the future Government may do something, it is dangerous to give this power to extend the provision by notification. We cannot now anticipate what the future Government will do at a later date. The future Government may as well completely scrap off the whole thing. We do not know what it will do."

[Sri K. Madhava Menon] [9th February 1951]

1 p.m. In the original Bill as published there was no such provision as is contained in the Bill as reported upon by the Joint Select Committee. It will be seen in the original Bill (in the parallel column) that the definitions of 'Ulkudi' and 'Kudikadappu' were meant to be applicable to the whole district or wherever the Act was intended to apply. The Joint Select Committee inspected some of the ulkudis and kudikadappus during its tour. The problem of ulkudis is existent only in the coastal areas, particularly in Ponnani taluk and some other coastal areas—perhaps Ernad and Kozhikode—and not in other areas. Of course Fort Cochin is there. There are large coconut topes or plantations where for various reasons, the landlord may have permitted a person to put up a hut and live there. That person may be living in that tope but working somewhere else. This arrangement is considered good for both the parties. Sir, there is a belief that coconut trees planted nearer houses flourish better. If there is a coconut tree very near a kitchen, it is believed to grow well. From this sense, the landlord considers it advantageous to have a watchman or somebody else living in the garden itself. Incidentally, the person who is permitted to live there serves as a watchman also so that others may not enter the garden and thief. In certain cases, the hut or building belongs to the tenant himself and in certain others, the landlord helps him to put up a hut and also every year, he gives some money for rethatching it. Fort Cochin, as my hon. Friend, Sri Govinda Menon said, is about one square mile in area and its population is 45,000. There are only a few coconut gardens there. It is a highly industrialised area and most of the people work in factories and mills. All the labourers in the area live only in ulkudis and kudikadappus, that is, in the small coconut gardens. If they are to be evicted at the whim and fancy of the landlords, there may be very serious consequences of the kind we were once threatened with. So, we thought that at least in the case of Fort Cochin we should make this applicable. To other places, if a similar position obtains, we will extend this provision after taking into consideration all relevant facts, and the possibility of finding other places to settle such tenants upon. It is not the intention of the Government to straightaway apply the provision to those areas. It is in these circumstances that the Joint Select Committee thought that it would be desirable to apply this to Fort Cochin alone immediately, where it is absolutely necessary. In other places, further enquiries will be made, if necessary. We have also provided that before notification, the intention of doing so should be given due publicity and a period of two months should elapse meanwhile for inviting objections. The proviso is there and nobody need fear that things will be done in a hurry. If, however, on any future occasion it is felt that the provision is not necessary, we will take suitable action in the matter. I request Sri Govinda Menon to withdraw his amendment."

SRI P. GOVINDA MENON:—"I press my amendment, Sir."

9th February 1951]

MR. SPEAKER:—"The question is—"

"That in clause 5 (XV) (vv)—"

- (1) for items (a) and (b), viz., '(a) in Fort Cochin; or  
(b) in . . . behalf', substitute the words 'in Fort Cochin'.  
(2) Omit the proviso." "

The amendment was lost.

MR. SPEAKER:—"The House will rise now and meet again at 3 p.m."

The House then adjourned for lunch.

(After lunch—3 p.m.)

Sub-clause XVI.

SRI R. RAGHAVA MENON:—"Sir, I move—"

"That in section 3 (w) (3), omit the words 'of the locality' occurring after the word 'custom'."

"The definition according to the present clause is—"

"Customary verumpattamdar" means any verumpattamdar who, before the commencement of the Malabar Tenancy (Amendment) Act, 1951, was entitled by the custom of the locality in which the land was situated to possession of the said land for a definite period of years, and for whose continuance thereon after the termination of that period, for a further period, a renewal fee had to be paid to the landlord as an incident of the tenure."

The customary verumpattam has its own incidents and it is not based on the custom of the locality where the tenure is situated. It is only a customary verumpattam that was granted according to the custom followed by the landlord or the janmi who gave the verumpattam and is not based on the 'custom of the locality' and that is why I want the words 'of the locality' should be omitted."

MR. SPEAKER:—"Is any hon. Member seconding the amendment?"

SRI R. RAGHAVA MENON:—"There is nobody to second the amendment; I am really happy that there is nobody to second it. Probably nobody understands what it is and whether it is necessary or not. (Interruption.) It is not an insinuation. Perhaps none of the hon. Members knows the thing."

SRI A. VAIDYANATHA AYYAR:—"I second it, Sir."

MR. SPEAKER:—"Amendment moved—"

"That in section 3 (w) (3), omit the words 'of the locality' occurring after the word 'custom'."

THE HON. SRI K. MADHAVA MENON:—"Sir, the definition in the present clause is an adaptation from the existing Act which has been worked for nearly 30 years. We have not found any difficulty so far. It is still there and we are continuing the identical wording of the existing Act. It is not necessary to remove the words 'of the locality' from the definition."

[9th February 1951]

SRI R. RAGHAVA MENON:—"Sir, if it is by 'custom' without the words 'of the locality' I can understand. I am unable to understand what this 'custom of the locality' means. There are customary verumpattamdars only and it is not based on the custom of the particular locality."

MR. SPEAKER:—"The question is—

'That in section 3 (w) (3), omit the words "of the locality" occurring after the word "custom".'

The amendment was lost.

Clause 5, as amended, was put and carried.

Clause 6.

MR. SPEAKER:—"The motion is—

'That clause 6 do stand part of the Bill.'

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

'That in proposed section 4, in the proviso to clause (a), after the words "a Government irrigation work", insert the words "for the first time".'

The amended clause will read—

'(a) "normal produce", in respect of any wet land, means the produce, which would be raised, if the rainfall and the seasons were of a normal character, that is to say, were neither unduly favourable nor unduly unfavourable, on the class of land to which it belongs and in the same situation and possessing the same advantages, as determined by the Rent Settlement Authority in accordance with such rules as may be prescribed:

Provided that the normal produce of any land irrigated with water from a Government irrigation work for the first time after the commencement of the tenancy in respect of that land, shall be determined as if the land had not been so irrigated.'

If the irrigation has come for the first time it will not apply. That is the effect of the amendment."

Amendment was put and carried.

SRI R. RAGHAVA MENON:—"I have given an amendment to clause 4 (a), Sir."

THE HON. SRI K. MADHAVA MENON:—"In his amendment the hon. Member has suggested the deletion of the words 'as if the land had not been so irrigated' and substitution of the words 'taking into consideration the effect of such irrigation work'. The clause says definitely that the effect of irrigation should not be taken. But the hon. Member's amendment suggests that it should be taken into consideration. It is directly opposed to the clause. If he wants he can oppose the clause itself."

SRI R. RAGHAVA MENON:—"Moving an amendment itself is opposition to the clause. Sir, I move—

'That in proposed section 4 (a) proviso, for the words "as if the land had not been so irrigated" at the end, substitute the words "taking into consideration the effect of such irrigation work".'

[9th February 1951] [Sri R. Raghava Menon]

What I say is, in Malabar as matters stand there are only a few irrigation works. In South Malabar there are no irrigation works at all. I have already placed before the hon. Members of the Assembly the condition of the landlords in Malabar. Most of them, 98 or even 99 per cent of them are not in any way better than the tenants in whose possession the lands are. There is no reason why the increase in the yield of the lands which is the result of irrigation must go to the tenant alone who does not require any special protection as against the landlord. It is a question of both being poor or the landlord being poorer than the tenants. In such cases my submission is that the produce must be taken with the result of the irrigation. The produce is a thing which has to be divided between the landlord and the tenant."

SRI A. VAIDYANATHA AYYAR:—"Sir, I second the amendment. In doing so, I will add a word of my own. We have always been of the view that if there is an increase in the produce of the land it must be fairly shared between the owner of the land as well as the lessee unless the increase is due to an improvement effected by the tenant alone. If the tenant himself gets up an irrigation work, then there is no reason why the landlord should be benefited. But if it is not the tenant's own improvement but that of the Government and Government source comes in and from which water is let in, there seems to be no reason why the lessee alone should be entitled to the benefit and the landlord not entitled to the same. I say, Sir, this is reverting the natural order of things. At the same time the Hon. Minister for Law should also consider this point. Supposing a new project such as the one now contemplated is undertaken, they may levy a betterment tax and the result would be that the person who is the owner of the land may have to bear the betterment tax or increase in the Government taxation. In such cases there is no reason why he should not be entitled to the benefit which accrues by virtue of causes for which neither he nor the tenant is exclusively responsible."

MR. SPEAKER:—"Amendment moved—

'That in proposed section 4 (a) proviso, for the words "as if the land had not been so irrigated" at the end, substitute the words "taking into consideration the effect of such irrigation work".'

THE HON. SRI K. MADHAVA MENON:—"The question of betterment tax if it comes at all for the irrigation works, has to be dealt with by another legislation empowering the Government to collect the tax. Apart from that, under the Malabar Irrigation Levy of Cess Act, the cultivator is liable to pay the water-cess. When he is paying the cess there is nothing unreasonable in his taking the produce resulting from such irrigation work, which becomes available after the commencement of this Act. If such a thing is there now, then certainly the landlord is entitled to the benefit. After the commencement of the Act, it is the

[Sri K. Madhava Menon] [9th February 1951]

cultivator that is liable to pay the cess; hence this condition. Again, Sir, this is a thing which the landlord has not bargained for. He has bargained only for the rent at the time of the lease. Here we are dealing with a source of income made possible through irrigation for the first time after the commencement of the Act. According to the law the tenant is liable to pay the cess and therefore, as long as he pays for it he is entitled to get the benefit thereof."

SRI R. RAGHAVA MENON:—"I am not convinced of the arguments put forth by the Hon. Minister. There is a limit for everything. It is true that the tenants must be helped. I am equally anxious to help them. I can even say there is none to beat me in that. The fact that the tenant is paying the cess for the water does not in any way exclude equity being extended in favour of the landlord and enable him to get a share of the produce. Further, it will also be very difficult to apportion the yield attributable to such irrigation and the yield not attributable to it. It is all very difficult. We must strike at a fair rent and if you want to favour the tenant give him a little more but don't ignore the irrigation work and the increase in produce resulting therefrom. As it is we simply say that the landlord is not entitled to anything. The landlord is completely forgotten. The land is also forgotten as if it were that the tenant alone is working. Where is the tenant working? Is it not on the land belonging to others, or is he working simply in the air? Is labour alone sufficient to bring about production or is capital, that is land, also required for the purpose? Some of my dear friends who have got so much the interest of the people at heart, forget that ingredients other than labour are also vital for production and that those who own those ingredients also are therefore entitled to a share of that production. I say, Sir, what they are doing is neither political economy nor social well being."

THE HON. SRI K. MADHAVA MENON:—"Sir, about the question of assessing the produce after irrigation, there will be no difficulty. There has been no irrigation of the lands at all by the Government so far and I do not think we will be getting any irrigation projects sponsored by Government by the time this Act comes into force. Therefore the difficulty that my hon. Friend anticipates will never occur as far as this Act is concerned. That is the position."

3-15 P.M. "Then, Sir, I do not know anything about the feelings of the tenants. The difficulty which my hon. Friend has anticipated will never arise so far as this Act is concerned. That is the position. Sir, and I cannot accept his amendment."

MR. SPEAKER:—"The question is—

'That in the proposed section 4 (a) proviso, for the words "as if the land had not been so irrigated" at the end, substitute the words "taking into consideration the effect of such irrigation work".'

The amendment was lost.

9th February 1951]

SRI R. RAGHAVA MENON:—"Mr. Speaker, Sir, I do not propose to move the amendment standing in my name to section 4 (c)."

JANAB P. K. MOIDEEN KUTTY:—"Mr. Speaker, Sir, I beg to move—

'That in the proposed section 4, omit the proviso to subsection (c).'

Now that my amendment with regard to Rent Settlement Authority has not been accepted, it becomes all the more necessary for the Hon. the Minister for Law to accept this amendment at least because leaving it entirely to the discretion of the Rent Settlement Authority in the matter of fixing the cultivation expenses is very dangerous. As I said yesterday, if we leave such a dangerous discretion in the hands of the Rent Settlement Authority, it will be taking away by the left hand what we are giving with the right hand. I would therefore request the Hon. Minister to accept my amendment."

JANAB M. V. HYDROSS:—"I second the amendment, Sir."

MR. SPEAKER:—"Amendment moved—

'That in the proposed section 4, omit the proviso to subsection (c).'

THE HON. SRI K. MADHAVA MENON:—"Sir, the proviso is, 'provided that it shall be open to the Rent Settlement Authority to fix any other quantity of paddy as cultivation expenses in respect of any land or class of lands' and it will be very unfair if the amendment is accepted. Sir, the fair rent has to be fixed by taking into account the net produce, i.e., the gross produce after deducting the cultivation expenses, and this balance has to be divided equally between the landlord and the tenant. The question is: 'What are the cultivation expenses?' The Kuttikrishna Menon Committee, after going elaborately into the case, reported that, in view of the differences from area to area, 20 Palghat paras of paddy may be taken as cultivation expenses per acre. Mr. Ramachandrarao, who went further into the matter, said that 25 Palghat paras of paddy may be taken as cultivation expenses."

"Sir, before the Select Committee was appointed, we had various conferences and it was found that the cultivation expenses differed from taluk to taluk, if not from village to village. There are certain places in the coastal area of Malabar where soil is sandy and where the cultivation expenses also are high. The yield there will be perhaps 2 to 3 times the seed and the result will be, if the cultivation expenses are fixed at a definite level, the landlord will have to pay the tenant for the cultivation expenses because in some areas 22 Palghat paras may be the yield per acre and the cultivation expenses may be 26 Palghat paras, or 4 paras more than the yield. The evidence was very

[Sri K. Madhava Menon] [9th February 1951]

clear at every place visited by the Committee that the cultivation expenses vary from 15 to 25 or 30 Palghat paras per acre. We decided that it may be 22 Palghat paras and gave the option to the Rent Settlement Authority to fix any other quantity of paddy as cultivation expenses in respect of any land or class of lands, taking into consideration the nature of a particular holding. It is with that object the proviso has been added and if it is taken away, it will be unfair to all parties concerned."

JANAB P. K. MOIDEEN KUTTY:—"Sir, if what the Hon. Minister says is the position, I do not really understand why there should be an explanation that 'twenty-two Palghat paras of paddy shall be deemed to be the cultivation expenses per acre per crop.' If such an explanation is introduced in this section, I do not really understand why any discretion should be given to the Rent Settlement Authority. We can as well remove that explanation and leave the question of fixing the cultivation expenses entirely to the discretion of the Rent Settlement Authority. If, as the Hon. Minister said, the cultivation expenses vary even in the different areas of the district, I do not really understand why the Government should not fix the cultivation expenses differently for the different areas or at least leave it to the Collector to notify the cultivation expenses of the different areas in the district. Therefore, there is no point in having an explanation and at the same time saying that it shall be open to the Rent Settlement Authority to decide the quantity of cultivation expenses. I still remain unconvinced as regards the necessity for the retention of the proviso."

THE HON. SRI K. MADHAVA MENON:—"Sir, the explanation gives an idea as to what will be the cultivation expenses for an average land, i.e., the normal produce of a normal land under normal conditions and this will be the indication to the Rent Settlement Authority to arrive at the quantity to be allowed for cultivation expenses. So, it is very necessary."

MR. SPEAKER:—"The question is—

'That in the proposed section 4, omit the proviso to sub-section (c).'"

The amendment was lost.

Clause 6 as amended was put and carried.

Clause 7.

MR. SPEAKER:—"The motion is—

'That clause 7 do stand part of the Bill.'"

JANAB MAHIN SCHAMNAD:—"Mr. Speaker, Sir, I beg to move—

'In the proposed section 5 (a), omit the word "paddy".'

Sir, in some places in South Kanara, after the paddy crop is harvested, other crops such as ragi, sweet potatoes, etc., are raised.

9th February 1951] [Janab Mahin Schamnad]

If paddy is raised, rent can be paid in paddy. But the crops are varying. Therefore, all the produce may be taken into consideration, i.e., not only paddy, but all the produce including ragi, sweet potatoes, etc., in fixing the fair rent for the wet lands. Therefore, the word 'paddy' may be deleted, the sub-section reading 'one-fifth of the net produce of the land'."

The amendment fell through for want of a seconder.

JANAB P. K. MOIDEEN KUTTY:—"Mr. Speaker, Sir, I beg to move—

'That in the proposed section 5, for the word "higher," substitute the word "lower".'

Sir, this amendment is based on the principle, as the Hon. Minister himself has been saying that by this legislation it should not be said that the Government are going to raise the rent which the tenant has to pay to a landlord. He has been saying all along that this measure is being passed not in the interests of the landlord, but in the interests of the tenant as well. It is only on that principle that I have moved this amendment. Therefore, I don't think that the Hon. Minister will have any difficulty in accepting it."

JANAB M. V. HYDROSS:—"Mr. Speaker, Sir, I second the amendment of my hon. Friend Mr. Moideen Kutty. It is said that this legislation is being enacted for the benefit of tenants. Whatever be the circumstances under which the tenants are holding properties nowadays, we have already given them a promise that this legislation will be to their utmost benefit without being detrimental to the interests of the landlords, and there is no justification for making a provision for the enhancement of the rent. I therefore second this amendment."

MR. SPEAKER:—"Amendment moved—

'That in the proposed section 5, for the word "higher", substitute the word "lower".'

THE HON. SRI K. MADHAVA MENON:—"Sir, as my hon. Friend Mr. Moideen Kutty said, this legislation is not being enacted to cause greater hardship to the tenant. But, at the same time it need not necessarily cause greater hardship to the landlord. The clause says—

'Fair rent in the case of dry lands converted into wet by the tenant's labour shall be—

(a) one-fifth of the net paddy produce of the land; or

(b) the aggregate of (i) twice the assessment which would have been imposed on the land if it had been dry, and (ii) the annual assessment payable in respect of the land after its registration as wet in the registers of the Government; whichever is higher.'

If we say 'whichever is lower', the result will be twice the assessment when it is dry and also the annual assessment payable after its registration as wet; it will hardly be sufficient to pay



[Sri K. Madhava Menon] [9th February 1951]

the assessment and the landlord will get nothing. I do not think that was the intention of anybody at any time. The replacing clause 5 (b) says—

'after the expiration of the said period of twenty years, one-fifth of the difference between the annual gross paddy produce of the land and two and a half times the seed required for the said land for an agricultural year.'

Therefore, our present proposal, i.e., 'whichever is higher' is not such that the landlord would get more if it had been 'whichever is lower.' Therefore, it is not correct to fix further lower than that."

3-30 P.M. JANAB P. K. MOIDEEN KUTTY:—"Sir, the Hon. Minister was on very shaky ground when he spoke on this amendment. I feel, Sir, that his heart was not, if I may say so, on his tongue. The words that he was speaking were not coming from his heart, it could be easily seen. He was very reasonable when he gave some hope to the tenants that he would not in many cases enhance the rent they are at present giving. There is therefore no more argument needed in support of my amendment."

MR. SPEAKER:—"The question is—

'That in proposed section 5, for the word "higher" substitute the word "lower".'

The amendment was lost.

Clause 7 was put and carried.

#### Clause 8.

MR. SPEAKER:—"The motion is—

'That clause 8 do stand part of the Bill.'

"Hon. Member Mr. Schamnad will now move his amendment. As the House has not given a verdict on his previous amendment—it simply fell through for want of a seconder—he can move his amendment to this clause now."

JANAB MAHIN SCHAMNAD:—"My amendment to this clause refers to the same thing, viz.—

'That in the proposed section 6 (a), the word "paddy" be omitted.'

"I move it, Sir, for the reasons I have already referred in connexion with the previous clause."

JANAB H. S. HUSSAIN:—"I second it."

MR. SPEAKER:—"Amendment moved—

'That in the proposed section 6 (a), the word "paddy" be omitted.'

SRI M. P. DAMODARAM:—"Sir, I oppose this amendment. This amending Bill is intended not to deprive the tenant of the rights that he is already enjoying, but by this amendment the hon. Member is trying to deprive the tenant of his present rights. Moreover, this Bill is also intended to give an incentive

[9th February 1951] [Sri M. P. Damodaram]

to the tenant to produce more. What the hon. Member says is that if a second crop—not necessarily paddy—is produced, a share if not a lion's share of it must go to the landlord. It will not give an incentive to the tenant to produce more. When the Government are trying to give every encouragement to the tenant to produce more, an amendment like this will definitely be a discouragement to him. I therefore vehemently oppose my hon. Friend's amendment."

THE HON. SRI K. MADHAVA MENON:—"Sir, I have nothing to add to what I said previously." Section 6 of the Act says—

'In the case of wet lands not falling under the previous section, fair rent shall be two-thirds of the difference between one-third of the gross paddy produce of the land . . .'

So, it is paddy produce only that is contemplated in the existing Act. My Friend wants to omit the word 'paddy' and retain the words 'gross produce', so that the result will be that the tenant will not be tempted to produce anything more at all. Sir, I cannot accept the amendment."

JANAB MAHIN SCHAMNAD:—"Sir, what I meant is this: In some fields in some parts of my district, rent is fixed in paddy. Paddy produce was very common there, but nowadays they take up the land for growing not paddy but some other articles like ragi, etc. If paddy produce alone is taken, the rent will be very small; it will go down a good deal because people do not care to grow paddy at all. They are tempted to grow more and more of sweet potatoes, tomato, etc. After all, the value of the land depends on the production of all kinds of articles, not necessarily paddy. It is not in all fields that paddy is grown. Therefore, if only paddy is taken into consideration, the rent will go very much down and it will be very hard on the landlord. Therefore, my suggestion is that the word 'paddy' should be omitted and that all the produce of the field for the whole year should be taken into consideration."

THE HON. SRI K. MADHAVA MENON:—"I have nothing more to say, Sir."

MR. SPEAKER:—"The question is—

'That in the proposed section 6 (a), the word "paddy" be omitted.'

The amendment was lost.

MR. SPEAKER:—"Hon. Member Sri Raghava Menon has given notice of three amendments for the same clause. He can move all of them together."

SRI B. RAGHAVA MENON:—"I shall move only my amendment to the proposed section 6 (a) and not the other two amendments, Sir. The amendment is—

'That in the proposed section 6 (a), for the words "net paddy" after the words "one half of the" substitute the word "gross".'

[Sri R. Raghava Menon] [9th February 1951]

It is clear that the fair rent is going to be cut short very much as a result of 50 per cent net being fixed for the landlord. I have to repeat the fact that more than 99 per cent of the landlords in Malabar depend entirely upon what they get out of the land by way of fair rent. It is not a question of a big janmi being given rent by a number of tenants, nor is he a zamindar. As I said, they are, most of them, landlords with 1, 2, 3 and less than 5 acres of land with a number of members depending on the income from the land. The Bill could have left the fair rent as it is in the existing Act; then there would be no trouble, in spite of fixity being given to everybody. The cultivation expenses have been left to be fixed by the rent settlement authority. There may be a drought, there may be other mishaps. In order, therefore, to be equitable, let us divide the produce into two halves. Whatever may be the gross produce, including straw—and straw also is a very valuable thing nowadays not only in Malabar but throughout our State—the landlord must have half of it. He must have a share of the straw and every other thing that is produced in the holding. The landlord will of course pay the full revenue. Let the tenant give half of the gross produce and meet the cultivation expenses. I am sure that if such a division is made, the landlords, however poor they may be, can be persuaded to be more considerate. That is what I said this morning and in the course of my general observations on the Bill. My submission therefore is that the whole trouble can be avoided if we fix the fair rent not at 50: 50 net produce, but 50: 50 gross produce. It will be a very good, very proper and very equitable thing; because otherwise the landlord will not get any straw, any blackgram, any greengram or any of the other things required for maintaining a family. Just because a person is a landlord and he has given his land to others for cultivation, is he not to be benefited at all? By all means let the tenant get some benefit, but let the landlord also get some benefit. The whole scheme of the amending Bill would seem to be that the land is there only for benefiting the tenant. I submit, Sir, the landlord also must get an equitable share of the produce of the land so that he and the members of his family may get on. It is true at the same time that the tenant also should get on; but what I say is that there is no rule or law to the effect that the landlord should not get on. There is now a provision for eviction in the case of small janmis with two or three acres; and if you give half the produce, it will be very difficult to evict a tenant. I told the Hon. Minister that the provision which the Government have made is very good and that otherwise, the whole of the middle class would be wiped out. The existing Act gives the landlord a little more but in most cases he has to resort to the court. After all, this is much better than going to court. Moreover, it is not good for people to be always fighting with the tenant. This 50 per cent of the gross produce will solve the difficulty of eviction also. It is not proper for you to say that a landlord should not get some straw in order to keep some cows. After all, we are not legislating for the year 1951 or 1952 only;

9th February 1951] [Sri R. Raghava Menon]

we are legislating because we think there will not be much of a revolution immediately; we believe we will have peaceful existence for some time to come. Everybody's interests will be safeguarded by my amendment, and I therefore hope, Sir, that the Government will accept it."

SRI A. VAIDYANATHA AYYAR:—“ I second the amendment, Sir. There is a method now followed whereby we are doing a great amount of benefit to one section of the people, viz., the lessees alone. It has now reached a climax in that the owner of the land is now being regarded as a new class of criminal. A man has to feel ashamed that he owns land and wherever it is possible, attempts are somehow or other made to see that his rights are taken away—call it abolition, call it conversion, call it taking away or anything you please. Whenever any tenants' improvement Bill is introduced, irrespective of whatever it is whether ordinarily consonant with justice or not, you attempt to take away the right of the landlord, thinking that you are improving the tenant's position. The owner of the land also has got his own rights. Somehow or other, it is only during the last three or four years that we are getting into this kind of mentality. Time was when, if you were to mention it anywhere—whether outside the law courts or within the law courts—people used to say whenever a division as between the owner of the land and the worker or tenant or lessee on the land was made, 'take all the income, take all the expenditure, and then try to arrive at some kind of settlement.' During the past three years, in several parts of the Madurai district, there have been troubles between landowners and tenants. And in the course of adjudication, the claim by one side or the other has always been to say that the other side was not entitled to what was just. For example, the landlord said 'why should the tenant be given cultivation expenses'; on the other side, the tenant always said 'why should this landowner have any value for the land or for what he has invested on the land'. Both of them have been unreasonable. Therefore, when you are calculating all kinds of expenses with regard to cultivation in reference to the revenue that is payable to the Government, and just as you take into consideration what is invested on the land when assessing the value of the land, similarly, when you are considering the total quantum of income from the land, it is wrong to think that only the paddy or the grain alone is the income. So far as straw is concerned, it is a very valuable material nowadays, and we really find that nowadays the income from it is very high. So far as I know, in our State—I do not know the conditions in Malabar, but nevertheless I can say that—usually in the varam or share system, the landholder also is entitled to a share of the straw, though for purposes of convenience, when the landholder does not want it, he may say to the tenant 'you take the straw and provide the seed paddy yourself'. Some kind of arrangement like that does exist, I know. I am particularly concerned with this provision here, because this kind of extraordinary sympathy for one section of the people may land us

[Sri A. Vaidyanatha Ayyar] [9th February 1951]

ultimately in difficulties when we deal with tenures hereafter—not merely with regard to Malabar. We are likely to have some reports of some committee with regard to tenures all over the Presidency, apart from Malabar tenures; and what is now pointed out here may be pointed out there also, that this thing should be eliminated. On the other hand, in every place where there has been a dispute, the tenants have always been conceding fairly and reasonably that even that also must be considered, that is, all the income including straw also must be considered. Therefore, my submission is, that in a case like this, it will be a very wrong precedent if you are to eliminate everything except merely grain or the paddy one gets. We might as well say the next day, out of the paddy grown, even the husk and other things should go. That should not be the attitude with which we should consider this question."

MR. SPEAKER:—"Amendment moved—

'That in the proposed section 6 (a) for the words "net paddy" after the words "one half of the" substitute the word "gross" ' "

THE HON. SRI K. MADHAVA MENON:—"I am sorry, Sir, that hon. Member Mr. Vaidyanatha Ayyar has not really understood the position in Malabar in relation to this question of fair rent, and yet has made such a general statement as, sympathy for the tenant led us to give up reason in favour of sentiment. I would like hon. Member Mr. Vaidyanatha Ayyar to read the existing provision in the Malabar Tenancy Act, which says—

'In the case of wet lands not falling under the previous section, fair rent shall be two-thirds of the difference between one-third of the gross paddy produce of the land for the three years immediately previous to the date on which fair rent is to be ascertained and two and a half times the seed required for the said land for an agricultural year.'

In another place in the previous Act, the cultivation expense is presumed to be two and a half times the seed. That is, according to the old calculation. There is a proverb in Malayalam which says: "വല്ലിയിൽ വെളി" "Valli" in Malayalam means cultivation expenses. So, two and a half times or as much as double the seed for cultivation expenses is the old proverb. Anyhow the 1929 Act gave two and a half times the seed as cultivation expenses. Now, what is the position under the existing Act? Take the average land in Malabar—I do not want to take the best land or the worst land for the purpose. For the average land, the seed required per acre is what we call in Malayalam 7 paras of paddy. In common parlance, an acre of land is called 10 paras of seed area. Of course, that may not be required for all lands, but anything between 6 to 7 paras may be required for one acre of land. The average yield in Malabar per acre, even in the best areas of Palghat, one cannot get more than 10 times the seed, that is (10×10) hundred paras of paddy. So, 100 paras will be the yield per acre. If, according to this system of two and a half times the seed, calculating it at 7 paras for seed, cultivation expenses will come to (7 + 7 + 3½) 17½ paras. And, two-thirds of the produce goes to

9th February 1951] [Sri K. Madhava Menon]

the landlord and one-third to the tenant. Under the present system the landlord has to pay the Government assessment. I want, therefore, hon. Member Mr. Vaidyanatha Ayyar to understand that in Malabar, it is not the case of 'varam' or 'kuthagai' as it is in Madurai. The tenant in Malabar meets the entire cultivation expenses, whether it is for ploughing purposes, or the charges on account of bulls, fertilizing the land and everything else. Because the land is in the possession of the tenant, the landlord never meets the cultivation expenses at all; on the other hand, the cultivation expenses are met by the tenant himself. On an average, we have put the cultivation expenses at 22 paras of paddy. As I told you, the evidences we gathered all through, were more or less unanimous that three or four times the seed, will not be sufficient for cultivation expenses and that 22 paras is not the average. But still, taking that as the average, that is, taking 22 paras out of the yield, viz., 100 paras, we say, instead of two-thirds going to the landlord and one-third to the tenant, half might go to the tenant because the whole thing is produced by the tenant, without any investment or help for the produce by the landlord, except the fact that he is the owner of the land. So, the proposal now is, after deducting the cultivation expenses, half should go to the tenant and half to the landlord and the Government revenue is to be shared by both. Formerly, the Government revenue was to be paid by the landlord. Here we have provided that it should be met by both. Then, the assessment ranges in Malabar from Rs. 2 to Rs. 7 per acre and out of this, half should be paid by the tenant and the other half by the landlord, so that the provision we have made, is not at all an extravagant one under present circumstances.

"Then, Sir, it is common knowledge that the tenant in Malabar gets only straw and nothing else, because cultivation expenses come to two and a half times the seed. People who know what cultivation means in the present day, can certainly realise that two and a half times the seed will never be sufficient to meet cultivation expenses, but still the tenant goes on with cultivation because of his attachment to the soil and the wish to produce something. You will find, Sir, that in all the places in the Chingleput district, even though there is no rain, and water could be found only 30 to 40 feet below the surface, he digs and takes water and cultivates even small plots of land 10 cents in extent. Why? It is because of the tenacity he has in him that he cultivates the land, in spite of the fact that his profession or labour is not sufficiently paying. Similarly, the real position in Malabar is, that the one-third which the tenant gets is not sufficient even for his cultivation expenses. In fact, if any one of us tries and takes to cultivation. I am sure that out of the yield, we will find it necessary to set apart not less than one-third towards cultivation expenses. Yet, it is only one-third that the tenant gets now. Now, we have proposed that half may go to the tenant and half to the landlord, instead of two-thirds to the landlord and one-third to the tenant.

[Sri K. Madhava Menon] [9th February 1951]

whether the cultivation expenses to-day is two and a half times the seed or whatever may be the cultivation expenses that has been allowed for him.

"So, Sir, I ask the House and hon. Member Mr. Vaidyanatha Ayyar in particular whether two and a half times the seed will be sufficient for cultivation expenses anywhere in the whole of our State. Even if you utilize the best mechanical aids for cultivation, I doubt whether two and a half times the seed will be sufficient for cultivation expenses anywhere. Then, Sir, the verumpattam tenant, as he is called in Malabar, has been getting only straw and nothing else and if he grows additional crop, such as blackgram or chillies, he may perhaps get something. So, what has now been provided is, out of the entire gross produce, after deducting cultivation expenses, whatever it may be—and we have said that the Rent Settlement Authority will ~~fix~~ the cultivation expenses according to the needs of the locality—out of the net, half will go to the tenant and half to the landlord and the assessment will be equally divided between the two. I may also say that if we are giving any relief to the tenant by this amending Act, it is the only this and nothing more. And, apart from the benefit of fixity, which he now has to some extent, the tenant thinks that this is the only relief he will be getting, where he was getting nothing before, because, as I told you, his cultivation expenses will generally be nothing less than one-third of the usual produce. On the other hand, if this provision is given up and you say half and half of the gross produce imagine what he will get. If the yield is 100 paras, fifty paras will be the tenant's share according to Mr. Raghava Menon's suggestion. So, out of 50 paras, at least 35 paras the tenant will have to spend for cultivation expenses and for keeping seed purposes for the next crop. Then, what is it that he will get out of the produce of 100 paras of paddy? Even in the best of lands he will not get more than 20 paras. On an average you will find that in most of the places the yield is not 10 times the seed, but it is 6 to 8 times only even in the best lands of Palghat taluk. That is the real position. He will get only something. That is the crux of the whole matter and therefore there cannot be any compromise so far as this clause is concerned."

SRI R. RAGHAVA MENON:—"Sir, there are a number of inaccuracies in the statement made by the Hon. Minister. I hope he will excuse me for bluntly saying so. He referred to the existing provision. Let us see what the section says. It says—

"6. In the case of wet lands not falling under the previous section, fair rent shall be two-thirds of the difference between one-third of the gross paddy produce of the land for the three years immediately previous to the date on which fair rent is to be ascertained and two and a half times the seed required for the said land for an agricultural year."

Now, what he says is, 'look at the existing provision, it is only two-thirds, but now we are making it half.' Hon. Members of the Assembly may be pleased to see that this fair rent never came into practice except in half a dozen cases where they went to court to fix the fair rent according to the existing Act and the

[9th February 1951] [Sri R. Raghava Menon]

court found that it was much less than what the landlord was entitled to get. So, the existing rent was taken to be the fair rent till 1942 and afterwards there has been no case of an attempt to fix fair rent because the tenants always found that what they were giving as customary rent was favourable to them. And Sir, it is not correct to say, as the Hon. Minister said to this Assembly that the tenant has been always getting only straw. What is the compelling reason which made compelled the tenant carry on with cultivation if he got only straw? What about the tenants in Palghat? They have earned considerably and there has been no case of starvation, in spite of the fact they have no other work. How have they been getting on till now? Was there any question of hardship and have they surrendered the land because the cost of cultivation is high and therefore farming has meant a great loss to them? I say they have earned much and in fact they are richer than the landlord. As I said, everything has been accepted and customary rent was taken to be the fair rent till 1942 and from 1942 there has been no case of trying to settle fair rent except, as I said previously, in half a dozen cases. So, it is not correct to refer to the existing provision in the Act. It has only remained a dead letter.

"Then, Sir, on enquiry we found that the cultivation expenses came to be about 30 paras for two crops. Of course, the Hon. Minister was also present at the enquiry. It varies from place to place. According to the present rate, the landlord will not get practically 44 paras and no land will yield so much. Cultivation expense is left to be determined by the Settlement Officer and he has provided 22 paras. Then, the other fundamental thing is, that the expenses for cultivating the second crop, as all tenants know, will never be as much as for the first crop. We should be careful to see that we do not make incorrect statements. It is not correct to say that the tenants are getting only straw, especially when many of them have made lakhs and lakhs by cultivation alone. (Interruption.) Yes. I know also landlords and tenants, and I cannot allow a statement like that, namely, the tenant gets only straw, to go without contradiction. I am not concerned with the fact whether my amendment is carried or not. It may be that my taluk may have surplus of foodgrains where there is no heart-burning, but that should not be taken as the standard. Of course, any tenant would like to get more.

"They have been carrying on and there has been no ques-<sup>4 p.m.</sup>tion of evictions; they are all contented and some of them are prosperous. In Palghat taluk, everything goes on well in normal years; the tenants are able to pay the full rent and meet the cultivation expenses from the first crop itself, and the second crop is therefore wholly a gain with not much of cultivation expenses to incur. I suppose the Hon. the Minister knows it. That is the normal thing but there may be abnormal cases which may be one in a thousand. I must submit, Sir, that my proposal is not a blind proposition in favour of the landlord as

[R. Raghava Menon] [9th February 1951]

I have taken both sides of the question and I also know the conditions and I am sure there will be no bickering or heart-burning if this provision is made."

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I have only to say that even according to Sri Raghava Menon in many cases the existing rent is much less than the rent provided in the original Act and that it has not been coming into effect. If he wants permanency at the time of renewal, fair rent has to be calculated for purposes of renewal. Then only he will get fixity. In order to secure that he is not being evicted, he may surrender to any terms. There is always a right for the landlord to claim fair rent according to the old Act. I oppose the amendment, Sir."

MR. SPEAKER:—"The question is—

'That in proposed section 6 (a), for the words "net paddy" after the words "one half of the" substitute the word "gross".'

The amendment was lost.

Clause 8 was put and carried.

Clause 9 was put and carried.

Clause 10.

MR. SPEAKER:—"The motion is—

'That clause 10 do stand part of the Bill.'

SRI R. RAGHAVA MENON:—"Mr. Speaker, Sir, the existing section 7 (4) says—

'Nothing shall be payable for the minor produce of coconut or areca trees, such as leaves, fibre, etc., whether such compensation is payable or not in respect of the said trees'

So, Sir, under the existing Act, there is no provision to pay anything by way of rent for fruit-bearing trees but there is a provision for payment in respect of coconut and areca trees. Just like these trees, jack, mango, tamarind and cashewnut trees are of considerable importance. Tamarind has become very costly and jack fruits cost from Re. 1-8-0 to Rs. 2 each; mango is very costly and cashewnut also is an international commodity. It must not be said that the landlord is not to get anything for these; there must be a portion of the produce in respect of these trees to the landlord. (Sri R. V. Swaminatham: 'Poor people, why not you allow the tenants to enjoy them.') It is not certainly the suggestion of my Friend Sri Swaminathan that the tenants want food but that the landlords can get on without food. So, Sir, I am saying that they must be given something in kind. I move, Sir—

'That for section 7 (4) of the Act, substitute the following:—

(4) As regards produce of other classes of fruit-bearing trees, such as jack, mango, tamarind, palmyra

[Sri R. Raghava Menon] 9th February 1951]

and cashewnut, one-fourth of the said one-third in case where the landlord has to pay compensation for the trees and one-third where the landlord has not to pay compensation provided that nothing shall be payable for the minor produce such as leaves, fibre, etc., whether compensation is payable or not."

MR. SPEAKER:—"Who is seconding the motion; does it fall through for want of a seconder?"

THE HON. SRI K. MADHAVA MENON:—"Hon. Gentleman Mr. Mahin Schamnad has given notice of a similar amendment and he might second this amendment and speak on it."

SRI A. VAIDYANATHA AYYAR:—"Mr. Speaker, Sir, I second the amendment."

MR. SPEAKER:—"Amendment moved—

'That for section 7 (4) of the Act substitute the following:—

"(4) As regards produce of other classes of fruit-bearing trees such as jack, mango, tamarind, palmyra and cashewnut, one-fourth of the said one-third in case where the landlord has to pay compensation for the trees and one-third where the landlord has not to pay compensation provided that nothing shall be payable for the minor produce such as leaves, fibre, etc., whether compensation is payable or not."

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I am sure my hon. Friend Sri Vaidyanatha Ayyar did not know what he was really seconding. I want to refer him to page 7 of the annexure containing the parallel columns, from which he will find against section 7 (4), the words 'No change.' We have retained the original section as it is and here, the hon. Sri Raghava Menon wants to add something more which will throw more liability on the tenants."

SRI A. VAIDYANATHA AYYAR:—"Just as the Government are trying to amend at one end, the hon. Member is trying to tamper with it at the other end."

JANAB M. V. HYDROSS:—"On a point of information, Sir, should not the Member know what the motion is he is seconding?"

SRI R. RAGHAVA MENON:—"Mr. Speaker, Sir, garden lands, according to the previous Act included all these things but now garden lands include coconut and arecanut trees and all other trees are eliminated. So, unless it is specifically provided for, they cannot get anything."

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, even here, Mr. Raghava Menon is not correct. Even that is provided for in existing section 7 (4)—

'Nothing shall be payable for the minor produce of coconut or areca trees or for the produce of other classes of fruit-bearing trees such as jack, mango, tamarind, palmyra and cashewnut.'

[Sri K. Madhava Menon] [9th February 1951.]

The existing Act says that these shall not be taken into account at all and Sri Raghava Menon wants them to be calculated."

MR. SPEAKER:—"The question is—

'That for section 7 (4) of the Act substitute the following:—

"(4) As regards produce of other classes of fruit-bearing trees such as jack, mango, tamarind, palmyra and cashewnut, one-fourth of the said one-third in case where the landlord has to pay compensation for the trees and one-third where the landlord has not to pay compensation provided that nothing shall be payable for the minor produce such as leaves, fibre, etc., whether compensation is payable or not."

The amendment was lost.

JANAB MAHIN SCHAMNAD:—"Mr. Speaker, Sir, I beg to move—

'That in section 7 (4) of the Act, add the following proviso:—

"Provided that in the case of fruit-bearing trees grown separately in a separate garden, rent shall be payable as in the case of coconut trees in the garden."

Mr. Speaker, Sir, in our parts, there are some places which are fit for growing coconut but they do not grow coconut but only mango trees, not as a minor produce but as a major produce, because they get more money by that means; they are separately grown in separate gardens and no other trees are grown. Just like this, there are also cashewnut trees which are separately grown. There is no provision in the Bill with regard to such cases and so, Sir, my amendment seeks to suggest that in such cases rents as for gardens should be payable as in the case of coconut trees."

JANAB SINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM:—"Mr. Speaker, Sir, I second the amendment."

MR. SPEAKER:—"Amendment moved—

'That in section 7 (4) of the Act, add the following proviso:—

"Provided that in the case of fruit-bearing trees grown separately in a separate garden, rent shall be payable as in the case of coconut trees in the garden." "

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, I suppose the hon. Gentleman was speaking about dry lands and not garden lands. Mango trees are always grown on dry lands. I oppose the amendment."

JANAB MAHIN SCHAMNAD:—"They are growing only mango trees and they are making large sums of money and they must pay something out of it."

[9th February 1951]

MR. SPEAKER:—"The question is—

'That in section 7 (4) of the Act, add the following proviso:—

"Provided that in the case of fruit-bearing trees grown separately in a separate garden, rent shall be payable as in the case of coconut trees in the garden." "

The amendment was lost.

Clause 10 was put and carried.

Clause 11.

MR. SPEAKER:—"The motion is—

'That clause 11 do stand part of the Bill.' "

SRI R. RAGHAVA MENON:—"I have given notice of this amendment, namely:—

'That in the proposed section 8 (3) (a), add at the end the following:—

"Provided that where only part of the land is cultivated, the fair rent for the uncultivated part shall be three times the highest assessment payable in respect of such lands in the district."

in order to clear a certain doubt. Supposing a portion of the land is cultivated with groundnut, the tenant has to pay in kind in respect of that portion. It is not for the whole area because it will be unjust to pay for the whole area, but only for the cultivated area. But for the remaining uncultivated area, will he not have to pay three times the assessment? That is my doubt, Sir."

THE HON. SRI K. MADHAVA MENON:—"The wording is quite clear, Sir. This is what the clause says—

'In any year in which groundnut . . . is cultivated on any land or part of any land, fair rent for the whole of that land for that year shall be one-eighth of the gross produce . . . raised on the land or part of the land, in that year, or an amount equal to three times the highest assessment payable in the district in respect of dry land of the same extent as such land, whichever is higher.'

That is clear, Sir."

SRI R. RAGHAVA MENON:—"In view of the explanation, I am not moving my amendment."

Clause 11 was put and carried.

Clause 12 was put and carried.

Clause 13.

MR. SPEAKER:—"The motion is—

'That clause 13 do stand part of the Bill.' "



[9th February 1951]

SRI R. RAGHAVA MENON:—"Mr. Speaker, I move, Sir—

*That in proposed section 9-C (1), add the following words:—*

*"Provided that if any joint statement is put in by the landlord and tenant concerned, the rent therein mentioned shall be accepted as the fair rent."*

In the Select Committee discussions, I thought it was agreed that if the landlord and the tenant together give a statement before the Rent Settlement Officer that a certain sum shall be the fair rent as regards their holding, it shall be accepted as fair rent and the question of fair rent shall not be opened by him. My amendment only seeks to affirm this and say that if such a joint statement is made the question of fair rent need not be further gone into by the Settlement Officer. That is what I seek, Sir."

SRI K. BRAHMANANDAM REDDI:—"If the motion is seconded, I propose to oppose it, Sir."

SRI A. VAIDYANATHA AYYAR:—"Of course, Sir, I second the motion."

MR. SPEAKER:—"Amendment moved—

*That in proposed section 9-C (1), add the following words:—*

*"Provided that if any joint statement is put in by the landlord and tenant concerned, the rent therein mentioned shall be accepted as the fair rent."*

4-15 P.M. SRI K. BRAHMANANDAM REDDI:—"Sir, I oppose this amendment for this simple reason: you, know, Sir, that the relationship between a landlord and a tenant is almost like that of a husband and wife. You may remember, Sir, in the Bill brought forward by hon. Member Mr. Kaleswara Rao, the Hindu Bigamy Bill, even where the first wife agreed to the husband marrying a second wife, the law said that he should not be permitted to marry. That same reason applies here. For it may be the case, the landlord may have, by exercising undue influence or coercion and all that, not directly but indirectly, made the tenant to agree to a statement drawn up by him with regard to fair rent. We all have come across in courts, almost every day I may say, hundreds of cases of agreements being brought forward directly detrimental to the interests of persons agreeing. So, Sir, when we are here in the Bill specifying that the fair rent should be determined by the Rent Settlement Authority it is incorrect in principle and practice to provide that a mere agreement between the landlord and tenant ousts the jurisdiction of the settlement authority. It is for the settlement authority to consider all aspects of the matter on hand including such agreement and decide what justice requires."

\* JANAB M. V. HYDROSS:—"Sir, for the same reason I oppose this amendment. In addition to what has been said by

[9th February 1951] [Janab M. V. Hydross]

hon. Friends earlier, I have to submit that even now landlords have not lost their influence over their tenants. In some cases, I am afraid they can bring all kinds of pressure upon their tenants and get them sign statements as they like to the detriment of the cultivator. For this reason I oppose the amendment."

JANAB M. A. MUHAMMAD IBRAHIM:—"Sir, I oppose the amendment for the reason put forward by hon. Member Mr. Brahmanandam Reddi. The principle is this: a landlord should not be allowed to take advantage of the tenant's position to be detriment of the tenant. When the statute recognizes a certain relationship and gives each parties a definite status and certain rights, no private contract going directly against those rights and status should be allowed. By recognizing the right any person to contract out of any statute we are only nullifying statutory provision made in that measure. So I oppose this amendment."

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, besides the arguments advanced by my hon. Friend Mr. Brahmanandam Reddi, there is another aspect which has been lost sight of, and which seems to be very serious. Sir, when the present amendment was suggested by Mr. Raghava Menon in the Select Committee, I thought it was a good suggestion and I accepted it. But later on, I found there was a very big danger in accepting his suggestion. For, we all know that in Malabar, we are following the Marumakkattayam law. Even a large number of Muslims are following that system of law. We all know in such families the seniormost member of the tarwad, called the karnavan, is the head of the family. Each family will consist of 200 to 300 members. Our experience of the karnavan's management of the family property is not happy. By cajolery, persuasion, flattery and so on the karnavan may be made to do a thing binding on the family which may have an adverse effect on the family. Now if this contract is to be recognized we will be making the way open for such a thing to be done by the karnavan. Further one cannot contract for future generations, i.e., generations to come. So when a karnavan contracts with a tenant he is doing so not on behalf of an individual member or a few members, but on behalf of two hundred or three hundred junior members of his family. So to enter into such a contract is dangerous. So I oppose the amendment."

SRI R. RAGHAVA MENON:—"Mr. Speaker, Sir, I am not very much convinced by the argument of the Hon. Minister. Those kinds of karnavans mentioned by the Hon. Minister have all gone. Our families have become divided now; we are now living with our near relations, and not remote relations. Previously there used to be hundred or two hundred members in each family. Such a thing no longer obtains now. The present-day karnavan is managing the affairs well. Unless we want to legislate with a vengeance to create discord between the landlord and the tenant I do not see any reason for opposing my amendment. By recognizing contract rents we would be eliminating a lot of disputes going

[Sri R. Raghava Menon] [9th February 1951]

before the Rent Settlement Authority. Even if Government accept my amendment there is nothing which prevents the Rent Settlement Authority from not recognizing suspicious contracts. Further, do not courts recognize compromise decrees? Similarly there is nothing which prevents the Rent Settlement Authority recognizing contract rents."

THE HON. SRI K. MADHAVA MENON:—"I have nothing to say, Sir."

MR. SPEAKER:—"The question is—

'That in proposed section 9-C (1), add the following words:—

"Provided that if any joint statement is put in by the landlord and tenant concerned, the rent therein mentioned shall be accepted as the fair rent." "

The amendment was lost.

THE HON. SRI K. MADHAVA MENON:—"Sir, I beg to move—

'Add the following at the end of the first sentence of new section 9-D:—

"of the Subordinate Judge's Court having jurisdiction over the area in which the holding is situate."

Sir, the amendment is self-explanatory. So there is no need for me to explain why it is necessary."

The amendment was put and carried.

JANAB P. K. MOIDEEN KUTTY:—"Mr. Speaker, Sir, I beg to move—

'Substitute the following for proposed section 9-E:—

"Fair rent shall in all cases be paid in kind or in money at the option of the tenant." "

Sir, there is no need for much of an argument in respect of this amendment. Even in his speech, the Hon. Minister for Law yesterday said or rather admitted that there was a lot of harassment with regard to the measuring of paddy and other kinds of grains. He even said that in North Malabar especially there was a lot of trouble over this matter. Therefore at least to avoid that I would request the Hon. Minister to accept my amendment. In fact this question was discussed at length in the Select Committee. Even Government's original draft was that payment of rent should be in kind or in money at the option of the tenant. So it is a retrograde step that the Select Committee took in deciding that payment of rent should be in kind. I concede that in the case of temples and religious institutions there would be great difficulty felt in the matter of getting paddy for *naivedyam* and other things, if my amendment is to be accepted. For such cases we may provide suitable provision. In other cases I do not see any reason why rent should not be paid in money."

9th February 1951]

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

MR. SPEAKER:—"Amendment moved—

'Substitute the following for proposed section 9-E:—

"Fair rent shall in all cases be paid in kind or in money at the option of the tenant." "

THE HON. SRI K. MADHAVA MENON:—"Sir, I have to state that the Select Committee spent considerable time over this question and it is only after that they came to this conclusion. Even under the existing Act the tenant is bound to pay in kind, but if there is a suit for arrears of rent, the suit will be decreed only in terms of money. Sir, I spent considerable time when introducing the Bill as it emerged from the Select Committee in this House to show why this change has been made. So, I need not traverse those grounds again now. Mr. Moideen Kutty asked why we cannot say that the rent may be paid in kind or money at the tenant's option. Now, if that is to be done, then all the landlords will be forced to purchase their food in rice ration shops, and that by paying a higher price than at the rate they would get their rent. Does my hon. Friend want that to be done? Then, Mr. Moideen Kutty knows, there are 33,000 Gods and an equal number of temples in Malabar owning landed property, and so that is also a big consideration standing in the way of accepting his amendment. So, Sir, I cannot accept the amendment of my friend."

JANAB P. K. MOIDEEN KUTTY:—"Sir, even now, as far as I know, if the tenant refuses to pay rent, the landlord has to go to the rice ration shop. Again, the argument that civil courts decree suits for arrears of rent only in terms of money only supports my amendment. Therefore I am not convinced of the argument of the Hon. Minister and I press my amendment."

MR. SPEAKER:—"The question is—

'Substitute the following for proposed section 9-E:—

"Fair rent shall in all cases be paid in kind or in money at the option of the tenant." "

The amendment was lost.

Clause 13 as amended was put and carried.

Clause 14 was put and carried.

Clause 15.

MR. SPEAKER:—"The motion is—

"That clause 15 do stand part of the Bill." "

SRI M. P. DAMODARAN:—"Mr. Speaker, Sir, I beg to move the amendment which stands in my name. It runs as follows:—

'That in the proposed section 10, add "or a holder" after the words "every tenant" and before the words "of a kudiyyiruppu".'

[Sri M. P. Damodaran] [9th February 1951]

Sir, as amended, the clause will read as follows:—

‘Notwithstanding any contract to the contrary, whether entered into before or after the commencement of this Act, every cultivating verumpattamdar, every customary verumpattamdar, every kanamdar, every tenant or a holder of a kudiyruppu and every holder of an ukudi or a kudikadappu shall have fixity of tenure in respect of his holding . . .’

Now, Sir, if landlord A lets his land to B and B in his turn sublets it to C, as per the clause as it now stands A cannot evict B, but he can evict C. That means, C cannot get fixity of tenure. But if my amendment is carried, C also gets fixity of tenure. So to get real benefit under this clause for the holder of a kudiyruppu the addition of the words I have suggested is necessary. So I hope the Hon. Minister will see his way to accept this harmless but essential and necessary amendment.”

SRI M. P. GOVINDA MENON:—“Sir, I beg to second the amendment. The very scheme of this amending legislation, or rather the most important feature of this amending Bill is to recognize the hearth and home of the tenants. Now it is a well recognized fact that the hearth and home of all people are held as sacred. So the kudiyruppu of a tenant should not be touched, and he should be given fixity in respect of it. Now unless the clause is amended as suggested by my friend, Mr. Damodaran, the holder of a kudiyruppu cannot get fixity. Further there will be any number of intermediaries between the janmi and the actual holder of the land. So this amendment is necessary, and therefore I request the Hon. Minister to accept it.”

MR. SPEAKER:—“Amendment moved—

‘That in the proposed section 10, add “or a holder” after the words “every tenant” and before the words “of a kudiyruppu” . . .’

SRI V. I. MUNISWAMI PILLAY:—“Mr. Speaker, Sir, I rise to give my strong support to this amendment, moved by my friend from Malabar. Sir, as has been explained by the Hon. Minister for Law yesterday, this Bill is intended to regulate the relations between landlords and tenants in Malabar. He also pointed out that one important feature of the Bill is to give fixity of habitation to the agricultural labourers and tenants. If we look at the men in the lowest rungs of the ladder, we will find them to be poor Harijans and certain sections of other communities. All these years they were not having any fixity of tenure for their habitation. Some of us have seen personally the condition of these people in the various topes and other garden lands and elsewhere. Now, if this amendment is accepted, the actual holder of the land will get fixity of tenure in respect of his holding. So I hope the Hon. Minister will accept and give the right sought to be given by the amendment.”

4-30 p.m. JANAB M. V. HYDROSS:—I further support the amendment for this reason. Under the existing Act there is a recent decision

[9th February 1951] [Janab M. V. Hydross]

of the High Court according to which a sub-tenant is not entitled to a kudiyruppu. If the clause is passed as it is, difficulties will arise and sub-tenants may have to be sent out of their holdings.”

JANAB K. M. SEETHI:—“I support the amendment. The difficulty of the benefit given to a tenant not being available to a sub-tenant arises not only in respect of kudiyruppu but also in respect of eviction under sections 14, 20, etc., as the Madras High Court has held that the word ‘tenant’ will not include a sub-tenant. I have also given notice of a similar amendment under clause 29. We had a discussion about this with the Hon. Law Minister. The object of the mover of the amendment can be achieved if the definition of the word ‘tenant’ is amended so as to include a sub-tenant also. That will remove all difficulties.”

SRI R. RAGHAVA MENON:—“The primary intention of the Bill is to give fixity of tenure to the tenant of a kudiyrupu more than to the tenant of a land. I have great pleasure in supporting the amendment.”

THE HON. SRI K. MADHAVA MENON:—“Sir, I agree with everything that has been said. It is necessary to accept the amendment for the sake of giving fixity of tenure to kudiyruppu holders. But, as hon. Member Mr. Seethi Sahib pointed out, we have to make a similar amendment in about five places in this Bill. The new section 39 (2) introduced by clause 30 runs as follows:—

‘Whenever the interest of any tenant or landlord in any holding or in any portion thereof is transferred or whenever such interest devolves by operation of law, the landlord or the tenant, as the case may be, shall, subject to the provisions of this Act and to such rules as may be prescribed, be bound to recognize such transfer or devolution.’

There is a view that this will be sufficient to include a sub-tenant. To avoid all difficulties and to obviate the necessity for making amendments in so many places, I feel that it will be better to make a slight alteration in the definition of ‘tenant’ so as to include a sub-tenant also. Though the clause relating to definitions has already been passed, I will move for re-opening the clause later on and move an amendment. In view of this assurance, I appeal to hon. Member Sri M. P. Damodaran to withdraw his amendment.”

SRI M. P. DAMODARAN:—“As the Hon. Minister has accepted the principle of my amendment, I beg leave of the House to withdraw my amendment.”

The amendment was, by leave, withdrawn.

JANAB P. K. MOIDEEN KUTTY:—“Sir, I move—

‘That in proposed section 10, omit the further proviso and the Explanation.’

The reason for the amendment is this. It was wrong to have made a distinction on the basis of the kanom amount even under the existing Act. My view is that kanams, however much they may be called mortgages, are really kanams. In the original Bill there was a provision to protect the kanamdars from eviction if they had

[Janab P. K. Moideen Kutty] [9th February 1951]

been in continuous occupation of the holding for not less than twenty-five years even if their kanams were mortgages. This distinction on the basis of the kanam amount must be removed. There are so many kanams which, according to the definition, are only mortgages, but the kanamdars might have been in continuous occupation of the holding for not less than twenty-five years. To protect such tenants from eviction, I want to omit the further proviso and the Explanation. It may be said that as far as North Malabar is concerned, kanams are really mortgages. But I maintain and the Hon. Law Minister knows that so far as South Malabar is concerned, kanams are kanams and not mortgages. So every kanam must be treated as a kanam and we should not make any distinction on the basis of the kanam amount."

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

MR. SPEAKER:—"Amendment moved—

'That in proposed section 10, omit the further proviso and the Explanation.'"

THE HON. SRI K. MADHAVA MENON:—"The hon. Mover of the amendment says that, wherever there is a kanam, it must be treated as a tenure. But we know that in North Malabar and the Kasaragod taluk of South Kanara, kanam is treated as a mortgage. If the amendment is accepted, every mortgagee in Malabar will get fixity of tenure. A mortgagee in Malabar cannot have any more right than a mortgagee in any other district. The law of mortgages is applicable to all the States and we cannot make an exemption for Malabar alone. So I cannot accept the amendment."

JANAB P. K. MOIDEEN KUTTY:—"He can make a provision to exempt at least South Malabar. That is all I have to say."

THE HON. SRI K. MADHAVA MENON:—"I have nothing further to say."

MR. SPEAKER:—"The question is—

'That in proposed section 10, omit the further proviso and the Explanation.'"

The amendment was lost.

Clause 15 was put and carried.

Clause 16 was put and carried.

Clause 17.

MR. SPEAKER:—"The motion is—

'That clause 17 do stand part of the Bill.'"

JANAB P. K. MOIDEEN KUTTY:—"Sir, I move—

'That in section 14 of the Act, omit clauses (5) and (6).'

"This is a very important matter. If the Hon. Law Minister does not accept my amendment, I must say that all our labours

[9th February 1951] [Janab P. K. Moideen Kutty]

have been in vain. It means that we are not able to go a step forward beyond the Advisers' Government. In fact, very high hopes were given to the tenants of Malabar. After so much enquiry and investigation, we are not willing to give fixity of tenure to the tenant without always keeping this Sword of Damocles of the *bona fide* requirement of the landlord of his lands for self-cultivation and other things hanging over his head. I must say that we are even betraying the cause for which we have been pleading so much. Therefore I request the Hon. Minister to simplify the whole thing and say that there should be no eviction at all so long as the tenant pays the fair rent and does not deny the title of the landlord. At this late hour to say that we cannot go even a little more forward than the Advisers' Government is, I must say, rather disgraceful for a popular Government who have been saying that they are going to help the tenants. Therefore I request the Hon. Minister to accept my amendment."

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

MR. SPEAKER:—"Amendment moved—

'That in section 14 of the Act, omit clauses (5) and (6).'

THE HON. SRI K. MADHAVA MENON:—"Sir, I must oppose the amendment for two reasons. Whether a landlord should have the right of evicting his tenant when the holding is needed by him *bona fide* for cultivation for his own maintenance is the question involved in this amendment. This question has created considerable heartburning on all sides. The original Bill gave the right of eviction to the landlord. But that right was subject to the restrictions that it would be available only during the next five years and that too only in cases where the tenant or members of his family had not been in continuous occupation of the holding for twelve years and provided further that the eviction would not reduce the total extent of the land in their occupation to less than five acres. All these restrictions were considered impossible from the point of view of practicability. A majority of the Select Committee Members felt that, so long as we recognized the position of the landlord and tenant, it was only fair that the landlord should have the right of evicting his tenant if he wants the holding *bona fide* for cultivation not as a luxury or for pleasure or for any large-scale mechanized farming but for the maintenance of himself and his family. Not giving him the right will cause considerable genuine heartburning to the comparatively poor landlords.

"Further, prior to 1945, there was the provision that the landlord could evict his tenant *bona fide* for the purpose of cultivation by himself. The court decrees meant that the landlords could evict their tenants if they wanted their lands *bona fide* for cultivation by themselves. Then there were a number of eviction suits. The Advisers' Government passed a legislation in 1945 saying that the landlord could evict his tenant only for the maintenance of

[Sri K. Madhava Menon] [9th February 1951]

himself. Thereafter the number of suits was very little. So, it is a very small concession that was given. Further the Joint Select Committee has hedged in that concession by so many restrictions. Under the old Act if the landlord did not use the land for six years, the tenant could ask for it. We have now reduced that period to three years. Previously it was 'occupation'. Now we have stated 'residence'. Then again there is another serious objection which we might well remember. It was suggested to me that the question of the abolition of the renewal fee might not offend the Constitution. But if we say that the landlord cannot evict his tenant for his own purposes, it is likely that it might offend the Constitution. I also felt that there was some force in it. It is Article 19 (1) (f) of the Constitution that might come into operation, namely, 'to acquire, hold and dispose of property'. Clause 5 of Article 19 of the Constitution says 'Nothing in sub-clauses (d), (e) and (f) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, reasonable restrictions on the exercise of any of the rights conferred by the . . .'. We can only put reasonable restrictions. If we say that the landlord cannot at all evict the tenant, it might offend the provisions of the Constitution. I was very well advised that there was the risk of the whole thing going out. As was very well pointed out by an Hon. Judge in a conference recently held at Tiruchirappalli, that, in attempting to empty the tub, the baby might be lost. There is that danger if the amendment is accepted. Discretion is the better part of valour, and it is better that we do not give any room for it."

JANAB P. K. MOIDEEN KUTTY:—"Sir, if it is a question of offending the Constitution, the only remedy is to amend the Constitution. With regard to the other argument, I am not quite satisfied at all. The argument that the landlord will be hard hit is not correct. For his own reasons he has not been cultivating the land. The Hon. the Minister forgets the other side of the picture in the matter, that is the picture of the tenant who has been on the holding for such a long number of years. Therefore, if it is a question of Constitution, there is nothing more to say. As far as the other argument is concerned, I am still unconvinced, and I press my amendment."

MR. SPEAKER:—"The question is—

'That in section 14 of the Act, omit clauses (5) and (6).'

The amendment was lost.

SRI R. RAGHAVA MENON:—"Mr. Speaker, Sir, I move—

'That in section 14, clauses (5) and (6), add the word "Illom" after the word "family".'

MR. SPEAKER:—" 'Illom' is a Tamil word."

SRI R. RAGHAVA MENON:—"Illom has got a special significance. There are many Nambudiri families, and there is

[Sri R. Raghava Menon] 9th February 1951]

the Nambudiri Act. (Interruption.) It will be convenient if it can be stated that family means also 'illom'. It is much better that it is added! It is only a verbal amendment."

SRI V. RAGHAVAYYA:—"I second the amendment."

MR. SPEAKER:—"Amendment moved—

'That in section 14, clauses (5) and (6), add the word "Illom" after the word "family".'

THE HON. SRI K. MADHAVA MENON:—"Sir, 'Illom' corresponds to 'tarwad', and 'thavazhi'. It applies to the Nambudiri families in Malabar. The amendment seems to be desirable. But the difficulty is this. It has to be incorporated in five or six other places. Wherever we have used the words tarwad, tavazhi, kutumba and kavaru, we will have to use the word 'Illom' also. We have also to say that the word 'Illom' shall have the same meaning as defined in the Nambudiri Act. I will consider this matter, and will bring it up to-morrow."

The amendment was, by leave, withdrawn.

Sub-clauses (v) and (vi).

JANAB K. M. SEETHI:—"Sir, I move—

'That in clause 17, sub-clause (v) in the proviso (i) before the words "no tenant shall be evicted", insert the words "no tenant shall be evicted on the ground specified in clause (5) or clause (6) if he or the members of his family have been in continuous possession of the holding for not less than 12 years and he needs the holding bona fide for the purpose of raising crops or other produce for his own maintenance or for that of any member of his tarwad, tavazhi, or kutumba, kavaru or family who has a proprietary and beneficial interest in the holding and";

In clause 17 (v), in further proviso (ii), after the words "or kudikadappu" add the words "or which is in the ownership of a transferee from a landlord the period of his ownership being less than 12 years";

In the Explanation to Section 14 of the Act, add the words "or tenant" after the word "landlord" wherever it occurs, and the words "or tenant's" after the word "landlord's".'

Sir, the point is this. As has been pointed out by my hon. Friend Mr. Moideen Kutty, the concession given to the poor landlord to recover possession of the property for cultivation for his own maintenance and for the maintenance of the members of his family should not be there at the expense of an equally impecunious and needy tenant who had been in possession of the land for a period of not less than 12 years, and who had been depending upon the land and who requires the land bona fide for his own needs. When it is a question of choice between an impecunious landlord and an

[Janab K. M. Seethi] [9th February 1951]

impecunious tenant, the need of the tenant should prevail for the simple reason that he has been on the land, and he has been depending upon the income from the land for his maintenance and the maintenance of the members of his family. In fact eviction in such cases will create a hardship for the tenant. When there are two evils, we have to choose the lesser of the two evils by asking the janmi to be content with the *status quo* rather than asking the tenant to get out of the land. The principle on which I have moved this amendment is based upon the fact that when there are two evils, the lesser evil should be chosen. Keeping in view the object of the Bill, the need of the tenant should be taken into account, and should be preferred. Therefore, clauses 5 and 6 of section 14 should not be left without any qualification, and it should be qualified to the extent that the tenant is protected. As a matter of fact, it was pointed out that in the case of the poor and impecunious janmis, who required lands for cultivation for their own maintenance, no hardship would be caused to the tenants, because the tenants would be in possession of a large acreage of land, and that they would be in very affluent circumstances. It was also stated that the landlord should be given the right of recovering possession for his own maintenance as against the tenant who would be in a much more affluent position, and who would not be put to any serious hardship. If clauses 5 and 6 of section 14 of the Act are qualified, there will be no difficulty for us to arrive at a conclusion. The landlord should certainly not be given the right of recovering possession of land from his tenant if thereby the tenant would be reduced to destitution. What I submit, therefore, is that this amendment should be accepted by the Government, so that much of the heart-burning and discontent on the part of the tenants will be removed. It may be pointed out by the Government that it might entail enquiry into the economic position of each tenant. In each case where recovery of possession is sought by the landlord, an enquiry into the economic position of the landlord is ordered. I submit, along with that enquiry, an enquiry into the economic position of the tenant also should be ordered. This will not impose a great hardship on anyone.

"In the amendments that I have moved there is one provision which relates to denying the right of recovery, which a landlord has, to his transferee. On this point I would like to make some remarks. As a matter of fact, the danger about giving the right of recovery of land to the landlord is, as I pointed out at an earlier stage, that the landlord under the guise of transferring the land to a stranger, will satisfy the court. The landlord may make a benami transaction, and then make the transferee file a suit for recovery of possession. The very healthy provision of the Act will be circumvented and misused by the landlords. There must be some provision restricting the transferee, who has not completed 12 years' occupation, from filing a suit for the eviction of the tenant. For these reasons I commend my amendments for acceptance by the Government."

9th February 1951]

JANAB M. V. HYDROSS:—"I second the amendments, Sir. I move, Sir—

*That in clause 17 (v) at the end of further proviso (i), add the following:—*

*"or by a landlord other than a janmi"*

*In clause 17 (v) after further proviso (i), add the following as a new item:—*

*"(i) (a) a landlord who is a transferee for value shall not be entitled to the benefit of clause (5) or (6) unless he brings the suit after a period of 12 years from the date of such transfer."*

As my hon. Friend Mr. Seethi Sahib submitted, there has been a tendency on the part of landlords to transfer their properties in the name of their benamidars or their near relations, having no property whatsoever on record. Now, it has been stated that a restraint on the landlords' right of disposal of lands would offend the provisions in the Constitution. I submit in a matter of this kind where the relationship between the landlord and the tenant is to be regulated, it is only a reasonable restraint that is imposed upon the action of the landlord, and therefore it cannot be against the Constitution.

"Further, the question of right of disposal does not come in here. It can be said, Sir, that he actually parts with the right and that if the Government stand in the way of disposal the action is against the Constitution. Now that the relationship between the landlord and the tenant may not be very cordial as we expect it to be, there may arise cases where fictitious transfers are made in the name of benamidars and nominees which is another method of giving a melcharth in favour of favourites. Therefore, I request that my reasonable amendment may be accepted and some relief given to the tenant so that he may not be subjected to a suit for eviction suddenly due to a transfer of the right from the landlord to another person. 5 p.m.

"In my second amendment, I request that the right of suit for eviction should be conferred only on a janmi and not on anyone of the intermediaries. Sir, there may be a number of landlords above the cultivating tenant and the needs of anyone of them are sufficient to send the tenant out of the property. It is to meet this contingency that I make this suggestion. It has been promised by the party in power that they will see that all the intermediaries are wiped off. Consistent with that principle, I submit that the intermediaries should not be empowered to evict the tenants. I have no objection to the intermediaries continuing to be in the picture but I request relief to this extent that the tenant should not be sent out on the ground that any of the intermediaries wants the property for his own benefit."

JANAB P. K. MOIDEEN KUTTY:—"I second the amendments, Sir."



[9th February 1951]

MR. SPEAKER:—“ Amendments moved—

That in clause 17, sub-clause (v), in proviso (i), before the words “ no tenant shall be evicted ”, insert the words “ no tenant shall be evicted on the ground specified in clause (5) or clause (6) if he or the members of his family have been in continuous possession of the holding for not less than 12 years and he needs the holding *bona fide* for the purpose of raising crops or other produce for his own maintenance or for that of any member of his tarwad, tavazhi or kutumba, kavaru or family who has a proprietary and beneficial interest in the holding and ”.

That in clause 17 (v), in further proviso (ii), after the words “ or kudiyruppu ” add the words “ or which is in the ownership of a transferee from a landlord the period of his ownership being less than 12 years ”.

That in the Explanation to section 14 of the Act, add the words “ or tenant ” after the word “ landlord ” wherever it occurs and the words “ or tenant's ” after the word “ landlord's ”.

That in clause 17 (v) at the end of further proviso (i), add the following:—

“ or by a landlord other than a janmi ”.

That in clause 17 (v) after further proviso (i), add the following as new item:—

(i) (a) a landlord who is a transferee for value shall not be entitled to the benefit of clause (5) or (6) unless he brings the suit after a period of 12 years from the date of such transfer.”

THE HON. SRI K. MADHAVA MENON:—“ Sir, I oppose all the amendments to clause 17 moved by the hon. Gentlemen Janab Seethi and Janab Hydross. Firstly, the amendments take away by the left hand what we are giving by the right hand. We once agree to the position that a landholder is entitled to evict a tenant if he needs the holding or part thereof *bona fide* for the purpose of constructing a building for his own residence or for his own cultivation, for his maintenance. Janab Seethi's amendment says that we must look to the requirements of the tenant also, that the requirements of the tenant are more important than those of the landlord and that the landlord's requirements are of secondary importance. With reference to Janab Moideen Kutti's amendment, I said that we must at least provide that the landlord could evict the tenant if he wanted the land for the purpose of his maintenance. I said that we must give him at least that right. If he is given that right, it must be absolute. If the hon. Gentleman Janab Seethi's amendment is accepted, in every case the court will have to go into the question of the merits of the requirements of both the landlord and the tenant before they come to a decision. The result will be that we are nullifying the right given to the landlord to evict a tenant. This may then be a camouflage. This will be against the provisions of the Constitution. The hon. Gentlemen are not right in their reference to disposal of property. It is a question of acquiring and holding of property. Holding does not necessarily mean disposal,

[9th February 1951] [Sri K. Madhava Menon]

“ Further, the hon. Gentleman Janab Seethi says that the right of relief from eviction should be given to a tenant if he requires it for his maintenance provided he has been in possession of the property for at least twelve years. I cannot understand the reason behind the suggestion. If it is a question of necessity of tenant, what is the difference between a tenant who has been twelve years in possession and one who has been eleven years in possession? If a tenant, who has been eleven years in possession, has the same necessity as any other tenant and if he will die if he is deprived of the property, why should not his requirements be taken into consideration and why should we only think of one who has been twelve years in possession? The main point to be considered is necessity and not the number of years the tenant has been in possession. If we can ignore the necessity of a tenant who has been in possession for eleven years, then I say it is not proper to take away with the left hand the right given to the landlord with the right hand.

“ Then, the hon. Gentleman Janab Hydross says that the right of evicting a tenant should be given only to a janmi and not to a landlord. But the definition of ‘ landlord ’ includes an intermediary. That intermediary has all the rights that a janmi has under the Constitution. That is the constitutional aspect of the matter. If the intermediary evicts the tenant and takes to cultivation, he himself will be the tenant and, therefore, the object is served. If an intermediary wants the land for his own cultivation or for his maintenance, his necessity must also be considered; we should not discriminate between the necessities of landlord A and landlord B. It will be against the Constitution.

“ The substance of the other amendment of the hon. Gentleman Janab Hydross is that a landlord who wants deliberately to harm a tenant can transfer his property to a benamidar, *nam kay vaste* नाम क वास्तु man, whom we call in Malayalam ‘ Lagnam ’, and effect eviction through him. If it is a benami transaction, certainly the tenant is entitled to plead that it is a benami transaction and the benamidar is entitled to prove that it is not so. If it is a genuine transaction, the transferee is entitled to get the land. Otherwise, why should a man purchase a property unless he is able to enjoy it? There is a half-chance of the danger arising with the help of lawyers, because our ingenuity is such that we will try to evade any provision of law. But the danger of the landlord trying to get at an impecunious fellow and transferring the property to him is there even under the existing Act. But that is a risky action. Suppose I am a landlord..I get hold of an impecunious fellow, transfer the property to him and ask him to file a suit for eviction. I am a slave under him then; he can blackmail me and say, ‘ Give me so much money.’ (Sri S. Nagappa: ‘ You should not choose him.’) But it is not as if all of us are intrinsically bad. It is the circumstances that make a man a thief. But that risk is there under any circumstances. I cannot accept all the five amendments.”

[9th February 1951]

JANAB K. M. SEETHI:—"Sir, I stand unconvinced by the arguments of the Hon. the Law Minister. He pointed out two difficulties. One was the necessity for an enquiry by a court into the needs of the tenant. The other was the inconsistency in my referring to possession for a period of twelve years and also to the need of the tenant which were, according to him, rather irreconcilable. As a matter of fact, the period of occupation by a tenant is one of the vital points to be taken into consideration in deciding whether he is entitled to fixity or not. That has been the policy followed by the Government consistently and it was the course followed by them as late as the time when they introduced the original proposals. The idea of the Government then was that if a tenant had been in occupation for twelve years, then he should not be evicted on any ground. So, the period of occupation is a very essential factor to be considered. When a man has been in occupation of the land for a certain period of time, he develops a certain attachment to it and a certain indissoluble connexion with it, the disturbance of which will be causing great hardship to him. A man who comes now and steps into the land is not like one who has been there for twelve years. That is why I have put in the qualification of possession for a period of twelve years in the case of a person who should be given fixity and who should not be disturbed.

"One other thing which the Hon. the Law Minister was emphasizing was that the benefit given to the impecunious landlord by one hand would be taken away with the other hand if this amendment is accepted. I respectfully submit that that will not happen. In several cases the tenant will not be an impecunious fellow from whom it will be difficult for the landlord to recover possession. There are a number of cases where the tenants will have lands enough for their maintenance and who will not be put to any hardship if the land sought to be recovered by the landlord is taken away. In that view of the matter, in several cases the impecunious landlord also will have some relief even if my amendment is accepted. In cases where the tenant's position is miserable and unenviable, consistent with the provisions of this Bill, the tenant should be preferred and he should be given the right of possession.

"About the transfer there is a danger in giving unrestricted rights to the landlord. He may transfer the right to a benamidar. Also the enemies of the tenant or persons who want to create trouble for the tenant may take assignment from the landlord who will not be in a position to evict the tenant and file a suit for eviction the next day. The Hon. the Minister for Law said that that danger was there even under the existing law. But there is a world of difference between the state of things that would prevail after the passing of this legislation and before it. We take away a number of valuable rights of the landlord by the present Amending Bill; for example, renewal fee is abolished; in the matter of fixation of fair rent, he has got a lot of complaints, and also in the matter of fixity, greater inroads are made into his rights than

[9th February 1951] [Janab K. M. Seethi]

before. When all these happen, the incentive for eviction will be greater on the part of the landlord after the passing of this Bill than before. The abolition of renewal fee is a temptation for him to file eviction suits. He will always be eager to recover possession and will certainly resort to transfers.

"Now according to the existing section 40, no holder of a melcharth, when suing for eviction, can claim possession on grounds (5) and (6) of section 14 or grounds (5) and (6) of section 20. When such restrictions are placed against any arbitrary or ingenuous methods of eviction and when the transferee is fettered from suing for eviction, it is only reasonable to fetter him by not making this sub-clause beneficial to him to the extent mentioned in the amendment. I would submit that especially when he is getting fair rent which is provided in the Act, it will be only natural to expect him to continue under such arrangement instead of rushing to a court of law for filing any suits."

JANAB M. V. HYDROSS:—"Mr. Speaker, Sir, in addition to what Janab Seethi Sahib has said I want to make one submission. It has been said by the Hon. Minister that in cases where the transfer is benami, the tenant can as well go to a court of law. Under sections 14 and 20, we find a provision to the effect that a suit for eviction can be filed if the tenant has wilfully denied the title of the landlord. I am afraid that this provision will expose the tenant to a serious risk and danger. It is always very difficult to prove cases of benami in a court. The landlord may always say that he got the necessary money to purchase the property from somewhere. That will be sufficient to convince the court of the *bona fides* of the title. It is very difficult to prove that transaction was a benami. There will be many janmis, many poor janmis about whom Sri Raghava Menon spoke, who may assign these lands in the name of one or many of their relatives. That would be sufficient to get the tenants evicted from the lands. In the case of a kudiyruppu, we have said that if a kudiyruppu was in occupation of a tenant for a consecutive period of ten years, he will be entitled to purchase the rights of his immediate landlord therein on payment to such landlord of the current market price. When we have provided for such a thing, there is practically very little force in the arguments of the Hon. Minister when he says that there is nothing in the period. I press my amendment, Sir."

THE HON. SRI K. MADHAVA MENON:—"Sir, I want to make it clear that I only said that the whole thing depends upon the necessity of the tenant and if there was necessity for the tenant then only that should prevail."

MR. SPEAKER:—"I am now going to put amendments Nos. 30, 31 and 32 of the hon. Member Janab K. M. Seethi. The question is—

"In section 17, sub-clause (v), in the proviso (i), before the words "no tenant shall be evicted" insert the words "no tenant shall be evicted on the ground specified in clause (5) or clause (6) if

5-15  
p.m.

[Mr. Speaker] [9th February 1951]

he or the members of his family have been in continuous possession of the holding for not less than 12 years and he needs the holding *bona fide* for the purpose of raising crops or other produce for his own maintenance or for that of any member of his tarwad, tavashi or kutumba, kavaru or family who has a proprietary and beneficial interest in the holding and ”.

‘ In clause 17 (v), in further proviso (ii), after the words “ or kudikadappu ” add the words “ or which is in the ownership of a transferee from a landlord the period of his ownership being less than 12 years ”.

‘ In the explanation to section 14 of the Act, add the words “ or tenant ” after the word “ landlord ” wherever it occurs and the words “ or tenant’s ” after the word “ landlord’s ”.

The amendments were lost.

MR. SPEAKER:—“ I am now going to put amendments Nos. 8 and 9 of the hon. Member Janab M. V. Hydross. The question is—

‘ In clause 17 (v), at the end of further proviso (i), add the following:—

“ or by a landlord other than a janmi.”

‘ In clause 17 (v), after further proviso (i), add the following as a new item:—

“(i) (a) a landlord who is a transferee for value shall not be entitled to the benefit of clause (5) or (6) unless he brings the suit after a period of 12 years from the date of such transfer.”

The amendments were lost.

Clause 17 was put and carried.

Clauses 18 and 19 were put and carried.

MR. SPEAKER:—“ I now adjourn the House till 11 a.m. to-morrow.”

The House then adjourned to meet again at 11 a.m. on Saturday, the 10th February 1951.

9th February 1951]

## APPENDIX I.

[Vide answer to starred question No. 726 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 9th February 1951, page 386 supra.]

The improvements proposed to the Municipal Water-supply System are—

- (1) enlarging the size of the pumping main,
- (2) constructing an additional settling basin, and
- (3) rendering the existing tank water-tight duplicating the gravity main from the settling tank to the filter beds and providing three additional filter beds.

In September 1946, the Government sanctioned the construction of two additional filter beds in the municipal water-works, in advance of the general scheme of water-supply improvements for the municipality. In July 1948, the Government sanctioned plans and estimates amounting to Rs. 72,000 for the above work and for the work of duplication of the gravitation main from the settling tank to the proposed filter beds. In March 1950, the Government sanctioned a revised estimate of Rs. 1,04,000 in respect of the above works. The water-supply improvements scheme for this municipality has been included in the first Five-year Plan under “ Schemes under execution ”.

The Executive Engineer (Public Health), Vijayavada, has reported in October 1950 that the first consignment of pipes and specials required for the work has been received at Kurnool and the balance of specials were also expected in a month or two. The manufacturers have also been addressed to arrange to supply 1,200 r.ft. of 12 inches, 240 r.ft. of 8 inches and 240 r.ft. of 6 inches pipes. As soon as these pipes are received at site, the work of laying and jointing will be taken up. Other municipalities also have been addressed to spare a few C.I. specials available as surplus with them and these specials were expected to reach Kurnool in a month's time. Every effort is being made to get C.I. pipes, specials and sluice valves from various sources so that the work can be completed as early as possible. A special Public Health subdivision with a staff of one Assistant Engineer and two Supervisors has been formed with headquarters at Guntakal with a view to expedite among others the Kurnool Water-supply Scheme also. The Chief Engineer, Public Works Department, has been asked to complete the Kurnool Water-supply Scheme improvements as expeditiously as possible.

[9th February 1951]

## APPENDIX II.

[Vide answer to starred question No. 730 asked by Sri B. S. Murthy at the meeting of the Legislative Assembly held on 9th February 1951, page 391 supra.]

*Examinations—Government Technical—Typewriting—Lower Grade—Statement showing the number of candidates examined, passed and percentage passed to examinees in the several centres of the Andhra districts including the Rayalaseema.*

| Centre.       | April 1948. |         |             | October 1948. |         |             | April 1949. |         |             | October 1949. |         |             | April 1950. |         |             |
|---------------|-------------|---------|-------------|---------------|---------|-------------|-------------|---------|-------------|---------------|---------|-------------|-------------|---------|-------------|
|               | Examined.   | Passed. | Percentage. | Examined.     | Passed. | Percentage. | Examined.   | Passed. | Percentage. | Examined.     | Passed. | Percentage. | Examined.   | Passed. | Percentage. |
| (1)           | (2)         | (3)     | (4)         | (5)           | (6)     | (7)         | (8)         | (9)     | (10)        | (11)          | (12)    | (13)        | (14)        | (15)    | (16)        |
| Vizakhapatnam | 71          | 20      | 22.2        | 61            | 21      | 34.4        | 79          | 40      | 50.6        | 68            | 20      | 29.4        | 85          | 4       | 4.7         |
| Kakinada      | 82          | 21      | 25.6        | 47            | 23      | 49          | 75          | 27      | 36          | 81            | 17      | 21          | 78          | 12      | 15.4        |
| Rayachandry   | 76          | 14      | 18.4        | 41            | 6       | 13.6        | 85          | 34      | 40          | 63            | 25      | 39.7        | 105         | 17      | 16.2        |
| Eluru         | 26          | 4       | 15.4        | 28            | 3       | 10.7        | 31          | 11      | 35.5        | 19            | 8       | 42          | 30          | 6       | 20          |
| Manjilapatnam | 56          | 11      | 19.6        | 35            | 17      | 48.6        | 61          | 26      | 42.6        | 56            | 23      | 41          | 53          | 1       | 1.7         |
| Vijayawada    | 42          | 9       | 21.4        | 25            | 16      | 64.7        | 67          | 25      | 35.8        | 90            | 42      | 46.7        | 81          | 9       | 11.1        |
| Guntur        | 65          | 20      | 30.8        | 75            | 16      | 21.3        | 70          | 31      | 44.3        | 67            | 42      | 62.7        | 96          | 16      | 16.8        |
| Nellore       | 44          | 7       | 15.9        | 31            | 8       | 25.8        | 23          | 16      | 69.6        | 39            | 27      | 69.2        | 45          | 16      | 35.6        |
| Kurnool       | 13          | 5       | 27.8        | 18            | 3       | 16.7        | 29          | 14      | 48.3        | 26            | 10      | 38.5        | 36          | 6       | 16.7        |
| Anantapur     | 30          | 13      | 43.3        | 33            | 13      | 39.4        | 36          | 23      | 64          | 37            | 16      | 43.2        | 50          | 14      | 28          |
| Bellary       | 23          | 3       | 8.7         | 19            | 5       | 26.3        | 35          | 8       | 23          | 31            | 11      | 35.5        | 48          | 17      | 35.4        |
| Chidambaram   | 22          | 11      | 50          | 10            | 3       | 30          | 13          | 6       | 46.2        | 14            | 2       | 14.3        | 21          | 2       | 9.5         |
| Chittoor      | 35          | 9       | 25.7        | 28            | 6       | 21.4        | 52          | 26      | 50          | 62            | 23      | 37.5        | 100         | 14      | 14          |
| Total         | 590         | 146     | 24.7        | 464           | 140     | 30.2        | 656         | 297     | 43.8        | 653           | 265     | 40.6        | 832         | 134     | 16.1        |

[9th February 1951]

## APPENDIX III.

[Vide answer to starred question No. 731 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 9th February 1951, page 391 supra.]

*Pattikonda.*—In June 1950, the Government sanctioned the plans and rough estimates amounting to Rs. 1.9 lakhs for the execution of a water-supply scheme for Pattikonda. Action for further investigation is being taken up.

*Maddikera.*—The question of a comprehensive water-supply scheme to Maddikeri Panchayat has been considered. The panchayat board is not in a position to meet the maintenance cost of the scheme and the District Board, Kurnool, is not willing to shoulder any portion of the maintenance charges. The question of sinking 2 or 3 draw wells every year according to a ten-year programme and to convert the existing step wells into draw wells is under the consideration of Government.

*Dhone.*—Proposals for the introduction of a protected water supply scheme are under examination by the Revenue Department.

*Kodnur.*—The question of sanctioning the revised estimate for the construction of one draw well at Kodnur is under consideration in the Revenue Department.

*Veludurthi.*—The conversion of a fresh water step well into a draw well is under execution.

*Peapally.*—Three trial borings with the power drill have successfully been done at Peapally. Further action is being taken.

*Markapur and other villages.*—One draw well was constructed at Markapur and one at Owk. Four wells have been completed at Giddalore and one is under construction at Atmakur.

*Gudur and Gonegandla.*—No proposal is pending in respect of these villages.

A five-year programme beginning with 1948-49 was prepared for the execution of well works in rural areas. The well works will be taken up according to the programme. The Government have authorized the Board of Revenue to carry out modifications in the programme whenever necessary.

[9th February 1951]

## APPENDIX IV.

[Vide answer to starred question No. 734 asked by Sri S. Nagappa at the meeting of the Legislative Assembly held on 9th February 1951, pages 397-398 *supra*.]

*Copy of rules for the grant of State loans to Cottage Industries Co-operative Societies.*

Only societies which are registered or deemed to be registered under the Madras Co-operative Societies Act, 1932, and which manufacture and sell cottage industrial products or purchase and sell such products of their members will be eligible for loans. The question whether a particular society is eligible for a loan under these rules will be decided in each case by the Registrar of Co-operative Societies and his decision shall be final.

NOTE.—Women's Cottage Industrial Co-operative Societies, which manufacture and sell readymade garments, will also be eligible for loans under these rules.

2. Loans shall be granted to societies for all or any of the following purposes:—

(a) For the purchase of tools, implements, appliances or machinery and for erecting machinery;

(b) for the construction of worksheds or workshops to manufacture articles or for the construction of buildings for storage of raw materials or finished goods for sale, etc.;

(c) for the purchase of raw materials required for the cottage industry in special cases; and

(d) for giving advances to a member for the purchase of articles mentioned in clause (a).

3. No society shall borrow from sources other than Government for any of the purposes mentioned in clauses (a), (b) and (c) of rule 2, if Government loans have been given for the same purpose.

4. No member of a society borrowing a loan under these rules shall utilize money borrowed from other sources in the purchase of tools, implements, etc., mentioned in clause (a) of rule 2 for which a loan has been sanctioned by Government.

5. A loan sanctioned to society under these rules shall be disbursed in one lump sum or in instalments, as the Registrar may consider fit. If, for any reason, the whole amount sanctioned to a society cannot be drawn before the close of the financial year in which it is sanctioned, the society shall, with the permission of the Registrar, be eligible to draw the balance from the loan allotments in subsequent financial years, at the rate of interest and subject to the conditions that were in force when the first instalment of the loan was drawn.

6. Interest shall be charged at 4 per cent per annum. Government, however, reserve to themselves the right to alter the rate

[9th February 1951]

of interest at any time in their discretion. But a loan given under these rules shall bear interest for the entire period of the loan, at the rate which was in force at the time of sanction of the loan.

7. In respect of loans granted under rule 2 (c), the repayment shall ordinarily be made as and when sale-proceeds are realized from the finished products of the raw materials for the purchase of which the loan was sanctioned. But in any case the period of repayment shall not exceed twelve months from the date of disbursement of the loan.

8. In respect of the loans granted under rule 2 (a), (b) and (d), the period of repayment shall be fixed by the Registrar but it shall not exceed in any case ten years. They shall ordinarily be repaid in equal annual instalments or in such instalments of lesser period as may be fixed by the Registrar at the time of sanctioning the loan.

9. In the case of a loan sanctioned to a society under rule 2 (d), for giving advances to a member, the loan shall not be disbursed to him until he authorizes in writing the society of which he is a member to deduct the monthly instalments from the sale-proceeds of the finished products supplied by him to the society. The instalment so recovered from the member towards the repayment of the loan shall be remitted in full by the society towards the Government loan due by it and shall not under any circumstances be utilized in the business of the society so long as the loan borrowed from the Government is outstanding.

10. The Registrar shall have power to suspend the payment of an instalment in any year, if the society is, in his opinion, not able to pay the instalment for reasons beyond its control, but such suspended instalment shall be paid before the expiry of the period to be specified by him. Such period shall not, however, extend beyond the period of repayment allowed by these rules. Further, when an instalment is once suspended by the Registrar under this rule, the profit, if any, of the society in succeeding years over and above the amount necessary to meet the instalments due, shall, notwithstanding anything contained in the by-laws of the society, be liable subject to a maximum of 50 per cent of such profits, to be collected towards the instalments in respect of which the society was in default until the amount due is realized.

11. Any sum paid before the due date shall first be credited towards the interest which has accrued up to the date of payment and the balance, if any, shall be credited towards the principal, the society being required to pay on the due date, the balance of interest due for the year and also the balance of principal, if any, due for the year. If the amount paid before the due date is in excess of the annual instalment, such amount shall be credited in reduction of the principal, the future instalments being reduced correspondingly; but no postponement of future instalments will be allowed, nor will the number of subsequent instalments be reduced.

[9th February 1951]

12. When a society is in default either in respect of an instalment of principal or interest, any sum paid by it shall be appropriated in the following order, namely :—

(a) Penal interest at  $7\frac{1}{2}$  per cent per annum, (b) interest and (c) principal.

13. The implements, tools, appliances, machinery and other articles including raw materials, for the purchase of which a loan has been obtained under these rules, shall ordinarily be purchased within one month from the date of disbursement of the loan. The Registrar may, on satisfactory reasons being shown by the society, extend the period within which the purchases shall be made. The total period, inclusive of such an extension, shall not exceed three months. If they are not purchased within such period, the loan shall become repayable to the Government and shall be remitted by the member or the society in full in one lump sum together with interest, if any, due thereon till the date of payment. To the extent of the period of extension given under this rule, the period of repayment of the loan under rule 7 or 8 shall *ipso facto* stand extended.

Where a loan has been sanctioned for the construction of a workshed, workshop or building or for the erection of machinery, the loan amount shall be drawn in instalments as the work of construction or erection progresses. In exceptional cases, the Registrar may permit the society to draw the entire amount of loan in one instalment. In the case of payment of the loan amount in instalments, the second and subsequent instalments shall be paid only on receipt of a certificate to the satisfaction of the Registrar from the managing committee of the society that the instalment or instalments previously drawn have been properly utilized. If, in any case, the Registrar considers that an independent certificate is necessary, the society shall arrange to get such a certificate from a qualified Engineer of a rank not lower than that of upper subordinate of the Public Works Department, approved by the Registrar. If, for any reason, the whole amount sanctioned to a society cannot be drawn before the close of the financial year in which it is sanctioned, the society shall be entitled to take the balance outstanding, from the loan allotments sanctioned in the subsequent years, subject to the conditions in force when the first instalment was drawn.

14. If the value of the tools, implements, appliances, machinery or raw materials purchased by a society or by a member of a society is less than the loan received from Government for the purpose under these rules, the loan in excess of the purchase price shall forthwith be remitted to Government without waiting for the expiry of the period of repayment of the loan.

15. If the cost of the construction of the workshed, workshop or building for which a loan has been sanctioned is less than the loan amount borrowed, the unspent portion of the loan shall forthwith be remitted to Government, the amount of each instalment of loan being correspondingly reduced.

[9th February 1951]

16. The equipment and tools, or the raw materials purchased from the loans issued under these rules shall not be pledged, sold, or otherwise disposed of, without the permission of the Registrar, so long as there is any balance outstanding to the Government.

17. A shed or building constructed under these rules shall not be mortgaged or offered as security for any loan or other financial transaction.

18. A member purchasing tools and other equipments with the aid of a loan obtained under rule 2 (d) shall immediately after purchasing them execute a bond in favour of the society in such form as may be prescribed by the Registrar, offering them as security for the loan taken. Proper identification marks shall be put on such tools and equipments and the description of the equipments inclusive of the identification marks shall be entered in the bond to be executed by the member. All such bonds executed by the members shall be lodged by the society for safe custody with the Deputy Registrar having jurisdiction over it. The bonds shall be returned to the society only after the advances are fully repaid by the members concerned.

19. Every member obtaining a loan under these rules shall, besides executing the bond referred to in rule 18, furnish as security immovable property of twice the value of the loan or such personal security as may be approved by the Registrar. The loan shall not be disbursed before such security is furnished.

20. A society receiving a loan from Government under these rules shall execute such documents in favour of the Government creating a fixed charge of the assets of the society which are free from any encumbrances whatsoever or a floating charge on the assets of the society to the satisfaction of the Registrar. The society shall not pledge, encumber, sell or otherwise dispose of the assets over which a charge has been created without the previous permission of the Registrar, so long as any balance is outstanding to Government. Every loan made by Government to a society shall be a first charge on the society's assets.

21. The value of security for the loan or loans sanctioned by the society under these rules shall not at any time be less than the total amount of the loans outstanding to Government. In cases where the value of the security is at any time less than the loan amount outstanding to Government, the deficit shall be made good within such period as may be prescribed by the Registrar.

22. In the event of the cancellation of the registration of the society or of a breach of or failure to comply with any of these rules, it shall be competent for the Registrar or for any officer authorized by him to take possession of the tools, equipment, raw materials, finished products made out of these raw materials, sheds, buildings, etc., purchased with the aid of the loan obtained under these rules and sell them either by public auction or otherwise and apply the whole or any portion of the sale-proceeds towards the balance due to Government with interest due thereon.



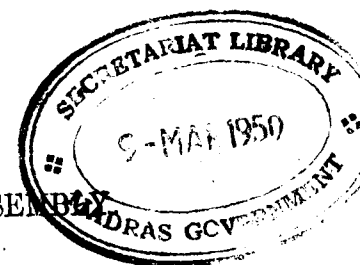
[9th February 1951]

and all costs, charges, expenses or payments incurred or made in maintaining, defending or realizing the rights of Government in respect of the amount due to them.

23. The procedure laid down in rule 22 shall not prejudice the right of Government to recover at their discretion, the loan amount out of the assets furnished to them as security therefor at the time of disbursing the amount.

24. Every society receiving a loan from Government shall furnish such information and submit such returns as Government or the Registrar may call for, from time to time.

25. If any doubt arises as to the interpretation of these rules, it shall be referred to Government whose decision thereon shall be final.



# THE MADRAS LEGISLATIVE ASSEMBLY

Saturday, the 10th February 1951.

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

## I.—QUESTIONS AND ANSWERS.

### STARRED QUESTIONS.

MR. SPEAKER :—"The questions relating to the Hon. Minister for Land Revenue will be taken up on Monday."

*Concessions to the Special Armed Police personnel deputed to Hyderabad.*

\* 744 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Chief Minister be pleased to state—

(a) the number of Special Armed Police personnel that had been deputed to Hyderabad State for service;

(b) what the scales of pay, travelling allowance and other concessions afforded to them are;

(c) the districts in which they are working;

(d) whether the Inspector-General of Police, Madras, has visited them at any time since the deputation till October 31, 1950; and

(e) when they are likely to be brought home and what will happen to their services after they return home?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—" (a) 17½ companies of the Special Armed Police have been deputed to Hyderabad State.

" (b) A statement containing the information required is placed on the table of the House.

" (c) In several districts of Hyderabad State and the dispositions of the men may vary from time to time.

" (d) The Inspector-General of Police, Madras, visited them 11 times since the deputation till 31st October 1950.

" (e) Both the subjects are under consideration of the Government."

SRI V. RAGHAVAYYA :—" May I know whether these constables, havildars and nayaks are not given the actual travelling allowance but are given only a fixed travelling allowance of Rs. 10 per month or so, irrespective of the distance to be covered and the expenses to be incurred in a strange area in Hyderabad and

[10th February 1951]

whether the Government have thought it fit to increase the travelling allowance and bring it on a par with the travelling allowance paid to other constables of the Special Armed Police in Guntur and Krishna districts? "

THE HON. SRI B. GOPALA REDDI :—" The hon. Member's question raises a big issue and we have to examine it very carefully before we can say anything. Some time ago these constables were given fixed travelling allowance. But I remember we have recently revised that. Whatever it is, we shall look into that question."

SRI V. RAGHAVAYYA :—" May I know whether the Government do not pay any travelling allowance to any person—constable or official—who goes on leave on a fixed leave of ten days alone, irrespective of the distance to be covered to and fro and whether this does not act as a great hardship upon the constabulary? "

THE HON. SRI B. GOPALA REDDI :—" That is so even for officers deputed in our own districts. Suppose an officer belonging to Visakhapatnam is appointed to serve in Tirunelveli district. When he goes on leave to Visakhapatnam, he has to go at his own cost and not at the cost of the Government."

SRI B. S. MURTHY :—" May I know what deputation allowance is given to these constables and Sub-Inspectors and whether that allowance has been accepted as commensurate? "

THE HON. SRI B. GOPALA REDDI :—" The hon. Member is requested to look into the paper laid on the table of the House which gives the information that he is asking for? "

JANAB ABDUL HAMEED KHAN :—" Arising out of the answer of the Hon. Minister, may I ask whether there is no difference between officers serving within our own State and officers deputed to serve in other States? "

THE HON. SRI B. GOPALA REDDI :—" That rule applies to everybody. When the military people, say some Punjabis, who are posted here go on leave to their native place, they do so at their own cost."

SRI S. NAGAPPA :—" Arising out of the answer of the Hon. Minister that the Inspector-General of Police, Madras, visited the Special Armed Police personnel 11 times, may I know whether these police officers and other staff who are deputed to Hyderabad made any representations to him and if so, whether any of their requests have been carried out by the Government or by the Inspector-General himself? "

THE HON. SRI B. GOPALA REDDI :—" Naturally when the Head of the Department sees them, they do make representations, if they have any. The Head of the Department will examine them and submit them to the Government if necessary, or he may himself pass orders in cases where he is competent to do so."

[10th February 1951]

JANAB M. S. ABDUL MAJID :—" In order to mitigate the severe hardship caused to the constables, will the Government at least consider the question of transferring them to various other areas within their own districts and not to far-off districts and far-off States? "

THE HON. SRI B. GOPALA REDDI :—" As far as possible, we do observe that and we do not want to cause any unnecessary hardship by posting them in distant districts. But wherever it is inevitable, they have to be posted elsewhere also."

SRI D. V. RAMASWAMI :—" May I ask whether the Hon. the Chief Minister is made aware by the Inspector-General of Police of the general dissatisfaction and the serious grievances of these people regarding pay and the need for transfer at an early date? "

MR. SPEAKER :—" The hon. Member's question does not arise out of the main question."

#### *Untrained teachers in Andhra districts.*

\* 745 Q.—SRI B. S. MURTHY : Will the Hon. the Minister for Education be pleased to state the number of untrained teachers in all categories working at present in the Andhra districts and the scheme, if any, to absorb them? "

THE HON. SRI K. MADHAVA MENON :—" The statement\* showing the total number of untrained teachers in all categories working in the Andhra districts is laid on the table of the House."

" There are no special schemes to absorb untrained teachers in the State."

SRI B. S. MURTHY :—" May I know whether the Government have any plan before them to replace these untrained teachers with trained teachers? "

THE HON. SRI K. MADHAVA MENON :—" Certainly, Sir. The instruction of the Director of Public Instruction to all the managements of schools is that they must replace all untrained teachers with trained teachers. I may add that there is difference in the amount of grant given for trained teachers and that given for untrained teachers."

SRI B. S. MURTHY :—" We find that there are as many as 5,000 untrained teachers. If trained teachers are to be appointed in the place of these untrained teachers, may I know what will be the fate of these 5,000 untrained teachers? "

[10th February 1951]

THE HON. SRI K. MADHAVA MENON :—" Sir, most of them would have applied for getting admission into training schools. If they want to continue in the schools, they will have to get themselves trained; otherwise they will have to go out."

JANAB ABDUL HAMEED KHAN :—" In view of the paucity of trained teachers and particularly in view of the fact that these people have had experience of teaching, may I ask whether the Government will not keep them as long as we can get substitutes who are trained? "

THE HON. SRI K. MADHAVA MENON :—" Certainly, the management will keep them as long as they are not able to substitute them with trained teachers; but when the managements are able to get trained teachers, the untrained teachers will have to be substituted."

JANAB MOHAMED ABDUL SALAM :—" Will the Government consider the desirability of raising the stipend in both the L.T. and secondary grade sections so that suitable persons may be attracted to study these courses? "

THE HON. SRI K. MADHAVA MENON :—" There is no stipend for L.T. students. Regarding the other course, we are not feeling any dearth of candidates in spite of the fact that the stipend offered is low, if that was the implication of the hon. Member."

SRI S. NAGAPPA :—" When we find that there are as large as 5,000 untrained teachers, does that not prove itself that there is dearth of training schools in Andhra area to meet the requirements of trained teacher and may I know whether the Government are taking any steps to provide or increase the number of training schools in the Andhra area? "

THE HON. SRI K. MADHAVA MENON :—" My hon. Friend is absolutely wrong in presuming that the number of untrained teachers in the State is only about 5,000. The question relates to Andhra districts only in respect of which the number has been given. Perhaps, the number of untrained teachers in the whole State will be thrice that of Andhra area."

SRI V. RAGHAVAYYA :—" In view of the fact that there is such a large number of untrained teachers, may I know if the Government are prepared to prescribe some oral test or examination just as has been done in the case of village munsifs and others, and admit them into the cadre without inconveniencing the people of a particular age and above? "

THE HON. SRI K. MADHAVA MENON :—" No, Sir; because most of the untrained teachers are birds of passage. As soon as they are able to get into a training school or as soon as they are able to get some other job they go away."

10th February 1951]

SRI B. S. MURTHY :—" May I know whether the Government will take into consideration the cases of persons who have put in about ten years of service and by their age-limit may be barred from undergoing the training? "

THE HON. SRI K. MADHAVA MENON :—" No such general undertaking can be given. If there are hard and deserving cases like that, the Director of Public Instruction will certainly take them into consideration to see if the rules could be relaxed."

JANAB ABDUL HAMEED KHAN :—" May I know whether, in the case of teachers who have put in, say, 3 or 5 years of service, a nominal examination will be considered sufficient in order that the teachers may be recognized as trained teachers for purposes of grants? "

THE HON. SRI K. MADHAVA MENON :—" No, Sir; I do not at all feel that a nominal examination will be sufficient."

SRI S. NAGAPPA :—" In view of the fact that there are double the number of untrained teachers in non-Andhra area, then it comes to about 15,000 teachers, may I know whether that itself does not prove that there is a strong case for starting more number of training schools for these teachers in order to meet the growing demand for trained teachers? "

THE HON. SRI K. MADHAVA MENON :—" It is true that more number of training schools are necessary. Perhaps the proportion between the large number of other schools that are being opened and the training schools should be fairly maintained. But there are certain limitations in this matter. We are opening as many training schools as possible under the circumstances."

*Restoration of the Harikesavaperi tank.*

\* 746 Q.—SRIMATHI V. LAKSHMI AMMAL : Will the Hon. the Minister for Public Works be pleased to state whether any representation was received by the Government in October 1949 protesting against the proposal to restore the Harikesavaperi tank in Vadagarai village, Tenkasi taluk, and if so, what action has been taken thereon?

THE HON. SRI M. BHAKTAVATSALAM :—" Yes. The question of restoring the Harikesavaperi tank in Vadagarai village is being examined."

SRIMATHI V. LAKSHMI AMMAL :—" May I know what the representations are? "

THE HON. SRI M. BHAKTAVATSALAM :—" We have had representations both ways, i.e., for restoration as well as against restoration. I have seen that there is keen faction."

[10th February 1951]

*"Overseer course" in Annamalai University.*

\* 748 Q.—SRI M. DORAICKANNU : Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that this Government have opened the "Overseer course" in Annamalai University in June 1945;

(b) if so, whether the Government have recognized the above course as equivalent to the lower subordinate course of the Engineering College, Guindy; and

(c) the number of passed students of the above course that are holding the Draughtsman's and Overseer's posts in Government departments and what steps the Government have taken to give them security of service?

THE HON. SRI K. MADHAVA MENON :—“(a) This Government have not opened any Overseer course in the Annamalai University. The Annamalai University opened a diploma course in Road Construction and Minor Irrigation Overseers' course from 1945-46 at the instance of Government, but subsequently abolished it.

“(b) No.

“(c) From the information now available with the Government it is seen that there are 15 students of the course who are working as Draughtsmen and 45 who are working as Overseers under Government. At present these candidates are holding their posts under emergency provisions. The question of relaxing the rules in deserving cases and of regularizing their appointments will be considered.”

11-15 a.m. SRI V. M. RAMASWAMI MUDALIYAR :—“May I know, Sir, why the Annamalai University has abolished this course which they started at the instance of the Government? Will the Government insist upon the University to revive this course in view of the admitted dearth of overseers for employment on public works?”

THE HON. SRI K. MADHAVA MENON :—“The commitments of the Government and the University in the matter will not be commensurate with the advantages gained by reviving the course.”

*Construction of road bridges over the Coleroon.*

\* 749 Q.—SRI S. NAGAPPA (on behalf of Sri A. Kaleswara Rao) : Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of road bridges that have been already constructed over the river Coleroon; and

(b) the places where road bridges have been constructed across the rivers Cauvery, Coleroon, Pennar, Krishna and Godavari respectively?

[10th February 1951]

THE HON. SRI M. BHAKTAVATSALAM :—“(a) Two.  
“(b) The following are the road bridges across the rivers mentioned in the question :—

| Cauvery.                                                                             | Coleroon.                                                                                                       | Pennar.                                                       | Krishna.                         | Godavari.  |
|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|----------------------------------|------------|
| Bridge at Sivasamudram, Coimbatore district.                                         | Bridge at Srirangam in Tiruchirappalli district.                                                                | Bridge at Tadpatri.                                           | Bridge across Campbell aqueduct. | No bridge. |
| Bridge at Mettur, Salem district.                                                    | Bridge at Lower Anicut in Tanjore district.                                                                     | Bridge on Anantapur-Bellary Road.                             |                                  |            |
| Bridge at Bhuvani, Coimbatore district.                                              |                                                                                                                 | Bridge on Madakasira-Kodikonda Road.                          |                                  |            |
| Bridge at Tiruchirappalli.                                                           |                                                                                                                 | High Level Causeway at Chenur on Chittoor-Kurnool Trunk Road. |                                  |            |
|                                                                                      |                                                                                                                 | Anicut across the Pennar near Sangam and Nellore.             |                                  |            |
| Road Bridge and Regulator at Grand Anicut (in Tanjore district).                     | Bridge at Tirukattupalli (Tanjore district).                                                                    |                                                               |                                  |            |
| Bridge at Kumbakonam (Tanjore district).                                             | Bridge on Aduthurai Lower Anicut Road (Tanjore district).                                                       |                                                               |                                  |            |
| Bridge at Thiruvadi (Tanjore district).                                              | Bridge at Mayavaram (Tanjore district).                                                                         |                                                               |                                  |            |
| Bridge in Swamimalai Railway approach Road (District Board Road) (Tanjore district). | Bridge on Thiruvadamardur-Koviladi Road. (Tanjore district).                                                    |                                                               |                                  |            |
|                                                                                      | An arched bridge at mile 0/7 of MDR. 17-A, Kuttalam-Pandanallur Road, (District Board Road) (Tanjore district). |                                                               |                                  |            |
|                                                                                      | An arched bridge at mile 77/0 of Grand Anicut-Cauveripattinam Road (District Board Road) (Tanjore district).    |                                                               |                                  |            |
|                                                                                      | An arched bridge at mile 11/3 of MDR. 32, Akkur-Sirkali Road (District Board Road) (Tanjore district).          |                                                               |                                  |            |

[10th February 1951]

SRI B. S. MURTHY :—" May I know what the Government propose to do with regard to the new bridge over the Krishna at Vijayavada? "

THE HON. SRI M. BHAKTAVATSALAM :—" We prepared an estimate for seventy-six lakhs of rupees and sent it to the Government of India. The Government of India have now suggested that this question may be deferred till their proposal to shift the railway bridge to another site is given effect to so that that railway bridge could be taken over by us."

SRI K. KOTI REDDI :—" Do the Government have any proposal to have a bridge over Pennar in Cuddappah? "

THE HON. SRI M. BHAKTAVATSALAM :—" I would like to have notice, Sir."

SRI K. RAJARAM NAYUDU :—" May I know, Sir, whether any of the bridges over the Cauvery and the Coleroon rivers just mentioned were constructed by the present Ministry? "

THE HON. SRI M. BHAKTAVATSALAM :—" These bridges must have been constructed long long ago. Some of them were constructed during the time of the ancient Rajas."

SRI V. M. RAMASWAMI MUDALIYAR :—" May I know, Sir, how these works are going to be financed, whether they will be financed by the Central Government or from the State revenues? "

THE HON. SRI M. BHAKTAVATSALAM :—" They will be financed partly from the Central Road Development Fund and partly from State revenues. So far as the National Highways are concerned, the Government of India have taken the entire responsibility to finance them. But, regarding the bridge that is under construction over the Cauvery river, I would like to tell the House that the District Boards of Tanjore and South Arcot have agreed to bear more or less half the cost of construction."

SRI K. BRAHMANANDAM REDDI :—" In answer to a previous question, the Hon. the Minister said that the bridge over the Krishna was likely to be shifted to another site. May I know, Sir, where exactly they propose to shift it and when? "

THE HON. SRI M. BHAKTAVATSALAM :—" There is a proposal under consideration by the Government of India to have a double-line track over the Krishna and, therefore, they have proposed to shift the present bridge to another site. But that proposal is still under consideration and they have not taken a decision on it."

JANAB N. MUHAMMAD ANWAR :—" Why is it, Sir, that only causeways are constructed across the Palar while other rivers are being shown better treatment by constructing better bridges over them? " (Laughter.)

[10th February 1951]

THE HON. SRI M. BHAKTAVATSALAM :—" That is because there is not much of water in it." (Laughter.)

SRI D. V. RAMASWAMI :—" May I know, Sir, whether it is a fact that a foundation stone was recently laid for a road bridge across the Godavari river and if so, what the progress that has been made in the work is? "

THE HON. SRI M. BHAKTAVATSALAM :—" There has been some progress made since the foundation stone was laid."

SRI T. VISWANATHAM :—" May I have details relating to the progress made in the construction? "

THE HON. SRI M. BHAKTAVATSALAM :—" If a separate question is put, I may give up-to-date information on the progress of construction."

SRI S. NAGAPPA :—" May I know whether there is any proposal under contemplation to construct a bridge over Pennar and if so, at what place? "

THE HON. SRI M. BHAKTAVATSALAM :—" We are constructing a bridge over Pennar at Nellore."

JANAB MOHAMED ABDUL SALAM :—" Apart from the bridges constructed during the times of old Rajas, may I know the number of bridges to be constructed during the time of the present Raja, that is, Kumaraswami Raja? " (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM :—" We have taken up the work on these bridges only during the time of the present Raja." (Loud laughter.)

#### Communal G.O.

\* 750 Q.—SRI B. S. MURTHY : Will the Hon. the Chief Minister be pleased to state whether the Union Government had called for any information regarding the communal G.O., and if so, what the information asked for and the reply sent by this Government are?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister) :—" The Union Government had called for some information. The correspondence is confidential and cannot be disclosed in public interests."

SRI B. S. MURTHY :—" May I know, Sir, whether the Government of India have called for a copy of the judgment delivered by our High Court on the communal G.O.? "

THE HON. SRI K. MADHAVA MENON :—" No, Sir. No judgment was ever delivered on the communal G.O. as such. Petitions were presented before the High Court by certain people and judgment was delivered on those petitions."

SRI V. RAGHAVAYYA :—" Is this House to understand from the answer of the Hon. the Minister for Law that if he discloses the information, which he wishes to treat as confidential, to this House, public interests will be in jeopardy or the prestige of the Government will be at stake? "

[10th February 1951]

THE HON. SRI K. MADHAVA MENON :—" My hon. Friend may have his own opinion in the matter. For my part, I have already stated that it cannot be disclosed in public interests."

JANAB M. S. ABDUL MAJID :—" If the Government have got a point of view with regard to this matter, where is the harm, I ask, in sharing that point of view with that of the Members of this House rather than keeping it confidential? "

THE HON. SRI K. MADHAVA MENON :—" The question is about the letter received by us from the Union Government and that is confidential."

JANAB N. MUHAMMAD ANWAR :—" Without prejudice to public interests, will the Government reveal whether the information that they have tendered to the Union Government is for or against the communal G.O.? " (Laughter.)

THE HON. SRI K. MADHAVA MENON :—" I am not prepared to reveal it because no such thing has arisen."

JANAB K. M. SEETHI :—" May I know, Sir, whether the people of this State can feel assured that the healthy principle adopted in the G.O. will continue to be adopted by them in spite of pin-pricks coming from Delhi? "

THE HON. SRI K. MADHAVA MENON :—" I can only say that it is the view of this Government that justice should be done to all the communities in this State as far as possible."

JANAB MUHAMMAD RAZA KHAN :—" The situation being what it is in this State now and the Government having committed themselves to the principle of communal representation, will the Government inform the Central Government that they should be allowed to continue to keep this communal G.O. in force? "

THE HON. SRI K. MADHAVA MENON :—" There is no use of any hon. Member trying to pump out information which, I have said, cannot be disclosed." (Laughter.)

*Enquiry instituted against the village munsif of Pillicode, Kasaragod taluk.*

\* 751 Q.—SRI B. S. MURTHY : Will the Hon. the Minister for Education be pleased to state—

(a) whether any Police enquiry was instituted against the village munsif of Pillicode, Kasaragod taluk, South Kanara, under the Civil Disabilities Act;

(b) the nature and result of the enquiry; and

(c) whether any departmental action was taken against the munsif?

10th February 1951]

THE HON. SRI K. MADHAVA MENON :—" (a) The answer is in the affirmative."

" (b) The station-house officer, Chervathur, after investigation in Crime No. 15 of 1949 laid a charge-sheet in the Court of Sub-Magistrate, Hosdrug, under section 6 (1) of the Removal of Civil Disabilities Act, 1938, as amended by Act XI of 1947. The case was subsequently transferred to the file of Stationary Sub-Magistrate, Kasaragod, who dismissed the complaint under section 203, Criminal Procedure Code, as Government's sanction under section 197, Criminal Procedure Code, was not obtained for prosecuting the village munsif, who is also the judge of the village munsif's court at Pillicode, for an Act done in the discharge of his official duties. The question of sanctioning prosecution under section 197, Criminal Procedure Code, is under consideration."

" (c) The question is under examination."

SRI B. S. MURTHY :—" Is it not a fact, Sir, that this village munsif has been committing a breach of the Civil Disabilities Removal Act? "

THE HON. SRI K. MADHAVA MENON :—" I do not know whether he has been committing breaches. Nor do the Government know whether he was doing so in his individual capacity or official capacity. A case has been registered against him now and it is under examination by the Government."

SRI B. S. MURTHY :—" Is it not a fact that ordinarily the village munsif is all in all in the village and that, when a case is instituted against him, it is very difficult to produce evidence against him? "

MR. SPEAKER :—" That does not arise out of the main question."

*Causeway across the river Pennar.*

\* 752 Q.—SRI P. VENKATASUBBIAH : Will the Hon. the Minister for Public Works be pleased to state—

(a) when the work of constructing causeway across the river Pennar between Jammalamadugu and Muddanur in Cuddapah district has been sanctioned;

(b) what the estimated cost is; and

(c) whether the construction has been completed and if not why not?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) The work was sanctioned in 1944."

" (b) The original estimated cost was Rs. 61,450 and the revised estimated cost is Rs. 1,62,000."

" (c) No. Some progress was made but the work could not be completed as the estimate had to be revised providing for certain deviations found necessary during execution and



[10th February 1951]

also for new items of work with rates according to the data and the tender. The delay at present in completing the work is stated to be due to the fact that the contractor has backed out. It is proposed to invite fresh tenders, revise the estimate again and complete the work, as early as possible, probably by the end of next year."

SRI P. VENKATASUBBIAH:—"Is it not a fact that this work has been pending for nearly six years? May I know whether the delay is due to omission on the part of the Department concerned or the slackness of the contractor?"

THE HON. SRI M. BHAKTAVATSALAM:—"I have already stated that the contractor has backed out. Therefore, we are obliged to call for fresh tenders and that takes time."

SRI V. RAGHAVAYYA:—"In view of the drought conditions prevailing in this district particularly, will not the Government be well-advised to push through the work by taking it up departmentally as has been done in the case of the bridge at Nellore, a bigger one, so that it may relieve the distress of the people in that area to some extent."

THE HON. SRI M. BHAKTAVATSALAM:—"Wherever drought conditions prevail, we do take up some relief work on roads but it is not possible to do every work departmentally."

JANAB ABDUL HAMEED KHAN:—"In view of the fact that there is such a large difference between the first estimated amount and the second one, may I know the period that elapsed between the submission of the first and the second estimates?"

THE HON. SRI M. BHAKTAVATSALAM:—"The interval is more than four years. The nature of the work itself is difficult and the engineers found that the design itself should be changed, as also the course of execution."

11-30 a.m. SRI K. KOTI REDDI:—"Sir, in view of the fact that there has been inordinate delay in the execution of this work, may I know whether the Government are prepared to institute an enquiry and find out who are all responsible for the delay and see that something is done to punish the persons responsible for this inordinate delay?"

THE HON. SRI M. BHAKTAVATSALAM:—"I shall certainly enquire into the matter. If the contractor had defaulted we cannot punish him. We can only impose some fines."

#### *Proposals to amend Immoral Traffic Act.*

\* 753 Q.—SRI A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have appointed any committee for conducting an enquiry for amending Immoral Traffic Act for the efficient administration and if so, what their recommendations are; and

[10th February 1951]

(b) if so, whether the Government have got any proposal to amend the Act in accordance with the recommendations of the Committee?

THE HON. SRI K. MADHAVA MENON:—" (a) Yes. The Government have appointed a Committee—

(1) to examine the existing provisions of the Madras Suppression of Immoral Traffic Act, 1930, with a view to removing any defects found in its working and to suggest suitable amendments;

(2) to examine whether the same Act needs amendment on the lines of the Bombay Prevention of Prostitution (Amendment) Act, 1948 or otherwise; and

(3) to make recommendations germane to the above.

" (b) The report of the Committee has not yet been received. As soon as it is received, the question of amending the Act will be considered."

SRI A. VEDARATNAM PILLAI:—"May I know, Sir, whether in places where the Act is in force and has not been working satisfactorily at all, the Government would take necessary action to enforce the Act satisfactorily there, till they bring new amendments to the existing Act?"

THE HON. SRI K. MADHAVA MENON:—"I do not accept the premises of the hon. Member, Sir, that the Act is not working in places where it is put into force."

SRI K. BRAHMANANDAM REDDI:—"May I know, Sir, who the members of this Committee are, whether they are married or unmarried and what the ages of the respective members are?" (Laughter.)

THE HON. SRI K. MADHAVA MENON:—"I am not in a position to give the ages of the respective members. But I can give the names of the members of this Committee from which it would be possible for the hon. Members to spin out whether they are bachelors, spinsters or whatever it is. (Laughter.) The non-official members are: Sri T. Viswanatham, M.L.A., Srimathi Kuttimalu Amma, M.L.A., Mrs. M. N. Clubwalla, M.L.C., and Sri K. R. Dalavai; official members are: the Commissioner of Police, Chief Inspector of Certified Schools. The Provincial Vigilance Officer is the Secretary of the Committee."

JANAB M. S. ABDUL MAJID:—"May I know, Sir, on what authority the Hon. Minister says that the Act is working properly? I can assert without any fear of contradiction that in spite of the Act, immoral traffic is going merrily in this State. Therefore, may I ask, whether there is any proposal to amend the Act suitably so as to permit an institution of licensed homes, as is being done in the other advanced countries and as advised on psycho-analysis also?"

[10th February 1951]

**THE HON. SRI K. MADHAVA MENON** :—" I do not know, Sir, whether even the remedy suggested by the hon. Gentleman of having licensed homes will remove immorality, that is convert immorality into morality. Apart from that question, in some places immoral traffic might be going on. It does not mean that the Act is not working. It is only when the offence is found out, just as in other cases also where offences are going on in spite of the provisions under the Penal Code, that the offence could be stopped. The prevention of offences against this Act depends on discovering them."

**SRIMATHI V. LAKSHMI AMMAL** :—" May I know, Sir, whether the Act is in force only in the City or in the mufassal also? "

**THE HON. SRI K. MADHAVA MENON** :—" The Act is in force in various municipalities of this State."

**BEGUM SULTAN MIR AMIRUDDIN** :—" Mr. Speaker, Sir, I am shocked at the proposal of my hon. Friend behind me (Laughter), and I hope Government will not accept his suggestion. Is it not a fact, Sir, that even in France licensing of such houses has been given up? "

**THE HON. SRI K. MADHAVA MENON** :—" I am very glad to get the information from the hon. Lady Member that even in France that has been given up. Whether it should be enforced here or not, depends upon the wisdom of the Committee and the report they are going to give us."

**JANAB M. MUHAMMAD ISMAIL** :—" The Hon. Minister stated that only when the offence is detected that this Act will come into operation. May I ask the Hon. Minister whether the Government are not taking any steps to discover the offences? "

**THE HON. SRI K. MADHAVA MENON** :—" The hon. Gentleman, the Leader of the Opposition, did not quote me correctly. I said that because something is done somewhere, it did not mean that the Act is not working. We have special staff for this and the Act is working very well and cases are being detected."

**JANAB MOHAMED ABDUL SALAM** :—" Are the Government aware, Sir, that due to the existence of loop-holes in the Act, that the Government are not able to implement it properly? Will the Government bring in an amending Bill so that it may be effectively enforced? "

**THE HON. SRI K. MADHAVA MENON** :—" That is one of the objects of this Committee, Sir, to find out whether any sort of amendment is required for the existing Act."

**DR. M. J. SAMUEL** :—" Sir, in view of the increase in the number of persons suffering from venereal diseases in this State, does the Government think that this Act is being effectively enforced? "

10th February 1951]

**THE HON. SRI K. MADHAVA MENON** :—" I do not know whether the increase is due merely to the existence of the immoral traffic."

**JANAB M. MUHAMMAD ISMAIL** :—" While I am glad to hear the assurance given to us by the Government that they are taking every step to discover the offences committed under this Act, may I know, Sir, why in spite of such vigilance on the part of the Government, this immoral traffic has not yet subsided to any appreciable extent? "

**THE HON. SRI K. MADHAVA MENON** :—" I hope, Sir, the hon. Leader of the Opposition will realize that it is only soliciting and keeping of a brothel that are offences under the Act. Human nature being what it is, it may not be possible to prevent all cases like that but we can only prevent cases which could be detected with all the vigilance possible."

**SRI P. NATESAN** :—" When is the Committee going to submit its report? Have the members of the Committee visited the houses where immoral traffic is going on? "

**THE HON. SRI K. MADHAVA MENON** :—" I do not know whether the committee members have information about particular houses where immoral traffic is going on. It is not with the idea of visiting such houses that the Committee has been appointed. But the members of the Committee are going about to various parts of the State to have first-hand information about it."

**JANAB ABDUL HAMEED KHAN** :—" In view of the fact that this measure was intended more to prevent commercial vice may I ask, Sir, whether the Government have taken necessary steps to prevent young girls being spirited away from their homes to carry on the trade? "

**THE HON. SRI K. MADHAVA MENON** :—" Certainly, Sir, if such instances are brought to the notice of the authorities concerned, action will be taken to prevent them. Further, raids are being conducted in places suspected to be conducting immoral traffic and in the course of such raids a number of young girls are released from them and they are taken to the vigilance home."

**SRI R. V. SWAMINATHAN** :—" In view of the fact that many hon. Members have taken a keen interest in this question and have the feeling that the answers given were not satisfactory either to them or the House, hon. Members might want to elicit some more information. Will the Hon. Speaker permit an half-hour debate on this question? "

**MR. SPEAKER** :—" I am not going to allow an half-hour debate on this question."

**THE HON. SRI K. MADHAVA MENON** :—" Even if you are pleased to do so, I am sorry, Sir, I cannot agree, because I have an engagement at 5-30 this evening."

[10th February 1951]

*Number of Police officials discharged from service in 1950.*

\* 755 Q.—SRI B. S. MURTHY: Will the Hon. the Chief Minister be pleased to state—

(a) the number of Police constables discharged from service in 1950 and the number of Harijans among them; and

(b) the number of Sub-Inspectors and head constables depromoted in 1950 and the number of Harijans among them?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—“(a) The number of police constables discharged from service in 1950 and the number of Harijans among them are 1,220 and 73 respectively.

“(b) The number of Sub-Inspectors and Head constables depromoted in 1950 are 7 and 82 respectively. The number of Harijan Head constables depromoted is 2. No Harijan Sub-Inspector was depromoted.”

*Commercial Pilot's training.*

\* 757 Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government are giving any aid to the candidates undergoing Commercial Pilot's training;

(b) if so, where these training centres are situated;

(c) what the aid generally given is;

(d) how many have been trained so far;

(e) what the duration of training is; and

(f) the minimum educational and other qualifications necessary for admission?

THE HON. SRI M. BHAKTAVATSALAM:—“This Government do not have any scheme for aiding candidates undergoing training for the Commercial Pilot's License but the Government of India have such scheme, details of which are published in a prospectus issued by the Director-General of Civil Aviation at New Delhi.”

SRI S. NAGAPPA:—“Sir, if candidates are selected from this State may I know, whether this Government will give them any aid?”

THE HON. SRI M. BHAKTAVATSALAM:—“The Government do not give any aid.”

*Expenditure incurred for controlling the Communist menace.*

\* 758 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Chief Minister be pleased to state—

(a) the expenditure that has been incurred for controlling the Communist menace by taking special steps in this State from the beginning of the trouble in the Andhra districts;

[10th February 1951]

(b) whether any portion of this amount is borne by the Hyderabad State; and

(c) if so, how much?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. the Chief Minister):—“(a) Expenditure is not incurred by the State with the specific or sole object of controlling the Communist menace, but is incurred for the general maintenance of law and order and hence it will be difficult to ascertain how much of the expenditure has been incurred for controlling the Communist menace. It will not, therefore, be practicable to furnish the information sought by the hon. Member.

“(b) No, each State bears its own expenditure for this purpose.

“(c) Does not arise.”

SRI V. RAGHAVAYYA:—“Sir, as it is obvious that much of the trouble in Telengana is responsible for the repercussions in Andhra Desa bordering on Hyderabad State, may I know why this Government have not laid a claim to a portion of the expenditure incurred upon the special measures so that Hyderabad may feel the responsibility in the matter?”

THE HON. SRI K. MADHAVA MENON:—“It is a matter in which expenditure had been incurred in this State whatever may be the reason on the other side. We cannot ask the other State to pay.”

SRI K. BRAHMANANDAM REDDI:—“While we are aware that enormous amounts are being spent and also that many other steps are taken to meet the menace, may I ask the Government whether, in view of the fact that this menace is great near about Krishna border and in view of the fact that summer is approaching, they are going to increase the staff a little more and see that the people are protected at least during the summer season?”

THE HON. SRI K. MADHAVA MENON:—“Government are glad to inform the House that the menace is sufficiently under control but we will not rest on our oars and the contingency referred to by the hon. Member will be looked into and proper steps taken.”

SRI V. RAGHAVAYYA:—“Let alone the Hyderabad State, Sir. May I know whether this Government have asked for any help from the Government of India to meet the additional expenditure in view of the fact that the Hyderabad Government have asked for some help from the Government of India?”

THE HON. SRI K. MADHAVA MENON:—“Correspondence has been going on with the Government of India in respect of this matter.”

JANAB MOHAMED ABDUL SALAM:—“One of the effective methods of putting down any menace is to impose punitive tax. May I know, Sir, whether this Government will, as has been declared by Hon. Ministers very often in the past, impose any punitive tax so that it may be a check on the other people in the locality.”

[10th February 1951]

THE HON. SRI K. MADHAVA MENON :—" Sir, if the people in the local area are found to be actively aiding, abetting or causing this trouble, and if the Government are convinced of it, we shall consider this question also."

SRI A. KALESWARA RAO :—" May I know, Sir, whether in the joint conferences held by the officers of this Government and the Government of the Hyderabad State when measures were taken to put down this Communist menace, the question of sharing the expenditure was considered or not? "

THE HON. SRI K. MADHAVA MENON :—" I am not able to give the information, Sir."

JANAB MOHAMED ABDUL SALAM :—" Sir, arising out of the answer of the Hon. Minister that the Government are not able to give separate accounts for the amounts spent on account of these troubles, may I know what amount the Government are spending towards keeping the Communists in jails and maintaining their families? "

THE HON. SRI K. MADHAVA MENON :—" Very correct accounts are being maintained in regard to this. If a separate question is put I shall furnish the information required by the hon. Member."

11-45 a.m. SRI V. RAGHAVAYYA :—" Sir, when armed gangs from adjacent neighbouring States descend down on our State, as for instance the Nallamalai Hills in Guntur and Krishna districts, may I know whether this Government will claim compensation from the neighbouring States for the damage and loss of life caused to our people? "

THE HON. SRI K. MADHAVA MENON :—" Nallamalai Hills are in our State! "

SRI V. RAGHAVAYYA :—" Nallamalai Hills are far beyond the Hyderabad State and I am sure they are in our State."

THE HON. SRI K. MADHAVA MENON :—" Sir, these are inter-State matters. Our people also may go to some places in the neighbouring States. The question of claiming compensation is a matter which depends upon whether any expenditure incurred by this State is directly due to anything that has been done by the people from the neighbouring States. If there is any such thing, it will be certainly taken up with the neighbouring State Governments."

SRI K. BRAHMANANDAM REDDI :—" May I know, Sir, whether the Government are aware that the members of the Communist Party of this State belong mainly to Guntur and Krishna districts, and that they migrate to the neighbouring States and form the Communist Party there? "

THE HON. SRI K. MADHAVA MENON :—" I do not know if what my hon. Friend has said is a fact. If it is so, I am afraid that other States may claim compensation from us."

[10th February 1951]

*Central College of Carnatic Music.*

\* 759 Q.—JANAB MOHAMED ABDUL SALAM: Will the Hon. the Minister for Education be pleased to state—

(a) the amount that has been spent so far by the Government in maintaining (1) Central College of Carnatic Music, Madras, and (2) Rural College for Men at Arcot, Badagara and Pentapadu; and

(b) the strength of these colleges respectively?

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

|                                                  | Expenditure.                                                                                                                    |           | Strength. |    |
|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|----|
| Central College of Carnatic Music.               | Rs. 78,376 (the expenditure is to be shared between the Union and the State Government. The matter is now under correspondence. |           | 84        |    |
| Rural Colleges at Arcot, Badagara and Pentapadu. | Arcot,                                                                                                                          | Rs. 1,132 | .. ..     | 28 |
|                                                  | Badagara,                                                                                                                       | Rs. 1,708 | .. ..     | 45 |
|                                                  | Pentapadu,                                                                                                                      | Rs. 878   | .. ..     | 20 |

SRI S. NAGAPPA :—" May I ask, Sir, whether the Government are contemplating to open any more rural colleges; if so, where they propose to open; and if not, will they consider the desirability of opening such colleges in Rayalaseema? "

THE HON. SRI K. MADHAVA MENON :—" Sir, under the scheme for Adult Education that we have passed, certain rules have been framed and if there is any district or any place where it can be opened advantageously Government will certainly open one."

SRI V. I. MUNISWAMI PILLAI :—" Sir, in answer to question (a), the Hon. Minister said that more than Rs. 78,000 has been spent for the Central College of Carnatic Music; may I know, Sir, what amount has been spent for building purposes and what amount has been spent for teaching purposes? "

THE HON. SRI K. MADHAVA MENON :—" The Government have not spent any amount for building purposes as the college is housed in a Government building and it is paying rent to the Government."

SRI V. M. RAMASWAMI MUDALIYAR :—" May I know, Sir, in what language the Carnatic music is taught? "

THE HON. SRI K. MADHAVA MENON :—" I do not think that Carnatic music has anything to do with the language of Kannada. It is being taught in Tamil and Telugu."

SRI P. NATESAN :—" May I know, Sir, what the Rural College for Men is and what it teaches? "

THE HON. SRI K. MADHAVA MENON :—" If the hon. Member knows what the Rural College for Women is, he can also know what the Rural College for men is."

[10th February 1951]

SRI D. V. RAMASWAMI :—" May I know, Sir, whether there is any Rural College for Women? "

THE HON. SRI K. MADHAVA MENON :—" Yes, Sir, there is one in Kozhikode. The hon. Member, Mrs. C. Ammanur Raja, was telling us that there is one at Visakhapatnam also. "

SRI K. BRAHMANANDAM REDDI :—" May I know, Sir, whether these colleges are for boys and girls together and what the boys and girls do in these colleges? "

THE HON. SRI K. MADHAVA MENON :—" Boys and girls in these colleges do the same as they are doing in other colleges which are not rural. "

BEGUM SULTAN MIR AMIRUDDIN :—" May I ask, Sir, whether the Government will give us an idea of the course of studies prescribed in these colleges? "

THE HON. SRI K. MADHAVA MENON :—" Science, Political Economy and other subjects are being taught. Anyway, a separate question may be put, Sir. "

JANAB M. MUHAMMAD ISMAIL :—" I just want to know, Sir, whether the Government are satisfied that these colleges are satisfying the needs for which the Government intended these colleges? "

THE HON. SRI K. MADHAVA MENON :—" It is too early to assess the result, Sir. "

SRI V. RAGHAVAYYA :—" On a point of order, Sir. I want to bring to your notice that the questions put and the answers given just a few minutes before about the rural colleges, may not redound to the seriousness and sense of dignity of the House. I crave your indulgence to be good enough to pull up the level of the discussion so that posterity may say that you were the saviour of all. "

MR. SPEAKER :—" I do not think that the discussions here have been of a degrading nature. "

*Number of police constables recruited in 1950.*

\* 761 Q.—SRI B. S. MURTHY : Will the Hon. the Chief Minister be pleased to state—

(a) the number of police constables recruited in 1950; and

(b) the number of Harijans, Muslims and Christians recruited in that year?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister) :—" (a) 4,773.

" (b) The number of Harijans and Christians recruited is 643 and 522, respectively. Muslims were not recruited as they were already over-represented in the category of constables. "

[10th February 1951]

SRI B. S. MURTHY :—" May I know, Sir, whether the communal G.O. was in force for the recruitment of police constables; and if so, whether 643 Harijans out of the total recruitment of 4,773 police constables, is commensurate with the communal G.O.? "

THE HON. SRI B. GOPALA REDDI :—" There is no communal G.O. for the recruitment of police constables. "

JANAB MUHAMMAD RAZA KHAN :—" May I know, Sir, when the Government recruit police constables whether they are recruiting the right type of persons? "

THE HON. SRI B. GOPALA REDDI :—" We are trying to recruit the right type of persons and we do hope that people will come forward with right type of qualifications. "

JANAB M. MUHAMMAD ISMAIL :—" Sir, the Government have given the figure for the whole year 1950. May I know whether any constables were recruited towards the end of the year 1950; and if so, whether they had issued any instructions to the Selecting Authorities communicating the decision that they have made, for removing the ban on Muslims? "

THE HON. SRI B. GOPALA REDDI :—" Sir, the Heads of Departments are the Recruiting Officers. They are well aware of the decision of the Government and they will certainly take steps to recruit Muslims also in future. "

JANAB M. MUHAMMAD ISMAIL :—" Is it not a fact, Sir, that towards the end of the year 1950 some of the Selecting Authorities said that they had not received any communication from the Government on this subject? "

THE HON. SRI B. GOPALA REDDI :—" Sir, any Government decision must take its usual course of channel of communication. The communication is first sent to the Head of the Department and he sends it to his district officers. "

JANAB M. MUHAMMAD ISMAIL :—" May I know, Sir, whether the Government have sent such instructions now? "

THE HON. SRI B. GOPALA REDDI :—" Yes, Sir. The decision taken is meant to be communicated and not to be kept in the Secretariat. "

JANAB H. S. HUSSAIN :—" May I know, Sir, whether any other communities are over-represented in the police service besides Muslims; and if so, what are the percentages of the other communities to their population? "

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

SRI D. V. RAMASWAMI :—" May I know, Sir, whether there will be recruitment in the current year 1951; and if so, whether the Government will kindly consider the feelings of Muslims when police constables are hereafter recruited in large numbers? "

[10th February 1951]

THE HON. SRI B. GOPALA REDDI :—" We are all aware of the sentiments of Muslims and therefore we have taken a decision and it has been communicated."

SRI R. V. SWAMINATHAN :—" Sir, is there any educational qualification prescribed for constables? "

THE HON. SRI B. GOPALA REDDI :—" Yes, Sir. It is 7th standard."

SRI B. S. MURTHY :—" May I know, Sir, whether any women have been recruited out of the total number of 4,773 recruited in 1950? If not are the Government prepared to give instructions to recruit some women constables in 1951? "

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

SRI V. I. MUNISWAMI PILLAY :—" Arising out of the answer given by the Hon. Minister that the communal G.O. was applied in the case of recruitment of police constables, may I know, Sir, whether it is the idea of the Government to give larger percentage of recruitment to Harijans."

THE HON. SRI B. GOPALA REDDI :—" Sir, Harijans are having their legitimate share in the recruitment of police constables and we hope it will continue to be so in future. There is no need for any specific instructions to the Recruiting Officers to recruit more Harijans."

JANAB MOHAMED ABDUL SALAM :—" Is the Hon. Leader of the House aware, Sir, of the promise that he gave during the Budget session last year that he will take special steps to recruit more number of Andhras in the higher category of Police Service and may I know whether he has taken any steps? "

MR. SPEAKER :—" The question is about recruitment of police constables and how does this question arise? "

THE HON. SRI B. GOPALA REDDI :—" The hon. Member can await the next Budget session."

#### *Basic training schools.*

\*763 Q.—A. VEDARATNAM PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) the number of basic training schools that have been newly opened this year;

(b) the number of basic trained teachers that have come out successfully in each grade this year;

(c) whether all of them have been provided with appointments in basic schools, and if not, the reasons for it; and

(d) whether it is a fact that the teachers who are trained on basic lines are allowed to work in ordinary schools, and if so, why?

[10th February 1951]

THE HON. SRI K. MADHAVA MENON :—" (a) The number of Government Basic Training schools opened in 1949-50 was 9. (This excludes the 7 Government Training Schools that were converted into Basic Training Schools.)

" (b) Their number was as follows :—

|                                  |    |    |     |
|----------------------------------|----|----|-----|
| Junior Basic (Higher Elementary) | .. | .. | 533 |
| Senior Basic (Secondary Grade)   | .. | .. | 82  |

" (c) No. It has not been possible to provide for all of them. The local bodies have been directed to give preference to basic trained teachers whenever vacancies occur in schools under their management.

" (d) Basic trained teachers are generally employed in Basic schools or in schools to be converted into basic schools. Some basic trained teachers work in ordinary secondary schools since the scales of pay offered there are more attractive than those offered in basic schools. Instructions have, however, been issued to local bodies to see that basic trained teachers should not be employed in ordinary schools. In order to see that basic trained teachers do not seek employment in ordinary schools, the Director of Public Instruction has recommended that secondary grade basic trained teachers employed in basic schools under local bodies should be given the same scale of pay as that for ordinary secondary grade teachers in local board secondary schools and the matter is engaging the attention of Government."

SRI A. VADARATNAM PILLAI :—" May I know, Sir, why such ordinary schools should not be converted into basic schools and basic syllabil followed and basic teachers employed? "

THE HON. SRI K. MADHAVA MENON :—" Sir, it is not possible to convert ordinary schools into basic schools. There is a plan for it and we are doing according to it."

SRI B. S. MURTHY :—" May I know, Sir, where these 9 basic training schools are located? "

THE HON. SRI K. MADHAVA MENON :—" I have not got the information here, Sir."

SRI D. V. RAMASWAMI :—" Sir, on a previous occasion also I put the same question. I want to know whether a basic trained school teacher not able to get employment in basic training schools is not prevented from seeking employment in an ordinary school where there is no basic teaching? "

THE HON. SRI K. MADHAVA MENON :—" Sir, from my answer it is obvious that the basic teachers have sought employment and are employed in non-basic schools."

[10th February 1951]

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

## II.—GOVERNMENT BILL.

THE MALABAR TENANCY (AMENDMENT) BILL, 1950  
(L.A. BILL NO. 30 OF 1950)—cont.

## Clause 20.

12  
noon

MR. SPEAKER :—“ The motion is—

‘ That clause 20 do stand part of the Bill. ’ ”

JANAB P. K. MOIDEEN KUTTI :—“ I move, Sir—

‘ That in section 20 of the Act, clauses (5) and (6) be omitted. ’

“ I move it now on the same principle on which my previous amendment moved yesterday was based. Now that the Government have rejected even the amendments proposed by Mr. Hydross and Mr. Seethi, we will be simply throwing open the flood gates of litigation in respect of eviction suits if these grounds for eviction are kept intact. Though I know that the Government, having rejected the amendments yesterday, may not now be agreeable to delete these two clauses, I request them to at least see to it that a time-limit is placed in the matter of giving discretion to the landlord to evict the tenant on these grounds. I do not know why the Government should feel hesitant about this. According to the present provision, the opportunity for the landlord to evict the tenant on these grounds will be there for ever, and that would increase litigation and cause a lot of trouble as between the tenants and the landlords. Therefore, Sir, I move the amendment.”

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

MR. SPEAKER :—“ Amendment moved—

‘ That in section 20 of the Act, clauses (5) and (6) be omitted. ’

SRI R. RAGHAVA MENON :—“ Sir, I oppose this amendment as it seriously affects the rights of the poor landlords who can now evict the tenants for the sake of getting their food. This privilege given to the poor landlord is the only relieving feature of this Bill as it has emerged from the Select Committee. After all, only a person who is going to cultivate food for himself and his family is entitled to this right. That right has already been allowed under section 14 in the case of the intermediaries; and it would be improper to deny that right in the case of the poor janmis under this clause. Whoever feels the economic necessity of feeding himself and his children by doing the cultivation himself, can go to court and prove his *bona fides* and get this right. This amendment will affect the middle classes very vitally, and I therefore oppose it.”

10th February 1951]

\* THE HON. SRI K. MADHAVA MENON :—“ Sir, an amendment on identical terms was moved by the hon. Member in respect of section 14. Then I told the House in detail that the whole question was considered by the Select Committee, i.e., whether we should allow the landlord to evict a tenant for the purpose of his own maintenance. We agreed that it was necessary to give him this right, and it is only a restricted right because the landlord has to prove that for his own maintenance, the eviction is necessary. The word was ‘ occupation ’ before, but that was changed by the Select Committee into ‘ residence. ’ So, once we have decided to give the landlord this restricted right, there is no meaning in trying to change it now. Mr. Moideen Kutti is, by this amendment, seeking to delete these two clauses altogether. I am not for it; it is not right; particularly at a time when persons are willing to come forward and take up cultivation, persons who were not cultivating before, an opportunity should be given to them. So, I am against this amendment. My friend’s suggestion is that there may be a provision to the effect that this option should be exercised by the landlord within a particular time. That was also the proposal contained in the original Bill as introduced. But the Select Committee rejected that proposal and has given this restricted right. And having once given this right, it is not proper now to restrict it to a particular period, because we are saying that the rights of the landlord and tenant are alienable and heritable, and the rights of a person who purchases the land should not be in any way affected by our agreeing to a specific period now. So, Sir, even that suggestion of my friend is not acceptable.”

JANAB P. K. MOIDEEN KUTTY :—“ I press my amendment, Sir.”

MR. SPEAKER :—“ The question is—

‘ That in section 20 of the Act, omit clauses (5) and (6). ’ ”  
The amendment was lost.

JANAB K. M. SEETHI :—“ I move—

‘ That in clause 20 (vi) in the further proviso (i), before the words “ no tenant shall be evicted ” insert the words “ no tenant shall be evicted on the ground specified in clause (5) or clause (6) if he or the members of his family have been in continuous possession of the holding for not less than twelve years and he needs the holding bona fide for the purpose of raising crops or other produce for his own maintenance or for that of any member of his tarwad, tavazhi, or kutumba, kavaru or family who has a proprietary and beneficial interest in the holding and ” ’

I move this amendment, Sir, for the same reasons as those I mentioned in supporting my amendment under clause 17. I am not convinced of the arguments put forward by the Government yesterday in opposing my amendment. I submit that this twelve years’ period will give a great relief to the tenant, because it refers only to tenants who have been in possession for not less than



[Janab K. M. Seethi] [10th February 1951]

twelve years, who are poor and helpless and have no other land to depend upon for their own maintenance, and they will be taken away from the ambit of the clauses under which the landlord can effect a recovery of the holding. It is not correct to say that by placing this restriction on the right given to the landlord under clauses (5) and (6), we are taking away with one hand what has been given by the other. There may be many cases in which the tenants may be in possession but will be deprived of the land by the landlord who may require it for his own maintenance or for his residential purposes. In such cases the landlord will certainly be entitled to recover possession of the property. In fact, my own feeling is that in enacting these clauses, we are taking away with the other hand the right to fixity that has been given to the tenant by one hand. These clauses amount to a deprivation of the right of fixity given to the tenant more than the amount to a right given to the landlord to recover possession of the property. So, Sir, I submit there should be a restriction in the right and that is sought to be done by my amendment."

JANAB M. V. HYDROSS :—" I second it."

MR. SPEAKER :—" Amendment moved—

'That in clause 20 (vi) in the further proviso (i), before the words "no tenant shall be evicted", insert the words "no tenant shall be evicted on the ground specified in clause (5) or clause (6) if he or the members of his family have been in continuous possession of the holding for not less than twelve years and he needs the holding *bona fide* for the purpose of raising crops or other produce for his own maintenance or for that of any member of his tarwad, tavazhi, or kutumba, kavaru or family who has a proprietary and beneficial interest in the holding and "'."

\* THE HON. SRI K. MADHAVA MENON :—" Sir, I have nothing to add to what I said yesterday and what I said to Mr. Moldeen Kutty in reply to his amendment. Mr. Seethi Sahib's amendment refers to two points: that is, if the landlord has necessity for the land for his own maintenance, and if the tenant also has necessity for that land, then the landlord should not be given the right to evict the tenant. I have already stated that having once agreed to give the right, it is not proper to restrict it now. I therefore oppose the amendment."

MR. SPEAKER :—" The question is—

'That in clause 20 (vi) in the further proviso (i), before the words "no tenant shall be evicted", insert the words "no tenant shall be evicted on the ground specified in clause (5) or clause (6) if he or the members of his family have been in continuous possession of the holding for not less than twelve years and he needs the holding *bona fide* for the purpose of raising crops or other produce for his own maintenance or for that of any member of his tarwad, tavazhi, or kutumba, kavaru or family who has a proprietary and beneficial interest in the holding and "'."

The amendment was lost.

10th February 1951]

JANAB M. V. HYDROSS :—" Sir, I move—

'That in clause 20 (vi), item (i) of the further proviso, after the words "or endowment" add the words "or by a landlord other than a janmi"'."

I move the amendment for this reason: as I have already submitted, the word 'landlord' does not mean a janmi alone; it refers to all persons above a cultivating tenant. There may be a number of landholders, and the need of any one of them is sufficient ground to evict the tenant from his holding. Hon. Gentleman Mr. Raghava Menon has been always arguing for the poor janmi; I am not against him; but at the same time there are many so-called intermediaries whom we want to wipe off. These people also are given the right to recover possession of the land. It will work severe hardship on the tenants. I submit that the janmis may be given the right, but not the other landlords who are below the janmi and above the cultivating tenant."

JANAB K. M. SEETHI :—" I second the amendment."

MR. SPEAKER :—" Amendment moved—

'That in clause 20 (vi), item (i) of the further proviso, after the words "or endowment" add the words "or by a landlord other than a janmi"'."

\* THE HON. SRI K. MADHAVA MENON :—" Sir, this amendment is word for word the same as the one which was moved yesterday when we were considering section 14. Hon. Member says that if there is a janmi, a kanamdar and another person under the kanamdar, the janmi alone should have the right to evict and recover possession of land for his own cultivation, and not any intermediary. That is what hon. Member Mr. Hydross's amendment comes to. If the idea is to give a right to recover possession for one's own maintenance—and we have accepted that proposal—we cannot restrict it to the janmi. I therefore oppose the amendment."

MR. SPEAKER :—" The question is—

'That in clause 20 (vi), item (i) of the further proviso, after the words "or endowment" add the words "or by a landlord other than a janmi"'."

The amendment was lost.

MR. SPEAKER :—" Before the hon. Member moves his next amendment; viz., No. 11, may I ask him: suppose the previous amendment of his No. 9 had been accepted by the House yesterday, would not this amendment No. 11 have become a consequential one?"

JANAB M. V. HYDROSS :—" No, Sir; my amendments relate to two separate sections."

MR. SPEAKER :—" Then let the hon. Member move amendment No. 11."

[10th February 1951]

JANAB M. V. HYDROSS :—" Sir, I move—

*' That in clause 20 (vi) after item (i) of the further proviso, add the following new item :—*

*" (i) (a) a landlord who is a transferee for value shall not be entitled to the benefits of clauses (5) and (6) unless he brings the suit after a period of twelve years from the date of such transfer."*

The purpose of my amendment has already been explained, but there is a doubt that in some of the Marumakkattayam families, after a partition, members get specific portions as their share of the property and it will not be possible for them to recover possession of the land for their own maintenance. It is to clear that doubt that I have put in the expression ' who is a transferee for value '. The idea is that persons who derive their title as a result of partition either under Marumakkattayam or Makkattayam should not be in any way affected by the provision in the Bill. If a person makes a purchase of the rights of the landlord and tries to evict a tenant, he should not be doing so within a period of twelve years from the date of transfer. Unless we give this protection to the tenant at least for some time, it will not be possible for any tenant to get on peacefully in Malabar. Already, there is so much of agitation on the part of the tenants against the retention of these clauses (5) and (6) which expose them to the vagaries of some of the landlords. I do not mean to say that all landlords are alike; there are good landlords no doubt; but in the hands of landlords who really want to tease their tenants, the retention of the provisions in clauses (5) and (6) as they are, will clearly work hardship and it is with a view to get rid of the evil effects of an illusory transfer that I put forward my amendment before the House."

12-15  
p.m.

JANAB K. M. SEETHI :—" Sir, I second the amendment. I moved a similar amendment yesterday and also in the amendment which I moved to-day I raised the same point. So, it is necessary that there should be some restrictions on the rights of the transferee for value, because the rights given under sub-clauses (5) and (6) do not compare at all with the rights of the transferor who is in a helpless condition in acquiring land for cultivation. Therefore there seems to be nothing objectionable in accepting the amendment."

MR. SPEAKER :—" Amendment moved—

*' That in clause 20 (vi) after item (i) of the further proviso, add the following new item :—*

*" (i) (a) A landlord who is a transferee for value shall not be entitled to the benefits of clauses (5) and (6) unless he brings the suit after a period of twelve years from the date of such transfer."*

\* THE HON. SRI K. MADHAVA MENON :—" Sir, the amendment of hon. Member Mr. Hydross is this—

*' A landlord who is a transferee for value shall not be entitled to the benefit of clauses (5) and (6) unless he brings the suit after a period of twelve years from the date of such transfer.'*

[10th February 1951] [Sri K. Madhava Menon]

Of course, that concedes the right to all transfers which have taken place up to the date of the present Act. So, if a transfer has taken place yesterday, he can evict a tenant for his own purpose. The result of ' bringing a suit after a period of twelve years from the date of such transfer ' will be that people who have taken lands on transfer within the last twelve years when they go in for purpose of their own cultivation knowing they can evict the tenant for purpose of own cultivation, even they will be disentitled to file suits for eviction. I do not think that is what is contemplated by my friend. I should say, Sir, that is not in keeping with the spirit of what we have already done, namely, when a landlord wants the land for his own maintenance, he must be permitted to evict. So, we should not make any difference between a person who purchases land to-day and one who has done so the day before. To say that he must wait for a period of twelve years is not in consonance with the spirit of the amendment which the House has already passed. I cannot accept the amendment, Sir."

JANAB M. V. HYDROSS :—" Sir, I am not satisfied with the arguments advanced by the Hon. Minister. The purpose of my amendment is this. There have been a number of transfers of janmain rights and the rights of kanamdars to evict tenants and suits have also been filed, but those suits are kept stayed under the Tenants and Ryots' Protection Act. The object of my amendment is that the landlord should be entitled to evict the tenant only after a period of twelve years after his purchase. Unless such a protection is given the tenant can be evicted at any time."

\* THE HON. SRI K. MADHAVA MENON :—" Sir, some of us are labouring under certain difficulties, knowing as we do what the difficulties of the people are. My hon. Friend, Mr. Hydross, has brought to our notice certain instances and he also says that a certain number of suits have been filed. Being a practising lawyer, he must know of such instances. But, there are also certain hard cases which have been brought to the notice of the Government. However, these things should not make us forget the basic principles that we have laid down and have to follow. I therefore, oppose the amendment."

MR. SPEAKER :—" The question is—

*' That in clause 20 (vi) after item (i) of the further proviso, add the following new item :—*

*" (i) (a) A landlord who is a transferee for value shall not be entitled to the benefits of clauses (5) and (6) unless he brings the suit after a period of twelve years from the date of such transfer."*

The amendment was lost.

JANAB K. M. SEETHI :—" There is another amendment of mine which is consequential."

MR. SPEAKER :—" He cannot move the amendment."

Clause 20 was put and carried.

[10th February 1951]

## Clause 21.

MR. SPEAKER :—" The motion is—

' That clause 21 do stand part of the Bill. ' "

JANAB P. K. MOIDEEN KUTTY :—" I do not move the amendment of which I have given notice, because on further consideration I think it would be disadvantageous to the tenant. "

Clause 21 was put and carried.

Clause 22 was put and carried.

## Clause 23.

MR. SPEAKER :—" The motion is—

' That clause 23 do stand part of the Bill. ' "

JANAB M. V. HYDROSS :—" Mr. Speaker, Sir, I move—

' That in sub-section (1) of proposed section 28 (1), omit the words " other than a kanamdar or customary verumpattamdar ", and after the words " to his landlord ", add the following :—

*" or where there is a contract (whether the period thereof has expired or not) fair rent or the contract rent whichever is less. "*

Sir, even in the Select Committee, this question was considered and discussed at length, but I am not satisfied with the decision of the Select Committee, though it has been taken by a majority. According to the existing provision, a verumpattamdar or kuzhi-kanamdar has to pay fair rent or contract rent, whichever is more. It is to get over the difficulty that the tenant shall not be forced to pay anything more than what he has contracted for at present that I have brought forward this amendment and I hope the Hon. Minister will kindly accept it."

JANAB M. A. IBRAHIM :—" I second the amendment."

MR. SPEAKER :—" Amendment moved—

' That in sub-section (1) of proposed section 28 (1), omit the words " other than a kanamdar or customary verumpattamdar ", and after the words " to his landlord ", add the following :—

*" or where there is a contract (whether the period thereof has expired or not) fair rent or the contract rent whichever is less. "*

THE HON. SRI K. MADHAVA MENON :—" Sir, I must oppose this amendment. The original proposal before the House was

SRI M. P. GOVINDA MENON :—" Before the Hon. Minister replies to this amendment, I must submit that there are also identical amendments given notice of by other hon. Members."

MR. SPEAKER :—" So, the hon. Member's suggestion is that all the amendments may be moved, so that the Hon. Minister may

10th February 1951] [Mr. Speaker]

reply to all of them together and then the amendments put to vote one by one. I will allow the hon. Members who have given notice of identical amendments to speak on this amendment."

SRI M. P. GOVINDA MENON :—" That is why I want to speak on the amendment, Sir. I have also given notice of a similar amendment, namely :—

*' In clause 23, in proposed section 28 (1)—**(1) In line 7, after the words " fair rent " and before the words " to his landlord ", insert the words " or the contract rate whichever is less " . '*

Now, section 28 (1) reads—

*' Every cultivating tenant of a holding, other than a kanamdar or customary verumpattamdar. . . shall be bound to pay fair rent to his landlord. '*

In the place of the words ' fair rent ', I want to substitute ' fair rent or contract rent whichever is less '. That is what hon. Member Mr. Hydross also says. Now, the position is this. In the original Bill which was published and introduced in the House, the clause contained these words : ' fair rent or contract rent whichever is less '. In support of the amendment I rely upon the Hon. Minister himself, because, convinced as he was, that otherwise it will put the tenants to difficulty and hardship, it was he who first introduced the Bill in the Legislature with the clause containing ' whichever is less '. There are a large number of landlords in Malabar who have been leasing their lands to tenants at a reduced rate of rent. There are, of course, some landlords who are taking rents at a higher rate. The object of the Legislature is to help the tenants who have been suffering from such rackrenting and give them relief. In fact, there are landlords who are prepared to accept lesser rent from their tenants. When that is the case, there is no reason why this legislation should compel those landlords also to accept a higher rate of rent from the tenants. I can understand legislation for helping the tenant and giving him relief from rackrenting, but I cannot understand the anxiety of the Legislature to compel even landlords who are not willing to accept higher rents from the tenants, to take such higher rents.

" Again, Sir, under the old Act, there was a provision to enable either the landlord or the tenant to apply to a court of law to revise the rent and fix fair rent. Here it is a sort of understanding between the landlord and the tenant and the landlord is prepared to accept reduced rent and does not want the tenant to go to court. In the 1930 Act, a period of twelve years was given to the landlord or the tenant within which to go to court for fixing fair rent. From 1942 up to date many of the good landlords in Malabar, were satisfied with taking reduced rents. But now we are not giving an opportunity to people to go to court, but we are providing for fixing fair rent by officers to be appointed for the purpose. Such being the case, I do not understand the anxiety of the Members of the Legislature to compel the landlord to take higher rates of rent, even though he is prepared to take the reduced rent. What I want to say is that such a concession was there in the

[Sri M. P. Govinda Menon] [10th February 1951]

original Bill, but unfortunately the Select Committee decided against it by a majority. I therefore strongly support the amendment moved by my hon. Friend, Mr. Hydross. I hope the Hon. Minister will revise his opinion and accept the amendment taking into consideration that it would be a hardship on the tenants who have been paying the reduced rent for so many years, to be called upon all of a sudden to pay a higher rent to be fixed by the officers to be appointed."

SRI M. P. DAMODARAN :—" Mr. Speaker, Sir, I have also given notice of a similar amendment, namely :—

*' In sub-section (1) of the proposed section 28 after the words " a kanamdar ", insert " kuzhikanamdar, kanam-kuzhikanamdar ".*

" Sir, the object of my amendment is this: Sir, the Hon. Minister is perhaps of the opinion that this is not an identical amendment."

THE HON. SRI K. MADHAVA MENON :—" In effect it is the same, though the wording is different."

SRI M. P. DAMODARAN :—" The idea underlying my amendment is to bring all kinds of tenants under the exception. I think it is the same as the amendment of Mr. Hydross."

MR. SPEAKER :—" I think the best thing would be to dispose of the amendment of hon. Member Mr. Hydross first before taking up the amendment of hon. Member Mr. Damodaran."

SRI K. R. KARANTH :—" Sir, having taken some part in the discussion on this question at the Select Committee, I beg to oppose this amendment. It is only in this country that, regardless of all considerations, we are simply trying to please the large majority, if I may say so, for political purposes. (An hon. Member : ' Question ' ) My friend may question it, but I shall say so all the same. I know the British Agricultural Act sets out certain principles as to what should be the fair rent. Fair rent, by its very name, means rent that is fair to both parties. As we know, British agriculture has advanced very much and there, wherever the parties are able to agree, they are left free to do so, but if they cannot come to an agreement, the parties may go to the machinery of a Tribunal which is provided for the purpose. I have read from the books on the subject that there are hardly half a dozen instances in a year where people have recourse to these Tribunals, because the principles are settled there."

" Now, under this amending Bill, in the case of wet lands, we deduct 22 Palghat pafas of paddy from the yield and the balance that remains is divided half and half between the landlord and the tenant."

12-30 p.m. " In the case of garden lands, arecanut and coconut are taken as staple produce and the proportion of two-fifths and one-fifth which obtained before we have reduced it to one-third and one-sixth. But I feel, Sir, that it is in the case of dry lands that a great deal of injustice is going to be done and I shall refer to it later."

[Sri K. R. Karanth] [10th February 1951]

" Formerly, Sir, the usual tenure was for a period of twelve years. We are now giving permanency of tenure for all time; there is no renewal fee and fair rent should be paid for the enjoyment of permanent occupancy right. I conceive, Sir, that that fair rent should be fair to both sides. I see neither logic nor justice in the argument of my hon. Friend in basing it on the contract rent; thirty years ago the rents were nominal because the ruling prices of coconut and arecanut were very low; coconuts were selling at Rs. 3 per hundred and arecanuts at Rs. 80 per candy. But now, the prices have gone up to Rs. 30 per hundred and Rs. 400 to 500 per candy. This question does not arise in the case of wet lands and they are not so much hit in so far as the payment is in kind. But in the case of garden lands, they fixed the rent with the usual period of twelve years before them and the contracts were fixed on the basis of ruling prices at the time. But what friends seem to suggest is that even though the parties never thought for all time but only had in mind the ruling prices at the time and in the immediate future of ten or twelve years, the rates then agreed to should hold good for all time. But in my district, Sir, the practice is quite different and they pay the rent in kind as so many coconuts. In such a case, there will be no difficulty, because even if the prices go up, the landlord does not lose as he gets in kind whatever the proportion is and he gets the advantage of any rise in prices also. But in Malabar, I am assured by my hon. Friends and also the Hon. Minister that they always enter into contract on the basis of cash rent. Therefore, the difficulty arises in that the contract rent is based on the low prices of these commodities. Do my hon. Friends suggest that even though coconut sells at Rs. 30 per hundred and the price of arecanut is not Rs. 80 but Rs. 400 to Rs. 500, still we should agree to the rupee rent which was fixed fifteen years ago? I must submit, Sir, I cannot agree to that proposal. I suggested in the Select Committee also that if the rent is fixed in cash, it is also likely to hit the tenant and I urged on the members of the Committee to agree to the rent being paid in kind. If rent could be delivered in kind at a certain place, what is the difficulty in fixing the landlord's share of the produce at the rate of one-third, one-fourth or one-fifth? It would have been quite all right but they did not want to have it. I pointed out that the ruling prices are very high to-day but they may come down and there is likely to be some hardship for the tenant then and that is how all of us agreed to the proposals of the Government. It is not correct to say as my hon. Friend did that it was passed by a narrow majority. The formula was passed practically without any dissentient voice, and the formula was approved without any vote being taken upon it. I would in this connexion invite the attention of the hon. Member to page 21 of the printed proceedings of the Select Committee—

... the best way to avoid any such difficulty would be to give to the tenant the option to pay the rent in kind or cash.

The Chairman did not favour the proposal for payment of rent in kind.

[Sri K. R. Karanth] [10th February 1951]

Ultimately the Committee agreed to the following proposition:—

"In cases where the period has expired, where the contract rent is less than the fair rent, the contract rent may be increased to the fair rent level by stages in a period of ten years."

The rent is to be the fair rent but the immediate hardship or shock should not be felt by the tenant. For this we have provided that if the difference is Rs. 10, he need not pay it all at once but he will pay the rent payable for the preceding year with one-tenth of the difference, so that ultimately after ten years the fair rent would be reached."

SRI M. P. DAMODARAN:—"What is the difficulty which you do not have in the case of paddy?"

SRI K. R. KARANTH:—"Because for paddy, it is paid in kind. When it is being paid in kind, any advantage which the landlord may be getting by way of rise in prices will also be enjoyed by him, in that he gets in kind."

"As I have already explained, it would have been fixed with reference to prices some ten years ago. Now the prices have gone up very high and the position is advantageous to the tenant to the detriment of the landlord. Supposing the prices come down—we see no chance at all of the prices coming down but on the other hand, they are going up higher and higher—in three years, the tenant will feel the hardship and that is why I am requesting my friends from Malabar to have the rent in kind as so much proportion of the yield and there will be no difficulty. This is the thing that holds good in my district; if a party fails to pay in a certain year, there will be the gazette rate, and he will have to pay at that gazette rate and there will be no difficulty about it."

"There is no use saying that the tenant agreed to pay so much and it must be continued even now. Conditions are different now at the time of the contract, the party had only 12 years before him, at the end of which he will have to renew or get out. To-day prices are high, he has been getting his income, quite rightly also and there is no injustice if he is to pay at higher rates. The decision taken by the Committee is quite all right and there is nothing wrong in it. He will be going on adding to his yearly payments for ten years and by that time, there is going to be a resettlement of the rent as there will be a resettlement at the end of twenty years. If it is on considerations of justice that my friends take the view they do, I say, Sir, let there be justice for both and we must also bear in mind the Fundamental Rules in the Constitution according to which you cannot expropriate in the guise of an Act for regulating tenancy."

"Let me in this connexion refer to the dry lands, particularly in the areas which I have the honour to represent, the Kanjangad area. I submit, Sir, that this Act will be expropriatory in character so far as dry lands in that area are concerned. Dry lands, hundreds of acres, are given on kuzhikanam lease for purposes of planting trees and for the first five years, only assessment will be paid by the kuzhikanamdar. It may be cashewnut trees that

[10th February 1951] [Sri K. R. Karanth]

may be planted or it may be mango trees. After this period, they sit together and come to an agreement as to what proportion of the produce should go to the landlord and generally it will be one-fourth or one-fifth. These are not gardens, because we have removed mango trees and jack trees and only coconut trees and arecanut trees remain. Nobody can say that cashewnut is not a commercial crop. One maund fetches from Rs. 10 to Rs. 20 and they are making lots of money. For lands which yield so much the landlord will be getting only three times the assessment. It may be annas two per acre or three or four annas and the maximum amount that he will get will be Re. 1-8-0 per acre while to-day he is getting Rs. 30 per acre or even Rs. 100. We have accepted the principles of the proportion of the produce and if it is fair rent, it must be fair to both sides and there is no use of saying that we shall stick to whichever is less. It has to be remembered, Sir, that the land is the landlord's and he has invested thousands of rupees on it; and what is the return he will get? Three times the assessment, which cannot be more than Re. 1-8-0 while he is getting Rs. 50 or Rs. 100 per acre now. It is, I submit, of an expropriatory nature and I cannot agree to it. But that is a separate question."

"What I am submitting is that we are prepared to do justice but not simply to help one class without regard to the condition of things 15 years ago when the prices were very low and the prospect of the present prices of the commodities did not enter into their calculations. I submit, Sir, that the formula arrived at by the Joint Select Committee is a just one and there is absolutely no reason to go behind it."

JANAB P. K. MOIDEEN KUTTY:—"Mr. Speaker, Sir, I have given notice of an amendment to omit the first two provisos to proposed clause 28 (1) and my purpose in giving notice of that motion was the same as that of the hon. Mover of the amendment."

MR. SPEAKER:—"Then let him not make his motion separately but speak on the motion before the House."

JANAB P. K. MOIDEEN KUTTY:—"The Hon. Minister observed, Sir, that the spirit in which this legislation has been sponsored is to benefit the tenants and not to help the landlords. I want a categorical assurance from the Hon. Minister whether it is a fact or not and if it is a fact, I would request him to see that, under no circumstances, the tenant should be liable to pay more than what he is paying now to the landlord, after the introduction of this legislation. It is not as if we are going to do justice by all the parties concerned: the legislation, according to the statement of the Hon. Minister, is intended to benefit the tenants and therefore, Sir, I support the amendment."

THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, 12-45 Sir, I agree with hon. Member Mr. Moideen Kutty that the tenant should not be made to pay more." p.m.

[10th February 1951]

JANAB P. K. MOIDEEN KUTTY :—" That is negative; I want a positive statement."

\* THE HON. SRI K. MADHAVA MENON :—" Relief would be given to him wherever it is necessary. I want the House to see whether relief is not given to the tenant under the present clause. For that, I want them to compare the present clause with the corresponding section in the original Act. Under the existing Act.

'Every cultivating verumpattamdar shall be bound to pay to his immediate landlord, fair rent as fixed under section 12.'

That is fair rent which is more than the fair rent now fixed. The existing Act also proceeds to say further as follows :—

'Provided that in the case of a cultivating verumpattamdar's holding existing at the date on which this Act comes into force, the rent payable on such holding shall be deemed to be fair rent for a period of twelve years from such date;'

and after the date of renewal, such rent shall be payable by the cultivating verumpattamdar from the date of renewal. Now, under the present Bill, we all know, that that fair rent has been reduced and we have fixed a particular rate. So is it open to the tenant to say that he has not been given any benefit? Is it fair for him to say so?

" Now, Sir, I want to make the position of Government clear. Mr. Moideen Kutty was saying, ' I know the Hon. Minister is very particular about improving the lot of the tenant; but he is not doing so.' Now, Sir, there are only two kinds of cases under this clause, for which amendments are sought to be made by hon. Members Mr. Hydross, Mr. Damodaran and Mr. Govinda Menon, whereby they want the tenant to pay as rent, the fair rent or the contract rent, whichever is less, irrespective of the fact whether the contract period enures or has expired. Now, Sir, there are two kinds of leases, leases of dry lands and the case of cultivating verumpattamdars. In the case of the cultivating verumpattamdar, the janmi under the original Act is entitled to a renewal fee after a period of twelve years, even without application."

SRI M. P. DAMODARAN :—" No, he has to apply under section 11."

\* THE HON. SRI K. MADHAVA MENON :—" No. In the original Act, section 28 says—

'Every cultivating verumpattamdar shall be bound to pay to his immediate landlord, fair rent as fixed under section 12.'

That means, the landlord's fair rent is fixed under section 12. That means it is not a question of his application. The landlord has only to ask the cultivating verumpattamdar to pay up the renewal fee. Now, in the present Bill, I have only said—

'Every cultivating tenant . . . shall be bound to pay fair rent to his landlord.'

So that I have not taken away the right of the landlord to claim fair rent. But I have reduced that fair rent, which is an advantage or benefit to the tenant. Not only that, I have given the

[10th February 1951] [Sri K. Madhava Menon]

tenant a stronger fixity of tenure than under the old Act. For, I have abolished the renewal fee. Besides these, I have given another advantage or benefit to the cultivating verumpattamdar. I have spread out the increased fair rent (in the case of increased fair rent) over a period of ten years, so that the tenant may not feel the sudden increase in the fair rent he has to pay. Now are these not benefits conferred on tenants?

" Again, Sir, in the case of dry land, let us see what the corresponding section in the original Act says. It runs as follows :—

'A cultivating kuzhikanamdar shall, when making an application under section 22, or the landlord may, when answering such an application, apply to the court dealing with the application to determine the fair rent payable in respect of the holding to which application relates, and the court shall make an order determining the same before disposing of the said application, and for the period for which the renewal deed executed on the said application enures, the parties thereto shall be bound to pay and receive rent so determined by the court.'

Now under the old Act, at the end of the stipulated period, the landlord is entitled to evict the tenant, or he may ask him to renew the tenancy. When he is asked to renew it, the landlord is entitled only to claim the fair rent fixed under the old Act. For, the proviso to the section I just now read says specifically that the landlord cannot claim more than the rent specified in the latest kuzhikanam deed, original or renewed, executed before the commencement 'of this Act', or if there is any reason for enhancement, that enhancement shall not be more than 12½ per cent. Now, in the present Bill, what we say is, that the tenant will be bound to pay fair rent but that fair rent is conditioned by this condition : where the fair rent is less than the contract rent, the tenant shall pay until the expiration of the period of the contract, the contract rent, and during each of the next ten years, the rent payable for the preceding year plus one-tenth of the difference between the contract rent and the fair rent. Assuming for argument's sake, there will be some difference between the fair rent and the contract rent, let us see what the landlord was getting till now. The landlord, if the tenure is not a kuzhikanam, was getting a renewal fee at the end of twelve years; but if it is a kuzhikanam lease, he was getting what is called 'manusham'. Now, all that is gone. So, if we compare the trouble that was undergone by the tenant all along at the time of each renewal is this not a benefit to the tenant? Again, Sir, in the case of dry lands, in recent years particularly, landlords have leased out lands at the rate of four annas per acre or eight annas per acre. Now he is asked to be content for all the twelve years with this rate of four annas or eight annas per acre, even though the land may be a first-class garden. Now, this will be the effect of my friend's amendment. I do not think it is reasonable.

" Sir, when the Select Committee considered this question, they were governed by one material consideration. Mr. Karanth also referred to it in his speech. Originally, it was proposed that the landlord's share in the case of dry lands should be one-fifth of the produce; if the trees were those planted by the tenant, and two-fifths if they were reared at the landlord's expense. That



[Sri K. Madhava Menon] [10th February 1951]

is dealt with in clause 7; we have passed it. In those cases we have now reduced the landlord's share from one-fifth to one-sixth in the first category and we have reduced the two-fifths to two-sixths in the second category. So that, it is unfair to reduce the landlord's share at both ends. It is true I proposed in the Select Committee this question of 'whichever is less'; but afterwards I felt that to deprive the landlords at both ends will not be correct and just. Further, a number of matters came up for consideration before the Select Committee. It was represented that even this ten years' period now proposed would work hardship. Instances have come to me, where the contract rent will be four rupees now, the fair rent will be Rs. 40."

SRI R. RAGHAVA MENON :—"Instances of over Rs. 40 have come to notice."

\* THE HON. SRI K. MADHAVA MENON :—"I have not come across such cases. So that, this immediate increase of rent by one-tenth was fixed on such considerations and we did not agree to the one-fifteenth suggested by some hon. Members. So, Sir, I cannot accept the amendment of the hon. Member."

MR. SPEAKER :—"The question is—

'That in sub-section (1) of the proposed section 28 (1), omit the words "other than a kanamdar or customary verumpattamdar", and after the words "to his landlord", add the following :—

"or where there is a contract (whether the period thereof has expired or not), fair rent or the contract rent whichever is less." "

The amendment was lost.

SRI M. P. DAMODARAN :—"Mr. Speaker, Sir, I beg to move the first of my two amendments which I have given notice of. It runs as follows :—

*'That in sub-section (1) of the proposed section 28, after the words "a kanamdar", insert the words "kuzhikanamdar, kanam-kuzhikanamdar".'*

It is not difficult for the Hon. Minister to accept my amendment, because he himself has given notice of a similar amendment. Sir, my amendment, if accepted, the clause would read as follows :—

*'Every cultivating tenant of a holding other than a kanamdar, kuzhikanamdar, kanam-kuzhikanamdar or customary verumpattamdar . . .'*

Sir, my object in moving this amendment is that the benefit that is to be conferred on the kanamdar or customary verumpattamdar should be conferred also on the kuzhikanamdar and kanam-kuzhikanamdar. This is necessary because I have received a number of telegrams on this subject, one of which I shall read to the House—

*'Compulsory fair rent by kuzhikanamdar several times more than contract rent, tenants would be ruined, specially in North Malabar, pray that original draft that contract rent or fair rent, whichever is less, may be adopted, widespread dissatisfaction prevails, Bill not sufficiently published, no opportunity for tenants to protest.'*

[10th February 1951] [Sri M. P. Damodaran]

Sir, in this connexion I am reminded of an incident, where an individual who was a bit dark in colour wanted one fine morning to improve his complexion and applied some face powder. (Laughter.) The result was that instead of becoming fair in complexion, he developed a white leprosy. (Laughter.) Similarly, Sir, this amending Bill which tries to improve the lot of the kuzhikanamdar by conferring some benefit on him, is trying to aggravate his hardships and difficulties. I am sure the Hon. Minister is convinced of the need for this amendment I am suggesting. And that is why he has given notice of an amendment similar to that of my amendment.

"Sir, Mr. Karanth, in the course of his speech, drew a very pleasant picture of a tenant who cultivates his dry lands and converts it into a very beautiful garden land. Sir, the poor tenant goes to the hilly tracts, and himself, his wife and children, in fact the entire family, by their toil, labour and sweat of brow convert the hilly tract into a beautiful garden. And the absentee landlord, sitting miles away in his easy chair, when he is informed of the beautiful coconut and arecanut garden, after twelve or fifteen years, is naturally tempted to ask for a lion's share of the produce. May I ask Mr. Karanth, 'what did the landlord do to produce so much; what is his real contribution?' "

SRI K. R. KARANTH :—"His land."

SRI M. P. DAMODARAN :—"Yes, the imaginary right of proprietorship as landlord! Any way, Sir, I do not want to go into details now. I am sure the Hon. Minister will find his way to accept my innocuous amendment and alleviate the hardship of the kuzhikanamdar. Sir, on the inclusion of these two words depend the future welfare of a thousand kuzhikanamdars in North Malabar. I do not think the hardships of which I complain are so much prevalent in South Malabar and that is why Members coming from that part are silent on this point. Coming as I do from North Malabar, I have personal knowledge of the conditions prevailing there. That is why this amendment. If by this amending Bill we try to aggravate the hardships of the kuzhikanamdars, it would be unjust and inequitable. So I would request the Hon. Minister to accept my amendment. I know he is also willing to help me, even without my saying much, because he has good intentions. (Laughter.) But he is only just hesitating, and I do not think, because of my lack of good advocacy of the cause, my amendment will fall through. I hope he will be good enough to show his just sympathy to these poor tenants. The general tenor of the Bill as amended by the Joint Select Committee is such that it warrants the inclusion of these two words I have suggested. Only by doing so, we can save a number of families in North Malabar."

SRI M. P. GOVINDA MENON :—"I second the amendment 1p.m. without a speech because I do not want to mar the effect of the beautiful speech of my hon. Friend Sri M. P. Damodaran."



[10th February 1951]

Mr. SPEAKER :—" Amendment moved—

' That in sub-section (1) of proposed section 28, after the words " a kanamdar ", insert the words " kuzhikanamdar, kanam-kuzhikanamdar " . "

\* THE HON. SRI K. MADHAVA MENON :—" Sir, hon. Member Sri Damodaran has done his business and justified his existence. He has put in the most poetic language the hardships of the tenants who convert barren lands into beautiful garden lands by their labour. He has also seen the reasonableness of the provision made by the Joint Select Committee as he was satisfied with it. Now he wants to satisfy his constituency by moving this amendment. By accepting this amendment, I am afraid we will be overdoing things a little bit. Hon. Member Sri Karanth gave an instance from his place where a landholder, who is getting forty or fifty rupees a year, will get only about two rupees hereafter by way of kuzhikanam. Hon. Member Sri Damodaran said that a kanamdar, who had been paying a low rent so far, would have to pay much more by way of fair rent hereafter. There may be a small increase. As I said while speaking on the previous amendment moved by hon. Member Mr. M. V. Hydross, we have reduced the landlord's share from one-fifth to one-sixth and from two-fifths to one-third. So the increase will not be as high as hon. Member Sri Damodaran imagines. Under the old Act, the landlord was entitled to a share of the jack fruits, mangoes, cashewnut or tapioca grown on his land. During the last several years, cashewnut has become very costly and a luxury article. It is very sweet and has become one of the necessities of life. Jack fruit which was selling at a negligibly low price in Malabar some twenty years ago is now selling at a very high price. Hereafter, the tenant need not pay any share of the produce of the varieties mentioned above; he need not pay any renewal fee or manusham and he has got to pay only the fair rent according to the provision in this Bill. I have also received telegrams, though not of the kind which hon. Member Sri Damodaram has received and perhaps you, Mr. Speaker, have also received a copy. The telegram says that the Bill, which is working havoc on the landlords, is being rushed through and requesting you to use your powers as if you are rushing it through. Besides satisfying the constituency, I have to see that we do not overdo things. Sri Damodaran told the story of a person who tried to look beautiful with face powder but ultimately developed leucoderma. There is also the other story that a thief, finding that there was a good opportunity for stealing without being detected, went on stealing till daybreak and was caught. There is the danger that the tenants may not get anything at all if we overdo things. We have to consider both sides of the case. That is why I have to oppose the amendment in spite of the fact that it has been moved by the hon. Member Sri M. P. Damodaran."

SRI M. P. DAMODARAN :—" Mr. Speaker, Sir, I am not at all convinced by the reply. The Hon. Sri Madhava Menon cited the

[10th February 1951] [Sri M. P. Damodaran]

analogy of a thief who tried to steal till dawn. I do not want to carry the analogy further and place some of us in the position of that thief. If that is his argument, then this amending Bill has no place at all. My object is not to satisfy my constituency or any particular interest. I want to satisfy my conscience first. From personal knowledge, I gave an account of the position prevailing in Malabar. As soon as this Bill comes into operation, a large number of families will be ruined. It is to save them that I have moved the amendment. So I press the amendment."

Mr. SPEAKER :—" The question is—

' That in sub-section (1) of proposed section 28, after the words " a kanamdar ", insert " kuzhikanamdar, kanam-kuzhikanamdar " . "

The amendment was lost.

SRI M. P. DAMODARAN :—" Sir, I do not propose to move the alternative amendment of which I have given notice, as the Hon. Law Minister is going to move an identical amendment."

\* THE HON. SRI K. MADHAVA MENON :—" Sir, I move—  
' That in proposed section 28 (1)—

(1) *In the first proviso—*

(i) *in item (a), after the words " period of the contract ", insert " and for a period of five years thereafter " .*

(ii) *in item (b), for the words " ten years ", substitute " fifteen years "; and for the word " one-tenth ", substitute " one-fifteenth " .*

(2) *In the second proviso—*

(i) *in item (a), after the words " such commencement falls ", insert " and for a period of five years thereafter " .*

(ii) *in item (b), for the words " ten years ", substitute " fifteen years "; and for the word " one-tenth ", substitute " one-fifteenth " .*

" In cases where the contract rent is less than the fair rent, we have permitted the landlord to increase the rent to the level of the fair rent in ten years after the period of contract at the rate of one-tenth of the difference between the contract rent and the fair rent. Sri M. P. Damodaran said that in kuzhikanams in North Malabar, particularly old kuzhikanams, the rent for garden lands have been considerably increased. A number of similar instances have come to my notice. Under the old Act, a landlord cannot increase the rent for twelve years and after that he can increase only by twenty-five per cent for every twelve years. So it will take sixty years from the date of the commencement of the Act to increase the rent. That condition was deliberately inserted because the framers of the Act knew that otherwise there would be a great hardship. My amendment provides that the landlord

[Sri K. Madhava Menon] [10th February 1951]

should not raise the rent for five years, and from the sixth year onwards he can raise only at the rate of one-fifteenth of the difference between the fair rent and the contract rent every year instead of the present one-tenth. The raising of the rent is spread over fifteen years instead of ten years. The acceptance of this amendment will reduce the hardship which hon. Member Sri Damodaran pictured so well."

The amendment was put and carried.

Clause 23, as amended, was put and carried.

Clauses 24, 25, 26 and 27 were put and carried.

#### Clause 28.

MR. SPEAKER:—"The motion is—

'That clause 28 do stand part of the Bill.'

SRI R. RAGHAVA MENON:—"Sir, I move—

'That in the proposed section 32-A, for the words "an intermediary" substitute the words "a kanari".'

"My amendment seeks to give some relief to the kanari, because the rent which he is getting from the tenant is going to be reduced by the fixation of the fair rent, but he has got to pay michavaram to his janmi. The intention was to give relief only to the kanari and not to any other intermediary. The word 'intermediary' used in the section means that he has a landlord above him and a tenant under him. The section is not meant to cover other intermediaries."

SRI T. VISWANATHAM:—"I second the amendment for very good reasons."

MR. SPEAKER:—"Amendment moved—

'That in the proposed section 32-A, for the words "an intermediary" substitute the words "a kanari".'

\* THE HON. SRI K. MADHAVA MENON:—"Sir, I oppose the amendment. I do not think hon. Member Sri Raghava Menon is correct in saying that the intention was to give relief only to the kanari. In the ordinary course, there may be a janmi, a kanari, a verumpattamdar and so on. There are cases in North Malabar, particularly in Kurumbranad, where there are a tier of intermediaries. I know of a case where there are seven intermediaries between the janmi and the tenant. We have fixed the fair share of the actual cultivator. The relief that he gets will have to be given proportionately to all intermediaries."

MR. SPEAKER:—"The question is—

'That in the proposed section 32-A, for the words "an intermediary" substitute the words "a kanari".'

The amendment was lost.

10th February 1951]

\* THE HON. SRI K. MADHAVA MENON:—"Sir, I move— 1-15  
'That in new section 32-B, in the opening paragraph, in the penultimate line, for the words "his intermediary", substitute the words "the intermediary".'

The amendment was put and carried.

Clause 28, as amended, was put and carried.

#### Clause 29.

MR. SPEAKER:—"The motion is—

'That clause 29 do stand part of the Bill.'

SRI R. RAGHAVA MENON:—"Sir, I move—

'That in proposed section 34 (1) for the words "transfers his rights therein, and the" substitute the words "or his".'

This amendment of course does not really affect the position. But it makes the position clear. Instead of saying 'if the tenant of a kudiyruppu transfers his rights therein, and the', my amendment seeks to say 'if the tenant of a kudiyruppu or his'.

"My other amendment which also I move is—

'That in the proviso to that clause after the words "the consideration, if any, paid by the transferee" add the words "up to the market value of the property on the date of transfer".'

Before the landlord is entitled to evict the tenant, there are certain conditions to be fulfilled. Before obtaining possession of the kudiyruppu, he has to pay to the transferee or a person claiming under him, the consideration, if any, paid by the transferee and also the value of the improvements, if any, effected in the kudiyruppu *bona fide* between the date of the transfer and the date of the suit. It is true that the consideration, if any, paid by the transferee should be paid to him. But there must be some limit to the consideration. The value of the property itself may be only one hundred rupees. But in the document of transfer it may be shown as though he paid Rs. 200 or more. I only want to amend the provision by saying that the maximum consideration shall be up to the market value of the property on the date of transfer. It is only to avoid the payment by the landlord of exaggerated amount to the transferee, if the landlord wants to redeem the property. I hope the Government will accept the amendment."

JANAB M. V. HYDROSS:—"I second the amendments, Sir."

SRI R. RAGHAVA MENON:—"I am very happy about it, Sir."

MR. SPEAKER:—"Amendments moved—

'That in proposed section 34 (1) for the words "transfers his rights therein, and the" substitute the words "or his".'

'In the proviso to that clause after the words "the consideration, if any, paid by the transferee" add the words "up to the market value of the property on the date of transfer".'

\* THE HON. SRI K. MADHAVA MENON:—"Sir, the result of the amendment of the hon. Member Mr. Raghava Menon will be

[Sri K. Madhava Menon] [10th February 1951]

that it will entitle the landlord to sue for restoration of the kudi-yiruppu even in cases where the kudi-yiruppu is used otherwise than as kudi-yiruppu. That is not the intention of the Bill, and I cannot accept his first amendment."

SRI R. RAGHAV MENON :—" If the kudi-yiruppu holder wants to use the kudi-yiruppu not as a kudi-yiruppu, but wants to have fixity of tenure for his kudi-yiruppu, he will sell away the kudi-yiruppu, and still squat on the land. He is entitled to it, because kudi-yiruppu holders are given fixity. Kudi-yiruppu holder means one who uses the kudi-yiruppu as the kudi-yiruppu and his transferee also must use it as such. Otherwise a man will have a dozen kudi-yiruppus in a dozen months. So, it is necessary that the kudi-yiruppu should be used as a kudi-yiruppu."

\* THE HON. SRI K. MADHAVA MENON :—" Sir, we say ' If the tenant of a kudi-yiruppu transfers his rights therein, and the transferee or any person claiming under him uses or permits the use of the kudi-yiruppu or any substantial part thereof otherwise than as a kudi-yiruppu, the landlord shall be entitled to sue for the possession of the kudi-yiruppu '. It is only kudi-yiruppu or a substantial part of the kudi-yiruppu that should be used otherwise than as a kudi-yiruppu to enable the landlord to sue the tenant for restoration. The effect of the hon. Member Mr. Raghava Menon's amendment will be this. For example if I have a transferee, and if my transferee or somebody rolls a few beedi leaves, it will at once mean that it is used otherwise than as a kudi-yiruppu, and that will enable the landlord to sue for restoration. Therefore, the words ' or his ' will make the whole thing useless. So, I oppose the first amendment.

" In the other amendment, my hon. Friend wants to put a limit upon the amount of consideration by saying ' up to the market value of the property on the date of transfer '. Ordinarily the transferee is not likely to pay more than the market value. But the question is whether the consideration paid is reasonable or excessive. In cases of doubt, evidence will have to be let in. There is no particular need to say that it must be up to the market value of the property on the date of transfer."

SRI R. RAGHAV MENON :—" Sir, I would only point out to the Hon. the Minister that no court will say that it must be the market value, because the law provides here ' the consideration, if any, paid by the transferee '. There are documents which will show what is the amount that is paid. There is no question whether it is less or more. In order that the amount may be the market value or less than the market value, I have moved my amendment. It is a reasonable amendment, and I hope the Government will accept it."

MR. SPEAKER :—" I will put the amendments separately to vote. The question is—

' That in proposed section 34 (1) for the words " transfers his rights therein, and the " substitute the words " or his " . "

The amendment was lost.

[10th February 1951]

MR. SPEAKER :—" The question is—

' That in the proviso to that clause after the words " the consideration, if any, paid by the transferee " add the words " up to the market value of the property on the date of transfer " . "

The amendment was lost.

JANAB K. M. SEETHI :—" I have given notice of an amendment to this clause which reads as follows :—

' That in clause 29, after new section 34, add the following :—

" Explanation.—With affecting the generality of the definition of the word ' tenant ' in the section, the word ' tenant ' will include a sub-tenant also for the purposes of Chapter VII. "

The object of this amendment is, as I pointed out yesterday, to give the benefit of the kudi-yiruppu to the sub-tenant also who is in possession. I know there is the amendment of the hon. Member Mr. Damodaran. The definition of the word ' tenant ' is made to include the holder of a kudi-yiruppu also. But may I point out to this House the hardship or the ambiguity felt about the definition of the word ' tenant '? While suits under sections 14 and 20 of the Act had to be disposed of, the right of the tenant to deposit the rent and avoid a decree for eviction was sought to be availed by a sub-tenant. Our High Court stated that only the tenant would have the right of making the deposit and avoiding the decree for eviction and not a sub-tenant. What I respectfully submit to the Hon. the Law Minister is to have this matter examined and to see that the definition of the word ' tenant ' is made to include the sub-tenant also so as to avoid the difficulties of the sub-tenant in getting the benefit of certain provisions made for the benefit of the tenant in eviction suits, and also in the matter of kudi-yiruppus. I bring these facts to the notice of the Hon. the Minister for Law, and I am not moving my amendment."

Clause 29 was put and carried.

Clause 30.

MR. SPEAKER :—" The motion is—

' That clause 30 do stand part of the Bill. ' "

SRI R. RAGHAV MENON :—" Sir, I move—

' That in proposed section 39 (2) add at the end the words " to the extent that the security for rent and other rights are not affected adversely thereby " . '

Sir, the proposed section 39 (2) reads as follows :—

' (2) Whenever the interest of any tenant or landlord in any holding or in any portion thereof is transferred or whenever such interest devolves by operation of law, the landlord or the tenant, as the case may be, shall subject to the provisions of this Act and to such rules as may be prescribed, be bound to recognize such transfer or devolution. '

It is compulsory provision that divisions among the landlords or among the tenants must be recognized, because when partition or

[Sri R. Raghava Menon] [10th February 1951]

division takes place, the other party is not consulted. The law requires that such a division must be recognized. I have moved an amendment saying that that can be done provided the security for rent and other rights on the part of the landlord and the tenant are not affected adversely thereby. Those rights should be safeguarded. They must not be prejudiced by the unilateral division or devolution of interests by the operation of law. The equities that already exist should not be affected. The rights of the landlord or the tenant, as the case may be, must be safeguarded. Safeguards for other rights also must be provided."

SRI T. VISWANATHAM:—"Sir, I second the amendment. I think it is part of the general law that whenever such transactions take place among the landlords and among the tenants, the landlords' rights to make collections from the tenants or from the transferee are not affected. The liability of the tenants or the transferee remains jointly and severally. It is only part of the general law under the Contract Act, and the Transfer of Property Act. I believe the amendment is very just, and I hope the Hon. the Minister will make clear provision in this behalf, unless he can tell us that there is already a provision somewhere else."

MR. SPEAKER:—"Amendment moved—

'That in proposed section 39 (2) add at the end the words "to the extent that the security for rent and other rights are not affected adversely thereby".'

\* THE HON. SRI K. MADHAVA MENON:—"Sir, if the transfer affects the security for rent and other rights, I am advised that the landlord or the tenant, as the case may be, will have a cause of action under the general law. So no specific provision in this regard is necessary. The wording 'to the extent that the security for rent and other rights are not affected adversely thereby' is very vague, and cannot be enforced. The Act says that the landlord shall be bound to accept any alienation by the tenant or by the transferee. To the extent that the security for rent and other rights are affected, the landlord is not bound to accept any arrangement. The general law is there, and the amendment, therefore, is not necessary."

SRI R. RAGHAVA MENON:—"Sir, I am not convinced by the arguments of the Hon. the Minister. Let us take the case of a partition in a tenant's family. The property which belongs to a particular landlord is set apart to one person who has no other property. That man squanders away the property, and the landlord finds that he is not able to get anything. If he recognizes the partition, he would not be able to get anything. There is no security for his rent. There may be other cases also where liabilities will be fastened on one of the parties to the partition in the tenant's or landlord's family. Then, it will be very difficult to realize the rent. The equities that were there already should be safeguarded. This will only help the general law. To say that there is the general law to look after all these rights is not correct.

[Sri R. Raghava Menon] 10th February 1951]

If that be so, why not the general law take note of the other things? Why should specific provisions be made in this Bill in respect of other things? Why should a provision be made that partitions and divisions must be recognized? That is not a reasonable attitude to be adopted. When we enact a law, we must see that all interests are safeguarded."

THE HON. SRI K. MADHAVA MENON:—"Sir, the difficulty which my hon. Friend pointed out may arise but that cannot be provided against by the amendment he has moved. I shall examine the question and, if necessary, make suitable provision for it while introducing the Bill in the other House."

SRI R. RAGHAVA MENON:—"Sir, in view of the assurance given by the Hon. the Minister for Law that he will introduce a suitable provision for it later I withdraw the amendment."

The amendment was, by leave, withdrawn.

Clause 30 was put and carried.

*New clause 30-A.*

\* THE HON. SRI K. MADHAVA MENON:—"Sir, I move—  
'That after clause 30, insert the following clause:—

*Amendment of section 40, Madras Act XIV of 1930.* "30-A. In section 40, sub-section (1), of the said Act, the words and figure 'or Chapter IV' shall be omitted."

"Sir, this is only a formal amendment. The provisions which existed under Chapter IV have been omitted. Therefore, the words and figure 'or Chapter IV' are not necessary."

New clause 30-A was put and carried.

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

The House then adjourned for lunch.

(After lunch—2-30 p.m.)

*Clause 31.*

MR. SPEAKER:—"The motion is—

'That clause 31 do stand part of the Bill.'

\* THE HON. SRI K. MADHAVA MENON:—"Sir, I move—  
'That the brackets and figure "(1)" be omitted.'

"Sir, there is no other sub-clause and so, I move this amendment."

The amendment was put and carried.

Clause 31, as amended, was put and carried.

Clauses 32, 33, 34, 35, 36, 37, 38, 39 and 40 were put and carried.

[10th February 1951]

## Clause 41.

MR. SPEAKER :—" The motion is—

' That clause 41 do stand part of the Bill.' "

JANAB P. K. MOIDEEN KUTTY :—" Sir, I move—

' That the proposed section 52 be omitted.'

" Sir, this is almost the same as the one which I moved yesterday. My purpose in moving this amendment is to see that the payment is made in kind or in money according to the option of the tenant. This is a consequential amendment. Therefore, if my amendment is accepted, I would like the Government to move an amendment to the other clause."

The amendment fell through for want of a seconder.

SRI R. RAGHAVA MENON :—" Sir, I move—

' That for the proposed section 52, the following be substituted :—

" 52. Where the rent is payable in kind it shall be delivered at the landlord's granary or house, if he has one, in the village in which the holding is situated or at such other place in the village in which the holding is situated as desired by the landlord or in the threshing floor of the holding if the latter alternative is not suitable to the tenant."

The proposed clause reads as follows :—

" 52. Where the rent is payable in kind, it shall be delivered to the landlord or his agent at the threshing floor where there is one, and where there is none, at some place in the village belonging to the tenant and of which due intimation has been given to the landlord."

Sir, this will create disharmony between the landlord and the tenant. It is not advisable or necessary to provide that the landlord must go to the tenant's place to receive the rent. So, my amendment is that the rent should be delivered at the landlord's granary or house or some other place in which the holding is situated as desired by the landlord. We do not say that the tenant should take it to a great distance. If the landlord has no granary or house, the rent must be taken to a place desired by the landlord. If he gives no such direction, then it should be delivered at the threshing floor of the holding."

\* THE HON. SRI K. MADHAVA MENON :—" Sir, before the amendment is seconded, I want to say one thing. He says in his amendment, ' or in the threshing floor of the holding if the latter alternative is not suitable to the tenant '. That will be taking away what is being given in the earlier portion. But there is another amendment given notice of by my hon. Friend Sri M. P. Govinda Menon. If my hon. Friend Sri R. Raghava Menon agrees with it, I think it will suit the purpose better."

MR. SPEAKER :—" The amendment has not been seconded presumably because the hon. Member is not pressing it."

The amendment was deemed to have been withdrawn.

10th February 1951]

SRI M. P. GOVINDA MENON :—" Sir, I move—

' That in clause 41 in proposed section 52, after the words " it shall be delivered to the landlord or his agent " insert the words " at the granary or some other place belonging to the landlord in the village where the land is and of which due intimation has been given to the tenant or in case the landlord has no such place " '

The object of my amendment is that first preference should be given to deliver the rent in kind to the landlord at the granary or some other place belonging to the landlord of which due intimation has been given to the tenant. In case the landlord has no granary or any other place belonging to him in the village, then the paddy may be delivered at the threshing floor. Practically the amendment is just like the one moved by my hon. Friend Sri Raghava Menon. The clause as incorporated by the Joint Select Committee unnecessarily humiliates the landlord. When the property is leased to the tenant, it is natural that the tenant goes to the landlord and pays the rent. But in the Select Committee it was thought that there was considerable harassment at the time of delivery. There may be this harassment if the tenant has to carry the paddy some miles off. In order to avoid this harassment, I move that if the landlord has no granary or place in the village, then the paddy may be delivered at the threshing floor. This will not do any harm to the tenant. At the same time it will not humiliate the landlord. The Hon. the Minister for Law will help to promote harmony between the landlord and the tenant by accepting this amendment."

SRI R. RAGHAVA MENON :—" I second the amendment, Sir."

MR. SPEAKER :—" Amendment moved—

' That in clause 41, in proposed section 52, after the words " it shall be delivered to the landlord or his agent " insert the words " at the granary or some other place belonging to the landlord in the village where the land is and of which due intimation has been given to the tenant or in case the landlord has no such place " '

JANAB P. K. MOIDEEN KUTTY :—" I oppose the amendment, Sir. The facts stated by the Mover of the amendment were taken into consideration in the Select Committee. Even the Government proposal was that the payment should be made in kind or in money according to the option of the tenant and after long consideration, it was decided that if provision is made for payment of rent in kind, the choice of delivering it should be given to the tenant either at the threshing floor or in his house. This decision was arrived at as a sort of compromise between the two opposing principles. I cannot be a party to the proposal to go back to the old principle again. So, I oppose the amendment."

[10th February 1951]

SRI K. R. KARANTH :—" Sir, it is customary in all places for the tenant to deliver the rent in kind at the place of the landlord. There is nothing wrong in that. That has been the practice in my district from one end to the other. Of course, it may be too much to expect the tenant to carry the rent in kind outside the village. But as the clause says that the rent shall be delivered to the landlord or his agent at the threshing floor where there is one, I see no harm in accepting the amendment. There is nothing humiliating in it. It would be harassment, no doubt, if the tenant has to carry it three miles or five miles outside the village, but it has been the practice till now for the tenant to deliver it at the landlord's house. I think it is quite proper and advisable to accept the amendment."

2-45  
p.m.

\* THE HON. SRI K. MADHAVA MENON :—" Sir, this is a matter on which there was considerable controversy in the Select Committee. This was one of the amendments which was passed by a narrow majority. The existing section 52 says—

'Where the rent is payable in kind, it shall, in the absence of a contract to the contrary, be delivered at the landlord's granary in the village in which the holding is situated, or at such other granary within three miles of the village as may be provided in that behalf by the landlord'

According to the existing Act, in both cases, it must be at the landlord's place and not at the tenant's place. As there was considerable difficulty and harassment, the Select Committee amended this section as follows :—

'Where the rent is payable in kind, it shall be delivered to the landlord or his agent at the threshing floor where there is one, and where there is none, at some place in the village belonging to the tenant and of which due intimation has been given to the landlord.'

If this amendment of the Select Committee is kept as it is, then there will be trouble. Generally, in Malabar there is no common threshing floor. Either the landlord will have his threshing floor, or the tenant will have his threshing floor at his house. So the threshing floor will either be at the landlord's place or at the tenant's house. Nowhere else it will be found. If the Select Committee's amendment is allowed to remain as it is, the result will be that the landlord will have to go to the tenant's house to get the produce. As Sri Govinda Menon said, there is some sentiment also which should be considered. I shall agree to his amendment, but with one change. I want that in line 4 of his amendment, the words 'where the land is' must be substituted by the words 'where the holding is situate'. I have no objection to accept his amendment with this verbal change, Sir."

SRI M. P. GOVINDA MENON :—" Sir, I am agreeable to the amendment suggested by the Hon. Minister. I shall now move my amendment incorporating the Hon. Minister's suggestion—

'In clause 41, in proposed section 52, after the words "it shall be delivered to the landlord or his agent" insert the words "at the granary or some other place belonging

[10th February 1951] [Sri M. P. Govinda Menon]

*to the landlord in the village where the holding is situate and of which due intimation has been given to the tenant or in case the landlord has no such place."*

SRI R. RAGHAVA MENON :—" I second the amendment." The amendment was put and carried.

JANAB P. K. MOIDEEN KUTTY :—" I demand a poll, Sir."

MR. SPEAKER :—" The hon. Member's request for a division cannot be complied with as it has not been seconded by another hon. Member. The rule says—

'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.'

Now, let the Hon. Minister move his amendment."

THE HON. SRI K. MADHAVA MENON :—" Sir, my amendment is only for section 52."

MR. SPEAKER :—" Then, hon. Member Janab Moideen Kutty may move his amendments, viz., 'Omit proposed section 52' and 'In proposed section 52-A, omit the proviso and the Explanation.'

JANAB P. K. MOIDEEN KUTTY :—" My amendment is for section 52 only, Sir."

THE HON. SRI K. MADHAVA MENON :—" We are in clause 41, Sir."

MR. SPEAKER :—" I want to say one thing. As far as the Chair is concerned we are in clause 41 only, whatever the section may be. All these amendments come under clause 41."

THE HON. SRI K. MADHAVA MENON :—" Then I move my amendment, Sir,—

*'That in clause 41, new section 52-A (2) the following words be added at the end of the first sentence :—*

*"of the Subordinate Judge's Court having jurisdiction over the area in which the holding is situate."*

MR. SPEAKER :—" Amendment moved—

*'That in clause 41, new section 52-A (2) the following words be added at the end of the first sentence :—*

*"of the Subordinate Judge's Court having jurisdiction over the area in which the holding is situate."*

SRI T. VISWANATHAM :—" I oppose this Government amendment, Sir. If it is an appeal to the Subordinate Judge's Court, he cannot hear the appeal as *persona designata*. I think that there is some inner contradiction here. It is the policy of the Government either to allow an appeal to the Subordinate Judge or to the Sub-Court. Whatever it is, the general practice with the Government nowadays is to allow appeals to Subordinate Judges or District Judges as *persona designata*. The position is



[Sri T. Viswanatham] [10th February 1951]

not made clear here. I think the last sentence of this section saying that 'He shall hear the appeal as a *persona designata* and his decision shall be final' should be deleted, if the fact is to be accepted."

THE HON. SRI K. MADHAVA MENON :—" I withdraw my amendment, Sir."

SRI T. VISWANATHAM :—" Sir, I oppose the Hon. Minister's withdrawing his amendment. When he has enunciated a good principle in the amendment, it is not right that he should be allowed to give up that good principle. Having enunciated a good principle, he wants now to go back. The Hon. Sri Madhava Menon must be as good now as he was when he moved his amendment. Let him delete the last sentence of this Section and there will be nothing wrong in his doing so."

MR. SPEAKER :—" I hope the House gives permission to the Hon. Minister to withdraw his amendment."

SRI T. VISWANATHAM :—" I object to his withdrawing the amendment, Sir."

The amendment was by leave withdrawn.

Clause 41, as amended, was put and carried.

MR. SPEAKER :—" The motion is—

' Clause 42 do stand part of the Bill.' "

JANAB P. K. MOIDEEN KUTTY :—" I want to move my amendments, Sir."

MR. SPEAKER :—" This is not the way of doing things. The hon. Member's amendments relate to clause 41. When we were in that clause, I called the hon. Member and as a matter of fact read out his amendments for that clause. I even stated that the Chair was only concerned with the clauses. But the hon. Member did not then move his amendments and kept quiet. Now clause 41 has been put to the vote of the House and has been passed. If we have to consider the hon. Member's amendments now, it means that we have to re-open clause 41 which we have already passed, and I do not think that it is right. Anyway, I have no objection if the House gives permission to re-open that clause and to consider the hon. Member's amendments. I wish to know what the Hon. Minister has got to say in this matter."

\* THE HON. SRI K. MADHAVA MENON :—" I am sorry, Sir, that I made a mistake when I told you that my amendment related to only Section 52. Due to this fault of mine, the hon. Member might have been misled. So I think he can be permitted to move his amendments."

MR. SPEAKER :—" All right, the hon. Member may move his amendments. I hope the House gives permission to re-open clause 41."

10th February 1951]

JANAB P. K. MOIDEEN KUTTY :—" Mr. Speaker, Sir, I move the following amendments standing in my name :—

' Omit proposed section 52.

In proposed section 52-A, omit the proviso and the Explanation.'

In section 52-A, power is given to the Rent Settlement Authority to decide whether a transaction is a mortgage or a tenancy. In such cases I want the expression used should be in favour of the *kanamdars* so that in the matter of deciding whether a transaction is a *kanam* or a mortgage, the decision may be in favour of the poor people. If this is done, some real *kanams* may be saved from being treated as mortgages. It is for this purpose only I have moved my amendment. I request that my amendments which seek to help the poor people's interests may be accepted."

JANAB M. V. HYDROSS :—" I second the amendments, Sir."

MR. SPEAKER :—" Amendments moved—

' Omit proposed section 52.

In proposed section 51-A, omit the proviso and the Explanation.' "

\* THE HON. SRI K. MADHAVA MENON :—" Sir, my hon. Friend moved an identical amendment on a previous occasion when the definitions clause was under consideration. If the amendments of the hon. Member are accepted all mortgages will be *kanams* thereafter. He wants that all mortgages should be made as *kanam* or tenure. That is not the intention of this Bill, Sir. I therefore cannot accept the hon. Member's amendments."

JANAB P. K. MOIDEEN KUTTY :—" What the Hon. Minister has said is not exactly correct. According to this proviso, it will be for the party to prove that the amount secured by the mortgage is, in South Malabar less than sixty per cent of the value of the *janmi's* rights and in other places less than forty per cent. If my amendment is accepted, there would not be the onus of proof on the party, and there would not be any presumption also. The acceptance of my amendment will surely result in saving the interests of the real *kanamdars* to a large extent."

MR. SPEAKER :—" The question is—

' Omit proposed section 52.

In proposed section 52-A, omit the proviso and the Explanation.' "

The amendments were lost.

SRI R. RAGHAVA MENON :—" Mr. Speaker, Sir, I move— 3 p.m.

That in proposed section 52-B (1) for the portion beginning with the words "to lease it" till the end substitute the following :—

"to have it cultivated by himself or through tenants in the succeeding agricultural year and if the landlord fails



[Sri R. Raghava Menon] [10th February 1951]

*to comply with the direction of the Government, the Government may take over the said land and have it cultivated through tenants selected by the Government for a period of three years at the end of which time the said land may be returned to the owner in case the landlord undertakes to cultivate. A lease under the Government shall have all the incidents of a lease under the landlord except that of fixity."*

The proposed new section 52-B (1) says—

*"The State Government or such officer as they may authorize in this behalf may, by order, require the landlord of any waste or forest land to lease it for agricultural purposes to such person, for such term, subject to such conditions and within such time as may be specified in the order."*

The purpose of my amendment is that cultivable land should not be allowed to lie waste. For this purpose, option must be given first to the landlord to cultivate and this option can be exercised by the landlord before the end of the succeeding agricultural year. If he fails to do it, the Government can take it and lease it to anyone they consider fit subject to the condition that they return it at the end of three years from that period to the landlord if he wants to cultivate it. According to the clause as it stands in the Bill, the Government can abruptly say to a landlord, 'give your land on lease to X on such terms, for such period and within such time'. This is too drastic a provision. The Government will be interfering with the rights of the landlord to own lands. I oppose this provision because I am very zealous to defend the rights of landlords, not of rich landlords who can look after themselves but of the poor landlords who may have cultivable lands and who cannot cultivate them for want of financial assistance. Now the Government can step in and say, 'you give your lands to so and so'. That person may be an undesirable man. He may be one whom the landlord may not know or in whom he may not have confidence. Government servants cannot always be expected to do their duties properly. Somebody will be chosen by the Government and thrust upon the landlord. As I have already said, I want lands, cultivable lands, not to lie waste. Let the option to cultivate be given first to the landlord. And in case the land is leased, let the landlord be allowed to resume it at the end of three years if he wants to cultivate it himself."

SRI T. VISWANATHAM:—"Sir, I second the amendment. I do so because it is of general interest to all. It is not merely a matter peculiar to one part of this State called Malabar. This new Section 52-B embodies a very vicious principle, in my opinion. Some time ago, you will remember, Sir, the Government published a Bill—I think it was more than a year ago—called Agricultural Bill in which they had a similar provision. The Government have always been thinking that the landlords and tenants in this country are so oblivious of their duty and so very reckless that they will not cultivate any land, even cultivable

[10th February 1951] [Sri T. Viswanatham]

land. They start with that presumption.\* This provision, which I just now referred to, was copied from an English Act. In England, the conditions are different. It does not pay there to cultivate lands. It pays them to follow other occupations than agriculture which they treat as a mere hobby. This indifference towards lands led to great difficulties during and after the last war. Therefore, they passed an Act after the war in relation to agriculture which contains a provision which compels every Englishman owning a large acreage of land to cultivate it. This Act was passed in England under a different psychological atmosphere altogether. Our Government, when they prepared the Agricultural Bill bodily incorporated that provision in it. You know, Sir, that in India the psychology of the people is just the opposite. India has been an agricultural country. Here everyone sings the praise of agriculture. Our languages are replete with proverbs which proclaim the glory of agriculture. Our idioms largely derive from that conviction. Our anxiety is to cultivate as much of land as possible and produce as much food as we can. No one, call him a landlord, call him an intermediary or a tenant, would allow any cultivable piece of land to lie waste. If my presumption is correct, then the language used in the new section 52-B is wrong. Let us see what the provision is. The new section says—

*"The State Government or such officer as they may authorize in this behalf may, by order, require the landlord of any waste or forest land to lease it . . ."*

To lease, under what circumstances, it is not stated. What are the limiting circumstances in which the officer will be authorized to act in the manner suggested? No, there is nothing there. It is a general order. He can exercise the power for good reasons or for bad reasons. Suppose, the matter goes to a Court. The Court will be guided only by the language of the Section and not by any other facts that may be put forward by the landlord. All his appeals will be of no avail.

"Then, Sir, this provision applies to forest lands also. In other parts of the State, the general complaint is that people are bringing into cultivation forest lands. It is said that they are not preserving forests and conserving their wealth and that this State requires at least twenty-five per cent of the lands to be under forests. But the villagers, in their anxiety to get any piece of land for cultivation, are bringing even forest lands under the plough. This is the complaint in the other parts of the State. But in Malabar, just the opposite is the case. The Government want to have power to compel a person to lease his forest land for agricultural purposes. If he does not lease it, the Government want to do it themselves. Even if there is a big piece of waste land or forest land it would be taken over and leased to any person the Government think fit. I want my hon. Friends to understand the import of the language used. Whatever be the intentions of the Government and the intentions of those who want to support the Government, the language is very wide. Where there are facilities for irrigation, there is no Indian, whether he belongs to

[Sri T. Viswanatham] [10th February 1951]

Malabar or any other part of the State or the country, who would not cultivate the lands. There is no agriculturist, no landlord, who will allow his land to go waste. He would strain every nerve to bring it under cultivation.

"My hon. Friend, Sri Raghava Menon, dealt with the full implications of this provision. The Government can choose any person and thrust him upon the landlord. The lease that he may enter into with him may be advantageous or may not be advantageous. There is absolutely no qualification for this provision. There are no conditions prescribed. It may not always be advantageous to lease a particular land to an outsider, a person whom the landlord does not know and who may or may not take personal interest in the land. We do not know what kind of person will be brought in. We do not know whether the local labour or outside labour will be employed for purposes of cultivation and for denuding forests. I submit, Sir, that this is a very dangerous power and cannot be vested in the Government. If the Government are anxious to bring all cultivable waste lands under cultivation, there are other methods. They have other powers which they can exercise. Wherever they feel that the landlords are not doing cultivation properly—whether directly or indirectly through tenants—they can ask their Agricultural Department to move in the matter. If necessary, they can have a Food Growing Department and entrust this job to them. But let them not dump upon the landlord a tenant whom he may not like, whom he may not accept and whom the neighbouring tenant may not accept. We cannot induct outside people into a particular village. In fact, sections 144 and 145 of the Criminal Procedure Code are often brought into play owing to inducting of outside labour in particular villages. While a landlord cannot, therefore, bring in outside labour, the Government equally cannot have a provision that permits outside labour being inducted. It is a wrong principle. This provision, therefore, need not exist. It can be dropped altogether."

MR. SPEAKER:—"Amendment moved—

That in proposed section 52-B (1) for the portion beginning with the words "to lease it" till the end substitute the following:—

"to have it cultivated by himself or through tenants in the succeeding agricultural year and if the landlord fails to comply with the direction of the Government, the Government may take over the said land and have it cultivated through tenants selected by the Government for a period of three years at the end of which time the said land may be returned to the owner in case the landlord undertakes to cultivate. A lease under the Government shall have all the incidents of a lease under the landlord except that of fixity."

\* THE HON. SRI K. MADHAVA MENON:—"If my hon. Friend, Sri Viswanatham, had been here when hon. Member Sri Vaidyanatha Ayyar was speaking on this Bill, he would not have

[10th February 1951] [Sri K. Madhava Menon]

waster so much eloquence on this provision. The amendment that he has supported does not deny the principle contained in the clause sought to be amended but only wants option to be given to the landlord to cultivate . . ."

SRI T. VISWANATHAM:—"Either accept the amendment or drop the clause."

\* THE HON. SRI K. MADHAVA MENON:—"If a forest land or a waste land is being brought under cultivation, it cannot be interfered with. The idea of the Government is this. There are large areas under cultivation in Malabar. The type of cultivation that takes place is called *punam* cultivation. It is a sort of fugitive cultivation. In other parts, it is known as *kumiri* cultivation. That is, in certain forest and hilly areas, certain persons enter, cut or burn the forests and cultivate. Next time when they cultivate, they will not do it there but will seek some other place. In the original Bill, it was proposed to give fixity of tenure to such persons also and to make fair rent applicable to them.

"It is a case of shifting cultivation and there cannot be fair rent and there cannot be fixity of tenure also. So we decided that in case the landlord does not give the lands, the Government must have the power to see that he gives it. As it is, there is nothing in the clause to prevent the landlord cultivating them in the first instance. There is no danger as the clause stands at present. But there will be danger in accepting the amendment of my hon. Friend as it is worded. The amendment of my hon. Friend definitely offends Article 31 (2) of the Constitution which says that no property shall be taken possession of or acquired unless the law provides for compensation for the property taken possession of or acquired. By his amendment, my hon. Friend says that the Government should take possession of the land. If the Government were to adopt those words in the clause it would directly offend Article 31 (2) of the Constitution. So I cannot accept the amendment with those wordings."

SRI R. RAGHAVA MENON:—"The Hon. Minister has very cleverly managed the situation. The clause as it stands says that the Government or such officer as they may authorize in this behalf may, by order, require the landlord of any waste or forest land to lease it for agricultural purposes to such person, for such term, subject to such conditions and within such time as may be specified in the orders; and all that. Why not allow the discretion to the landlord? He may think that it is not cultivable or he may think it ought not to be cultivated. If the Government thinks that it is cultivable, he must be given the option to use it first. If he does not do so, then the Government can take over the land and do whatever they please. I am sorry I did not know that the wording of my amendment would offend the provisions in the Constitution. There was some provision in a previous Act under which such a thing could be done. That was before the Constitution came into force. The Hon. Minister may therefore be correct

[Sri B. Raghava Menon] [10th February 1951]

that the wording may offend the Constitution. But what is the alternative? I shall be satisfied if the Government ask the landlord to cultivate it or lease it out before they take any action. It is not that I am particular that my amendment should be accepted as it is, and adopted. There is no sanctity about it. Here I do not want to refer to the various things committed in various places about these matters. We should not limit the power of these poor landlords. There may be officials who may not report properly, or an unwelcome tenant will be put on the landlord and so many other things might happen which it is not necessary for me to repeat here. Such types of people are there who may not appreciate the difficulties. I am sure my hon. Friend knows all that. Only to remove such difficulties, I moved the amendment."

MR. SPEAKER:—"The question is—

'That in proposed section 52-B (1), for the portion beginning with the words "to lease it" till the end substitute the following:—

"to have it cultivated by himself or through tenants in the succeeding agricultural year and if the landlord fails to comply with the direction of the Government, the Government may take over the said land and have it cultivated through tenants selected by the Government for a period of three years at the end of which time the said land may be returned to the owner in case the landlord undertakes to cultivate. A lease under the Government shall have all the incidents of a lease under the landlord except that of fixity."'

The amendment was lost.

Clause 41 as amended was put and carried.

Clauses 42, 43 and 44 were put and carried.

### III.—BUSINESS OF THE HOUSE.

#### AGENDA FOR THE 12TH FEBRUARY 1951

JANAB M. MUHAMMAD ISMAIL:—"Sir, I want to make a submission. Just now I have received a copy of the agenda for Monday, the 12th. Three items find a place in the agenda. You know, Sir, the food question is a very important thing and we have been asking for such a debate because during question time we could not get all the information and we cannot do justice to it if other items are also taken up on Monday. We find three important resolutions coming up on the same day. I propose that only the food question be taken up on Monday and the other questions be taken up on another day."

MR. SPEAKER:—"We shall take this up on Monday."

JANAB M. MUHAMMAD ISMAIL:—"I have brought this to your notice now so that the Leader of the House may not say that they were not prepared for the request."

MR. SPEAKER:—"We will take it up on Monday."

10th February 1951]

### II.—GOVERNMENT BILL—cont.

THE MALABAR TENANCY (AMENDMENT) BILL, 1950 (L.A. BILL NO. 30 OF 1950)—cont.

#### Clause 45.

MR. SPEAKER:—"The motion is—

'That clause 45 do stand part of the Bill.'"

\* THE HON. SRI K. MADHAVA MENON:—"Sir, I move—

'That in sub-clause (iii), for item (a), substitute the following item:—

"(a) in sub-section (1), after the words and brackets 'and ordering that, on payment by the plaintiff into Court of the amount so found due and also the mortgage-money (if any)', the following shall be inserted, namely: 'on or before such date within six months from the date of the decree as the Court may fix.'"

Section 6 of the Malabar Compensation for Tenants Improvements Act is amended by the present clause 45. The original section 6 in the Act did not specify the period within which plaintiff should pay the money into the court. The amendment makes this clear."

The amendment was put and carried.

Clause 45, as amended, was put and carried.

Clause 46 was put and carried.

#### New clause 46-A.

\* THE HON. SRI K. MADHAVA MENON:—"Sir, I move—

'That after clause 46, insert the following clause:—

"46-A. For section 5 of the Madras Nambudri Act, 1932, the following section shall be substituted, namely:—

5. (1) No sale or mortgage of any immovable property of an illom and no lease of any such property either for a premium returnable wholly or in part or for a period exceeding twelve years shall be valid, unless it is executed by the karnavan for consideration, for illom necessity or benefit, and with the written consent of the majority of the major members of the illom.

(2) No lease of any immovable property of an illom in cases not referred to in sub-section (1) shall be valid unless it is executed by the karnavan and where the Malabar Tenancy Act 1920, confers fixity of tenure on the lessee, unless also the written consent of the majority of the major members of the illom, has been obtained to the lease.

Madras Act  
XXI of 1933.

Madras Act  
XIV of 1950.

Substitution of new section for section 5, Madras Act XXI of 1933.

Validity of sales, mortgages and leases.

[Sri K. Madhava Menon] [10th February 1951]

(3) *Nothing contained in sub-section (1) of sub-section (2) shall be deemed to affect the validity of any mortgage or lease executed on or before the 27th July 1950 in accordance with the law in force at the time of such execution.*'''

The hon. Sri Raghava Menon wanted the word 'illdā' to be taken and this is a consequential amendment identical with the amendments that we have proposed under the Madras Marumakkattayam Act; every lease will be a perpetual lease and there is no question of 12 years lease or renewal. Unless this is the case, various difficulties will arise."

New clause 46-A was put and carried.

Clauses 47, 48 and 49 were put and carried.

Clause 50.

MR. SPEAKER:—"The motion is—

"That clause 50 do stand part of the Bill."

JANAB P. K. MOIDEEN KUTTY:—"Sir, I move—

"That in clause 50 (1), in line four, for the words and figures 'or July 1942' substitute '14th July 1937'."

Hopes were given to the tenants of Malabar that some relief like this would be given by the Government and it was, if I remember correctly, on the 14th of July 1937, that the first Congress Ministry took office and it was the first Congress Ministry that appointed the Committee known as the Kuttikrishna Menon Committee. Since hopes were given to these tenants as early as that, it is only fair and necessary that the date should be fixed as 14th July 1937, the date on which the first Congress Ministry took office. In any case, we are going to give retrospective effect. Why should it not be advanced as far back as 14th July 1937 when the Congress Ministry took up office? That is my point."

JANAB M. V. HYDROSS:—"I second the amendment, Sir."

MR. SPEAKER:—"Amendment moved—

"That in clause 50 (1) in line four, for the words and figures 'or July 1942', substitute '14th July 1937.'"

\* THE HON. SRI K. MADHAVA MENON:—"I am very sorry, Sir, I have to oppose it. Even the small retrospective effect that is being given, is objected to as being against the provisions of the Constitution. Retrospective effect is given in certain legislations for very valid and varied reasons. The Joint Select Committee decided that effect should be given from the 14th July 1942, because it was in 1942 that the decision of the High Court was given on the question of *bona fides* of the landlord requiring the land for his own use. Between the date of that decree and the date of the legislation of the Advisers' regime in 1945 a number of suits were

10th February 1951] [Sri K. Madhava Menon]

filed and a number of decrees were passed. That is the reason why we have taken that date. If we take 1937, it will be creating absolute and utter confusion and so that date cannot be accepted. It will be impracticable to work also."

JANAB P. K. MOIDEEN KUTTY:—"It is not correct to say that it is only after 1942 after the decision of the High Court that suits were filed. There were suits filed even earlier. The fact that a suit was decided in 1942, is clear proof that there were eviction suits before that date. In fact, people were given to understand that some such legislation would be introduced after the Congress took up office. It was then that people began to realize the position and sued for eviction. Therefore, it is not true to say that the eviction suits came only after 1942. There were suits even in 1937 because there were fears on the part of the landlords that the Congress was going to bring in legislation to benefit the tenants."

MR. SPEAKER:—"The question is—

"That in clause 50 (1) in line four, for the words and figures 'or July 1942', substitute '14th July 1937'."

The amendment was lost.

Clause 50 was put and carried.

Clause 51.

MR. SPEAKER:—"The motion is—

"That clause 51 do stand part of the Bill."

JANAB P. K. MOIDEEN KUTTY:—"I beg to move—

"That in clause 51, in line seven, for 'six', substitute 'two' and for '1944-45', substitute '1948-49'."

"The very fact that there are cases where tenants have not paid the arrears in spite of the Advisers' Ryots Protection Act, shows that there have been people who could not pay the arrears of rent. Therefore, it is that I have suggested the substitution of the word 'two' for the word 'six' to safeguard the interests of the people who were not able to pay the rent."

JANAB M. V. HYDROSS:—"I second the amendment, Sir."

MR. SPEAKER:—"Amendment moved—

"That in clause 51, in line seven, for 'six', substitute 'two' and for '1944-45', substitute '1948-49'."

SRI T. VISWANATHAM:—"On a point of doubt, Sir. It is stated that if the tenant pays the rent for six agricultural years the landlord shall not be entitled to recover any arrears of rent. How can it be in arrears for six years. It would have become time-barred. (Hon. Members: 'From the time the stay order came'.) The wording of the clause does not refer to the stay orders. It

[Sri T. Viswanatham] [10th February 1951]

says six agricultural years from 1944-45. There is no question of stay order or any such thing. I think it is not right to ask the tenants to pay the time-barred debts."

3-30 P.M. \* THE HON. SRI K. MADHAVA MENON :—" I am sorry my hon. Friend has not understood the position. Apart from that, there is no question of arrears. Under the Malabar Tenancy Act, whether the tenancy continues or not, the rent is a charge on the property, and when it is a charge it is not for three years. If the tenant pays for six years from 1944-45, then all the arrears, if any, prior to that date will be wiped off. I don't think there is any difficulty in this. In 1947, the Stay Act came into force and it laid down that the landlord shall not recover two years' rent from the tenant, i.e., for 1944-45 and 1945-46."

SRI T. VISWANATHAM :—" In such a case, reference can be made."

\* THE HON. SRI K. MADHAVA MENON :—" There is no necessity. If we insert 'two' instead of 'six', the tenant will not have to pay the arrears for four more years. It will be very wrong. We have already given a wiping off in 1938 by passing the Agricultural Relief Act by which all the arrears up to that date were wiped off and many people must have taken advantage of that. Now, we are saying that even after 1944 we are prepared to wipe off the arrears if the tenant pays six years' rent at least from 1944-45 onwards. Mr. Moideen Kutty wants that the tenant should pay rent only for 1948-49 and 1949-50 and that the arrears of rent for the previous years should be wiped off. Sir, wiping off itself is not a very good thing. Only under certain circumstances, this wiping off is accepted and it will not be proper and correct if we extend it. I, therefore, do not accept the amendment, Sir."

MR. SPEAKER :—" The question is—

'That in clause 51, line seven, for "six", substitute "two" and for "1944-45", substitute "1948-49".'

The amendment was lost.

Clause 51 was put and carried.

Clauses 52 and 53 were put and carried.

#### SCHEDULE.

MR. SPEAKER :—" The motion is—

'That the Schedule do stand part of the Bill.'

I shall put clauses 1 and 2 at the end.

SRI L. C. PAIS :—" Mr. Speaker, Sir, I beg to move—

'That the Schedule be omitted.'

Sir, as I said yesterday the main reason for which I speak on the subject of this Bill is only with the idea of impressing upon the Government how necessary it is that the Government should

[10th February 1951] [Sri L. C. Pais]

come forward immediately with a legislation that not only the 33 villages but all the remaining villages of South Kanara should be excluded from the purview of this Act. I made the position very clear yesterday and I do not want to repeat it again.

" My hon. Friend Mr. Karanth is fully aware of the reasons and I am glad he is also present here now. We were carrying on this agitation from the year 1946 and every time we were told by the Government that they were going to bring in a separate legislation for South Kanara. Now, we find that 33 villages of South Kanara are going to get certain benefits of this Act. It looks as if there is some discrimination between tenants and tenants, district and district and between the parts of the same district.

" Sir, I would like to say that the situation is not a very happy one so far as the agriculturists of South Kanara are concerned. Our attention was specifically drawn by the Hon. Minister to the attitude adopted at the Select Committee by two Members of the Select Committee, i.e., hon. Members, Mr. Schamnad and Mr. Karanth. These two members practically conceded this point that these 33 villages of South Kanara should not form part of Malabar. I may say at once that that is the reason why these villages are sought to be excluded from the purview of this Act. If the land tenures in these 33 villages are exactly the same as the land tenures in Malabar, certainly I have nothing more to say, because principles of justice, equity and expediency require that these 33 villages also should get the benefit of the Act. But the point I want to press is that, having regard to the few points which I am making, it would be desirable that, in the interests of South Kanara itself, the legislation is extended to all the villages of South Kanara because, as I am going to explain, whether the land tenures in these 33 villages are exactly the same land tenures in Malabar is not very clear and is not free from doubt."

" The hon. Gentleman Mr. Schamnad is a Member belonging to that constituency and he definitely told us that so far as those villages are concerned, the land tenures are somewhat different from the land tenures in Malabar and according to him these land tenures correspond more to those of South Kanara. My hon. Friend Mr. Karanth also is here and he will be in a position to tell us under what circumstances he practically conceded this point and said that these 33 villages should form part of South Kanara. I will give a few more instances from which it will be clear that the question of land tenures is not absolutely clear and it is doubtful."

" I refer in the first instance to what my hon. Friend Mr. Hydross said the other day. He is a lawyer practising in Malabar. According to him the documents used in South Kanara, i.e., Mulgani, Chalgani and Vaidegani are different from those of Malabar. There is a lot of confusion and there may be plenty of litigation because it will be a matter for the court to decide practically which are the tenures that form these Mulgani, Chalgani and Vaidegani."

[Sri L. C. Pais] [10th February 1951]

"Then, Sir, I refer to the notice of amendment that was given by my hon. Friend Mr. B. Pocker. He is a practising lawyer in Malabar and it is his desire to see that the amendment for the exclusion of these 33 villages is accepted by the Government.

"Sir, references were made to the Kuttikrishna Menon Committee. It is not known exactly what the Committee has said so far as these land tenures are concerned. References were also made to the Ramachandra Rao Committee and it is not known what that Committee has stated in regard to land tenures. But, at the same time I may refer to the agitation that was being carried on by the landholders of these 33 villages from the year 1939 onwards. I refer principally to the memorandum that was presented to the Governor of Madras in 1939 that no villages of South Kanara should be included. Another memorandum was presented to the Chief Minister in 1946 by the ryots and pattadars of Hosdrug sub-taluk. On the 12th December 1950, another memorandum was presented to the Select Committee by the Hosdrug sub-taluk Landholders' Association requesting that they might be given an opportunity to give evidence. What I understand is that no opportunity was given to them to give evidence. I next refer to the memorandum, dated 24th December 1940, of the landholders of Pullur, Padne, Nileshwar, Pillikari and other places where meetings were held against inclusion of these villages. I next refer to the memorandum, dated 29th January 1951, presented to the Chief Minister and the Law Minister on behalf of the conference of the landholders of 33 villages, south of Chittari in Kararagod taluk, South Kanara district, held on 28th January 1951 at Nileshwar.

"From this, it will be clear that the question whether the land tenures in these 33 villages are exactly the same as the land tenures in Malabar is not free from doubt. My principal request and submission to Government is that in important matters of this sort it is better that this is investigated and studied further. If the land tenures in Malabar are the same as those in these 33 villages of South Kanara, I have nothing to say. But, if they differ, it is proper and correct to leave them for the present from the purview of this Act and at the same time bring another legislation for all the villages of South Kanara for which we have been agitating from 1946 onwards."

SRI T. VISWANATHAM :—"Sir, I second the amendment. Yesterday I referred to some of the points which are now again referred to by Mr. Pais in moving his amendment. I do not want to repeat, but would only say this. Yesterday I said that I had my own doubts. Now, I am glad that a Member from South Kanara has again expressed and repeated the doubts. It is for the Hon. Minister to clear the doubts. So far as we are concerned, we are only Members of the Assembly and we do not know much. But at the same time, when two sets of persons coming from different districts tell us differently, we want to be clear in our minds. My hon. Friend Mr. Pais has referred to the terms like

[Sri T. Viswanatham] 10th February 1951]

Mulgani, Chalgani and Vaidegani. It is also true, as some hon. Members said, the people in the 33 villages of South Kanara district speak Malayalam. It may be that they speak Malayalam. But they speak also Kanarese. I want the Hon. Minister to satisfy himself and if possible satisfy the Members of the House, that the substance of the documents, i.e., lease-deeds, mortgage-deeds, etc., is totally not different from the Kanam-deeds, Kuzhikanam-deeds, etc., of Malabar. If the Hon. Minister is satisfied that the substance of both is the same personally I have no argument to advance. I have seen the Raghavendra Rao Committee Report. In the end he gave a conclusion that these villages might be included. But his conclusion does not seem to follow the premises. I only want that whatever this House does, it may do knowingly.

"Sir, I consulted the map and I found that some villages are very far away from the Malabar border. Take, for example, the first four villages found in the Schedule. They are between 10 and 15 miles away and a number of villages which were included in the original Bill have now been omitted. Villages north of the excluded villages are found in the Schedule now. I find that Bandadka, Kuttikol, Bedadka, Kollaturu, Kodoth, Pullur, Balla, Belur, Eleri East and Eleri West are all included in the Schedule; I want to know from the Hon. Minister how far they are from the Malabar border. Are they all not more than 15 miles or 12 miles away? I submit, Sir, it is very difficult for this House to accept a proposition for the inclusion of South Kanara villages within the purview of the Malabar Tenancy Act, unless we are satisfied that it is necessary to do so. Of course it may be said that our satisfaction does not count and that the Minister's satisfaction alone counts. All the same, we are now addressing ourselves to the entire House, and therefore I want the Hon. Minister to clear these points. I have nothing more to say on this matter either by way of opposition or by way of agreement. I only want every Member of this House to be satisfied on the point that mere language is no test, that the substance of the transaction is what should be looked into when you want a common land for the transactions. It seems there is a real difference between the tenures in South Kanara villages and the tenures in Malabar. On these points, Sir, I would like some enlightened disquisition from the Hon. Minister."

SRI K. R. KARANTH :—"Sir, in reading the third volume of Mr. Churchill's History of the War, I came across a passage which I am now reminded of. There, a man is asked whether he would prefer to have his son dead, or his daughter dead,—a very difficult question to answer. Similarly, Sir, as I represent the constituency of South Kanara I should point out here, there are two interests there which are conflicting one with the other, viz., the interests of the tenants who are a large class, and the interests of the landlords who are also a class with their own interests. And representing as I do both, and more than all, with a duty to

3-45  
p.m.



[Sri K. R. Karanth] [10th February 1951]

be as truthful as possible, even at this late hour, I consider it my duty to place very briefly before the House my views on this question—I understand even on the first day of the discussion my name was brought into this matter; I am sorry I was not here on that day; I thought that day being a non-official day, it would be used for non-official work; anyway I regret my absence that day,—to place very briefly before the House the position as I know it, and I am in duty bound to place it before the House in as brief a manner as possible, especially because everybody seems to be anxious to wind up the debate on this Bill to-day.

“ Sir, there has been a great deal of clamour in these villages—I confine myself only to these 33 villages. Some of them have been very turbulent, and in some there have been Communistic activities much more than either in Malabar or the rest of my district. The population is practically 99 per cent Malayalam in this area. The tenant classes have been making great efforts for the last several years in this direction. In fact I cannot forget how in February 1937 when the election was held, on the day of polling, they actually put the votes into the yellow boxes in the hope that the tenancy legislation would soon be passed—I remember even that. Therefore, their clamour has been a great deal more in that area than in any other. I must confess that. Therefore, the position is, if I may say so, a proper and independent legislation as between landlord and tenant for the whole Province or for the district by itself is urgently necessary. Then I would have felt it would have satisfied their claims and would have met their needs and done greater justice to the landlords also than even the present piece of legislation.

“ This Malabar Tenancy Act was originally intended only for Malabar. I myself had something to do with it, being on its Select Committee in the year 1928 or so, before the legislation was enacted in the then Legislative Council. We found—and that is what exactly I said at the opening speech on the Bill—that conditions even in Malabar varied from place to place. Hon. Members who have been on the Select Committee must have known that now. What exactly is a kanam in South Malabar becomes more or less a mortgage in North Malabar when you go there. Even now in the definition, we have made a decision to the effect that if a certain thing is 40 per cent in value in South Malabar, it is to be deemed as so and so in North Malabar—the name may be the same, but as we go up north, the incidence becomes different. Therefore, my position is this and that is the position I took when this Government was pleased—when Mr. Kala Venkata Rao was the then Revenue Minister—to ask me to attend a conference in Calicut more than two years ago. I said at the time that I would go to all these places, make my own enquiries and then submit a memorandum to Government. I did this in January 1948, and I have got a copy of it with me. The first twelve paragraphs deal with this question, and I said that it would be in the best interests of the tenants and everybody else if a general legislation was brought forward not only for South

10th February 1951] [Sri K. R. Karanth]

Kanara, but for the entire Province. You would have seen, Sir, how many outside Malabar have taken any interest in Ulkudis and Kudiyiruppus and all that they mean—all that would have been very confusing to them. It would have been best if a general landlord and tenant legislation had been brought forward for the whole Province. That was my humble effort when I held the portfolio of Land Revenue. With that view every material was collected and it would have been possible for the Government, if they had the mind to do this, but I am sorry to say—and I do not wish to repeat myself because I have said it time and again in this House. Sir, after 1937, thirteen years have now gone by. We promised in the 1937 election and again in the 1945 election that we would give first-rate tenancy legislation to the people of this Province. We have promised that then; but after thirteen years we are not any the nearer to it. I do not in the least blame the Hon. Minister from Malabar; if other people have not done their duty, there is no reason why he should be blamed for it; I blame the Ministry and the Government as a whole. From 1945, they have had five full years now, and such a legislation could have been brought forward . . . ”

THE HON. SRI K. MADHAVA MENON :—“ What has all that to do with the amendment now before us? ”

SRI K. R. KARANTH :—“ If the Hon. Minister will kindly have a little more patience, I will say what. As I said, in the case of these 33 villages, it would not have worked any hardship if a general legislation which had been promised and which was my request two years ago, had been brought in. If such legislation had come for the whole Province including these 33 villages, then it would be unnecessary to extend this Malabar Tenancy Act which is primarily intended for Malabar and its peculiar incidence, to South Kanara areas. But that, the Government deliberately have not done. I shall not go into that just now because I have said it time and again in this House. But when that was not done, I must say the people are not going to wait any longer; those villages with a large class of tenantry prefer to have the next best, viz., an extension of this Malabar Tenancy Act. About three or four months ago, when there was a conference between the Government and the representatives of the people who were specially called from that area, it seems they said briefly ‘ We want legislation against eviction; we want fixity of tenure; if you give it by general legislation, allright; if you cannot do it, give it at least in this Bill.’ Those were the words in which I understood they put their demands and I agree with them. When a general legislation is not being brought in at all, it is impossible to state the needs so far as the tenantry in that area is concerned. We have been promising to them such legislation time and again, and therefore, whatever the position may be otherwise, this legislation has to go through so far as these 33 villages are concerned. The tenant class there will not wait for even a day if you do not give them this legislation.



[Sri K. R. Karanth] [10th February 1951]

"Then I am also in duty bound to state what the hardships of the landlords are going to be. My friends asked: Is the incidence of tenure in these villages the same as in Malabar? My answer is: It is as much the same as it is different. How it is so I will explain. The common normal lease to the tenant, which is called verumpattam here, may be called chalgani in this area—there is not much of difference; he takes the land and cultivates it from year to year. The position of that tenant is going to be substantially improved and his rent is going to be reduced under the provisions of this Act. In the Kannangadi side, the rent is I am told about 30 paras per acre. Under this new legislation, it may be reduced somewhere between 8 and 9 paras. Landlords have told me so. Anyway, hon. Members know the rent is going to be reduced. The next class is that of kanam. I am assured by those who know the area very well, and I have also come to know as a result of my enquiries, that the kanam in South Malabar is out and out a lease; but when you go north, it is more in the nature of a mortgage, but it is also a lease in many cases. When we come to these 33 villages, the kanam becomes almost purely a usufructuary mortgage which on payment of the money is bound to be restored. If to that class of persons this law is to be applied, what will happen is that a pure usufructuary mortgage will be converted into a lease. That will cause a good deal of hardship; what was never intended is going to happen.

"Then let us take the case of the dry and the garden lands. A great deal of suffering will happen in their case too, as I have said before. Large areas are to-day given for cashew cultivation and the income is Rs. 50 to 100 per acre. The only rent they will be getting will be three times the assessment which in some areas is 3 annas or 4 annas per acre. Therefore, it will cause great deal of hardship in spite of the written and registered agreements between the landlord and tenant which are kuzhikanam. That class of persons will therefore be hit hard. There are also cases where landlords have paid for improvements and have leased from year to year to tenants. In those cases, the tenant will practically get all the income and the landlord will get only three times the assessment. These are great hardships really. My hon. Friend Mr. Govinda Menon points to the clock; I do not want to disappoint him. The Government have got to notify how each section will apply. Even in the Select Committee I stated that it was just like trying to force somebody's pants and trousers upon somebody else, irrespective of size. Intentions may be good no doubt, there may be absolutely no doubt about that. But how they are going to affect all these classes I want to know. All landlords are not rich people, and with the big divisions of tarwad, many of them, more than half of them, have become practically paupers. In the case of some families, partition suits are pending for the past sixteen and twenty years. There has been a very big family paying an assessment of Rs. 30 to Rs. 40 per acre, and the cases relating thereto have been pending in the Subordinate Court in South

10th February 1951.] [Sri K. R. Karanth]

Kanara from the year 1934. We are now in 1951 and even now the final decrees have not been passed, and the properties continue to be in the hands of the Receiver.

"These are very small landlords and I would like the Government to see how this Act would affect their garden lands and dry lands. There is time for them to notify yet and I am sure that while they are bound to do justice to the tenants, no harm or justice should be done to the landlords. Therefore, Sir, the sum and substance of what I would say is this: It would have been far better if a comprehensive legislation had been brought in and my feeling is that this is the next best thing. In politics, there are many things in respect of which we cannot go backwards. What happened at the first reading and at the Select Committee stage cannot be ignored and things have to go forward and so, at this stage the amendment of my hon. Friend will be a little too late. I will not be right in saying that there was no objection; they did object but it was rather feeble. Mr. Kodan did submit a printed memorandum and it was presented to the Committee but they were not so vociferous. In actual life, Sir, it is the baby that cries that is fed and so also it is the case in regard to legislation. I have been instructing certain friends who came to my house that they were a bit late and it would have been allright if they had met me earlier."

SRI M. P. DAMODARAN:—"Mr. Speaker, Sir, on a point of Order, we have already passed clause 3 which says—

'to the Gudalur taluk of the Nilgiri district and to the villages in the South Kanara district specified in the schedule.'

we have already accepted it and may I know how this question can be re-opened?"

MR. SPEAKER:—"The hon. Member could have drawn my attention to this then and there; he points this out now when the discussion has gone on."

SRI K. R. KARANTH:—"You were pleased to say, Sir, that clauses 1 and 2 will be put at the end and this pertains to section 1."

MR. SPEAKER:—"I said I shall put clauses 1 and 2 at the end."

"Having allowed the debate to continue, I shall request the Hon. Minister to reply and then put the motion to the vote of the House. I am not going to allow any discussion upon the motion."

\* THE HON. SRI K. MADHAVA MENON:—"Mr. Speaker, Sir, when I introduced the Report of the Joint Select Committee, Mr. Hussain and Mr. Schamnad spoke about these 33 villages and I answered the points raised by them exhaustively. Sri Viswanatham asked if the tenures in these places were the same. Sri Karanth has replied that the tenures are as much the same as in Malabar as some of the tenures may not apply to the other

[Sri K. Madhava Menon] [10th February 1951]

portions of Malabar. Kanam is there and it is like kanam of North Malabar and a great portion of them is in the nature of mortgages. If they are mortgages, we have said the Rent Settlement Officer has power to say whether it is a mortgage or a lease. But the Act will certainly apply if the kanamdar has given it to a cultivating tenant because the Act says that the rights of a cultivating tenant under a mortgage, even a usufructuary mortgage, cannot be touched and he cannot be evicted. Regarding kuzhikanams, there is no difference between the kuzhikanams of these areas and those of North Malabar and there are very few kuzhikanams in South Malabar.

"Sri Karanth made a speech when the Bill was introduced and on every possible occasion, he has been saying that there is a necessity for a tenancy legislation for the whole Province. I fail to see why when he brought in the legislation for stay, he did not include the entire Province in the stay."

SRI K. R. KARANTH :—"For the zamindari areas and for Malabar there were Acts which granted protection and it was for that purpose stay legislation was brought in. But with regard to the ryotwari areas, within a month and a half, we started investigation; but the life of that Ministry was barely eleven months, two months longer than the usual period of gestation."

\* THE HON. SRI K. MADHAVA MENON :—"Mr. Speaker, Sir, that makes me more surprised. Where in respect of Malabar and in the zamindari areas, there was some sort of protection, my Friend thought of giving greater protection by bringing in a stay legislation and where there was no protection, my Friend did not want to give any sort of protection. My Friend is always harping upon the point that if he had been there, he would have done it. I wish only to point out that the reference to a general tenancy legislation is not quite relevant to the point."

"At the time the Kuttikrishna Menon Committee was going into the question, they took the evidence of lawyers at Kasaragod and there was not one dissentient voice and the Committee made mention of 31 villages as they put the Chandragiri as the boundary and they recommended that these must be included in the Act. After the Congress Government came into office, Collectors were asked to report and the Board of Revenue went into the matter. One Collector said that 52 villages should be brought in because the language was the same and another Collector said that it should not be so. But after we took up work in the Select Committee, the Board of Revenue observed that though the language may be the same, the tenure is confined to the 33 villages and so the Act should apply to them and the Joint Select Committee agreed to the deletion of 19 villages and the 33 villages have been included. As my hon. Friend Sri Karanth said it is now too late to go back upon it. During the course of the speech of my hon. Friend, I asked a definite question of Mr. Schamnad whether it is the case that he wants the 52 villages to be exempted from the

10th February 1951] [Sri K. Madhava Menon]

operation of this Act and he replied that the 19 should be exempted and the others should be included. I have nothing more to add and I oppose the motion, Sir."

JANAB MAHIN SCHAMNAD :—"Mr. Speaker, Sir, a personal explanation. I demanded, when the Bill was first introduced in the Assembly, that the 19 villages may be excluded but now there is a legal defect because the tenures in those 33 villages which are in my constituency are not defined in the Bill. They do not find a place in the Bill and hon. Members are not in a position to make out what the tenures in these villages are and they are in the dark as to the system of tenure in those villages. It is not defined in the Bill and therefore, the Act cannot be extended to those villages."

MR. SPEAKER :—"The question is—  
'That the Schedule be omitted.'"

The amendment was lost.

The Schedule was put and carried.

MR. SPEAKER :—"The Hon. Minister can make the motion re-opening consideration of certain clauses."

\* THE HON. SRI K. MADHAVA MENON :—"Mr. Speaker, Sir, when hon. Members Sri Damodaran and Sri Raghava Menon moved certain amendments, I accepted them and said that I would bring a motion adding those words in the various places by means of a comprehensive amendment. I move—

*'That clauses numbered 5, 17, 20 and 29 be re-opened and the amendments given notice of by me to-day and circulated to members be considered.'*"

The motion was put and carried.

Clause 5.

Sub-clause (iii).

THE HON. SRI K. MADHAVA MENON :—"Mr. Speaker, Sir, I move—

*'That after the word "tavazhi", insert the word "illom".'*"

SRI T. VISWANATHAM :—"What is the meaning of 'tavazhi'?"

THE HON. SRI K. MADHAVA MENON :—" 'Tavazhi' used in relation to a female means the group of persons consisting of that female, her children and all her descendants in the female line; and used in relation to a male means the tavazhi of the mother of that male."

The amendment was put and carried.

[10th February 1951]

New sub-clause (vi).

\* THE HON. SRI K. MADHAVA MENON :—" Mr. Speaker, Sir, I move—

Re-number sub-clauses (vi) to (xvi) as sub-clauses (vii) to (xvii) and insert the following as sub-clause (vi) :—

" (vi) after clause (h), the following clause shall be inserted namely :—

(hh) ' Illom ' shall have the same meaning as in the Madras Nambudri Act, 1932. " " "

The amendment was put and carried.

Sub-clause (xv).

\* THE HON. SRI K. MADHAVA MENON :—" Mr. Speaker, Sir, I move—

' That for sub-clause (xv) as so re-numbered, substitute the following :—

" (xv) in clause (v) for the words ' a kuzhikanamdar and a verumpattamdar of any description ', the words ' a kanam-kuzhikanamdar, a kuzhikanamdar, a verumpattamdar of any description, and the holder of a kudi-yiruppu ' shall be substituted; " " "

The amendment was put and carried.

Clause 5, as further amended, was put and carried.

Clause 17.

Sub-clauses (i) and (ii).

\* THE HON. SRI K. MADHAVA MENON :—" Mr. Speaker, Sir, I move—

' That after the word " tavazhi " in the second place where it occurs, insert the word " illom " . " "

The amendment was put and carried.

Clause 17, as amended, was put and carried.

Clause 20.

Sub-clauses (iii) (c) and (iv) (d).

\* THE HON. SRI K. MADHAVA MENON :—" Mr. Speaker, Sir, I move—

' That after the word " tavazhi " in the second place where it occurs, insert the word " illom " . " "

The amendment was put and carried.

Clause 20, as amended, was put and carried.

[10th February 1951]

Clause 29.

\* THE HON. SRI K. MADHAVA MENON :—" Mr. Speaker, Sir, I move—

' That in new section 33, opening paragraph, in line 3, after the word " tavazhi " insert the word " illom " . " "

The amendment was put and carried.

Clause 29, as amended, was put and carried.

\* THE HON. SRI K. MADHAVA MENON :—" I move, Sir—

' Re-number the clauses of the Bill in the numerical order and make consequential changes in the body of the Bill. " "

The amendment was put and carried.

Clause 2.

MR. SPEAKER :—" The motion is—

' That clause 2 do stand part of the Bill. '

" Hon. Member, Mr. Paker is not here, and so his amendment cannot be moved. Does any other hon. Member want to speak on this motion? " 4-15 p.m.

SRI T. VISWANATHAM :—" Sir, I cannot understand why the words ' neighbouring areas in the State of Madras ' have been added to the original Bill. Those words may mean anything. I am afraid under those words Government may come to include even Chittoor district! " (Laughter.)

THE HON. SRI K. MADHAVA MENON :—" I have nothing to say, Sir. "

Clause 2 was put and carried.

Clause 1.

MR. SPEAKER :—" The motion is—

' That clause 1 do stand part of the Bill. ' "

JANAB H. S. HUSSAIN :—" Sir, I want to move my amendment. "

MR. SPEAKER :—" The hon. Member cannot move his amendment since the Schedule has been accepted. But he may if he wants, speak generally on the clause. "

JANAB H. S. HUSSAIN :—" Then, Sir, I wish to speak generally on the clause. Mr. Speaker, Sir, it is really unfortunate that there was no amendment proposed to clause 3, or given notice of by members of the House. For we were all under the impression that clause 1 which extends the operation of this legislation to specific areas should be considered as the very foundation of this Bill, so that if we did not approve the extension of this legislation under this clause or did not agree to this particular clause then naturally all the other clauses of the Bill would go. That was the

[Janab H. S. Hussain] [10th February 1951]

impression under which I gave notice of my amendment. But now, as you have ruled that as the Schedule has been accepted there is no point in my moving my amendment. We have to conform to the procedure to be followed, and thus I am not able to move my amendment.

"Now, what I have to say on this clause is, so far as Malabar is concerned, it is the janmi who is the absolute owner of the land. All land in that district belongs to the janmi. It is not the State that owns the land. Now, nowhere in South Kanara we have got such a right. There, the State is the owner of the land and the landlord is only a pattadar, who leases out his land to the tenant. In all the 33 villages proposed to be included in this Bill, the janmi's right is not found anywhere like that of the janmi in Malabar. So by no stretch of imagination can I conceive how these 33 villages could be brought under the purview of this Bill, merely because certain other customs and usages of the people in the two areas are common. According to the information available to me, at present, no kind of tenure that is prevalent in Malabar is to be found in these 33 villages; and my belief in this statement is confirmed by the statement made by my hon. Friend, Mr. Hydross the other day, that in all the lease documents of these 33 villages the terms met with are Chalgani, Mulgani and Vaidegani. Unless these terms are defined in the present Bill many legal complications are bound to arise. In fact, my friend made this suggestion at the outset of the consideration of this Bill. The Hon. Minister who is in charge of this Bill, speaking the other day, said that Mr. Schamnad has given his consent to the exclusion of the 19 villages out of the 52 villages proposed to be included in this Bill. It may be so. But I do not think that simply because Mr. Schamnad did not dispute the inclusion of these 33 villages, is it valid a reason for including them from a district where the system of land tenures prevalent is entirely different. It might be a mistake on the part of Mr. Schamnad to have consented, and it is quite open to him to correct his mistake even now. The Hon. Minister while speaking a few minutes ago said that some sort of kanam is prevalent in these villages; and he said kanam means mortgage with possession and the kanamdar is at liberty to lease it out to the tenant. We have got the same thing in other parts of the district. There, it is known as Bhogyadi Adavu. But it is not land tenure under which agricultural land is enjoyed. It is only a loan transaction. There is this fundamental difference, and this point has been lost sight of. When the people affected by this legislation themselves come forward and object to the inclusion of the villages. I respectfully suggest to the Hon. Minister, not only suggest but request him to reconsider the whole situation and see that no injustice is done to these thirty-three villages. I would also request him to take further representation if he wants. If he takes evidence on this question, he will find out the real situation. I am told even when the people of the villages wanted to give evidence, no opportunity was given to them. That is the charge the leaders of the

10th February 1951] [Janab H. S. Hussain]

people level against this Bill from those villages. I am also informed that since 1939 representations have been made to the Government not to include these thirty-three villages.

"Another factor that I want to bring to the notice of the House is that in all previous enactments for reform of Malabar tenancy, not a single village of these thirty-three villages was proposed to be included. Now, in the present legislation, simply because there is one term kanam common to both the areas, there is no justification for the present move. I submit there is neither valid reason nor any kind of justification for taking away these thirty-three villages from the district of South Kanara without ascertaining the will of the people and without taking proper and sufficient evidence of the people of that area. A referendum may be taken in these thirty-three villages, and if the majority of the people favour the inclusion I shall have the least objection to the proposal."

\* THE HON. SRI K. MADHAVA MENON :—"Sir, I do not have to say much by way of reply, except that I do not want the statement of my friend to go uncontradicted. He said that the Select Committee did not give an opportunity to the people of the thirty-three villages to give evidence. I must say, that is absolutely wrong, to use a mild language; I do not want to use stronger language than that. We did not refuse to take evidence; in fact, Kasaragod was the only place where the committee took evidence, and the evidence that was tendered before us was by one Umesh Rao, a lawyer, and he said that all the fifty-two villages must be included in the present Bill; several other people also said that the fifty-two villages must be included, and some others gave evidence saying that the nineteen villages should be excluded; but nobody came forward and gave evidence against the inclusion of the thirty-three villages. Even before Kuttikrishna Menon Committee took evidence in these villages, the people said that they were agreeable to the inclusion of these thirty-three villages. So I wish to inform my friend, if some friends of his have come all the way from that place, if some half a dozen landlords have come from there, and informed him otherwise, I have only to say that he is wrongly informed. I stand here to contradict their statement. And I still maintain that there was no sort of objection to the inclusion of the thirty-three villages. It was originally suggested that thirty-three villages should be included; then it was suggested that forty-six villages should be included; then it was suggested that fifty-two villages should be included; after investigation, the Select Committee decided to exclude nineteen villages, and it is thus that these thirty-three villages came to be included. Now if half a dozen landlords—I still maintain as I said before—have come down to Madras and tried to influence some members of this House by giving wrong information that by trying to include these thirty-three villages in this Bill a great outrage is being done, it is not a fact. It is only after mature consideration we have included the thirty-three villages."

[10th February 1951]

SRI T. VISWANATHAM :—" Sir, I want a bit of information from the Hon. Minister. Will the Hon. Minister be pleased to state whether any evidence has been taken from any one coming from these villages? "

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

Clause 1 was put and carried.

The Preamble was put and carried.

\* THE HON. SRI K. MADHAVA MENON :—" Mr. Speaker, Sir, I move—

'That the Malabar Tenancy (Amendment) Bill, 1950 (L.A. Bill No. 30 of 1950), as amended, be passed into law.'

SRI T. VISWANATHAM :—" Sir, I would like to raise an objection. Sir, many amendments have been moved to this Bill even by the Government on the floor of this House during the second reading stage. Some of us, you know, Sir, labour under great difficulties with regard to this Bill. Assertions and denials there were on several points. Our knowledge with respect to this particular kind of land tenure is not very great. So we have to trust the members coming from Malabar and South Kanara speaking on this Bill. Sir, several amendments have been moved by Government to this Bill. We want to consolidate our ideas. So I suggest that the third reading of the Bill may be postponed. And then, Sir, it is not a non-controversial Bill. Leading dailies like *The Madras Mail* and *The Hindu* have written strong articles on this legislation, and they appeared yesterday only. After all, there will be no difficulty felt by Government to pass this Bill at the third reading stage. So I suggest the third reading motion may be taken up on Tuesday next."

MR. SPEAKER :—" I rule out the hon. Member's objection under rule 98 of the Assembly Rules."

\* THE HON. SRI K. MADHAVA MENON :—" Sir, I moved that the Malabar Tenancy (Amendment) Bill, 1950, be passed into law. Sir, I knew that hon. Member Mr. Viswanatham would raise objections to this motion. Sir, you also knew when I moved my amendments, I did so, because I accepted the amendments moved by some members of the House, that required amendments of certain other sections, and that, with the permission of the House you permitted me to bring them up. And I also know that is why, Sir, you were pleased to waive the objection raised to the third reading of this Bill."

" Sir, hon. Member Mr. Viswanatham referred to a leading newspaper *The Madras Mail* which wrote yesterday a strong article against this Bill. He also referred to another newspaper which also had written strongly against this Bill. I have read them. Not only they, there were other leading English dailies which had written on similar lines. I cannot say about the dailies in Indian languages, because I am not very well versed in those languages."

[10th February 1951] [Sri K. Madhava Menon]

All the three leading English dailies in our State, *The Madras Mail*, *The Hindu* and *The Indian Express* have written commenting and criticizing this Bill, and that particularly yesterday and the day before yesterday. That only shows the poor tenants have no paper; though public opinion is in favour of this Bill, there is no newspaper to voice it. Those very articles show the cloven foot behind these papers. In fact it is the vested interests they represent is clear from this, and not the underdog; because, they represent the vested interests and nothing more. Occasionally some small mercy is shown to the underdog, and I thank them for those small mercies. So I am not surprised at the opposition they have shown, because the interests they represent, they will represent always, whether there is justice or not."

" I agree with hon. Member Sri T. Viswanatham that this is a controversial Bill. It is so because this is a legislation regulating the relationship between the landlords and tenants. We have made a very vital change in providing that the cultivator, who produces by his labour, by his investment and by doing everything for production must get a fair share of the produce. I do not feel that even now we have given him a fair share. We have given him only half the net produce after deducting the cultivation expenses. He was not getting anything before and we have given him something. We have also given him fixity of tenure so that he may have a lasting interest in the land and an incentive to produce more. I am sure these changes will give some relief to the tenants of Malabar and the other areas mentioned in the Bill and also improve the economic condition of the area."

" I have nothing more to add, because we had an exhaustive discussion on this Bill. This is a very technical subject. Even people coming from Malabar, unless they are very familiar with the land tenures prevailing there, may find difficulty in understanding the implication or connotation of every term used in the Bill. For those who are not conversant with the tenures, the Bill will be more technical than to others. I must thank the House for the interest it has taken in spite of the technical nature of the Bill and for the help it has given in passing the Bill as expeditiously as possible."

" The newspapers referred to by hon. Member Sri T. Viswanatham said that there was no need for undue or indecent haste for passing the Bill. I have already answered the point. The Bill originated in 1938 and culminated, so far as this House is concerned, in 1951. It has yet to go through the other House, receive the assent and then become an Act. I do not know whether this is undue haste or whether the criticism arises out of undue anxiety to see that vested interests are protected."

SRI R. RAGHAVA MENON :—" Mr. Speaker, Sir, as the Hon. Minister said, this Bill has been hanging fire from 1938. But unfortunately the experience gained during the interval has not been made use of. Neither the report of Sri K. Kuttikrishna Menon's Committee nor the report of Sri Raghavendra Rao has

[Sri R. Raghava Menon] [10th February 1951]

been followed. We have not profited by the lessons of the materials gathered on this subject. Still I support the Bill. But I am not very happy over it. I would have liked the State to pass a Bill which would bring satisfaction, contentment and happiness to the people. The relationship between the landlords and tenants should have been brought closer and made more harmonious than what this Bill will do. That is why I am not happy. A Bill is necessary. The tenant must be given fixity of tenure without the Damocles' Sword of eviction always hanging over his head, so that he may have the incentive to work hard and increase production. But at the same time we must think also about the position of the janmi and the intermediaries who are adversely affected. Considering the low fair rent and the abolition of the renewal fee, this legislation which will seriously affect the poor landlords. That is why I am sorry. Poor landlords constitute about 98 per cent of the population of Malabar."

THE HON. SRI K. MADHAVA MENON :—"Ninety-eight per cent of the population!"

SRI R. RAGHAVA MENON :—"Some persons are neither tenants nor landlords. I am leaving such people out of account. There are landless labourers who are agitating for the improvement of their lot. This Bill does not give them any benefit at all. They still go without lands. There are labourers engaged in non-agricultural occupations and they also do not get any benefit. I need not argue for the labourers who are not working on the land. But those who work on the land, the actual tillers of the soil, for the betterment of whose lot the legislature wants a land reform, continue to be labourers. The legislation affects only landlords whether they are actual cultivators or not, and tenants whether they are actual cultivators or not and the latter class of tenants are as bad as absentee landlords. Most of them are poor. What have we done for them? Because we have fixed the fair rent very low, poor landlords will find it difficult to maintain themselves and their family. If the fair rent has been a little more reasonable, if it is fixed at the prevailing rate of rent, there would have been no heartburning or injustice. The 1929 Act said that the then existing rent was the fair rent and that rent prevailed till 1942. There were no arbitrary evictions except a few. There were no petitions for fixation of fair rent though the law provided for it, because the existing rent was a just one. By fixing the rent very low, we are compelling poor landlords to evict the tenants. (Interruption by the Hon. Sri K. Madhava Menon.) I am saying unpleasant things. The whole thing is unpleasant for me. I am not speaking for getting cheap applause. The fair rent should have been fixed at least at fifty per cent of the gross produce as some Members suggested in their amendments so that the poor landlords are not compelled to evict. Going to court is not a pleasant thing and many cannot afford to go to court. We are also equally for the tenants as some others are. But this is not a tenant's legislation but a tenure legislation. It concerns the whole population who have got an

[10th February 1951] [Sri R. Raghava Menon]

interest in land. We wanted to help agricultural labourers. But this legislation does not benefit them. Some of the tenants will be displaced, because some poor landlords will have to evict their tenants. Rich tenants cultivating vast areas are not touched. Very few janmis have more land than what they could cultivate. In all these respects, the Bill is not what it ought to be. In every legislation we take something from somebody and give it to somebody else. But the person who is chosen in this Bill cannot afford to lose and there is heartburning. If we ask the tenant to be evicted, certainly the tenant suffers. There is no provision for his protection. If the right of eviction is not given, poor landlords suffer. There has been a certain amount of protection for small landlords. For instance, they were allowed to get a little straw and a portion of the garden land produce. Under this Bill they are not entitled to get them. That will not restore good feeling. My submission is that we should not pass any legislation simply because we have got the power. We have given fixity of tenure to the tenant. So far so good. But it is at the expense of another class of people who also deserve equal sympathy. I am not briefed to speak for janmis though the newspapers may say that I have become a janmi's man. I plead for them because their economic position is as bad as that of the tenants.

"We are not paving the way for peace in Malabar by this Bill. We are creating a feeling of discontent in a class that has stood by the party that is now governing the State, that fought along with us and got us freedom. It is this class that is seriously affected. These people have been forgotten a little more than is necessary. After deducting the cultivation expenses, landlords may not get anything at all in many cases. How can poor landlords get on with nothing?

"If any difficulties and hardships are found in the course of working the Act, I hope the Government will come forward with the necessary amendments to remove them."

SRI V. I. MUNISWAMI PILLAY :—"Mr. Speaker, Sir, unreservedly I wish to express my gratitude to the Government and congratulate the Hon. Minister who piloted this Bill. I speak with a certain amount of responsibility in this matter. Due to unfortunate circumstances, a certain section of the people in Malabar are not able to have an abode of their own even after Independence. Conditions in Malabar have been so bad that all those who come under the category of tenants have been shifting from place to place. When the Provincial Harijan Welfare Committee toured Malabar before submitting its report to the Government, its Members saw the most miserable condition in which the landless people and agricultural labourers were living. Clause 15 of this Bill says that every tenant of a kudiyruppu and every holder of an ulkudi or a kudikadappu shall have fixity of tenure in respect of his holding and shall not be evicted therefrom except as provided in this Bill. This comes as a great boon to them. I may tell the Hon. the Minister that this will be received



[Sri V. I. Muniswami Pillay] [10th February 1951]

with the greatest joy in those humble homes which were not having fixity of tenure. Clauses 17 and 18 give room for eviction of tenants. They mention the conditions under which a tenant can be evicted. I think that is a fair arrangement. In proposed section 33, it is mentioned that if the tenant holds the kudiyiruppu for ten consecutive years he gets the right to purchase the abode. I do not like that provision. But in the circumstances explained by the Hon. the Minister I welcome it. But in actual working of the Act if it is found that the poor people are still in the same position, I hope Government will bring in suitable amendments to this Act, and give some more comforts to these unfortunate people.

"At the outset I pointed out that this was not a comprehensive legislation that should be placed before this House. But the Hon. the Minister explained in detail the scope of the Bill, and he told us that it was to regularize land tenures in certain parts of this State, namely, Malabar, the Nilgiris (Gudalur taluk) and a portion of the South Kanara district. I think we have to accept what has fallen from the lips of the Hon. the Minister. With these observations, I support the motion."

SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I am one of those who have not yet been able to consolidate my ideas with regard to the provisions of this Bill. I honestly thought that some time would be given to the Members of this House to go through the various provisions and amendments, and then express their views. As it is, I am suffering under that disability. All the same, I would avail myself of the opportunity that you, Mr. Speaker, are pleased to give. I would certainly congratulate the Government on bringing forward this legislation. I remember that even in 1939 there was great agitation, and we had a friend by name Abdur Rahman (who was a Member of this Assembly and who is no more now) who was agitating very vigorously for land reform. Of course, for reasons beyond our control and the control of this Government, this legislation had to wait for so long, and it is good that it has now come. Those who moved amendments and those who, without moving amendments, supported them, are all of the same view that the Bill is a necessity, and it is better that it came in sooner rather than later. I have absolutely no hesitation in agreeing with the Hon. the Minister in those sentiments. But at the same time I cannot agree with the Minister in his view that those who differed from him are briefed by vested interests. I think it would have been very well, particularly at this third reading stage, if he had not made such a statement. Sir, it is not a question of vested interests at all. So far as I am concerned, I have gone through the Settlement Manual, and I have found that the number of pattadars in Malabar both 'single' and 'joint' including shareholders is about 706,000. These 706,000 people share among themselves just about 15 or 16 lakhs of acres. From the jaumi at the top right down to the ulkudj man at the bottom, all these including various intermediaries share among themselves only these 15 or 16 lakhs of acres. So, it is not a question of landlords and tenants. It is a question of 'have not' versus 'have-nots'. It is not as if all the tenants are poor and all the janmis are rich. Our difficulties have increased,

[10th February 1951] [Sri T. Viswanatham]

because in Malabar there are so many intermediaries. Personally I would have liked the abolition of all the intermediaries outright. For, we have always been of the view, and the Congress has always held the view, ever since the days of the famous Karachi resolution of 1931, that, when it comes to power, it should try to abolish all the intermediaries between the State and the tiller of the soil. But, in this Act, the very definition of tenant includes the intermediary. It is a strange thing. If such a definition was introduced in another legislation affecting the other portions of the State, I do not know what amount of opposition it would have brought in. But in Malabar things seem to be different. The definition of the term 'tenant' includes the intermediary. He has been installed as a statutory being, and instead of removing the intermediary, the Act enthrones the intermediaries.

"These intermediaries are not of to-day, and Malabar has evolved a particular system of tenures where the intermediaries have a definite place—something like one or two intermediaries in the Bengal tenures and Punjab tenures. But it would have been in the fitness of things if the Hon. the Minister exerted himself a little more to see if it was not possible to bring the tenures of Malabar in line with the tenures in the other portions of the country in this respect, namely, the removal of the intermediaries in as painless a way as possible. But that has not been done. Just as I was pointing out at the time of the passing of the Estates Abolition Bill, I ask, Sir, what have the Government done with regard to these small people? They are called 'landlords'. As I said on another occasion, the word 'lord' has created a very wrong psychology and a wrong atmosphere of thinking altogether. Where are all these small people, owning one or two acres to go? I have been endeavouring to know what their fate would be after the passing of this Bill. With so many intermediaries between the tiller of the soil and the landlord having only 2 or 3 acres, and with so many deductions for the intermediaries, what is it that the landlord will have? If he cannot have anything, what is the provision which the Government are making for this class of persons who, on account of our legislation, will become landless? I do not mean to say that the tenants will become richer. Their position also would be the same. That is why the hon. Member Mr. Karanth was speaking of a comprehensive legislation on several occasions when the question of land tenures and land reforms came up for discussion. That is also why some of us have been saying that there should be a comprehensive legislation so that the interests of those who have to depend upon the land might be stabilized, for the small landlords too are citizens. A bad name shall not be given to a particular section of the community, and they shall not be rendered destitute simply with a view to see some others become opulent. Those who are destitute should of course be levelled up. But in doing so, we must see that those who have something with them are not deprived of it and rendered destitute. There must be social justice, and social justice is not to be done only by following the measures in the particular way which the Government are following. What I submit is that we must have more an economic programme rather than a class programme. It is of course not possible now. There was

[Sri T. Viswanatham] [10th February 1951]

some urgency about this Bill on account of the economic troubles in that particular part of our State, namely, Malabar.

"I am aware that one Committee is going into the matter of land reforms. It is not with a view to twit the Government that we say that no comprehensive legislation has been brought forward. There is great discontent in the country, and, Sir, you are aware that references have been made to this discontent, and also to the fact that when it gathers in volume it will drive intelligent people, when they become destitute, into political channels which is not good for the progress of this country. Of course it is not the intention of the Government in making any legislation to drive away our own men into undesirable channels of political activity. But all the same when difficulties are pointed out, and when some hon. Members speak on behalf of these small people, let not the Government think that they are briefed by vested interests. It hurts us because when we speak about these small landlords owning 2 acres and 3 acres, we do not speak of the bourgeois class according to the Russian language. Ownership of 2 acres will not make them landlords, and they do not by any means become vested interests. Is it not a fact that the Government are giving ten acres and more to political sufferers? Do people who are in possession of ten acres of land become vested interests? Is it the view of the Government? No. When the hon. Member Mr. Raghava Menon speaks of these small owners of land, and when he makes some loud thinking, let no one criticise him. I do not say that the Hon. the Minister criticised him. But a general feeling has been created that those who moved amendments in favour of the petty landlords are speaking for vested interests. Sir, I am not for vested interest in that sense. But I am for this, that is, whatever the progress that we might make, the progress must be made in a smooth way. It must help all those who are economically on a lower level. It should not help one particular section of the society alone at the cost of another section in an equally low level. With these remarks I once more congratulate the Government on expediting the passage of this Bill. In spite of all its defects, let us hope that the Act will work well, and that where it does not work well, the Government will come forward with suitable amendments, so that better economic conditions might prevail in that part of the country."

SRI M. P. GOVINDA MENON :—"Mr. Speaker, Sir, I too am not very happy over this Bill, but not for the reason alleged by my leader and friend Sri Raghava Menon. When we wanted to have a tenancy Bill for Malabar, two things were aimed at, namely, (1) fixity of tenure and (2) fair rent. As far as the second point is concerned, I can see that the tenants of Malabar get fair rent. But as regards fixity of tenure, they are not given complete fixity of tenure. We are still retaining the 1945 Amendment Act, by which the landlords, in some cases, are entitled to evict their tenants. The hon. Member Mr. Viswanatham was speaking about the bourgeois class—petty landlords. They are not ignored by this Bill. Because of our respect to the hon. Member Mr. Raghava Menon and because of the agitation of the middle-class of Malabar,

[10th February 1951] [Sri M. P. Govinda Menon]

we yielded. The Select Committee yielded to their request, and retained the 1945 Amendment Act by which the so-called small landlords, for whom Mr. Raghava Menon has been pleading, can evict their tenants in certain cases. Though I am not satisfied on this point, I am happy in another respect, namely, that we have been able to satisfy people like Mr. Raghava Menon. Palghat is a peculiar taluk where some of the verumpattam tenants are rich. That is why Mr. Raghava Menon has been saying that the verumpattam tenants are large in number in Palghat taluk, and they are rich. To satisfy Mr. Raghava Menon and the agitation of the middle-class, the Joint Select Committee went back from the original Bill, and decided to retain the 1945 Amendment Act.

"There are some important concessions which the tenants of Malabar get under this Amending Bill. From that point of view, there are some improvements over the existing Act. We have secured for the tenant a kind of fixity of tenure. He cannot be easily evicted from his homestead hereafter. According to the existing Act, a kudiyruppu-holder can purchase the rights of his landlord only if he files a suit and if he had been in continuous possession of the property for a period of ten years. But under this Bill, every kudiyruppu-holder is given fixity of tenure. According to the existing Act, a sub-tenant who is in possession of a kudiyruppu is not entitled to purchase the rights of the landlord if his superior landlord sues for his eviction. But under this Bill, we have secured for him certain rights over the kudiyruppu.

"My hon. Friend Sri V. I. Muniawami Pillay was speaking about the conditions of Harijans in Malabar. They are indeed in a pitiable condition. As in other parts of the State, in Malabar also they have got their own homestead—a small compound and garden. Very often they could not secure fixity over the kudiyruppu; they were driven out of the kudiyruppu. That was the main reason which weighed with the Joint Select Committee in giving fixity of tenure to the tenants. Just now the Hon. the Minister for Law moved an amendment to give the holder of a kudiyruppu complete fixity of tenure and a right to purchase the right of the landlord. So even a Harijan kudiyruppu-holder becomes the owner of the kudiyruppu under this Bill. That will give him his self-respect; he will be free from the slavery of the past so many years.

"According to the 1930 Act, there was no fixity of tenure in the case of dry lands. We have improved that provision also. We have given fixity of tenure and a fair share of rent in that case also.

"In this manner a great deal of improvement over the existing Act has been effected. So, we welcome this Bill and we are thankful to the hon. Members of this House for their co-operation in passing this legislation and also to the Hon. the Minister who has piloted the Bill. I must congratulate my hon. Friend Sri Madhava Menon who has been doing everything possible to have this Bill introduced, on his having piloted the Bill through successfully. Somebody asked, 'Why did not the Hon. Sri H. Sitarama Reddi pilot the Bill?'. I want to inform the House that he has been taking a keen interest in this legislation and that he was of great

[Sri M. P. Govinda Menon] [10th February 1951]

help to us in the Select Committee discussions; when amendments were moved, he was taking a very keen interest and watching the proceedings. Therefore, we must thank both the Hon. Ministers for their kind help. We have to thank the Department also for helping us—not only the Malayalee Members but non-Malayalee Members also—to understand all the complicated problems connected with this Bill.

“Fixation of fair rent is the most important feature of the Bill. It is based on the net produce of the land. The question, therefore, arises as to who should decide the net produce. Unfortunately we have to depend upon some human agency for this purpose. The hon. Gentleman Janab Moideen Kutti suggested that judicial officers might be appointed to do this work. But the nature of the work of the judicial officer is quite different. It is not suited to our present need. Here this is something like settlement work. Therefore, we have to depend upon the Revenue Department. Mr. Speaker, Sir, you are aware that after the war, it has become very difficult to get good and efficient officers. Very often these officers are not very honest. The difficulty arises when the fair rent has to be fixed. We have to get it fixed by the Court now. Many of the tenants are not able to avail themselves of the advantage of going to Court. My hon. Friend Sri R. Raghava Menon asked whether the existing Act did not contain provision for going to Court for fixation of fair rent. The existing Act does contain a provision but the tenants could not exercise the right because many of the landlords would not allow the tenants to go to the Court. That is why we have decided that the Settlement Authority should fix the fair rent. That authority should always be aboveboard. Therefore, we have to depend upon the Revenue Department officers. I hope the Government will take special care to appoint an experienced officer for this work. I do not know whether I will be in order if I suggest that Mr. Chettur, Secretary to Government in the Revenue Department, who is an experienced officer in settlement work and who is a Malayalee is a proper officer for this work.”

SRI T. VISWANATHAM :—“He is an Andhra gentleman, Sir, and not a Malayalee.”

SRI M. P. GOVINDA MENON :—“He has married an Andhra lady. If he is sent to Malabar, he will do the work very well. I trust the Government will see that some such officer is appointed.

“In conclusion, I am very glad that as a legislator I have had an opportunity to associate myself in passing this legislation which is very beneficial to the tenants of Malabar.”

\* THE HON. SRI K. MADHAVA MENON :—“Sir, I have very little to add to what my hon. Friend Sri M. P. Govinda Menon has already said. My hon. Friend Sri R. Raghava Menon said much about the poor landlords. It is true, Sir, I have said so many times that there are only perhaps a dozen people who are really landlords and that the remaining pattadars will have some janmam, kanam or verumpattam lands. But it is very difficult to have a legislation of this sort conferring something on everybody of which he will be glad. If we want to give the tenant a real share which

[10th February 1951] [Sri K. Madhava Menon]

he is not getting now, it can be done only by taking it from the other person who has been exploiting the tenant before. You cannot allow that person to retain what he has been getting and at the same time allow the tenant a fair share of the produce. To have a tenancy legislation which is beneficial to the landlords and at the same time more beneficial to the tenant is a contradiction in terms. So, we can only do things in a way which, according to us, will be fair. My claim is that I have been trying my best to be fair to all. How far I have succeeded, only future can say. We do not create hardships where they are avoidable. Having that in view this Bill has been framed. I am sure the good intentions behind the Bill receive the blessing of all so that it may be worked properly.

“My hon. Friend Sri V. I. Muniswami Pillay supported the Bill *in toto*. He is aware that the wearer knows where the shoe pinches. We call it in Malayalam, അറിവുള്ളവർക്ക് തൂവൽ പാർക്കു റിപ്പോർട്ട്. It is only those who have felt the pinch of poverty that can realize the necessity and want of others and not those who have not felt poverty. My hon. Friend has understood the distress of other people. He has warmly supported the Bill for which we are grateful.

“My hon. Friend Sri T. Viswanatham began by saying: ‘we did not get sufficient time to study the Bill’. It is no excuse at all when it comes from such an intelligent gentleman as Sri Viswanatham who hardly requires any time to study anything. This Bill as amended by the Joint Select Committee was published on the 28th January and taken up in this Assembly late in the evening of the 7th instant and the Bill was in the hands of my hon. Friend for 10 days. If he says that he had no time to study it within this period, it is very difficult to conceive such a thing. Apart from that, he said that I should not dub those who differed from me as having been briefed by vested interests. I did not say it, Sir. It is true I used the word ‘brief’ on one occasion. The hon. Gentleman Janab H. S. Hussain said that after coming here he was informed by people that ‘this was so’ but he did not know whether it was so or not. I said then that he had not been briefed properly. I did not use the word in any other context. I did not use the term ‘vested interests’ which my hon. Friend Sri Viswanatham referred to.

“With regard to criticisms in the papers, I want to say these things. Here we are dealing with tenancy. I know what support the newspapers gave the Government in connection with the Agricultural Debt Relief Act in 1938. I know what comments the papers made then. Subsequently I myself moved certain amendments to that Act. With regard to the Zamindari Abolition Bill passed long ago, condemnation and criticism have even now not ended. When the Hindu Religious Endowments Bill was on the anvil, we had very tender mercies from the papers. We know how much support the Prohibition policy has received. I can only say that it is so because they represent a particular class of vested interests. So, I am not surprised at their comments. We have seen the views of the papers in a series of

[Sri K. Madhava Menon] [10th February 1951]

instances where it has been our attempt to have welfare legislation which will help the poor, needy man, the common man who is much exploited. I do not at all accuse them of anything but I say it is inevitable because they represent vested interests. I never said that any person who spoke anything here was briefed by vested interests. For the matter of that, I may inform the House that I belong to that class which suffers most by this Bill. If anything, I have got only 1/20th of janmam right over a small piece of land which I got by partition in my family. I have an acre and a half or so but that is only janmam land which is in the hands of a tenant. So far as my personal interest is concerned, I stand to lose. When the question of family comes, we stand to lose much by this Bill. The class to which I belong stands to lose much under this Bill. It is not with any particular motive that I have brought the Bill. But we are doing something which will improve the economic condition of the country, of the tiller of the soil on whom we have to depend for everything. Whether it is in the industrial field or otherwise, everything has to come from the land and unless we give sufficient encouragement for the person who produces in the land, it will be very difficult for us to get along.

"My hon. Friend Sri Viswanatham also said that the intermediaries should have been removed altogether. What the Government are concerned with in this matter is that there may be any intermediaries but the fair share of the produce to the person in possession of the soil who cultivates it should be fixed. It does not matter how many people share the balance. Let the intermediaries by quarrelling for the other share and destroy themselves.

"Regarding the criticism that the Bill is hurried through, I want to point out that we passed a Bill in 1947 staying all suits in the Court. On account of that, even mortgage suits have been stayed. We have been going on extending it year after year. It is now about four years and over 5,000 suits in the Malabar Courts have been stayed. Should there not be an end of that matter? If you file a suit, it must be disposed of one way or the other. For that purpose, we should pass a Bill which will help to decide those suits one way or the other. We have tried our best to give the hon. Members as much time as possible. I may also assure the House that if between this House passing this Bill and the other House taking it up, I find that there is any mistake which has been committed, I will not hesitate to bring such amendments as are necessary in the other House and come to you again with the request that we may consider the matter."

MR. SPEAKER:—"The question is—

'That the Malabar Tenancy (Amendment) Bill, 1950, as amended, be passed into law.' "

The motion was carried and the Bill, as amended, was passed into law.

MR. SPEAKER:—"The House will now adjourn and meet again on Monday, the 12th February 1951, at 11 o'clock.

The House then adjourned to meet again at 11 a.m. on Monday, the 12th February 1951.

10th February 1951]

## APPENDIX I.

[Vide answer to starred question No. 744 asked by Sri V. Raghavayya at the meeting of the Legislative Assembly held on 10th February 1951, page 467 supra.]

*Statement showing the scales of pay, travelling allowance and other concessions afforded to the Special Armed Police personnel deputed to Hyderabad State for service.*

| Rank.                   | Pay.                                                                                                                                                                              | Dearness Allowance.                                  | Uniform Allowance.                                     | Permanent Travelling Allowance. | Deputation Allowance.       |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|--------------------------------------------------------|---------------------------------|-----------------------------|
|                         | RS.                                                                                                                                                                               | RS.                                                  | RS.                                                    | RS.                             | RS.                         |
| Assistant Commandants.  | <i>Old scale.</i><br>(i) 350—350—380—380—<br>30—590—EB—30—<br>770—40—850.<br><br><i>Revised scale.</i><br>(ii) 300—30/2—390—40/2—<br>—55—50/3—700.<br>150—3—180+50 (special pay). | 17½<br>per cent<br>up to<br>Rs. 400.<br><br>..<br>60 | 300<br>(initial<br>uniform<br>grant.)<br><br>..<br>3 8 | ..<br>..<br>..                  | 40<br>per cent.<br><br>75 0 |
| Subedar-Major .. ..     | 150—3—180.                                                                                                                                                                        | 50                                                   | 3 8                                                    | 12                              | 75 0                        |
| Subedar .. ..           | 85—3—100.                                                                                                                                                                         | 50                                                   | 3 8                                                    | 9                               | 42 8                        |
| Jamedar .. ..           | 65—½—(A)—70.                                                                                                                                                                      | 45                                                   | 2 0                                                    | 9                               | 32 8                        |
| Company Havildar-Major. | 55—½—(A)—60.                                                                                                                                                                      | 45                                                   | 2 0                                                    | 9                               | 27 8                        |
| Havildar .. ..          | 45—½—(A)—50.                                                                                                                                                                      | 45                                                   | 2 0                                                    | 9                               | 22 8                        |
| Nalik .. ..             | 32—½—(A)—43.                                                                                                                                                                      | 45                                                   | 2 0                                                    | 7                               | 16 0                        |
| Constables .. ..        |                                                                                                                                                                                   |                                                      |                                                        |                                 |                             |

[10th February 1951]

## APPENDIX II.

[Vide answer to starred question No. 745 asked by Sri B. S. Murthy at the meeting of the Legislative Assembly held on 10th February 1951, page 469 supra.]

| District.       | Untrained teachers in elementary schools. |                    |                   |                |               | Untrained teachers in boys' secondary schools. |                   |                |               |  |
|-----------------|-------------------------------------------|--------------------|-------------------|----------------|---------------|------------------------------------------------|-------------------|----------------|---------------|--|
|                 | (1)                                       | Collegiate.<br>(2) | Secondary.<br>(3) | Others.<br>(4) | Total.<br>(5) | Collegiate.<br>(6)                             | Secondary.<br>(7) | Others.<br>(8) | Total.<br>(9) |  |
| 1 Srikakulam    | ..                                        | ..                 | 10                | 510            | 520           | 4                                              | 1                 | 85             | 90            |  |
| 2 Visakhapatnam | ..                                        | ..                 | 40                | 416            | 456           | 26                                             | 3                 | 110            | 139           |  |
| 3 East Godavari | ..                                        | ..                 | 20                | 98             | 118           | 12                                             | 6                 | 6              | 24            |  |
| 4 West Godavari | ..                                        | ..                 | 6                 | 136            | 143           | 29                                             | 9                 | 129            | 167           |  |
| 5 Krishna       | ..                                        | ..                 | 21                | 318            | 339           | 66                                             | 4                 | 180            | 250           |  |
| 6 Gunur         | ..                                        | 4                  | 68                | 254            | 326           | 129                                            | 21                | 258            | 408           |  |
| 7 Kurnool       | ..                                        | ..                 | 16                | 158            | 174           | 38                                             | 25                | 59             | 122           |  |
| 8 Bellary       | ..                                        | ..                 | 13                | 179            | 192           | 27                                             | 11                | 39             | 77            |  |
| 9 Anantapur     | ..                                        | ..                 | 7                 | 76             | 84            | 25                                             | 10                | 54             | 89            |  |
| 10 Cuddapah     | ..                                        | ..                 | 5                 | 144            | 149           | 25                                             | 17                | 21             | 67            |  |
| 11 Nellore      | ..                                        | ..                 | 38                | 105            | 141           | 83                                             | 11                | 71             | 165           |  |
| 12 Chittoor     | ..                                        | ..                 | 25                | 228            | 254           | 36                                             | 7                 | 84             | 127           |  |
| Total           | ..                                        | 8                  | 269               | 2,622          | 2,899         | 504                                            | 125               | 1,096          | 1,725         |  |

|                 | Untrained teachers in girls' secondary schools. |                    |                 |                |  | Grand total of untrained teachers in all schools. |                    |                 |                |  |
|-----------------|-------------------------------------------------|--------------------|-----------------|----------------|--|---------------------------------------------------|--------------------|-----------------|----------------|--|
|                 | Collegiate.<br>(10)                             | Secondary.<br>(11) | Others.<br>(12) | Total.<br>(13) |  | Collegiate.<br>(14)                               | Secondary.<br>(15) | Others.<br>(16) | Total.<br>(17) |  |
| 1 Srikakulam    | ..                                              | ..                 | 12              | 15             |  | 5                                                 | 13                 | 607             | 625            |  |
| 2 Visakhapatnam | ..                                              | ..                 | 10              | 10             |  | 26                                                | 43                 | 526             | 595            |  |
| 3 East Godavari | ..                                              | ..                 | 4               | 6              |  | 12                                                | 26                 | 114             | 152            |  |
| 4 West Godavari | ..                                              | ..                 | 2               | 10             |  | 31                                                | 16                 | 269             | 316            |  |
| 5 Krishna       | ..                                              | ..                 | 16              | 19             |  | 66                                                | 33                 | 500             | 599            |  |
| 6 Gunur         | ..                                              | ..                 | 1               | 1              |  | 135                                               | 90                 | 528             | 753            |  |
| 7 Kurnool       | ..                                              | ..                 | 1               | 12             |  | 28                                                | 42                 | 217             | 297            |  |
| 8 Bellary       | ..                                              | ..                 | 1               | 1              |  | 28                                                | 34                 | 219             | 281            |  |
| 9 Anantapur     | ..                                              | ..                 | 1               | 1              |  | 17                                                | 17                 | 131             | 174            |  |
| 10 Cuddapah     | ..                                              | ..                 | 1               | 4              |  | 30                                                | 24                 | 166             | 220            |  |
| 11 Nellore      | ..                                              | ..                 | 2               | 5              |  | 85                                                | 51                 | 178             | 314            |  |
| 12 Chittoor     | ..                                              | ..                 | 5               | 9              |  | 38                                                | 35                 | 317             | 390            |  |
| Total           | 8                                               | 30                 | 54              | 92             |  | 520                                               | 424                | 3,772           | 4,716          |  |

## THE MADRAS LEGISLATIVE ASSEMBLY

Monday, the 12th February 1951.

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

## I.—QUESTIONS AND ANSWERS

## STARRED QUESTION

*Inam enquiry in the Merged State of Banganapalle.*

\* 747\* Q.—SRI S. NAGAPPA (on behalf of Sri P. Venkatasubbiah): Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether inam enquiry has been made in the merged State of Banganapalle;

(b) the extent of inam land in this area;

(c) whether the lands that have been under the enjoyment of the ex-jaghirdars in Banganapalle have been treated as inam lands;

(d) the rate of assessment of these inam lands; and

(e) what action the Government propose to take in such of those cases where the assessment of inam lands is higher than the assessment of ryotwari lands consequent on the reduction of land revenue in ten villages of group I in Banganapalle in 1949?

THE HON. SRI H. SITARAMA REDDI:—“(a) The Collector of Kurnool has made a preliminary examination of the question; but no regular enquiry regarding the several classes of inams in the merged State has yet been undertaken.

“(b) According to an enquiry made in the year 1942, the total extent of the inams in the merged State was 24,740 acres and 98 cents.

“(c) Does not arise, as the enquiry has not yet been undertaken.

“(d) The information is not available, but the total assessment according to the enquiry in the year 1942 is Rs. 42,951-0-3.

“(e) The question of the reduction of the rates of quit-rent on inam lands to the level of the reduced rates of assessment on the adjoining ryotwari lands is under consideration.”

SRI P. VENKATASUBBIAH:—“Is the Hon. Minister aware of the fact that the assessment of inam lands in Banganapalle area is quite different from the assessment in other Union villages where the assessment is based on quit-rent, that is,  $\frac{2}{3}$  of the assessment of the patta lands, and if so, may I ask whether

[12th February 1951]

the Government will be pleased to treat the inam lands in Banganapalle area on the same lines as the inam lands in other Union villages and allow the same quit-rents?"

THE HON. SRI H. SITARAMA REDDI:—"The Government are aware of the peculiar conditions obtaining in Banganapalle State and, as I said, we are examining the question and shall try to expedite the matter."

SRI V. RAGHAVAYYA:—"Are there grain rents levied in this area, and if so, may I know whether the Government are prepared to bring them down to the same cash rents obtaining in the adjacent Government areas?"

THE HON. SRI H. SITARAMA REDDI:—"So far as I am aware, there do not seem to be grain rents levied in that area; but there is some sort of disparity between one kind of inam rent and another. That seems to be the main distinction and one of those people who examined the question some time ago said some were benefited at the expense of the worker."

SRI S. NAGAPPA:—"Arising out of the answer of the Hon. Minister that the Collector is making a preliminary enquiry, may I ask the Hon. Minister whether the Government have fixed any time-limit within which the Collector is expected to submit the report? If the Government have not fixed any such time-limit, will the Government be pleased to issue necessary instructions to him to expedite the matter as it is affecting the interests of the local ryots?"

THE HON. SRI H. SITARAMA REDDI:—"I have already said that the Government are aware of the difficulty; we shall try to expedite the matter."

SRI P. VENKATASUBBIAH:—"In view of the statement made by the Hon. Minister on the floor of this House that there is a proposal for reduction in land revenue in the Banganapalle area, may I know whether the same reduction applies to inam lands also?"

THE HON. SRI H. SITARAMA REDDI:—"I should like to have notice."

*Implementation of the awards given by the Industrial Tribunals.*

\* 754 Q.—SRI D. V. RAMASWAMI (on behalf of Sri G. Latchanna): Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of awards given by the Industrial Tribunals in respect of different categories of industrial concerns and the number of industrial concerns wherein such awards have been implemented; and

(b) the number of industrial concerns wherein such awards were not implemented within the prescribed time and the action taken by the Government?

\* Postponed from the list for 10th February 1951.

[12th February 1951]

THE HON. SRI H. SITARAMA REDDI:—" (a) & (b) The answer<sup>a</sup> is placed on the table of the House."

SRI D. V. RAMASWAMI:—"On page 6 of the statement furnished by the Hon. Minister, with regard to a refinery at Anakapalle, it is said that the award has been implemented. But, I have information that it has not been implemented and that the matter has been referred to the Government. The statement given by the Hon. Minister runs to 12 pages. This is a very big question and as hon. Member Sri Latchanna also is not here now, I would request the Hon. Speaker to take up this question on some future date."

MR. SPEAKER:—"If the hon. Member wants to put a question on this subject, let him put it separately afterwards. There are a number of questions put down for to day and it is not possible for me to carry this question to another date."

SRI D. V. RAMASWAMI:—"Then I will put a supplementary question, Sir. On page 6 of the statement furnished by the Hon. Minister, with regard to the Visakhapatnam Sugar and Refinery, Ltd., Anakapalle, it is said that the award has been implemented in full. But my information is that the award has not been implemented and the matter has been referred back to the Labour Commissioner and the Hon. the Minister for Labour. May I know why it has been stated in the statement that the award has been implemented?"

THE HON. SRI H. SITARAMA REDDI:—"It is quite probable that there might have been some points on which there were difficulties of interpretation. I should like to tell the hon. Member that subsequently the workers made representations adding certain additional items to those that have not been implemented and the whole matter has been referred back to the Tribunal."

JANAB MOHAMED ABDUL SALAM:—"May I know the number of cases in which the Government sanctioned prosecutions in the first instance and after some time withdrew them and the special reasons for their doing so?"

THE HON. SRI H. SITARAMA REDDI:—"There are a few cases in which the Government have withdrawn prosecutions. We have done so mostly after both parties—the management and labour—have agreed and come to a settlement and compromise and requested us to withdraw the prosecution."

JANAB ABDUL HAMEED KHAN:—"In respect of the disputes between the workers and management of beedi factories in Tirunelveli district, it has been said in the statement that 'certain companies have closed their concerns. Others have not implemented saying that workers do not want implementation of the award.' May I request the Government to see that the terms of the award are implemented fully as soon as possible?"



[12th February 1951]

THE HON. SRI H. SITARAMA REDDI:—"The hon. Member himself brought to my notice certain cases where the managements had tried to circumvent by resorting to certain means which obviously seemed to be legal. The whole question is being examined. This is a very difficult matter and each question has to be examined on its own merits."

JANAB M. S. ABDUL MAJID:—"May I know whether it is not a fact that the awards of these Tribunals are not encouraging the industry but on the other hand freezing all industrial enterprises in this State?"

THE HON. SRI H. SITARAMA REDDI:—"I think it is otherwise, Sir. Wherever there are disputes between the management and labour and whenever they are not able to come to a settlement by themselves, we just try to help them in the settlement of disputes. The idea of the Government is to see that the industry is stabilized by these awards and I think that has been the result. Otherwise, industrial peace is very likely to be disturbed."

SRI V. M. RAMASWAMI MUDALIYAR:—"May I know what has become of the prosecution of one of the mills at Madurai, viz., the Raja Mills, which did not implement the award?"

THE HON. SRI H. SITARAMA REDDI:—"The result of the prosecution is indicated in one of the columns of the answer laid on the table of the House."

SRI B. S. MURTHY:—"Is it not a fact that in very many cases, the employer is anxious to see that any reasonable award given by the Tribunal is not put into force and very often he resorts to subversive tactics? May I know after the experience of two or three years, what the Government propose to do in order that the awards are *ipso facto* put into force as soon as they are given?"

THE HON. SRI H. SITARAMA REDDI:—"I really do not understand the hon. Member when he says 'subversive tactics' and I do not know what he means thereby, as there is nothing subversive about the matter. True, there are a few managements—I should say that they are very few—who have tried to circumvent the provisions of the awards. I should also tell the House that the majority of the managements and employers have been implementing the awards. So I think it would be unfair to say that a majority of them have tried to circumvent the awards. I should say that it is only a minority that has tried to circumvent the awards."

SRI V. RAGHAVAYYA:—"As the process of prosecution and punishment takes a long time in the due course of law and as there will be a lot of evasion and delay, may I know whether the Government have got powers under the Act to take more drastic action and give effective punishment to bring the people, whether labourers or employers, to order?"

[12th February 1951]

THE HON. SRI H. SITARAMA REDDI:—"The provisions of the Industrial Disputes Act are known to the hon. Member. Then there is the Labour Relations Bill of the Government of India which is on the anvil of the Legislature. Certain difficulties felt by the various States in the Union have been examined and a comprehensive Bill is now being discussed by the Central Legislature. If that is passed, I think many of the difficulties that we are now having will disappear."

SRI S. NAGAPPA:—"With reference to the disputes between the workers and management of beedi factories in Tirunelveli district, the answer given in the statement states: Certain companies have closed their concerns. Others have not implemented saying that workers do not want implementation of the award. Necessary action has been taken by Labour Officer, Tirunelveli, towards the implementation of the award.' After the Labour Officer has taken action, may I know how many companies have implemented the award; and in case none of the companies has implemented the award, may I know whether the Government will send further instructions to the Labour Officer in regard to the action to be taken by him?"

THE HON. SRI H. SITARAMA REDDI:—"After the intervention of the Labour Officer, some companies have implemented the award. There are some companies which still persist in not implementing the award. As I have said in answer to another supplementary question, they are trying to circumvent the terms of the award by some means which obviously appear to be legal."

BEGUM SULTAN MIR AMIRUDDIN:—"Is it not a fact that the recent Bank Award has done considerable harm to the banks and that some of the smaller banks may have to close down on that account?"

THE HON. SRI H. SITARAMA REDDI:—"I must point out to the hon. Lady Member that it is a matter concerning the Government of India and not the Madras Government."

DR. U. P. MALLAYYA:—"In the statement furnished by the Hon. Minister in some cases we find the entry 'closed' under the column 'whether the award has been implemented in full'. Does it mean that those factories have been closed and if so, may I know whether they have done so on account of their not being able to implement the awards?"

THE HON. SRI H. SITARAMA REDDI:—"I have explained the facts contained in the statement laid on the table of the House. If, however, the hon. Member wants definite information in respect any particular concern, I would suggest to him to put a separate question."

SRI D. V. RAMASWAMI:—"Reverting to my earlier question regarding the Sugar Factory at Anakapalle, may I ask whether the Hon. Minister knows that on a frivolous appeal preferred by the

11-15  
a.m.

[12th February 1951]

Managing Agents of the Factory, the District Judge gave a judgment dismissing the appeal and confirming the decision of the Tribunal? "

THE HON. SRI H. SITARAMA REDDI:—" I think so."

JANAB M. S. ABDUL MAJID:—" If it is the view of the Hon. the Minister for Labour that the awards of these Industrial Tribunals ensure industrial peace and accelerate industrial development, may I know, Sir, why he should be a party to the inordinate delay caused in the implementation of the awards? "

THE HON. SRI H. SITARAMA REDDI:—" Not all the people delay the implementation of awards. There are good, bad and indifferent people. Some of them do not understand even their own interests."

JANAB MOHAMED ABDUL SALAM:—" Arising out of the answer given by the Hon. the Minister for Labour that the majority of managements are willing to implement the awards, may I know whether it is not a fact that these managements are delaying such implementation by adopting mean tactics? "

THE HON. SRI H. SITARAMA REDDI:—" It is very difficult for me to answer such a general question as this. I will be able to give correct information if it concerns particular people. I do not want to make a general remark against all managements. It is not fair. As I have already said, there are some people who delay implementing the awards. If the hon. Member has any cases in his mind, he may furnish them and I shall have them examined and proper action taken on them."

SRI T. VISWANATHAM:—" What roughly is the time during which the Government expect an award to be implemented? There is a time-limit fixed for the management to implement a particular award. If it fails to do so, how much grace time is further allowed and what is the penalty if it does not implement the award even during that grace period? "

THE HON. SRI H. SITARAMA REDDI:—" As I have already said, awards are generally implemented within the period fixed by the tribunal. But there are cases where there is delay. In such cases, the local labour officer takes up the question with both the management and the trade union concerned and if there is any difficulty in settling the issue and if any party is recalcitrant, action is taken in consultation with the Commissioner of Labour who, in his turn, takes the permission of the Government to take further action in the matter."

JANAB N. MUHAMMAD ANWAR:—" At page 6 of the statement placed on the table of the House, against 'Tanneries', it is remarked in the last column, 'Prosecution sanctioned against Chrome Leather Company, Chromepet'. May I know the nature of the prosecution? "

[12th February 1951]

THE HON. SRI H. SITARAMA REDDI:—" Prosecution resulting from non-implementation of the award." (Laughter.)

*Extent of damage caused to crops in the Circars.*

\* 756 \* Q.—SRI B. S. MURTHY: Will the Hon. the Minister for Land Revenue be pleased to state the extent of damage caused to paddy fields and to crops by the recent heavy rains and floods in the Circars?

THE HON. SRI H. SITARAMA REDDI:—" The extent of damage caused to paddy fields and to crops due to the floods in 1950, in the districts of East Godavari, West Godavari and Krishna, is as follows:—

| District.                                  | Extent in acres. |
|--------------------------------------------|------------------|
| East Godavari—                             |                  |
| Land under long term paddy affected .. ..  | 29,200           |
| Land under short term paddy affected .. .. | 8,800            |
| Dry crops .. ..                            | Nil.             |
| West Godavari—                             |                  |
| Paddy fields affected .. ..                | 44,321           |
| Dry crops .. ..                            | Nil.             |
| Krishna—                                   |                  |
| Paddy fields affected .. ..                | Nil.             |
| Dry crops affected .. ..                   | 4,742.56         |

The Collectors of the other Circar districts, viz., the Collectors of Visakhapatnam, Srikakulam and Guntur have reported that there were no floods in the near past in their districts."

SRI B. S. MURTHY:—" May I know, Sir, the extent of damage caused to paddy? "

THE HON. SRI H. SITARAMA REDDI:—" To the extent that I have already indicated, Sir." (Laughter.)

SRI B. S. MURTHY:—" The Hon. the Minister was pleased to give us the information in terms of acres. I want to know how many tons of paddy have been damaged? "

THE HON. SRI H. SITARAMA REDDI:—" I would like to have notice, Sir."

*Memorandum presented to the Deputy Minister for Food (Union Government).*

\* 756-A Q.—SRI T. VISWANATHAM: Will the Hon. the Minister for Food be pleased to state whether the Government have prepared any memorandum and presented to the Deputy Minister for Food (Union Government) during his recent visit to Madras and when he had discussions with the Cabinet on 17th January 1951?

[12th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA:—"The answer is in the negative."

*Working of the Well-subsidy Scheme in Rayalaseema.*

\* 760\* Q.—SRI S. NAGAPPA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of wells that came into existence as a result of Well-subsidy Scheme in Rayalaseema ever since the scheme has been introduced;

(b) how many are under progress in Rayalaseema;

(c) the number of applications received from the above districts;

(d) the number granted;

(e) the average time taken in granting each application in the districts of Rayalaseema;

(f) the average cost of wells in Rayalaseema; and

(g) the number of cases in which the subsidy amount was returned in Rayalaseema?

THE HON. SRI H. SITARAMA REDDI:—" (a) 17,784 wells.

" (b) 6,348 wells.

" (c) 89,570 applications.

" (d) 34,886 applications.

" (e) About two months.

" (f) About Rs. 1,500.

" (g) 5,876 cases."

SRI S. NAGAPPA:—"In reply to clause (f) of the question, the Hon. the Minister for Land Revenue said, 'Rs. 1,500'. May I know how much of this is being subsidised by the Government?"

THE HON. SRI H. SITARAMA REDDI:—"Rs. 750, Sir."

SRI V. JAGGA RAJU:—"May I know, Sir, whether the scheme will be in operation in the East Godavari district?"

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

SRI P. VENKATASUBBIAH:—"May I know, Sir, how many acres of land have been brought under cultivation under the Well-subsidy Scheme?"

THE HON. SRI H. SITARAMA REDDI:—"I cannot give the information off hand. Roughly, it is not less than one acre under each well."

JANAB M. S. ABDUL MAJID:—"May I know the total acreage that has been brought under cultivation?"

MR. SPEAKER:—"The same question was put by the previous Member. The Hon. the Minister wants notice."

[12th February 1951]

SRI K. KOTI REDDI:—"In view of the present conditions in the Rayalaseema, may I know whether the Well Subsidy Scheme will be continued there during the next Budget year?"

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

SRI S. NAGAPPA:—"In answer to clause (b) of the main question, the Hon. the Minister said '6,348 wells'. May I know whether any time limit has been fixed within which the wells have to be completed and if so, may I bring to the notice of the Government that Rayalaseema is a very rocky area and the time limit that is generally applicable to the several areas in the State will not be sufficient in this case? Will the Government consider the desirability of extending the time limit in the case of Rayalaseema?"

THE HON. SRI H. SITARAMA REDDI:—"The Government have been extending the time limit for the digging of wells not only in Rayalaseema but in other places also, if they consider it necessary. The hon. Member is aware that the whole object of the Well Subsidy Scheme is to see that we get adequate facilities for the early raising of crops. The whole object of the Grow More Food campaign will be frustrated if we go on granting extensions. I may assure him, however, that Government have been granting extensions in suitable cases with reference to the nature of soil and the monsoon conditions in the area. If the hon. Member has any specific cases which he thinks need consideration he may place them before the Government and they will be sympathetically considered. I would also request him not totally to rely on extensions but to use his good offices to see that things are done expeditiously at his end."

SRI L. N. GOPALASWAMI:—"May I ask whether it is a fact that in spite of a large number of wells having been sunk, they have not contributed a little to the progress of the Grow More Food Schemes?"

THE HON. SRI H. SITARAMA REDDI:—"The hon. Member is absolutely wrong."

DR. M. J. SAMUEL:—"Arising out of the answer of the Hon. the Minister that in 5,876 cases the subsidy amounts have been returned, may I know, Sir, whether the Government would pay them back to the ryots if they completed sinking of wells meanwhile, that is, between the date of the return of the subsidy and now?"

THE HON. SRI H. SITARAMA REDDI:—"I cannot give an assurance off-hand. It all depends upon the circumstances of each case. If the person who has returned the subsidy has done his best and the time lag is not much, it is open to the Collector of the district to recommend to the Government a refund. Real cases of hardship will be considered."

SRI V. C. PALANISWAMI GOUNDER:—"The Hon. the Minister in reply to clause (g) said that subsidy was returned in

[12th February 1951]

a number of cases. Am I to understand that subsidies were compulsorily taken back or returned on account of the fact that the ryots were not able to carry out the work for want of funds?"

THE HON. SRI H. SITARAMA REDDI:—"Within a certain period, the person that takes the money is expected to complete the work. If he does not complete the work within that time, the money has to be returned whether non-completion was due to lack of funds or any other cause."

SRI P. VENKATASUBBIAH:—"The Hon. the Minister said that the scheme would not be extended to the Rayalaseema during the next Budget-year. May I request him that, in view of the fact that this Well Subsidy Scheme has worked well especially in the Rayalaseema, he should extend the scheme for the next year also?"

THE HON. SRI H. SITARAMA REDDI:—"The Government of India, who bear a moiety of the grant, have stated that extension of this scheme for the coming year should be to such areas as are certain of striking water and also those areas where there is copious supply of water. Rayalaseema being an area that does not conform to the conditions fixed by the Government of India, the Government of Madras cannot extend the benefit of the scheme to Rayalaseema during 1951-52."

JANAB N. MUHAMMAD ANWAR:—"From the reports that we receive from different ryots, we find that the subsidy varies from individual to individual. May I know from the Hon. the Minister what the gross subsidy is under this scheme, what the sanctioned subsidy is and what the net subsidy received by the ryot is?" (Laughter.)

THE HON. SRI H. SITARAMA REDDI:—"In some districts, it is Rs. 500 and in some others it is Rs. 750. There are only two types of subsidy. It cannot vary from individual to individual. Perhaps it may be due to local adjustments." (Laughter.)

JANAB MOHAMED ABDUL SALAM:—"Food Subsidy, Well Subsidy, paid propagandists for enforcement of Prohibition, lands for political sufferers—what more do the Government want to add to these as election stunts in the future?"

MR. SPEAKER:—"Order, order."

*Amount given under Well-subsidy Scheme to Pudukkottai division.*

\* 762 \* Q.—SRI R. NATESAN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the total amount given to the ryots of Pudukkottai division, talukwar, under the Well-subsidy Scheme in the years 1947-48, 1948-49, and 1949-50;

(b) the number of wells completed, talukwar, under this scheme; and

\* Postponed from the list for 10th February 1951.

[12th February 1951]

(c) the area brought under cultivation under this scheme (talukwar)?

THE HON. SRI H. SITARAMA REDDI:—" (a) The New Well-subsidy Scheme, 1947-48, was not in force in the Pudukkottai division—

| Amount disbursed to ryots under the New Well-subsidy Scheme. | Alangudi taluk. | Tirumayam taluk. | Kulathur taluk. |
|--------------------------------------------------------------|-----------------|------------------|-----------------|
| (1)                                                          | (2)             | (3)              | (4)             |
|                                                              | RS.             | RS.              | RS.             |
| (1) 1948-49 .. .. .                                          | 73,850          | 1,34,000         | 1,46,200        |
| (2) 1949-50 .. .. .                                          | 1,00,000        | 1,10,000         | 99,800          |

" (b) Number of wells completed—

|                     |    |     |     |
|---------------------|----|-----|-----|
| (1) 1948-49 .. .. . | 96 | 123 | 118 |
| (2) 1949-50 .. .. . | 14 | 8   | 13  |

" (c) The area brought under cultivation—

|                     | ACS. | OTS. | ACS. | OTS. | ACS. | OTS. |
|---------------------|------|------|------|------|------|------|
| (1) 1948-49 .. .. . | 116  | 94   | 168  | 07   | 124  | 81   |
| (2) 1949-50 .. .. . | 1    | 15   | 10   | 45   | 7    | 00   |

SRI R. NATESAN:—"In view of the fact that where there are no irrigation facilities, ryots have benefited much from the Well Subsidy Scheme, will the Government be pleased to continue the scheme in areas like Pudukkottai for one more year?"

THE HON. SRI H. SITARAMA REDDI:—"Certain areas in the southern and the northern districts of Madras have been selected for the continuance of the Well Subsidy Scheme in 1951-52. I cannot say off-hand whether Pudukkottai is one of the taluks included in the list. I want notice."

SRI L. N. GOPALASWAMI:—"Is it not a fact that the Government have no figures about the additional quantity of food grown on account of the subsidy schemes as is evidenced by an article in the Independence Number of 'Madras Information' where the Director of Agriculture says that the expected increase in the quantity of food in 1948-49 and 1949-50 has been estimated to be so and so and no actual figures are given?"

THE HON. SRI H. SITARAMA REDDI:—"The hon. Member has all the information." (Laughter.)

JANAB M. S. ABDUL MAJID:—"Is it a fact, Sir, that these wells are inspected by the officers concerned only a year after the actual sanction of the loan amount and at the time the officers go to the area, due to dry seasonal conditions the wells do not have water and therefore these officers report against these people and action is being taken against them to recover the subsidy granted to them?"

THE HON. SRI H. SITARAMA REDDI:—"The order granting the subsidy specifies clearly the conditions of the grant. Even during the dry season, it is expected that there should

11.30  
a.m.

[12th February 1951]

be a certain level of water in the well. When a person takes a loan he does so knowing all the conditions attached to the grant."

**SRI T. VISWANATHAM**.—"In view of the fact that almost all the Tahsildars and other officers who are put in charge of the distribution of the subsidy are satisfied that the scheme is working very well, will the Government be pleased to continue the scheme throughout the State?"

**THE HON. SRI H. SITARAMA REDDI**.—"The continuance of the scheme does not depend upon the satisfaction of the officers in charge mentioned by the hon. Member. Apart from the satisfaction of the Tahsildars, I want to know whether the hon. Members are satisfied. That the hon. members are satisfied with the scheme is seen from the many questions that are put by them. So, Sir, apart from the satisfaction of the officers, the House is also satisfied and as I have said already, there are proposals to extend the scheme in some districts."

**SRI V. RAGAVAYYA**.—"May I know, Sir, at what stage the proposal for the mechanised digging of wells stands at present? Some time ago this was stated to be under the consideration of the Government."

**THE HON. SRI H. SITARAMA REDDI**.—"It has not been favourably received by the Board of Revenue."

**SRI A. VEDARATNAM PILLAI**.—"In view of the answer of the Hon. Minister to a previous question, may I know, Sir, in which districts the Government propose to extend the Well Subsidy Scheme?"

**THE HON. SRI H. SITARAMA REDDI**.—"It will be published."

**SRI K. KOTI REDDI**.—"The Hon. Minister for Land Revenue thinks that this scheme has helped some portion of the Ceded Districts. When it is so, Sir, may I know why it should not be continued for the next year also?"

**THE HON. SRI H. SITARAMA REDDI**.—"I do know that it has benefited some portions of the district but as I have said the difficulty has been to persuade the Government of India in the matter."

**SRI K. KOTI REDDI**.—"If the Government of India are not going to help this Government and if this Government feel that the scheme is really useful, why should not this Government finance the whole thing instead of depending upon the Government of India for a contribution?"

**THE HON. SRI H. SITARAMA REDDI**.—"It is all a question of finance."

[12th February 1951]

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

## II.—GOVERNMENT MOTION RE FAMINE AND FOOD.

**MR. SPEAKER**.—"To-day we will have the Famine and Food debates together. The Hon. Minister for Land Revenue will move his Motion first and then the Hon. Minister for Food will move his motion on Food. Then all hon. Members who have given notice of amendments will move their amendments one after the other followed by a discussion both on Famine and Food."

**JANAB MOHAMED ABDUL SALAM**.—"On a point of information, Sir. Three important subjects are included in the agenda. It is not possible to have a debate on all these subjects on a single day. We may have two days Sir, for these three subjects instead of one day. Very many amendments have been given notice of. They are so many in number that it takes much time to have a comparative study of them."

**MR. SPEAKER**.—"Yarn debate will be taken up to-morrow."

**JANAB MOHAMED ABDUL SALAM**.—"As it is, Sir, we are asked to speak on all the three matters."

**MR. SPEAKER**.—"Yarn will be taken up to-morrow. Only Famine and Food will be discussed to-day."

**RAJA MUTHIAH CHETTIYAR OF CHETTINAD**.—"I am glad, Sir, that the subject, Yarn, has been separated. I am indeed very glad that you have adopted this method though I will not have an opportunity of speaking on the subject, much as I would like to do. The important matter is famine as famine exists and there is no food in the country to distribute. It is very appropriate that famine should be discussed first and not food."

**THE HON. SRI H. SITARAMA REDDI**.—"Sir, I beg to move—

*'That the seasonal conditions in the State be taken into consideration.'*"

"Sir, the following Note circulated to the hon. Members of this House explains at length the seasonal conditions in Madras State:—

"Sir, for the fourth year in succession the north-east monsoon has failed in the Madras State. The entire districts of Chingleput, Chittoor, North Arcot and Ramanathapuram and parts of Srikakulam, Guntur, Nellore, Cuddapah, Kurnool, Bellary, Anantapur, South Arcot, Tanjore, Tiruchirappalli, Madurai, Tirunelveli, Salem and Coimbatore have been affected by the failure of the monsoon and the consequent failure of crops.

Notice of the serious situation was taken by Government as early as in the middle of December 1950 and the Members of the Board of Revenue and the Collectors were instructed to undertake a tour of their districts immediately with a view to study conditions at first hand, special attention being paid to the need for grant of remissions and postponement of kist. Instructions were

[Sri H. Sitarama Reddi] [12th February 1951]

also issued by the Board of Revenue to all Collectors to inspect the crops urgently with a view to grant remissions employing the necessary special staff in anticipation of sanction and to start minor irrigation, rural water-supply, tank improvement, Public Works Department, district board, road and railway works, wherever necessary. All the Members of the Board of Revenue are touring the affected districts inspecting the condition of crops to formulate remission proposals and also to submit concrete proposals for relief for the sanction of the Government. In fact they have already toured ten districts. The Board and the Government have thus been and are keenly alive in the gravity of the situation.

2. *Situation in individual districts*—(1) *Srikakulam*.—Parts of zamindari taluks of Pathapatnam, Tekkali, Sompeta and Cheepurupalli and ryotwari taluks of Srikakulam and Narasannapeta are affected by adverse seasonal conditions. The main crop affected is paddy. Employment is now available in the harvest of paddy in areas not so much affected and in the road and irrigation works now in progress in the taluks.

(2) *Guntur*.—Condition of dry crops in Vinukonda taluk is not satisfactory, as the standing crops variga and cholam have failed. The conditions in other dry areas are not also reported to be bright. The Board Member is touring the district and his report is awaited.

(3) *Nellore*.—The upland taluks of Kandukur, Kanigiri, Podili, Darsi and Udayagiri and parts of Kavali are affected. There has been a total failure of wet crops under irrigation tanks except under the Mopad Project. The outturn of dry crops like jonna and cumbu is poor. No scarcity of fodder or drinking water is felt. The Collector has submitted proposals to the Board of Revenue for the opening of food production works in the affected areas.

(4) *Chittoor*.—The entire district is affected. Paddy has been affected due to lack of water and presence of pests. Dry crops have also failed but their condition is better in the western taluks. Scarcity of drinking water and fodder is not felt now but is likely to be felt in about two or three months. Employment is now available; however the Collector has been asked to start expansion works immediately.

(5) *Cuddapah*.—Parts of Jammalamadugu, Pulivendla, Badvel taluks and parts of Kamalapuram sub taluk are affected. Employment is now available and expansion works will be started wherever necessary.

(6) *Kurnool*.—Banganapalle sub-taluk and Koilkuntla taluk are affected by the failure of the monsoon. All the dry crops have failed and even in the case of commercial crops like groundnut and cotton the area sown has considerably decreased. Labour and fodder are available now. To prevent unemployment and to meet the scarcity of fodder, the Collector has programmed to take up repairs to minor irrigation works, drinking

[12th February 1951] [Sri H. Sitarama Reddi]

water kuntas and road works and to sanction fodder loans. The Collector is examining the question of throwing open reserve forests for free grazing if necessary.

(7) *Bellary*.—Rayadrug and Bellary taluks are affected by adverse season. Scarcity of drinking water or of fodder is not felt. The Collector is however taking steps to deepen the existing wells wherever necessary. There is no dearth of employment.

(8) *Anantapur*.—Parts of Tadpatri and Kalyandrug taluks have been affected. Scarcity of labour is likely to be felt in Tadpatri taluk. The Divisional Engineer, Highways, has been asked to start five road works and if necessary more works will be started. Scarcity of drinking water and fodder is not felt at present.

(9) *Chingleput*.—The entire district is affected by adverse season. The Collector has sanctioned estimates for a number of minor irrigation and road works. Fodder and drinking water are at present available.

(10) *South Arcot*.—Wet crops have failed in Tindivanam, Gingee and Tirukkoyilur taluks. Dry crops have failed in the entire taluks of Gingee and Tindivanam and in parts of Villupuram, Tirukkoyilur and Kallakurichi. No scarcity of fodder is felt at present but scarcity is likely to be felt except in Vriddhachalam, Chidambaram and Cuddalore.

(11) *Tanjore*.—Arantangi taluk alone is affected. The Collector has asked the District Board to take up as many road works as possible.

(12) *Tiruchirappalli*.—Parts of Musiri taluk and Pudukkottai division are affected by failure of monsoon. The Collector has proposed to take up a number of minor irrigation works and road works to provide employment to agricultural labourers distressed by failure of monsoon.

(13) *Madurai*.—The main food-crop, cholam, is a failure and other crops are a partial failure in extensive areas in Palni and Dindigul taluks and in limited areas in Tirumangalam, Periyakulam, Nilakkottai and Madurai taluks. There is no dearth of labour at present; all the same, the Collector has been asked to take all minor irrigation works for which estimates are ready and also instruct the Highways Department to take up road works.

(14) *Tirunelveli*.—Sankarankoil taluk and parts of Kovilpatti and Tirunelveli taluks have been affected by adverse seasonal conditions. A number of road works and execution of repairs and improvement to irrigation works are proposed to be taken up immediately. Difficulty is experienced for drinking water in parts of Sankarankoil taluk. The Board of Revenue has issued instructions for deepening drinking-water sources and for supply of water through Civil Supplies lorries or the railway if necessary. Fodder is likely to be scarce in Sankarankoil and Kovilpatti but the district as a whole is self-sufficient. No import of fodder is therefore necessary.



[Sri H. Sitarama Reddi] [12th February 1951]

(15) *Ramanathapuram*.—The entire district is affected. The dry crops have generally failed and only 10 per cent of the total dry crops have yielded a poor outturn. Only in the few villages under the Vaigai-fed tanks in Sivaganga taluk can the conditions of crops be said to be fair. Takkavi loans are being freely granted and it will be necessary to give subsistence loan in Mudukulattur taluk. Definite proposals are awaited from the Collector. The Collector has also proposed to take up a number of minor irrigation works and Highways Department and District Board works. Scarcity of drinking water is felt in Mudukulattur and other black-cotton tracts. The Collector has been asked to speed up the execution of works under the Rural Water-supply Scheme. Fodder scarcity is likely to be felt soon necessitating its import from outside especially from Tanjore. Concessional rates of railway freight and wagon facilities will be provided when applications for import of fodder from outside the district are received.

(16) *Salem*.—Conditions are bad in Uttangarai sub-taluk and in parts of Dharmapuri taluk. The Collector is advancing the minor irrigation programme. The fodder problem is not likely to become very acute.

(17) *North Arcot*.—The whole district is affected by failure of rains. Groundnut has largely been sown. One hundred and eighteen minor irrigation works are proposed to be taken up. Eighty Tank Restoration Scheme works are now in progress. Government have sanctioned Rs. 1 lakh to the District Board for taking up 22 road works and more will be sanctioned if necessary. The fodder position is satisfactory, and the Collector is taking action to stock fodder against the coming lean months. He has also started deepening wells to provide for a future contingency in the supply of drinking water.

(18) *Coimbatore*.—Distress is acute in the whole of Palladam and Dharmapuri taluks and in parts of Udumalpet, Aravashi and Erode taluks. The Lower Bhavani canal excavation work attracts many labourers. Deepening of ponds is being taken up. It is proposed to take up road works with a Government grant of Rs. 10 lakhs. Fodder scarcity is not likely to be felt as acutely as last year. The Collector is taking steps to sink wells in each village where the wells have either dried or are drying up.

It will be observed from what is set forth above that works to employ labourers have not yet been found necessary on a large scale. Such need will be felt as the season advances and the Government will provide such employment at the proper time. Collectors have been instructed to watch signs of unemployment and meet it promptly.

3. *Steps undertaken by Government towards relief*.—In recent years the operations which are undertaken for the relief of distress consequent on the failure of crops do not strictly follow the provisions of the Famine Code as the procedure laid down in it created an undue amount of rigidity and expense in relief

[12th February 1951] [Sri H. Sitarama Reddi]

operations. Under the provisions in the Code the works have to be taken up without reference to the actual need for such works in the locality. It also involves employment of separate establishment at a great cost which is a sheer waste of public money. Further, roads formed out of famine labour are often left unmaintained as they are not really required for local conditions and, as the local bodies, whose duty it is to maintain them, were unable financially to undertake their maintenance. The Government therefore desire to utilize the need to provide employment by carrying out works of permanent utility. The policy of the Government now is to expand the ordinary public works in the normal programme to provide employment for labourers in distress and to pay wages based on outturn. By this method unnecessary expenditure on new establishments is avoided. The expenditure incurred is debited to the ordinary departmental heads and not to the Famine Budget. However, in the interest of the comfort and convenience of the labour, who are provided for in such works, the Government have to provide them with certain amenities such as provision of accommodation and supply of drinking water near the place of temporary residence and have also to provide ration shops, and distribute milk and vitamin tablets. These measures are considered to be more desirable and useful to the State than rigid adherence to the principles of the Famine Code.

4. *Indirect relief*.—Instructions have been issued to Collectors by the Board of Revenue for the immediate suspension of kist in areas where remission of land revenue is likely to be sanctioned ultimately. The Collectors of the affected districts have submitted proposals for remission of land revenue to the Board of Revenue. The Board's detailed recommendations are awaited. Estates notified and taken over by Government will be treated in the same manner as ryotwari areas in the matter of remission. In view of the fact that suspension of collection of kist has already been ordered, some delay in issuing final orders regarding land revenue remission is not material.

5. *Loans*.—The Collectors have been instructed to sanction takkavi loans liberally and to submit proposals for the postponement of the collection of loans instalments in the affected areas.

6. *Fodder*.—Fodder is generally available at present. But the situation is likely to become worse after some time. The Collectors have been asked to arrange to throw open reserve forests for grazing purposes and for transport of straw from surplus districts through co-operative societies and also to apply for wagon facilities and concessional rates of railway freight.

There is also another source to procure fodder when there is need, i.e., the military grass farms. The Collectors have already been informed of it and asked to take the necessary steps to secure and bale hay.

7. *Drinking water*.—The Collectors have taken up the deepening of ponds and wells in villages affected by scarcity of drinking water. Where the measures already taken would not

[Sri H. Sitarama Reddi] [12th February 1951]

provide immediate relief and acute scarcity is felt the Collectors have been asked to supply drinking water by means of Civil Supplies lorries and railways.

8. *Food supply*.—The Collectors have been instructed to arrange, in consultation with the Civil Supplies department, the opening of foodgrains relief shops wherever necessary.

9. *Weavers' relief*.—Consequent on the shortage in the supply of yarn, acute distress is said to prevail in Krishna, Guntur, Tirunelveli, Ramanathapuram, West Godavari and Salem districts. Cash doles have been sanctioned to the distressed weavers in Salem town and in Pedana and Kappaladoddi villages in Krishna district and the Collectors have been asked to open relief works to provide work to the weavers, especially those who are in receipt of cash doles. The question of granting cash doles to the distressed weavers in West Godavari and Ramanathapuram is under consideration. The expenditure on this account is met from the Famine Budget. This sort of relief is however only a temporary palliative and a matter of last resort as it involves considerable extra expenditure to the Government without getting any work from those receiving doles. The Government are however taking all possible steps to improve the yarn supply.

"Now, Sir, I should like to add a few words more to the statement. It is indeed distressing that in the State of Madras, continuously for the last four years, we have had adverse seasonal conditions in several of the southern districts. This has really cast a great strain upon the cultivator. His reserve power has practically been exhausted. As it was said in respect of a particular area, Royalaseema, by one of the officers who went into the question of famine in that area, Ceded districts, before they hardly emerged from one famine, they are submerged under another; now unfortunately, I find not only the Ceded districts, but several other districts in the south are also in that position. Hardly have they emerged out of a bad season with the failure of crops and poor returns, they are overtaken by another similar and unavoidable situation. The Government are fully aware of the difficulties of the cultivators. We have been trying to help these people that are in distress. The Government granted remissions liberally last year wherever they were necessary, and the hon. Members are aware that that was the first time that the Government went out of their way to give such liberal concessions and relief to those that have been affected by the adverse seasonal conditions. Unfortunately, the conditions this year are also the same.

"The Government tried to do their best to restore the tanks that were in bad condition. The department in charge of Tank Restoration schemes and the Minor Irrigation department, in fact all departments have done their best. Hon. Members who have had occasion to see the good work that has been done by the departments in restoring thousands of tanks all over the State would know what effort the Government have made to set

[12th February 1951] [Sri H. Sitarama Reddi]

that the best is got if there was good rain in the State. But unfortunately, rain failed and all the good work that has been done in the matter of repairing spring channels and tanks has been of no use. This is another feature. Sir, as I have already said there is not much difficulty so far as water is concerned. But in view of the adverse conditions in many of the districts, it is quite possible that difficult conditions may arise some time later and the Government have taken certain steps. They have advised the Collectors to be on the look-out and conserve hay wherever possible.

"Then, Sir, so far as the question of relief to those that are thrown out of employment is concerned, i.e., agricultural labour—there is a large class of people who are now unemployed because of the adverse seasonal conditions—the Government have advised the Collectors to send proposals in consultation with the Local Boards to take up works which will be of permanent benefit, so that these unemployed agricultural labourers may secure employment a little later. As I have said, the policy of the Government is to see that the money that is spent for relief of the distressed is used in a way which will be of permanent value to the respective areas, such as repairing of tanks or improvement of irrigation resources or, next best, perhaps improving the existing roads. It has been suggested that it would be better to improve the existing roads than lay new roads which the Local Boards cannot maintain. So, we have advised the Board of Revenue to suggest to the Collectors to take up primarily the improvement of the existing roads in preference to the construction of new roads, because the Local Boards have felt it very difficult with their meagre finances to maintain new roads while they are not able to maintain even the existing roads. This is one of the instructions which the Government have issued to the Collectors in regard to providing employment to agricultural labour.

"There is next the question of supplying adequate quantities of foodgrains by the opening of relief shops wherever necessary. Sir, this question of opening relief shops is already under the consideration of Government, and if it is felt on a further examination of the question and from a study of the facts found in the reports of the local officers that it is necessary to open free kitchens or additional relief shops under the provisions of the Famine Code, the Government would certainly take further steps and do their best.

"Sir, now I would like to say a few words about the relief that has been given to weavers. (An hon. Member: 'What about drinking water?') Sir, the hon. Member from Nellore is asking, 'What has been done for drinking water?' As I have already said, the Collectors have been asked to deepen the existing wells and suggest any other means. The programme under the Rural Water-supply Scheme is already there and if necessary Government would grant some more money to it for providing adequate facilities so that people can get water in these times of distress.

[Sri H. Sitarama Reddi] [12th February 1951]

"Sir, I was going to speak about the relief given to weavers when I was interrupted. Hon. Members are aware that there has been a lot of agitation over this matter in the State. I would like to bring to the notice of this House that this distress is not due to the seasonal conditions or the failure of the monsoons. It is entirely due to causes for which at least Nature is not responsible, but perhaps it is more due to the shortage of yarn. Unfortunately, after the partition of this country, our mills have not been getting adequate supplies of cotton and hon. Members must also be aware of the very high prices of cotton now prevalent outside India. In fact, it is something prohibitive to-day—something which was not dreamt of a few years ago. (An hon. Member: 'Why?') An hon. Member is asking me, 'Why?'. Perhaps the people in other countries want us to pay higher prices for cotton. There is a great demand for cotton all over the world. That is one of the reasons. But, I would like to tell the House that to-day the price of cotton in Egypt and America is something very prohibitive and it is really very much higher than what we pay in India. So far as Pakistan cotton is concerned, we are not able to get it and so our mills have not been able to produce as much yarn as they could. Of course, certain industrial disputes in Bombay perhaps partly contributed to the causes of lower production of yarn.

"That apart, Sir, the Government of this State have had to face the distress caused to the handloom industry and also the weavers. We have been paying cash doles. But I would like to tell the hon. Members of this House that this method of payment of cash doles is most undignified and undignified to those that receive it."

AN HON. MEMBER:—"We don't want it."

THE HON. SRI H. SITARAMA REDDI:—"I am glad to know that. But I would like to tell the hon. Member that I have been receiving many petitions from every district that they (weavers) want cash doles. I do wish that they should say that they don't want it. As I have already said, it is really undignified and as a policy we have advised the Collectors that this payment of cash doles is not going to be a permanent feature and the weavers also cannot continuously get the cash doles. We are trying to get more yarn so that this method of help, i.e., payment of cash doles, may be stopped and we may provide adequate yarn or we may give them alternative employment. Some of the weavers have been telling, 'No, No, we are not accustomed to any other form of work. Either you give us adequate yarn or give us cash doles.' Sir, this is a thing which does no good to anybody. (Interruption.) The hon. Members will have ample opportunity to express their views; they may please hear me now.

"If we could provide them alternative employment, these people must go and work and earn their livelihood which is really dignified. I don't think, Sir, that any worker in any part of the

[12th February 1951] [Sri H. Sitarama Reddi]

world wants a dole. It is only when he is compelled by necessity that he accepts a dole. As I have already said, it is undignified and I am sure that they won't like to continue to receive this payment of cash dole. We have instructed the Collectors to see that alternative employment is provided and I take this opportunity to tell the weavers, who are not employed and who are getting these cash doles, not to say that they are not accustomed to any other form of work. They must get accustomed to some other form of work. These things cannot continue and the Government also cannot go on paying these cash doles."

AN HON. MEMBER:—"What is the amount?"

THE HON. SRI H. SITARAMA REDDI:—"I think it is Rs. 2-8-0 per week for one family and it is a large sum.

"Sir, I would like to have the views of the hon. Members on the various points and hope that they would give additional information as to the conditions in the various districts. I can assure the House that I would only be glad to take the information and see that relief is given expeditiously and adequately."

MR. SPEAKER:—"The Hon. Minister for Food may also move his motion."

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

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

"Sir, in the statement on the Food Situation in the State which was circulated to the hon. Members in connexion with the Food Debate early in December 1950, a clear analysis of the situation in the year 1950 and the prospective situation in the year 1951 were given.

"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 in regard to production 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

[Sri J. L. P. Roche Victoria] [12th February 1951]

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 increase in the Government of India's quota from 3 lakhs to 6 lakhs of tons has been explained in detail at pages 2-3 of the statement referred to. It was also pointed out that notwithstanding 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 breakdown 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 give relief to the rural population. The outlines of the future policy were indicated in last paragraph at page 4 of the printed report already circulated to the hon. Members. It was mentioned therein that the Government considered it expedient to accept the suggestion to deration rural areas except in the heavily deficit districts of Malabar and the Nilgiris and to confine rationing to municipalities including some in the surplus districts and to industrial areas. The position was discussed at length in this Assembly and the proposal to deration the rural areas received considerable support from many hon. Members of the 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 within the framework. The Government have accordingly examined the question in detail and have decided to introduce a system of partial derationing. The outlines of the scheme which the Government have finally decided to adopt are as follows:—

The districts in the State will be divided into—

(1) Surplus districts, viz., East Godavari, West Godavari, Krishna, Guntur, Nellore and Tanjore.

(2) Self-sufficient districts, viz., South Arcot, South Kanara and Srikakulam.

(3) More or less self-sufficient districts, viz., Madurai and Tiruchirappalli.

[12th February 1951] [Sri J. L. P. Roche Victoria]

(4) Highly deficit districts, viz., Madras, Malabar and the Nilgiris.

(5) Other deficit districts, viz., the remaining districts in the State.

"So far as the highly deficit districts (4 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 some of the major municipalities of these districts with the main purpose of reducing the black market 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. Grain shops 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, South Arcot and Srikakulam.*—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 and Srikakulam which are normally slightly surplus in rice have this year suffered from adverse seasonal conditions and may not have any surpluses to export. Statutory rationing will continue in the municipal towns in these districts and their requirements of rice will be supplied from local procurement on an easy scale of levy. Grain shops 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 but outside the municipal limits, where there will be rationing. The requirements of wheat and millets of the rationed areas as well as the balance of rice which is not supplied from local procurement will be found from imports. There will be grain shops or ration shops in industrial areas, while fair price shops will be opened in the panchayat areas as and when necessary. Only wheat and millets will be issued from these fair price shops but rice will also be given if available from local procurement.

[Sri J. L. P. Roche Victoria] [12th February 1951]

*“ Other deficit districts.—*Intensive procurement and rural rationing will be abolished in these districts. Statutory rationing will be continued in the municipal towns. Grain shops 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. In the southern and central districts, where the monsoon has definitely failed, these shops will be opened at all taluk and sub-taluk headquarters straightaway and gradually extended to other panchayat areas as and when the need is felt. 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 area 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 import 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. Collectors have been instructed to give rations as usual to hospitals, orphanages and hostels attached to educational institutions. The Collectors will continue to have powers to requisition stocks both from the trade and from the producer. The Essential Articles (Restricted Acquisition) Order will be enforced throughout the State in order to prevent hoarding of stocks. Even in derationed 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 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 except in lieu of rations, as there will be full rationing and the requirements will be moved on Government 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*

[12th February 1951] [Sri J. L. P. Roche Victoria]

Collector of the quantity imported so that he may keep track 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 January 1951. 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 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 though there are a few representations criticising the decision. The harvest of paddy is still in progress in many districts and the rice from the Circars has just started moving. It may, therefore, take a little more time for things to settle down.*

*“ As stated already, the shortage in production of 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 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 oz. rice and 4 oz. 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 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. 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. Shri K. M. Munshi, the Minister for Food, and the Hon. the Deputy Minister for Food, Government of India, both of whom were recently in the City, that the 4 lakhs of tons promised by them would be utterly inadequate and should be substantially increased. Our demand will be pressed again. For the present, we have got stocks of foodgrains which will last for eight weeks. The stock position in regard to rice is improving. From 65,661 tons on 23rd December 1950, which was the lowest*

[12th February 1951]

SRI R. V. SWAMINATHAN:—"Sir, I move—

‘Add at the end the following:—

“and on such consideration this Assembly is of the opinion that the State Government should request the Government of India to allot 10 lakhs of tons of foodgrains for the current year.”

SRI S. NAGAPPA:—"Sir, I second the amendment."

JANAB MOHAMED ABDUL SALAM:—"Sir, I move—

‘Add at the end the following:—

“and on such consideration this Assembly is of opinion that rural rationing should be re-introduced at once and statutory rationing should be introduced in all municipal towns.”

JANAB ABDUL HAMEED KHAN:—"Sir, I second the amendment."

SRI PYDAH VENKATANARAYANA:—"Sir, I move—

‘Add at the end the following:—

“and on such consideration this Assembly is of opinion that the State Government should request the Union Government to allot at least 8 lakhs of tons of foodgrains and to reconsider their decision to effect a cut of 25 per cent in the overall ration.”

DR. M. J. SAMUEL:—"Sir, I second the amendment."

12 noon. JANAB ABDUL HAMEED KHAN:—"Sir, the amendment which I move reads as follows:—

‘Add at the end the following:—

“and on such consideration this Assembly resolves that the Government be requested—

(1) to continue rationing in all the cities and towns in the State irrespective of whether they are situated in surplus or deficit areas,

(2) to appraise the Government of India that conditions in our State are as bad as if not worse than those obtaining in States like Bombay and Bihar and that on that account the Government of India should allot at least 9 lakhs of tons of foodgrains including at least 6 lakhs of tons of rice,

(3) and to ask the Government of India to include all the towns with a population of not less than 50,000 for the purpose of subsidy.”

SRI P. NATESAN:—"I second it."

SRI K. KOTI REDDI:—"Sir, I move—

‘Add at the end the following:—

“and on such consideration, this Assembly recommends to the Government that fair price foodgrain relief shops should be opened throughout the district of Cuddapah.”

SRI T. VISWANATHAM:—"I second it."

[12th February 1951]

SRI L. N. GOPALASWAMI:—"Sir, I move the amendment standing in my name, viz.:—

‘Add the following at the end:—

“and on such consideration, this Assembly is of opinion that the classification of Tiruchirappalli as a more or less self-sufficient district is not warranted, as it is likely to cause a great hardship to poor landholders owning three acres and less and that at the prevailing prices of other essential articles, it will be impossible for the agriculturist to make both ends meet, if he is to be forced to part with his paddy and other grains at the present controlled rate.”

SRI A. VAIDYANATHA AYYAR:—"I second it."

SRI M. A. EASWARAN:—"Sir, I move the following amendment:—

‘Add the following at the end:—

“and on such consideration this Assembly resolves that the Government be requested to abolish difference in ration cards such as rice card, mixed card and millet card in statutory rationing areas, i.e., in municipalities and major panchayat areas.”

SRI P. KAKKAN:—"I second it."

SRI K. R. KARANTH:—"Sir, I move—

‘Add at the end the following:—

“and on such consideration, this House is of opinion that the situation is very unsatisfactory and deplorable.”

SRI P. NATESAN:—"I second it."

SRI P. KAKKAN:—"Sir, I move—

‘Add at the end the following:—

“and on such consideration this Assembly resolves that no grain should be procured in non-delta areas in Madhurai and Tiruchirappalli districts.”

SRI M. KANNIYAPPAN:—"I second it."

JANAB MAHBOOB ALI BAIG:—"Sir, I move—

‘Add at the end the following:—

“and on such consideration this Assembly is of opinion—

(1) that rural rationing should be reintroduced at once,

(2) that the Union Government be requested to allot at least 10 lakhs of foodgrains, the rice content thereof being at least 80 per cent; and

(3) that the Union Government be requested to reconsider their decision to effect a cut of 25 per cent in the overall ration as far as this State is concerned.”

JANAB M. MUHAMMAD ISMAIL:—"I second it."



[12th February 1951]

SRI V. C. PALANISWAMI GOUNDER:—"Sir, I move—

*Add at the end the following:—**"and on such consideration this Assembly recommends to the Government, that fair price foodgrains relief shops should be opened throughout the district of Coimbatore." "*

SRI P. KAKKAN:—"I second it."

DR. M. J. SAMUEL:—"Sir, I move the following amendment:—

*Add at the end the following:—**"and on such consideration this Assembly is of the opinion that this State should open rice relief shops for the benefit of the Government servants and other landless middle class people in deficit districts." "*

SRI PYDAH VENKATANARAYANA:—"I second it."

SRI A. VAIDYANATHA AYYAR:—"Sir, I beg to move the following amendment:—

*Add at the end the following:—**"and on such consideration this Assembly resolves—*

- (1) that Madhurai district be treated only as deficit district;*
- (2) that procurement by levy or otherwise be totally abolished;*
- (3) that statutorily rationed areas be supplied by direct imports from surplus districts;*
- (4) that deficit districts be interlinked with adjoining surplus districts; and*
- (5) that Madhurai villages be saved from impending starvation by sufficient number of merchants being licensed to purchase paddy and millets from surplus areas and districts and sell paddy in villages." "*

SRI K. RAJARAM NAYUDU:—"I second it."

MR. SPEAKER:—"All the amendments have now been moved and seconded. Both the main motions and the amendments are now before the House. When I finally put the motions, I shall put the motion on the Food situation and the motion on seasonal conditions separately to the House."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"Mr. Speaker, Sir, I am indeed glad that the Government have fulfilled part of their duty by the public by agreeing to have the debate on Food to-day; I am glad also that they have separated the debate on yarn scarcity and agreed to have it to-morrow. If this was not the case, the importance and gravity of the situation relating to famine conditions and food scarcity in the State will not be realised in full measure and there would be confusion in discussing the yarn position, food situation and famine conditions, all together."

[12th February 1951] [Raja Muthiah Chettiyar of Chettinad]

"Sir, we have had several food debates on the floor of this House during the last two or three years, but the frequency with which the demand for food debate has had to be made in this House has increased, due to several natural calamities. Nobody for instance could have foreseen the failure of the rains. Having had no rains up to now, we must realise the grim situation and face up to it. There is no use of speaking here in the Assembly; they will only be empty words spoken by hon. Members in this House and more so, the words spoken in reply by the Hon. Minister for Food. To-day it is not a question of food *shortage*. For, when there is scarcity of food here in the South, if there is some food in some other parts of the country, it will be a correct description of the position to say that there is *scarcity or shortage* of food here; but in the very first month of the harvest, we find there are certain areas in this province where—it is undisputed by officers of Government and by the Hon. Ministers—there is *no food* at all."

"Let me not take up the time of the House with the question of the correctness or otherwise of removing rationing. I was one of those who did not share the view of Government that rationing should be given up. I raised my humble voice against derationing the other day, but I was faced with a House, the majority of Members of which were determined to remove rationing for one reason or other—for reasons which they believed to be right, for they represented the views of a section of landowners big and small, who did not want the procurement and the rationing. Particularly in the deficit area, the small landowners, if they were left free to deal with the produce as they liked, stood to gain to some extent. The then position in which the Government found themselves was that the ration shops were not fed by imports from the surplus districts or from foreign imports to enable them to keep up the ration, and the public were dissatisfied and those who agitated for the removal of the system in such areas had a nice situation to play with. They said 'we are getting a bad name even now; why not we get some good name by removing this system', and the Government thought they could take credit for easing the situation a bit; but I may tell you that you cannot take the credit for the easing of the situation; as a matter of fact, you simply responded to the voice of the people who own five, ten and fifteen acres of land, and you wanted to help them to take a little more money. I shall not be surprised if they actually took a little more money and be done with it; but I believe that they will not part with their produce of these ten or fifteen acres now; they would like to see the prices go up even to Rs. 3 a measure of rice. I want to warn the Government with all the emphasis at my command, that in spite of all the money that they will be able to give by way of doles—which I do not myself recommend or even individual gentlemen paying their servants and their dependants large sums of money—in the months of April, May and June, they will not be able to have the stuff to buy. That is the situation in which we are landed now. I can truly say that famine conditions are now prevailing in many parts of our State. The hon. Gentleman Mr. Ramaswami Mudaliyar from Vellore is agitated; he is just waiting for

[Raja Muthiah Chettiyar of Chettinad] [12th February 1951]

his chance to speak about the conditions prevailing in North Arcot, and he has to communicate to the House, many harrowing tales that have been told to him of the position in North Arcot and Chittoor. Sir, we are very grateful to our benign Governor His Excellency the Maharajah of Bhavnagar who has been good enough to tour the two districts of Chittoor and North Arcot. I hope His Excellency will yet find time to tour the other districts and find out the conditions there for himself. We are well aware, Sir, of the fact that in India, old people are still habituated to the idea of venerating and respecting our own Maharajahs and Rajahs. They have a feeling that the Maharajahs—and particularly our Maharajah of Bhavnagar, will be able to tell the Central Government direct about the actual conditions that he saw in person, and though they may not think that the relief will come straightway, they will still have the hope that the ruler having come and seen the place himself, will be able to represent to the Government of India, the actual position in the province. To that extent, His Excellency's visit has bestowed some benefit on the people.

“ While I am on the question of personal visits, let me tell the Ministers that they have no business to be in Madras after the present session is over. All the twelve Ministers must not be seen in the precincts of Fort St. George for ten or twelve days after the 14th. (Hon. Members: ‘ Some of them have already left on tour ’.) I am indeed glad to hear that they have left, but I am sorry to see they have not left on tour for the purpose for which I want them to leave; they have gone out probably because of prior engagements, for perhaps they did not expect the Assembly to be sitting to-day; they wanted the sittings to be completed last week itself and if possible, to put off the food debate for a later occasion. It is the request of some hon. Members of the House including myself that was responsible for putting down this debate for to-day. We are glad, Sir, the food debate is conducted here in the absence of the Chief Minister and the Leader of the House; there are other distinguished Ministers here to hear us and to give us the reply. But ‘ reply ’ as I said, we shall not take as anything more than empty words to be printed on blank sheets of paper. I shall however say this much, that the Ministers will have done their duty, not by themselves but only by the Government of India, if they simply stopped with the reply. I believe this session will be over by the 14th or 15th and the Assembly will meet again only on the 25th or 26th; thus, the Ministers will have full ten days. It is no use a few Ministers going out and seeing things for themselves; the Government of India must be told that most of these representative Ministers have had an opportunity of seeing the deficit districts themselves. And the deficit districts come to 15 or 16, because from the way in which the Hon. Revenue Minister read his report on seasonal conditions, I do not think there are many districts which are in a happy position; on the other hand, it will be true to say that large parts of this province are affected by adverse seasonal conditions. Therefore, I submit it will only be right if all the Ministers go round the province, make a tour

12th February 1951] [Raja Muthiah Chettiyar of Chettinad]

of the areas affected, then report and send an S.O.S. to Delhi telling them that if food is not rushed down immediately, it will not be the responsibility of the Madras Ministry, that they will not be any more running the Food department here. Let Mr. Kuttalingam go out as the Collector of Tiruchirappalli, let the Food Minister not be in charge of Food and let there be no Health department too. Let everything be done from the next moment by the Government of India; let famine be taken care of by Delhi; let Mr. Munshi and Mr. Thirumala Rao come down to Madras and administer the Food department; let us then see what they can do. I am prepared to go to the extent of saying this much, and that is, the next step that should be taken is, the Hon. Chief Minister and the Minister for Food should not be in Madras, but should be in Delhi and not stir out of Delhi till there is a promise of food—not merely a promise but till food is actually despatched. If necessary, let them attend to their files there; let the files be sent to them there and even if other Ministers look after their portfolios nothing will happen in the meanwhile. For instance, Mr. Kuttalingam Pillai may attend to the business of the Food Minister, because there is not much food here to look after and if the Food Minister brings food, there will then be something to look after here. That is the best they can do under the circumstances. That is not tactics, but that is the only course left to the Government.

12-15  
p.m.

“ Then, the third alternative is for them to resign—not merely threaten to resign. Of course, there is no other party now to form the Government and they need not be worried about the four or five cliques or groups in the Party, because no group is going to take up the Ministry. (Sri P. Natesan: ‘ What about the Opposition? ’) The Opposition will not take it up when there is no food in the country; and the Opposition will take it up if they feel they will be given a chance, but I am not prepared to hazard that opinion now. But, one thing I would like to say and that will be the correct procedure to adopt. If the Government of Madras threaten to resign, what will be the alternative for the Government of India to-day? Are they going to come down here and rule? It is impossible. Which is the party to take charge of the administration here? Let them have four Advisers and feed the people next time also as the previous Advisers' regime did. Probably persons like Mr. Kuttalingam Pillai and other Secretaries, when they become glorified Advisers of this State, may probably be able to feed the people of the State. Now, Sir, if the Government of India are not prepared to heed the warning and advice and the requests of the representative Ministers who have been in office for four or five years, let them choose their own officers and administer. I am sure they will not do so. I am certain that the very first of the three alternatives I have suggested will be productive of good results. As I have said times out of number, the present Ministry, is not feared, if not respected, in Delhi. They should bully the Government of India and if they do not succeed, as I suggested, there is no other alternative for them but the course I have suggested.

[Raja Muthiah Chettiyar of Chettinad] [12th February 1951]

" Mr. Speaker, I want to suggest to the public and the Government that they should forget all their activities regarding the Grow More Food campaign, well-subsidy and so on, because these will not help us for the next six weeks or two months. Last time when I demanded a food debate, I suggested there would be starvation deaths from the first week of April. How I am correct in my statement, has been proved by statements made by experienced Collectors of the districts who have had experience as such of those districts for several years, like Mr. Dorairaj of North Arcot, who said that there will be starvation from 1st March. Of course, he did not use the word 'death.' What is starvation to-day leads on to death. A month in advance of what I have suggested, he said there will be starvation. Of course, as on previous occasions, I have not given notice of a series of amendments, because I thought it might be utter waste of time to give notice of amendment after amendment. Instead of amendments and arguments in support thereof, what is needed to-day is food, whether it is from Delhi or anywhere else. The only thing that is at present needed is food. There is no necessity for the Government of India or the Government of this State to do propaganda for alternative food; for, I should say that, when no food is available, any food is welcome and there is no need to waste money and energy on propaganda. Sir, hon. Members would have seen from the representations made by the public to His Excellency the Governor in his recent tour, that they are prepared to take any food. That is the actual situation. Let it be wheat, let it be millet, milo or anything.

" Sir, I shall wind up my remarks on famine by saying, we are not only having famine in food, but we have famine for water also, and water cannot be brought from America or Burma. So, the best has to be done and I do hope that measures will be taken to conserve water in cities and other places.

" Then, Sir, in regard to fodder, there is not fodder enough as the crops have failed. Conserving fodder cannot be done to-day by control and it is difficult to control and we can only advise people and hope for the best. I am not sure how far we will be able to get through the fodder famine.

" Sir, I am glad the Hon. Revenue Minister has given us a fairly good picture of the seasonal conditions in the State. While the Government themselves have realised the necessity for giving kist remissions, it is not for me to say how much is enough and how much more should be given. The only thing we can do is to appeal to the Government to be very very liberal in giving kist concessions, for that will be a real boon to the people. Then it will be possible for the people to get sufficient money to buy their requirements. To-day it is a fact that the ryots, having spent what they had on cultivation, in the hope of raising a good crop, lost it completely when it was a foot high. Thus all the good money they had was wasted, and now they have not got enough money to take them through the rest of the year. I should therefore appeal to

[12th February 1951] [Raja Muthiah Chettiyar of Chettinad]

the Government to be considerate to these people by giving more liberal concessions during the coming kist collection by not collecting the kist for the first harvest.

" Then, Sir, the Hon. Revenue Minister referred to famine works, but both in his written statement and in his speech, I do not think, he indicated what the total amount that would be required for spending on the works from the Famine Fund. I do hope that when he replies to the debate, he will be able to tell the House how many crores of rupees they will be able to spend on these works. He said that doles are bad. They are bad for a certain set of people, but doles are necessary in certain cases. There is no use asking people to work when they are famished and half dead. If you call such people for work and give them money and also open ration shops or fair price shops where food can be obtained, they will come forward to work and from the wages they get for the work, they can purchase food from the ration shops. So, if you start famine works you will be able to get people to work and in return for work done you must pay. I do hope the Government will be able to announce in the course of the Minister's reply to the debate that they will allot several crores of rupees and along with that, take steps to see that side by side with giving money to the people they also get the work done.

" Now, Sir, with regard to the food situation, I have referred in general, but I shall not make much of the shortage in acreage under paddy cultivation, except to make a reference to what the Government themselves have stated. This is what they have stated. Forty-nine lakhs of tons of rice was the expected yield and what they have got is 41 lakhs of tons, that is, a shortage of 8 lakhs of tons of rice. The question is, should not the Government try to make good at least this shortage of 8 lakhs of tons. I would like to re-iterate on this occasion that the Government should make all efforts to get this 8 lakhs of tons of rice at least, and not merely the 4 lakhs of tons promised by the Government of India. Here, I would like to make a reference to what the Government of India are giving to Bombay. Bombay is short by 10 lakhs of tons of rice, but Bombay has been promised 7 lakhs of tons of rice already and for the remaining 3 lakhs a S.O.S. message was sent by the Hon. Food Minister and not satisfied with that the Union Food Minister flew to Bombay and the promise to give was given. Then, not satisfied with his Food Minister's promise, our great Prime Minister, while on his way to the Commonwealth Prime Ministers' Conference in London, was able to snatch 10 minutes of his time in Bombay to discuss the food question with the Food Minister of Bombay. What I want to point out here is, apart from the promise to give 3 lakhs of tons, Bombay was able to get 7 lakhs of tons out of 10 lakhs of tons required. In regard to the balance of 3 lakhs of tons, we find from newspaper reports that this shortage of 3 lakhs of tons will be spread over the surplus States of India, so that the requirements of Bombay will be fully met and her entire shortage of ten lakhs tons will be made good. Now, I ask, what is the Madras Government doing? While Bombay was given by the Centre seven out of ten lakhs of tons,

[Raja Muthiah Chettiyar of Chettinad] [12th February 1951]

Madras got only 4 lakhs out of 15 lakhs of tons of deficit. As I said the only alternative for them is to resign, because it is useless for any set of South Indians to sit on the Treasury Bench today. Again, Sir, the Hon. Chief Minister of Bombay, Mr. Khare while on his way to the Food Ministers' Conference, gives a comfortable newspaper interview saying 'Oh! we have been able to manage the food situation.' That should be the position of the Ministers. At least in a half comfortable manner, I should have expected our Chief Minister and the Food Minister to take courage and make such statements as that. Instead, we find mention made in the statement that 13½ lakhs of tons is the food shortage here. I suggested 15 lakhs on the last occasion as the shortage, but I am sure our requirement will be more. Our children under two years of age may cry for food—but our Ministers may not cry. I want to ask, whether Madras has lost all powers of arithmetic? Can we not say how much is required, irrespective of what is going to be given? I am certain, it is not 13½ lakhs or 15 lakhs of tons, but it is not going to be one ounce less than 3 million tons. I am even prepared to bet anything. I am prepared to bet a quarter anna. That is the correct way of betting, and there is no use of betting one thousand or ten thousand rupees; and if necessary, I am prepared to bet two million rupees also. Why I am mentioning quarter anna is to emphasise the importance of the bet. If, as I said the shortage is going to be 3 million tons, and the bet two million, the value of the bet will be lost. The loss is in the significance and not in the value attached to the bet. (Sri T. Viswanatham: 'Like betting on races.') The hon. Gentleman Mr. Viswanatham should be more serious on an occasion like this and talk less about racing here. As a parliamentarian he should realise the gravity of the situation. I suppose even in Visakhapatnam, parts of it are surplus and parts deficit."

SRI T. VISWANATHAM:—"Sir, I do not think I have in any way detracted from the seriousness of the discussion when the hon. Gentleman referred to betting quarter of an anna."

RAJA MUTHIAH CHETTIYAR OF CHETTINAD:—"I am very grateful to the hon. Gentleman, Mr. Viswanatham who is a sportive parliamentarian. Sir, in regard to the question of the total requirements of the province, it can be met not by movement of surplus from our own surplus districts. I shall refer to the question of what should be done to procure from the surplus districts a little later. I think even if 100 per cent surplus is gathered from the surplus districts, it will not ease the situation. We should not delay even for a moment from telling the Government of India that they should despatch enormous quantities of foodgrains and there is no use waiting for America's decision. I think it is wrong on the part of America to delay its decision. If America should be thinking in terms of India aligning herself with the world block for political considerations, she is absolutely mistaken in her impression. That is an entirely different matter from the question of food supply. If India is to be given food by America, it should be given on humanitarian considerations, as the hon. Gentleman,

12th February 1951] [Raja Muthiah Chettiyar of Chettinad]

Mr. V. M. Ramaswami Mudaliyar puts it. I am told that the food which is proposed to be got from America is their surplus; otherwise, it is a waste to get it, and the cost involved in transport would be much and we cannot afford it. So, if at all America is willing to send food, apart from giving her surplus food, she should send it also at concessional freight charges. It looks as if the way in which they have been discussing the question for weeks and months—we are losing much precious time—from what we understand, we may be getting American supply of food only from April next and it is already too late. Then it will take several weeks for the food to be landed and transported to interior parts of India by means of railways and other means of transport. It is therefore necessary to see that food is imported to areas requiring it, day after day and week after week; otherwise it may not be possible to transport in time all the food we may get to the places where it is required.

"Let me again repeat the question of Burma rice, Mr. Speaker, for the Government of India are supposed now to agree that there is rice in Burma and that they are willing to negotiate with Burma not only in respect of our requirements this year but for future years also.

"We are very glad, Sir, that the Prime Minister of India, who is a very bold man and who is not afraid of owning his faults, admitted on the floor of the Parliament that the policy of self-sufficiency and of not importing food has not proved to be a right one and that he is now prepared to re-consider the question of food imports. Though much time has been lost and harm has been done, I am glad that there is a fuller realisation of the position by the Prime Minister of India and we hope that the officers of the Government of India and elsewhere will now switch on to it because the dictum of 'No food from outside' has demoralised the administration from Delhi down to the villages and that is one of the reasons why we are in this plight. We have been told that there is going to be an import policy; it has been reported that the Food Minister, when he came here, mentioned that he is likely to send out certain officers or a small mission to Burma to buy rice. But we have not heard anything further about the matter.

"It was on the day when I was speaking in the Assembly last, on the 4th August, that Ceylon entered into a contract with Burma for 3 lakhs of tons of rice against their total requirement of 4 lakhs of tons and exactly the previous March, exactly eleven months before, they entered into a contract for 2½ lakhs of tons for their requirement of 4 lakhs of tons. When the Madras Government shouted and kept on crying, the Government of India sent their emissary to the Government of Burma and they have negotiated for the purchase of 170,000 tons of rice. Subsequently I find in an editorial written by one of the prominent leaders of Burma, Mr. U. Chin La, former Speaker of the Burma Assembly, that on account of certain areas having fallen into the hands of the Government from the rebels, two lakhs of tons of rice have been

12-30  
p.m.

[Raja Muthiah Chettiyar of Chettinad] [12th February 1951]

found by them. I made copies of it and sent them to the Government of India and to the various Ministers of Madras and the Food Secretary but I am sorry to say that I find that nothing has been done. I have furnished to the Government of India and the State Government the latest information and I expect that something would be done. On the very day, when the Deputy Minister for Food of the Government of India visited the Southern India Chamber of Commerce, I gave him this information and I am not yet in a position to know what has been done about it. The former Minister for Agriculture of the Government of Burma who is now at Madanapalle, while on his way to that place, was taken by me to the Hon. the Chief Minister and he mentioned that 170,000 tons of rice was to be sold by his Government before the 5th June and that that quantity was based on an exportable surplus of 8 lakhs of tons of rice. He thought that the crop in his country was very good and that the surplus would be from 10 to 11 lakhs of tons. This he said four months ago in anticipation of a good crop and I can say categorically that the expectations of the ex-Minister for Agriculture have been realised.

"Now, Sir, my submission to the Government through the House is that the Government of India should enter into a provisional agreement with the Government of Burma for whatever is found to be in excess of 8 lakhs of tons and that extra rice should come to us. While admitting that whatever is available we shall take, I feel that whatever rice is imported should be given to us, though some of it may however be diverted to any other rice-eating area. Let the preaching regarding alternative food by the Union Ministers be reserved for North India.

"I am told that the rice crop in Indo-China has been good; that there is a surplus of 300,000 tons of rice in Italy and the Italian Government are in a position to export this quantity; but of course their price is a bit high. We have got surpluses in Egypt. I also understand that in Australia they set apart 20,000 acres of land for paddy cultivation and they have produced nine times the quantity of paddy that could be raised on an equal acreage in South India. Therefore, Sir, I feel that it is not at all difficult to get rice from available places. But as I said, we are not for rice alone. If we are able to get it, there is no difficulty about it, rice and rice alone is necessary and that will bring down the cost of living or at any rate the cost of living will not go up. I am prepared to say that if that is not possible: Please give us milo or any other kind of food to make up the overall rationed quantity. But let there be an end of this talk of vegetables and vitamins as that is a story which would not be accepted by anybody. About this non-rice cafeteria, I think it can serve a few, some one hundred and fifty of us can go and take our food there for a change; but I would deprecate anybody talking too much about it. (Sri P. Natesan: 'The Women's organisation did it.') Let them do it but that is not the solution. The overall situation must be improved; otherwise we will be having harrowing stories recapitulated on the floor of the House by hon. Members representing the various districts just as we are going to have scenes of it

[12th February 1951] [Raja Muthiah Chettiyar of Chettinad]

to-day and to-morrow and I am the second actor in that scene here. As I said, Sir, there is no use of moving any amendments to the Government Motion. With one voice, we have to tell the Government of India that we want 2 million tons of foodgrains, that five lakhs of it should be spread over the next two months, that the supply must commence from the first of next month and that any postponement of this supply to the first of April will do grave harm.

"The Government themselves accept that smuggling from rural areas to the towns should stop and so, let me not now talk about failure of controls and procurement in certain areas; it may be so in certain areas but in other areas it has not proved a failure. We are not concerned about it now. But what I would impress upon the Government is that they should tighten up measures to see that food from rural areas does not come into towns. There will be a tendency on the part of the people in rural parts, where they are short of food, to come to the towns. So, we should check this tendency by allowing food to remain there; otherwise more people from the rural parts will migrate to the towns. Food, therefore must not be allowed to come into the towns from rural parts.

"I am not going to speak about the question of procurement. Procurement of rice in the surplus area is fairly all right but I am sorry that there is no arrangement for the procurement of millet from surplus areas. From the report of the Food Minister placed on the table of the House we see that there is no possibility of the Government procuring the surplus millets. I must submit that the permission given to private merchants to go and procure millets from surplus areas is a farce because they cannot get any from the surplus areas at controlled rates and the question is: How will they be able to sell at controlled rates, if they are not able to purchase at controlled rates? Therefore, unless the Government themselves arrange for it and bring them on their own account and give them to the ration shops in the deficit districts there is no possibility of any millets coming in from the areas surplus in millets. It is the duty of the Government to arrange for it.

"I must also, submit Sir, that we should not object to the reduction of the overall rations from 12 ounces to 9 ounces. The three ounces saved from other parts of the country would enable the Government of India to make up 9 ounces and at least give that much to the deficit areas. I am glad that the Government of Madras have officially on paper announced the enhancement of the rice content of rations from six to seven ounces; I am using the words 'announced officially on paper' because it has to be seen whether the Food Department would be able to give seven ounces of rice and make up nine with two ounces of some other foodgrains. We are even now receiving complaints from some rationed areas that this supply has not been kept up.

"Let me now refer to the question of workers. The textile situation in this State is getting worse and worse day by day. Due to the increase in the price of cotton by Rs. 150, yarn prices



[Raja Muthiah Chettiyar of Chettinad] [12th February 1951]

are on the increase. If cotton is not immediately procured and given to the mills at the prices announced by the Government, cotton will not be available to the mills with the result that the yarn prices will go up, there will be less of production and closure of mills and the Government will have to take upon themselves the job of feeding 500,000 textile workers. This situation is not immediately in the offing; but it is likely to arise within a period of three or four months. Therefore, let our Minister for Industries and the Government of India procure and give the mills the raw materials with which they could keep the machinery going and keep the labourers employed. If the Government of India are able to provide the raw materials for the mills, it will be possible for the workers to earn some money with which to buy their food, particularly in view of the fact that towns and industrial centres are rationed areas. The question of giving doles to them should not arise. Our Government have stated that they are against giving this form of relief and would prefer to give wages against an outturn, thus putting money into the hands of the workers with which to buy food and other necessities of life.

"There is another important question, namely, the opening of fair price shops. In this connection, Sir, I speak with full knowledge of the situation in which the Collector of a district is placed. He is the person who has to decide whether a fair price shop is to be opened. The Collector of Ramanathapuram asked me: 'What is the use of my ordering a fair price shop to be opened if no food is going to be sent to the whole district for two months?' My view is that fair price shops should be opened immediately and the old ration card must form the basis of supply. Whenever food is sent there to the fair price shops, the shop keepers must be asked to accept the ration cards that had already been issued and grant rations. If this is not done there will be much scope for black-market. It is, therefore, necessary that whatever food is sent, should be distributed on the basis of ration cards and when conditions worsen and there is more supply of food through the fair price shops, the same system should be followed. I feel, Sir, that the Government should issue instructions saying that the old show should be kept up and not only that, more food should be sent.

"In conclusion, Sir, I wish to tell this to the Hon. the Minister for Food, namely, that we do not want to criticise the Government at all; we, on the other hand, want to make it plain that we fully sympathise with him and it is not an enviable position for a Government to be in office with the responsibility of such a magnitude as has descended upon their shoulders. I realise in full that it is impossible for the Madras Government to make arrangements for the supply of food to the people but it will be possible to do so if the Government of India give them the full quota of 20 lakhs of tons of rice. Let it be also said and let the Government of India be aware of it that if they (Government of India) do not give this Government this quantity in full, there will be riots immediately. This is what will happen immediately in more than

[12th February 1951] [Raja Muthiah Chettiyar of Chettinad]

two-thirds of the State; famine conditions are already staring us in the face and within a period of three or four months there will be starvation deaths not by thousands but by lakhs and lakhs. Let the Government of India remember what happened in Bengal and let them remember that the oncoming of that famine was anticipated and feared six or seven months before it actually broke out.

"Sir, I have it on the authority of Mr. S. V. Ramamurti, who was a member of the Bengal Famine Commission, who inquired into the famine in Bengal, that the Commission were told during the course of their inquiry, that six months before actual famine set in in that State, the Government were warned not only by non-officials but even by officials, that sure as certain, famine would set in in Bengal. But that warning was not heeded and what happened there is all well within our recollection. Now, Sir, in Madras, we have been warning the Government for the last few months that the food situation is getting grave. Not only non-officials have been saying that; even officials have been saying that famine is threatening our province. Now, it is the duty of this Government to transmit this warning to the Government of India—and in this they have the support of the public—and tell them that they cannot manage the food department; they will resign and let them take charge of the food department themselves. It is only by so doing, this Government can bring home to the Central Government the gravity of the situation here. And I assure Government that in this move, they have the support of the public; and unless they do that they cannot save the people of our province from starvation."

MR. SPEAKER:—Srinathi Annimanna Raja will now speak.

JANAB MOHAMED ABDUL SALAM:—Sir, I rise on a point of order, Sir, it is a well established convention in parliamentary procedure that the Speaker and the Deputy Speaker should not express their opinion in any debate that takes place in Parliament. Because if they were to express their views on controversial matters, they cannot be expected to conduct the debate properly. Now, Sir, in the course of to-day's debate, you, Sir, may have to be away from the House for some time, and during that time, the Deputy Speaker may have to take the Chair. Now, if the Deputy Speaker is to take part in this debate, she may express views which may not coincide with the views of some hon. Members of this House. And so I doubt whether she can be allowed to speak on this debate." (Laughter.)

MR. SPEAKER:—"I do not know which book the hon. Member was reading. It is the Speaker who generally does not take part in the debate, not the Deputy Speaker. So the Deputy Speaker can take part in the food debate."



[12th February 1951]

**SRIMATHI C. AMMANNA RAJA:**—"Mr. Speaker, Sir, whenever I rise to speak, everybody seems to feel that I am going to say something very drastic or offensive and unpleasant." (Laughter.)

**RAJA MUTHIAH CHETTIYAR OF CHETTINAD:**—"You have already established a name for that!" (Laughter.)

**SRIMATHI C. AMMANNA RAJA:**—"Sir, I know some people are always in the habit of praising the Government whenever they rise to speak. On the other hand I feel I shall not be doing my duty if I do not criticize Government whenever they are not doing their work properly. So if we are to discharge our duty, we should not indulge merely in praising or flattering Government, or doing anything like that. I have often been criticized as being uncharitable to the Government, because I criticize them. I do not know whether I deserve it at all; and here, after all, we should tell them what their shortcomings are, and I am sure, that is our duty here in this House. So, Sir, I should not be misunderstood in what I have to say. It is not part of my nature to criticize.

"Now, Sir, coming to the subject of this debate, I have gone through the statement furnished by the Hon. Minister for Food. Sir, it is the convention that whenever a statement is placed before the House, it is also explained by the Minister, so that we may understand the implications of the statement, on which we may base our arguments. Now it has not been done, and so, I, at least, am not able to follow the meaning of the statement fully. Sir, one difficulty I have found in understanding the statement is, there is mentioned the system of 'procurement' and 'levy'. I do not understand the difference between the two. I think in 'levy' the principle is one of voluntary payment by producers, while in 'procurement' the produce is taken away by force. Sir, if these are two different things, I do not understand why there should be two kinds of collection in two different areas. I do not think it is fair that there should be any kind of discrimination shown with regard to foodgrains supplied by producers in different areas.

Then, again, Sir, nobody, not even the Hon. Minister for Food, in his speech on previous occasions, explained the need for classifying our State into five categories. So I wish to ask him for some clarification on this point. I want to know where was the necessity for classifying our State into five categories, and how they are going to deal with them with regard to procurement and rationing. It has been vaguely explained in this statement furnished to us; and how the necessity for this classification arose has not been explained. I am of opinion and I have been always saying that, if there is to be procurement in surplus areas, there should be rationing also there; for, it is not fair that surplus areas should be left without rationing. When your officers are taking away the surplus produce from these areas, surely, they should provide some ration for the non-producers in those areas; for they should also get their quota of food; otherwise the principle of rationing is defeated. Either we should have rationing all over the province or have

[12th February 1951] [Srimathi C. Ammanna Raja]

derationing altogether. Otherwise it is not possible for justice to be done to all. I request the Hon. Minister to clarify this point in his reply so that we may know whether there is such a differential treatment shown between one district and another. Sir, we have seen last year how there was actual starvation in Vijayavada, Guntur, Eluru, Rajahmundry and places like that. By dealing with the situation like this, I feel, the surplus areas also are reduced to deficit areas, and while the actually deficit areas are looked after by the Government, these areas are not cared for at all, as they pass off for surplus areas. After all it is for the Government to protect the interests of all individuals living in the State. So I do not see how it is fair and just to procure the surplus produce from the surplus areas and leave the distribution to the private merchants according to their whims and fancies. If Government can rely on these people like that, I mean, on their honesty and fair sense, I submit there is no need for any levy, there is no need for any procurement and there is no need for any ration. Sir, Government seem to rely too much on people for certain things, but not trust them for other things. I do not understand this, and I feel this is inconsistent policy. I do not know whether in any other State of India this kind of policy is followed.

"Sir, when one goes through the statement on food furnished to us, references are made there to several things which are really difficult to understand. For example, at page 2 of the printed statement furnished to us, it is said—

"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 some of the major municipalities of these districts with the main purpose of reducing the black market transactions."

Does not that show that Government do not mind blackmarketing to a certain extent? (Laughter.) They want only to reduce this blackmarket transaction. Sir, we should always aim at ideal conditions, even though there may be some shortcomings. But if we say, 'we don't mind blackmarketing, but it should be on a reduced scale', blackmarketing would go on merrily. We should try to eliminate it altogether.

"Then, Sir, the statement on food situation says:

"Intensive procurement and rural rationing will be abolished in other deficit districts. Statutory rationing will be continued in the municipal towns. Grain shops or ration shops will be opened in the industrial centres. Their price shops will be opened in the panchayat board areas, as and when required."

Sir, I really do not understand how Government divided the districts into surplus districts, self-sufficient districts, more or less self-sufficient districts, high deficit districts and other deficit districts. I wonder how they will be able to supply deficit districts without knowing how they are going to distribute the supply. Are they going to depend on the good sense of the private merchants? May I know also, how much grain they have to procure from the surplus districts to supply the deficit areas?

"Again, Sir, on page 4 of the statement it is said:

"On import, the merchants should give intimation to the Collector of the quantity imported so that he may keep track of the stocks and see that they are not hoarded or sold in the blackmarket at exorbitant prices."

[Srimathi C. Ammannaraja] [12th February 1951]

That means, Sir, only at exorbitant prices it should not be sold; but it may be sold in blackmarket at a little lower price! Is that they are aiming at? Then, Sir, it is said on that very same page—

The proposals outlined above were discussed at a conference of Collectors in the office of the Board of Revenue on the 16th and 17th January 1951. 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 black-market prices have gone down.

I ask, are Government satisfied with that, I mean, by the prices going down a little?

Sir, I have discussed this problem of rationing with several of our Ministers before. They have said, they cannot have total rationing all over the province, because, they say, it will be very costly. Are Government not going to learn by their past experience? Has it not made them to import rice from abroad? Has not that system made the surplus districts also deficit districts? Perhaps some people may think I am pleading for the producers of the surplus areas, because I have some lands there. I may at once say here that I have not an inch of land there. I am only pleading on behalf of the non-producers in the surplus areas. I only want Government to take care of them. Now, Sir, the argument put forward by Government for their present policy is that people will not part with all their surplus; so some grain will be available for the non-producers of these surplus areas. It is true, perhaps some grain will be available; but at what price will it be available: at perhaps thrice and four times the price we are paying for the same grain in the ration shops. Perhaps that argument may be put forward with regard to the rich who may be able to pay any price. But we have to think of the poor. Will they be able to pay high price even if food is available?

1-p.m. "People of some districts are used to millets. These people are given rice along with millets and they sell the rice to other people at a higher price. This practice must be stopped somehow or other. I do not know how the Government will stop it. I feel that it is immoral to retain procurement without rationing. The Government are depriving the people of their surplus produce without doing anything in return. The Government must take care of those people also. We have found from the discussions in the Food Committee meetings that not even one per cent of the agricultural requirements like implements is met by the Government. Except cart tyres, practically nothing is given to the agriculturists at the control price.

"I may tell the House that there are Food Committees existing. They hold meetings once every month and the resolutions passed are forwarded to the Government. No reply is received from the Government as to how they propose to implement the resolutions. Not even an acknowledgment is received. I used to ask the Collector again and again and he used to reply that no orders of the Government had been received on the resolutions passed at the previous meetings. We feel that the expenditure involved in convening the meetings is a sheer waste of money. I do not know

[12th February 1951] [Srimathi C. Ammannaraja]

for what purpose these committees should exist at all. We are told by the Hon. Food Minister and it is also printed in this statement that the rice content of the overall 9 oz. ration is raised from 6 to 7 oz. We in surplus areas were getting 8 oz. of rice formerly and by the change we are getting 1 oz. less of rice. It is not fair to inflict this hardship on the people of surplus areas. We have recommended in our Food Committee that, just as the producers are allowed to keep 16 oz. for themselves, the producing areas also must be allowed to keep 12 oz. for themselves and also that we should keep the entire stock required for the district for a whole year from the produce of the first crop and export only the balance of foodgrains. After all, such a procedure will minimize expenditure. We need not export our rice first and then get some rice which does not suit us. We are used to a particular quality of rice. On this and other resolutions, no reply is received from the Government. We are willing to deliver our foodgrains to the Government. At least should we not get that quality of rice to which we are used? Is it wrong to ask for it? Some red rice, full of paddy, worms and all sorts of impurities is given to us and it upsets the health of our people. S.O.S. comes from many districts and immediately so many tons of rice are sent from our stock and some rice which is not suitable to us is dumped on us. People feel very dissatisfied with this kind of handling of the situation. I hope that the Hon. Food Minister will not go on saying that the Government depend upon surplus districts and that they should be kind and considerate. We are willing to be considerate. But the Government also must do their duty in turn. Every time it is said that the situation is going to improve because rice has started moving from surplus districts. Producers in deficit districts also should part with their surplus foodgrains. There must be a kind of understanding and definiteness about things. Taking the total production into account, the Government should fix the quantity that each producer should retain for himself and the quantity that he should deliver to the Government. The Government should not make procurement compulsory in one area and voluntary in another. That is not fair dealing.

"I am making the suggestions not for the satisfaction of making a speech but for the Government to adopt them and satisfy the feelings of the people."

SRI P. NATESAN:—"Sir, may I make a submission? Only two members have spoken and it is now 1 o'clock. A large number of members have given notice of amendments and they will have to speak. It will be impossible for members who have not given notice of any amendment to take part in the debate. As you are aware, food is a very important question. Therefore I would like you to see that the debate is continued to-morrow so that members may have an opportunity of discussing the situation. It is no good having a debate unless you give an opportunity to every member who wants to speak."

MR. SPEAKER:—"I had a talk with the Hon. Ministers for Food and Land Revenue. The Hon. Minister for Food is going on a tour to-night. That is the difficulty."

[12th February 1951]

**SRI P. NATESAN:**—"Because Ministers go on tour, people cannot be expected to die of starvation. Let the Hon. Food Minister go on tour. Here is the Hon. Minister for Land Revenue. Or, let the tour be cancelled. This is a very important matter and people are looking forward for food. Simply because the Minister has arranged to go on tour, the debate should not be curtailed."

**JANAB M. MUHAMMAD ISMAIL:**—"Sir, the hon. Member Sri Natesan has made a very reasonable proposal. I think the Hon. Food Minister will oblige the House by cancelling his tour this time. It is not always that such proposals are made. Extraordinary situations give rise to extraordinary requests and it is necessary for Ministers to take extraordinary action. I do not think the parties affected by the tour will consider it a discourtesy if they know that the tour has been cancelled owing to the important food debate taking place in the Assembly. I request the Hon. Minister to cancel the tour and oblige this House by his presence here to-morrow and by allowing the debate to be continued to-morrow."

**THE HON. SRI H. SITARAMA REDDI:**—"I have no tour. If the hon. Members are satisfied with my presence, I will be here."

**THE HON. SRI J. L. P. ROCHE VICTORIA:**—"I am leaving on tour to-night. I was to have left even two days ago, because I expected the Assembly to adjourn on Saturday. On account of the food debate also, I postponed my tour till to-day. It was said that the discussion of all the three subjects would be finished to-day. But the Hon. Speaker has agreed to take up only two subjects and postpone the third to to-morrow. Though there are several amendments, some of them are overlapping. There are only two or three points in the amendments which require serious consideration and reply from me in the afternoon. So, I think it can be easily arranged to finish the debate to-day."

**JANAB ABDUL HAMEED KHAN:**—"We are thankful to the Hon. Minister for Food for kindly postponing the tour and staying on here so that we could have the food debate to-day. Having done that, I think it will not be very difficult for him to further postpone the tour. On behalf of the House we make this request. We are not aware of the purpose of the tour. Whatever it be, he may inform the parties concerned about postponement of the tour by telegram. We are anxious to have the food debate to-morrow also."

**\* SRI R. V. SWAMINATHAN:**—"As a member of the party in power, I want to submit to the Hon. Minister through you that we are discussing the very important subject of food in the State. People are mocking at the frequent tours undertaken by Ministers. As a member of the party in power, I submit to the Hon. Minister to cancel his tour. I do not think there is any important subject at the present juncture which deserves priority over the subject of food. Therefore, I think it is necessary that he should cancel the tour and allow the debate to continue to-morrow."

[12th February 1951]

**RAJA MUTHIAH CHETTIYAR OF CHETTINAD:**—"I would like to submit through you to the Hon. the acting Leader of the House and the Hon. the Food Minister to hear the Members and take note of the prevailing situation. The Members here represent certain areas of the State. In view of the fact that the Ministers have not been able to tour all the districts and taluks as suggested by me, they can get from the Members first-hand information about the position in their parts and it is necessary that they should be given an opportunity to make representations. Their suggestions will be helpful to the Hon. Food Minister and the Food Department and will bring home to the Government of India the gravity of the situation. I do hope that the Hon. Food Minister will postpone his tour, as he has already postponed once. He will be doing a great service to the country by staying on here till to-morrow and considering the suggestions which the hon. Members may offer to-day and to-morrow."

**THE HON. SRI H. SITARAMA REDDI:**—"I think I can suggest a way out of the difficulty. Hon. Members may confine their remarks to-day to food. My Hon. Colleague will reply at the end, and go on tour to-night to keep up his engagement to-morrow. They can go on with the debate on seasonal conditions to-morrow and I hope I will be able to finish within an hour to-morrow."

**RAJA MUTHIAH CHETTIYAR OF CHETTINAD:**—"Will it be possible for Members to speak on food to-day and on famine to-morrow? Can a Member of the Opposition speak twice? My view is that famine and food are practically the same. It will be farsical to speak about food crisis without reference to famine conditions."

**MR. SPEAKER:**—"Shall we sit till 7 p.m. to-day?"

**SRI P. NATESAN:**—"That will not do." **H.A.**

**MR. SPEAKER:**—"I shall have a talk with the Hon. Minister. In view of the fact that a large number of Members want to take part in the debate, I fix fifteen minutes for each speaker."

**JANAB MAHBOOB ALI BAIG:**—"Mr. Speaker, Sir, the first part of my amendment is a plea for the re-introduction of rural rationing. I do not think any Member of this House is satisfied with the reasons given by the Hon. Minister in this statement for the abolition of rural rationing and the introduction of the new policy. When the Food Ministers' Conference took place at Bombay in December 1950, it was reported in the Press that Madras and Bombay were not for the abolition of rural rationing. I was hoping that this Government, along with the Government of Bombay, would not agree to derationing."

But unfortunately for the rural population, rural rationing has been abolished. Let me state at once that this abolition of rural rationing is not justified by any principle involved in the theory of supply and demand. The grounds that have been given by the Hon. the Food Minister are not sound. He stated that rural rationing broke down. I ask him, in all seriousness, whether that

[Janab Mahboob Ali Baig] [12th February 1951]

can be any reason for the Government to give up rural rationing? If the Government are not able to control a certain situation, are they going to give it up as hopeless and allow things to take their own turn? That is a counsel of despair, which no Government worth their salt can have recourse to. Another reason given is that people felt harassed at the way in which procurement was made, and there was corruption everywhere. I ask, in all sincerity, whether these can be reasons for derationing? The third reason is that if rural rationing goes, the ryots will be encouraged to bring more acreage under foodcrops, and more food will be produced. This passes my comprehension. There are other reasons for less production. We have allowed people to grow more of cash crops, for example, tobacco in three hundred thousand acres of this country. I had a talk with the I.L.T.D. official the other day. I enquired what the acreage under tobacco was. He said it was more than three lakhs of acres. He also stated that this year there was an increase in the acreage of tobacco by 25 per cent. This is the difficulty. People raise more cash crops. The difficulty about food crop is that the supply is short. The present Food Minister and the ex-Food Ministers have reiterated that Madras is a deficit State. Can there be any reasonable ground for derationing? Where are we going to get food from, I ask. According to the view of some Collectors, the blackmarket prices have gone down a little. But I say, Sir, that this will be the case only for a few months. Lean months are ahead of us. There is the deficit of 13.5 lakhs of tons. As I said before, these producers, who are influential, will always have food whether the prices increase ten-fold or fifteen-fold. They will not suffer. The person who will suffer is the non-producer. It is the labourer and the middle class man who will be affected. Where will he get the food from? In a certain district I was told that the price of rice has come down from Re. 1-12-0 to Re. 1 per measure. All the available food was coming without restriction, and merchants and millers were selling rice. It is admitted that, in the south where the crop is harvested in December, January and February, production is less. A little of paddy that we have is in circulation now in some of the districts. When this stock is exhausted, what are the Government going to do for the next five months? It is not a case of producing food in three, four or five months. As the Government themselves admitted, we would be in want for a few months. How are the Government going to meet the deficit of 13.5 lakhs of tons? Is there any logic in removing rural rationing, unless the reason is that we are helpless? There will be corruption, and there will be harassment, and we would not be able to manage the situation. I am not going to say any harsh things. It is not humanly possible for the Government to meet the situation, but they make it worse by doing away with rural rationing. I shall read now the views of the Collectors. They are—

The proposals outlined above were discussed at a conference of Collectors in the Office of the Board of Revenue on the 16th and 17th January 1951. 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.

[12th February 1951] [Janab Mahboob Ali Baig]

Sir, suppose we get all the 13.5 lakhs tons of foodgrains. Who is to distribute the food, is the question. The whole bother in this country is that not only Nature has been unkind to us, but the level of morality has become so low. Can the Government entrust the distribution of these 13.5 lakhs of tons of foodgrains to the ordinary channels of distribution? If not, it should be distributed through Collectors and other officials. What does that mean? If there is rationing in these areas, there would not be corruption. Now the ordinary merchant and the miller are distributing the grains, and hence, corruption is bound to be there. The man who is needy, and the man who is neither rich nor influential, is going to starve. If there is surplus food in the country which is secreted, and which is not coming to the bazaar, the Government may be justified in their action. But that is not their view. Whatever surplus there was which the merchants or producers laid by and secreted, must come out at least in the blackmarket, and there would not be anything for the blackmarketeer to sell after two or three months in these rural areas which are especially deficit. I have always held this view. Some of the Collectors have expressed that prices had started to rise within one or two months. After two months more there will not be any crops. There is no water, and all water sources have become dry. We will have to depend on the surplus districts to give us food till December next. Even then we will require some 4 lakhs of tons of foodgrains. Who will distribute this four lakhs of tons, is the question. Can we depend upon the merchants or the millers to distribute? If we do so, we will have nothing very soon. Then let us have no control at all. Some Collectors have stated that prices had begun to rise and some other Collectors have stated that the blackmarket prices had come down a little. My submission is that before it is too late—already people have complained to His Excellency—the Governor—hon. Members, who urged on Government to abolish rural rationing, will reconsider the matter coolly. There may be temporary advantages for a month or two. But later on it will recoil in a manner that will be impossible to meet, because the little grain that is available now will be sold away. The position, therefore, is that if there is rationing at least there will be some security for the poor man—the labourer, and the middle class man—to get four ounces or five ounces of foodgrains. Perhaps he will be able to pull on for some months with this ration.

The second part of my motion is that we should ask the Union Government to allot to us at least 10 lakhs tons of foodgrains. From time to time this matter has been pressed on the attention of this Government. They should tell the Government of India that the deficit is 13.5 lakhs tons of grains, and they should allot at least 10 lakhs tons. The Government must be strong in their representation to the Union Government. The Hon. the Food Minister has been taking all pains to press the view of this Government on the Government of India, but the Government of India have got their own views in the matter. My submission is that if there is no rural rationing, people in the villages will get no supplies at all. There is one point regarding

[Janab Mahboob Ali Baig] [12th February 1951]

the surplus areas. The hon. Member Srimathi Ammannar Raja has brought to the notice of the House the conditions that are prevailing in the surplus districts. The Government know very well that last year during the months of November and December Krishna district became a deficit area. A surplus district that produces the most, barring Tanjore in the South, became a deficit district! I think Krishna produces the most and that it supplies to other districts 180,000 tons of grains. In the month of November it became a deficit district, and we had no food at all. We had to get food from outside. What sort of rice we got from outside, people know very well. The point is that when the production of surplus districts is estimated, the tendency among the lower revenue officials is to exaggerate the production. After all, as the revenue officials will tell us, the estimate is made not after the actual harvest but before. If an estimate is made after the harvest, it will be all right. But I know in all cases the karnam or the Revenue Inspector goes to the fields and says 'it is a 12 annas crop, it is a 14 annas crop', and so on. Between that date and the actual harvesting so many things have to take place and actually production may not be much and in some cases it will be 30 or 20 per cent less. The procurement officials who are keen on procuring the grains procure everything and declare that it is a surplus district. That is how procurement takes place. I have asked many of my friends who are big cultivators and they say, 'Why should we cultivate? Everything is taken away from us; we have not food even for our farm-servants and relations.' Therefore, several lands are being diverted to the growing of cash crops like tobacco in my district. There is an increase in the acreage under cash crops because they pay more than foodgrains. I suggest the Government should devise some method to discourage the growing of cash crops instead of foodgrains."

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

The House then adjourned.

(After lunch—2-30 p.m.)

MR. SPEAKER:—"I may inform the House that the Hon. the Minister for Food has postponed his tour. So, if the hon. Members want, we can continue the debate to-morrow also. I shall call upon the Hon. the Minister to reply at 1 p.m. to-morrow."

JANAB M. MUHAMMAD ISMAIL:—"I thank the Hon. the Minister through you, Sir, for his having kindly respected the wishes of the House."

SRI T. VISWANATHAM:—"May I also suggest in view of this that you may be pleased to give a little more time and allow more speakers?"

MR. SPEAKER:—"Already I have fixed 15 minutes for each speaker."

12th February 1951]

SRI T. VISWANATHAM:—"The number of speakers can be increased."

JANAB ABDUL HAMEED KHAN:—"Sir, I must also thank the Hon. the Minister on behalf of my group for his having agreed to the wishes of the House."

"It is indeed fortunate that we have been given an opportunity to discuss the food situation in the State of Madras once again so that we may suggest ways and means of solving the food problem to the extent possible. According to figures given to us, the shortage is about 13½ lakhs of tons of foodgrains. It may be said that this shortage is certainly not much, but it has not been possible for us to make both ends meet. When such is the case, I fail to understand how the State Government can be satisfied with asking the Union Government to give us only 4 lakhs of tons of foodgrains. The conditions prevailing here are not better than in Bombay and in Bihar. (At this stage the Deputy Speaker occupied the Chair.) I am afraid the Government of India are rather indifferent to their responsibilities so far as supply of foodgrains to our State is concerned. Our State is now passing through a very serious state of affairs. We are not able to give to our people even that much of foodgrains which we have prescribed, namely, 9 ounces for each individual. Of course, representations have been made by the Madras Government to the Union Government in this matter. The Union Minister in charge of Food, Hon. Sri Munshi, has been coming here several times and has had talks with the Chief Minister and the Food Minister of our State. I have no doubt that our Chief Minister and Food Minister have represented to him in a very effective manner. But evidently with all their efforts, they have failed to impress him so far as our needs are concerned. I am afraid I have to state, whether it is agreeable or not, that the Hon. Sri Munshi's administration of the Food Department, if it has not proved a failure, has not proved a success either. We find that the food situation in the country has not been tackled by him effectively. If we really want to solve this problem, we have to follow certain principles of rationing. We are supposed to be one country governed by one Government. The Union Government are administering the whole of India; the States are no longer autonomous. In every respect the Government of India interfere and control the administration of the States. When they are so controlling the States, I fail to understand why they have not discharged their responsibilities in the matter of food. Ordinarily the State Government should have undertaken the task of supplying the people with foodgrains. But since the India Government are controlling the State Government, they should have managed the situation, but I am sorry to say they have failed in that respect."

"Our State Government have been trying their best by means of procurement to supply foodgrains to everybody. But they have not been able to satisfy all classes of people. After the reduction of 25 per cent in the overall ration, the quantity allowed is 9 ounces, but it varies from place to place. In some places people get 9 ounces, in some other places 6 ounces and in some places rationing



[Janab Abdul Hameed Khan] [12th February 1951]

has completely failed. I would, however, like to emphasize the need for pursuing the policy of derationing in rural areas which our Government have recently adopted. If they cannot supply the scheduled quantity to all the people, there is no meaning in adhering to rationing everywhere. Rural derationing will certainly help us because people can get food, if there are grains in the district itself, although they may have to pay a little more. That is certainly better than having rationing everywhere but not supplying the fixed quantity. Although some hon. Members may not agree with the policy of derationing in rural areas, generally speaking Members who come from rural areas believe that it will be very helpful to the poor people.

"What I am not able to understand is the niggardly attitude of the surplus districts, namely, West Godavari, East Godavari, Krishna, Guntur and Tanjore. They ought to be more generous than now considering the present conditions. They must share whatever they have got with their own countrymen in other parts of the State and even if they have to be satisfied with 8 ounces so that other people also may get 8 ounces, they must be prepared for it."

DEPUTY SPEAKER:—"May I know to whose speech the hon. Member is referring, because I do not remember anybody having said that there should be no rationing in surplus areas?"

JANAB ABDUL HAMEED KHAN:—"I am not referring to any particular Member's speech, but generally I find that in those districts there is some agitation. While we are having rationing, we have to adopt some general principles. We must pool all the foodgrains available in the State and distribute them among all the people equitably and equally."

JANAB MAHBOOB ALI BAIG:—"Rationing should be introduced throughout the State?"

JANAB ABDUL HAMEED KHAN:—"I wish to modify my statement to this extent that, since it is not possible to see that everybody gets the same quantity, it is advisable to confine rationing to important towns and cities, leaving rural areas free and the procurement policy should not affect them. I, therefore, appeal to my Friends of the surplus districts to be a little more generous and share the food they have with the other people, for it is an essential article.

2-45 p.m. "When we suggested that rationing should be dispensed with in rural areas, we were not oblivious to the fact that we must also help those areas in getting some rice. We must reduce the rate of procurement in the deficit areas from where we cannot get as much rice as can be procured from surplus areas. The rice thus procured from these areas should be made available to the rural areas. At the same time, the Government should open what are called Relief Shops. These shops should be stocked with sufficient quantity of foodgrains to be supplied to the people in the rural areas when emergency arises. In that way, Madam, I think the Government

12th February 1951] [Janab Abdul Hameed Khan]

must be able to manage the food administration of the State. We are talking here about food and are having debate after debate. We have been giving various suggestions to the Government to meet the serious situation. The Hon. Minister for Food has been listening to all these discussions and I understand that he has been continuously impressing upon the Government of India the serious conditions that are obtaining in our State and demanding larger and larger quantities of foodgrains. But somehow, he has not succeeded in impressing upon the Hon. Sri Munshi as regards our case. All the same, he has been doing his best.

"I might suggest, Madam, for your consideration that it will be better if we constitute a small committee, just like a Select Committee of this House, to discuss this matter threadbare, as we consider the various Bills that are brought forward by the Government. Some hon. Members of this House, the Hon. Food Minister and the Officers of the Food Department of the Government must sit together and discuss the whole question. Assisted by the Officers of the Food Department and the Hon. Food Minister, the Committee can then know what exactly the position is, and then place the matter before this House so that we will have a more detailed and exhaustive statement placed before this House for its serious consideration. If that is not possible or feasible, the Hon. Leader of the House may come forward with a motion that 'This House do constitute a Committee to consider and report on the food situation in the State'. This committee also can discuss the whole question and submit a report to this House. If this too is not possible, I hope that the Hon. Food Minister will watch the progress of food administration in the State in the next two or three months and then come before this House with a comprehensive statement as to the progress he has made so far as supply of foodgrains from the Government of India is concerned. I would also like to make an appeal to the Government of India and also to Hon. Sri Munshi, if he continues to be in charge of Food, to pay a little more attention to this State and to be a little more considerate so far as our demands are concerned. In reply to one of my questions, the Hon. Minister for Food said on a previous occasion on the floor of this House that conditions in Bihar are very much worse than in Madras. In the same way, some may say that conditions in Bombay are far worse than those in Madras. If anybody says like this, I can only tell him that conditions in Madras are as bad as they are in Bombay or Bihar. If the Hon. Chief Minister and the Hon. Food Minister of this State join together and urge upon Sri Munshi that, 'Well, this is the serious situation in which we are. We are not in a position to carry on any further. We are not able to procure more and even the quantity that we are now able to procure, we are doing with very great difficulty. You should come to our help in this hour of crisis.' Of course the Government of India will turn round and say that they are depending upon foreign countries for the supply of wheat and other foodgrains. That is also true to some extent. There are shipping difficulties. On top of all these, America is unfortunately mixing up politics with food. I hope that before



[Janab Abdul Hameed Khan] [12th February 1951]

long America will see the wisdom of keeping the question of food above politics and treat it as a humanitarian proposition. It is really unfair and unjust to mix up the question of food with international politics and I am sure that America will soon send foodgrains to this country. When once America decides to send out the required quantity of foodgrains to this country, shipping difficulties and other difficulties can be easily overcome. When the Government of India are able to get foodgrains from America, Burma and other neighbouring countries, they will be in a position to give us at least 9 lakhs of tons of foodgrains instead of only 4 lakhs tons.

"There is one other matter to which I should like to make a reference. The ration that we are now getting in the City of Madras, which is supposed to be 9 ounces, ultimately goes down to 4 or 4½ ounces before they are actually cooked and served. The foreign materials that have to be removed from the 9 ounces of foodgrains come to about 50 per cent. When all these foreign materials are removed and when the foodgrains are winnowed, the ration that we actually get is found to be only 4 or 4½ ounces. That is the present position. How does this happen? Who mixes over 50 per cent of foreign materials with the foodgrains? Where are these foreign materials mixed up? We find that these foreign materials are liberally mixed up with rice and wheat. Now wheat is not supplied. I hope that wheat will soon be supplied again and that it will be possible for us to get the 9 ounces of genuine foodgrains free from all foreign materials.

"With regard to the distribution of the available food that is procured, the question of regionalization in such a way as to avoid distant transport may also be considered. If rice from Tanjore or Godavari is to go to Malabar, it is really a very long distance. I wish that arrangements should be made in such a way as to reduce the distance when supplying rice from one district to another. As far as possible, foodgrains should be transported from one district to a neighbouring district only and not to distant districts.

"Sugar is also not available to the people of the City and the position is much worse so far as the districts are concerned. I do not know why it is so. When we are talking of food, not only rice and wheat, but all these things like, sugar, fruits, fish, etc., come under the head, 'Food'. All these go to make up 'food' for the rich man; but so far as the poor man is concerned, rice is the staple food and it should be made available to him in sufficient quantity. He should not be compelled to go in for either wheat or any other luxuries like fruits, etc."

SRI V. M. RAMASWAMI MUDALIYAR:—"Madam Deputy Speaker, the seriousness of the situation in the State does not call for any carping criticism, but I believe hon. Members should give some constructive suggestions to the Government to tide over the present serious difficulty. If it is realized that the Government are not mainly responsible for the present situation brought about by a series of drought years which are mainly the acts of God rather than acts of man, I think both the question of

12th February 1951] [Sri V. M. Ramaswami Mudaliyar]

famine to which the resolution moved by the Hon. Revenue Minister relates and the question of the non-availability of foodgrains to which the resolution moved by the Hon. Food Minister relates, should be discussed in a calmer atmosphere.

"So far as seasonal conditions are concerned, I will confine myself to the conditions obtaining in my district, viz., North Arcot district. His Excellency the Governor of Madras had toured this district recently. From the representations made to him during the tour, both by officials and non-officials in the various taluks of my district through which His Excellency passed, it is quite clear that we are passing through a time of considerable difficulty brought about by the failure of monsoons. Both the south-west and north-east monsoons have failed us. At least last year, we had a certain trace of the south-west monsoon which was fairly good. But this year both these monsoons have failed to help us. The result is, that we have the sad a spectacle of tanks, wells, river channels, etc., all gone dry. I would like to point out to the Hon. Minister that in the coming month or two, difficulty will extend to even getting water for drinking purposes. Such is the harrowing distress. My efforts to bring to the notice of the Government time and again this question has been strengthened by the reports appearing in the Press and also by the representations submitted to His Excellency the Governor. I want the Hon. Revenue Minister to pay special attention not only to the food question to which I will refer later, but to the more immediate and pressing necessity of drinking water which should be made available to the people in the villages. All our wells have gone completely dry. I have been trying to impress upon the Government the necessity of paying immediate attention to deepening these wells so that people may be in a position to get at least a little more drinking water. I have also been impressing upon the Government the necessity of putting more hand-boring sets to work in the district. I learn that scarcely two dozen sets are made available for the whole district consisting of eleven taluks. I think it is hardly necessary for me to impress upon the Government that this aspect of the work must have top priority over all other schemes, even over the irrigation channels or restoration of tanks to proper condition, etc. All the wells should be deepened so that the people may get a little more water and more number of boring sets should be made available.

"There is another cardinal fact—which was conceded by the Hon. Revenue Minister in a way—is that the reserve power of the cultivator is at the lowest ebb. Whatever he had, has been invested in incurring expenditure in connexion with ploughing and other incidental charges. Consecutively for the past three years, there has been failure of monsoon. The first crop failed, the second crop which the cultivators tried to raise, has also withered on account of failure of monsoon. Unfortunately, the third crop has also now withered. So in his successive attempts to raise a crop, the cultivator very miserably failed. The result is that he has not been able to meet his daily needs of life. I know from my personal experience

[Sri V. M. Ramaswami Mudaliyar] [12th February 1951]

that such a situation has landed many cultivators in a state of collapse both economic and physical and also landed him in indebtedness from which it would be very difficult for him to get over for several years to come.

3 p.m. "In this state of things, the Government's announcement about remissions of kist will not meet the situation. The North Arcot Collector's report says that out of a land revenue of 32 lakhs of rupees in the North Arcot district, he may have to give a remission of nearly 20 lakhs. Already some remission has been granted and how much more needs to be given will have to be considered. I want to make this suggestion to the Government. As a gesture of the Government's awareness of the difficulty of the ryots in the severely drought-affected areas, they must announce a total cancellation of the land revenue. After all, it must be realized that nearly ninety-five per cent of the ryotwari patta-holders pay less than ten rupees as kist. It will be a great boon conferred on them, if they are not required to pay any kist. That will produce some heartening effect upon the ryots and enable them to bear the burden in a little more philosophical manner.

"The Hon. the Minister for Land Revenue spoke about giving employment to unemployed agricultural labourers. It is a great problem. There should be a planned programme of work of approved public utility like construction of roads, etc. Works like the construction of a library hall, a meeting place, etc., for communal purposes can also be undertaken. Such programmes must be implemented as famine relief programmes. Villagers will join such works if they are given the proper impetus or the fillip to come forward. That will help them to supplement with the donations the grants that they may get from the Government. During the last Food debate, I made a suggestion that the Government must give pucca relief to the people by organizing 'free gruel' camps in the villages, especially in the famine and drought-affected areas. If this suggestion is adopted, then there will be no blackmarketing. Cooked food has to be eaten quickly and, therefore, there is no question of one man or a ration shop-keeper drawing ten or twenty people's rations and selling the same in blackmarket. If we open gruel shops, that is, for selling cooked food, we will be supplying to the people more healthy food. If the agricultural labourers get this benefit, it would be better for all. This is a suggestion on which, I think, no thought has so far been paid by the Government, though kanji is served to all people engaged on famine relief works.

"The Hon. the Minister for Revenue then spoke about the plight of weavers. He said that giving of cash doles was undignified. It may be so. But what is the alternative that the Government have proposed? These weavers have to depend upon the wages that they may get by weaving the yarn that is given to them. Out of those wages, they must buy their food. But when there is no yarn to be supplied to them for twenty-five days in the month now, where are they to buy food from? Unless we want them to starve and die, some assistance has to be given to them, if not in the form

12th February 1951] [Sri V. M. Ramaswami Mudaliyar]

of doles at Rs. 2-8-0 per family per week, at least in the shape of foodstuffs. Those of us who are sitting here on easy chairs under the fan may think it is undignified. But I think there is nothing undignified in this, especially when we see the miserable plight they are in. They must be given some help to enable them to purchase that food that is available. Of course, if they are offered work and if they do not work—of course, weaving excepted—then there may be some justification for characterizing them as undignified. This dole, a pittance of Rs. 2-8-0 though it is, will help them to some extent and I hope the Hon. the Minister for Revenue will revise his opinion with regard to this question."

THE HON. SRI H. SITARAMA REDDI:—"I said that when alternative employment was offered and if they did not take it, it would be undignified if we insisted on the doles."

SRI V. M. RAMASWAMI MUDALIYAR:—"I am obliged to the Hon. the Minister for Revenue. May I ask, what constructive work, a weaver, all at once, within twenty-four hours, so to speak, can be asked to switch over to? He has been trained to do a certain work. His family is either in Salem or in Krishna. If he is given some work—some alternative employment—twenty miles away from the village where he lives or where his family stays. How can he support himself or his family? He has to open another kitchen at the place where he works. He must support his family. Therefore, when we propose alternative employment, it must be one congenial to him. Even in England such unemployment doles were given to the unemployed before the Beveridge Report made it a Welfare State. English people are educated, advanced and accustomed to a very high standard of living. Even such people did not feel that there was anything undignified in taking doles. This is only an emergency measure after all.

"So far as the seasonal conditions are concerned, I have already said that drinking water must be made available to the people. Madam, we have not done enough in the matter of tapping underground resources by sinking deep tube wells. I understand that in the Uttar Pradesh over a thousand tube wells have been sunk each of which irrigate about 160 acres of land. I accept that some hundred artesian wells have been sunk in South Arcot. But I do not think that any other part of the State has benefited from similar scheme. I may say that North Arcot is a place which is highly suitable for such kind of work. There are active springs on the Palar bed which are very good and very productive. Such a scheme, therefore, may prove useful if it is extended to North Arcot, which, I urge, must receive top priority in the matter.

"As regards the food question, I want to impress upon the Hon. the Minister for Food one thing. The deficit, the normal deficit, as disclosed by the figures supplied to us, is about 13.5 lakhs tons of foodgrains. Even during the normal days, Madras State was importing about two lakhs tons of rice from Burma every year. Therefore, the total deficit is fifteen lakhs tons. What is the

[Sri V. M. Ramaswami Mudaliyar] [12th February 1951]

solution that the Government offer to get over this situation? The Food Minister will get us four lakhs from outside. But how is the balance of eleven lakhs to be made up? I suggest to the House that the Food portfolio should be administered conjointly by the Hon. the Chief Minister and the present Minister for Food. The Chief Minister should wield his authority and tell the Government of India, who are said to paid following an integrated food policy, that fifteen lakhs tons of rice was absolutely necessary in order to carry on the administration of the State. On a previous occasion, when this State faced a similar situation and when the then Minister for Food, Sri Daulatram was present here, a discussion was held with him by the then Chief Minister Sri O. P. Ramaswamy Reddhar. The Chief Minister then made it clear to the Union Food Minister that unless he had what he had asked for, he would quit his seat in the Cabinet. Therefore, the suggestion made by the Leader of the Second Opposition, Raja of Chettinad, need not be taken as so fantastic as it appeared at first sight. As the Government of India follow an integrated food policy, the responsibility for maintaining us must be laid at their doors.

"There is another point which the House must consider seriously, viz., the rising spiral of prices of foodstuffs, ordinary foodstuffs like rice, oil, chillies, etc. Their prices are sky-rocketing and rocketing. There does not seem to be any limit where it should stop. The former Finance Minister of the Government of India, Mr. John Mathai, once said that inflation would stop and that there would be no more increase in prices. But it has not stopped. Neither the Government of India nor the State Government have taken any steps for putting a stop to this sky-rocketing of prices. The middle class, the lower middle class, the working class and most particularly, the agricultural labourers, are hit hard. On top of all this, prices of commodities like cotton and cloth are also rising. These are bare necessities and the Government, while they consider the question of food and other things, must also pay some attention to this rising cost of living."

DEPUTY SPEAKER:—"I shall call first those who have moved amendments. Hon. Member Janab Raza Khan will speak now."

JANAB MUHAMMAD RAZA KHAN:—"Madam, Deputy Speaker, I am sure that any number of debates in this House is not going to solve the food problem in this State. Unless the Government of Madras have got a plan for really producing food, nothing can be done. It has been our experience from the very beginning, that there is no collective responsibility of the Cabinet in matters like food. I do not mean any offence to the present Minister for Food and those Ministers who deal with subjects akin to food. It is sad to note that when such an important matter as Food is discussed, we find only two Ministers in the House. That is the importance they attach to this House and to this question. We have already one Minister on the sick list and about six or seven Ministers are outside headquarters undertaking merry tours . . ."

12th February 1951]

SRI T. VISWANATHAM:—"How do you know they are merry?"

JANAB MUHAMMAD RAZA KHAN:—"It is the Press that says they are merry tours . . ."

JANAB N. MUHAMMAD ANWAR:—"Perhaps they are 'hurry' tours." (Laughter.)

DEPUTY SPEAKER:—"Does the Press say like that?"

JANAB MUHAMMAD RAZA KHAN:—"Yes, Madam. If we look at the press reports, we can see that the Madras Government are totally responsible for the present situation. Their negligence or, if I may use a bit harsher word, their criminal negligence, has been responsible for the present situation. One fine morning, they came out with a proposal to do away with rural rationing and they did away with it. But what is the result now? We have seen reports—press reports—about His Excellency's visit to certain drought-affected areas in the North Arcot district. What is the position? Food is not available. Even if it is available, it is selling at prohibitive prices. The earning capacity of the villager has gone down and he has to pay now Rs. 1-10-0 and Rs. 1-12-0 per measure of rice. If this is the position in the month of February in which we are now, what is to happen to them in the months, three or four months, to come? Unfortunately, our Government do not take any action in the matter. If at all they take any action, they do it in a haphazard manner. That is the situation prevailing now. The Government, when they ordered derationing said, they would open fair price shops. But, Madam, let me remind the Government of what took place on a previous occasion when the then Minister for Food, Dr. Rajan, ordered derationing.

"Fair price shops may be opened. But what guarantee is there that whatever is given to them for sale would go to the poor? Already there are unscrupulous people with some recommendation. They may get the chance to run many of these fair rice shops. Of the ten or twelve bags that may be given to them, only one or two bags will be sold at the control price and that too to their own people and the rest would go for sale through other channels. I say from my experience that opening of fair price shops is not a proper substitute for the existing ration system. Therefore conditions are going to deteriorate and will be very difficult in the deficit districts where the stock position is very low.

"The only thing upon which we can fall back is our request to the Central Government. Unfortunately, I find that whatever representations are made to the Central Government by the Government of Madras, either individually by the Hon. Minister for Food or collectively by the Government of Madras, have not produced the results that we wanted. Here on the Floor of this House we are putting day in and day out questions on yarn, food and so many other things. We put repeated questions. One Hon. Minister stands up and says that, as against a request for five lakhs of tons, only one lakh has been allotted by the Government of India.

3-15  
p.m.

[Janab Muhammad Raza Khan] [12th February 1951]

Another Hon. Minister stands up and says that while the last month's quota in respect of yarn was 20,000 bales, this month's quota will be 10,000. He adds that we should be glad that we are getting at least that much. That seems to be the unfortunate state of affairs with regard to this State. My complaint is not that the Government of Madras are not able to make proper type of representations. I am only saying whatever our representations are, they fail to produce the desired results.

"Incidentally, Madam Deputy Speaker, I may say if you permit me to do so, our representatives in the Central Assembly ought to realise that it is their business and job to create public opinion and also impress upon the Central Government that the time has come for the Government of India to take stock of the serious situation in Madras as a result of continuous failure of monsoons for the past four years and do their best to help this State out of this crisis. Our cries, our talk and our debate alone will not influence the Government of India. After all, these fifty representatives—I do not want to cast any aspersions on them—have been elected by the hon. Members of this Assembly, of course, by the members of the Congress Party, and we have to look to them only to make suitable representations and create the necessary atmosphere and impress the seriousness of the situation upon the present Food Minister the Hon. Sri Munshi. And after all I should like to say here that when something comes up from the Uttar Pradesh or Bihar, surely the attention paid by the Central Government to them is much better and more than the attention to our State, because Madras is in the far extreme south of India. I do realise the difficulty of the Government of India. Rightly or wrongly, they have miscalculated and misjudged the position and came to adopt what is known as the great self-sufficiency scheme. But unfortunately it is not to be, and we have not reached self-sufficiency. The net result of it was, as soon as we announced to the countries outside that we have launched on a self-sufficiency programme, the stocks which we could have purchased from those countries were diverted to other countries or advance sales were effected. In a country like ours where the population is increasing and where production is decreasing it is impossible to attain self-sufficiency in spite of big talks of this Government or of any other Government regarding their Grow More Food Campaigns and subsidies for food. The food production has gone down considerably. It may be due to natural causes also. Therefore till they reach the stage of self-sufficiency, the Government of India's policy should be to get food from abroad, wherever it may be available and at whatever cost. It will be difficult to accomplish this. If they do not do it, it will help no one. If the people are not properly fed, they are adversely affected. This affects the economy of the country in many a different way. If an agricultural labourer does not get his normal ration, he is not in a position to do his work properly and so the production goes down. If a mill worker is not able to get his ration of ten or twelve ounces, whatever it is, he is not able to turn out his normal work in the factory which he was doing when he got his full

12th February 1951] [Janab Muhammad Raza Khan]

ration in normal times. The same is the case in every field. It is therefore in the fitness of things that the programme of self-sufficiency should be given up and food imported from wherever it is available and Madras given the share due to it.

"In his statement the Hon. the Food Minister has stated that the total deficit of all foodgrains during this year is 13.5 lakhs of tons as compared with the normal. I am sure, Madam, when the Rajah of Chettinad said that this was a modest estimate, he was right. In days to come and in the months to come it will be more and the modest estimate ought to be 15 lakhs of tons. But the other day when the Hon. Sri Munshi was in Madras he made a press statement in which he stated that the Government of India have allotted 4½ lakhs of tons to Madras, and therefore Madras should feel lucky in having been allotted so much and added that Madras should feel thrice lucky. Can anyone imagine what the effect of that statement would be on the public, particularly in the surplus districts? Do the Government believe that the producers in those districts would part with their surplus produce after the statement of the Hon. Sri Munshi? Public spirit being what it is and human nature being what it is, will they agree to work so that somebody else may be benefited? Are producers so generous as to part with their surplus grains? In fact, Madam, I do not want to join issue with you as you are now presiding. Your speech was confined to the surplus districts and you were saying 'Why do you take it away and give it to the deficit districts'. The time has come, Madam, to talk not in terms of taluk and taluk, district and district nor even of State and State but in terms of humanity at large and of the great country of India (Hear, hear). If this is the type of sacrifice we are prepared to make, with what face can we go and ask for more when we are making a distinction between one taluk and another, between one district and another? In fact the time has come when we have to ask the Uttar Pradesh or Bihar . . ."

DEPUTY SPEAKER:—"The hon. Member is not quoting me correctly. I did not say 'Why do you take all their produce?'. I said 'It is right that you should procure but you should protect the non-producers in the surplus areas. There should be total rationing'."

JANAB MUHAMMAD RAZA KHAN:—"I am sorry, Madam. There is something wrong with my hearing or thinking. I take the blame on myself and leave the matter at that.

"Then, Madam, there is this important thing, the overall cut of 25 per cent ordered by the Government of India. I should like to know from the Hon. the Minister for Food what the position is in respect of other States. As far as our State is concerned we are likely to get only 9 ounces and I must thank the Hon. Minister for the small mercy for increasing the rice content of the ration from 6 to 7 ounces. I am told the ration in the other provinces ranged from 16 to 20 ounces and after this cut of 25 per cent they would get 12 to 14 ounces, whereas in Madras we get only nine ounces. This is a matter which the Hon. the Food

[Janab Muhammad Raza Khan] [12th February 1951]

Minister should explain and say what is going to be the position in other States after the introduction of this cut of 25 per cent because this cut affects all the States but may not bring the ration to the same level in all States.

"Another important point is in respect of distribution. The time has come for the Madras Government to make up their minds. The months ahead are going to be very difficult. They cannot depend too much upon the foodgrains that may become available from within the State itself because the monsoon has been a failure for the past four years. It was a tragedy unfortunately. There should be mercy from above and rain should come to save us. Probably we have not prayed properly and that is why rains did not come. We should pray at least in the future. In the absence of rain and failure of crops, the only alternative left to us is to depend upon the Government of India. I wish to tell the Government that they cannot attain self-sufficiency in food and there is no use of spending lakhs and lakhs of rupees on schemes which would not bring food immediately to the people who are in great difficulty. People are not able to get foodstuffs at reasonable cost. The present situation is an invitation to the people to breed discontent in the country. Higher priority should be given to get food even if more and more money has to be spent. Otherwise it is going to be a healthy ground for those people to create trouble. Already indications are there that there has been a satyagraha here and a hunger strike there and even on the floor of the House many people have threatened that if the Government are not able to solve the food problem immediately, the food situation will develop from bad to worse. It is therefore time that the Government of Madras thought over the problem and gave first priority to getting food from abroad. Other things could wait and there is no urgency about them. First let them solve this food problem. It is no time to make speeches. It is a matter of food involving questions of human consideration. Even people in the city when they get 6 or 7 ounces of rice, feel dissatisfied. They are really fortunate in that they get this ration regularly, when we see the suffering of the people in the deficit districts. Anyone having a little feeling and consideration will be moved by their suffering. It is up to the Government of Madras to come forward with a bold policy and solve the problem immediately and remove the suffering of the people in the deficit districts. The Government cannot say: 'It is all very well to make speeches. But what are the practical suggestions that you make for the solution of the difficulty'. They are in power and it is their duty to find out ways and means of solving the problem immediately. If they cannot rise to the occasion and solve the problem it is much better they resign and say that they cannot solve the problem and give place to others to solve it. If they want to stick to their places, by all means let them do so but let them solve the problem and say they have solved it in the best manner possible."

\* SRI R. V. SWAMINATHAN:—"Madam Deputy Speaker, the Hon. the Revenue Minister has made a statement in which he

12th February 1951] [Sri R. V. Swaminathan]

has reviewed the real situation prevailing in many of the districts. I am glad he has stated the real position in which my district, Ramanathapuram, is placed. I want to place before him some more information about the suffering of the people of my district on account of the continuous failure of the monsoon. This is the worst year of the four years during which the monsoon failed. Dry crops have failed completely and in cases where the ryots took very great pains to cultivate the land at considerable cost, the return was only one-fourth or one-sixth of the normal yield. Ryots who used to cultivate four to five acres of land could not cultivate even half an acre this year in spite of the fact that they employed all their men, women and children to get water from pits dug in the river some distance away. Many could not get even the money they spent on raising this little crop. Not only this. They have no money to purchase bullocks for cultivating their lands. The prices of these have also gone up. The agricultural labourers, the Harijans, and other landless poor have no work and as a consequence they have nothing to eat. There is terrible unemployment. This is so not only in my district, but this is the case in all the southern districts. I am glad that this is appreciated by the Government.

"In Ramanathapuram district, from many of the taluks like Mudukulattur, Paramakudi, Ramanathapuram, Sivaganga, Arupukottai, Tiruvadanai and others people are migrating to other adjoining districts because they have no food to eat and they have been there in the same condition for the past four years. I was told that when His Excellency the Governor toured the North Arcot district some story was told him of people eating grains from grass. I say, that is the case in my district. Some sixty years ago or so I was told that when there was famine continuously for 12 years, people ate these grains from grass.

"Now, even that grain is not available in Ramanathapuram district on account of continuous failure of monsoons. People are migrating to Mathurai which is itself a deficit district and I do not know what is going to happen. These officials are living in the streets and I do not know whether the census people will be able to enumerate them. If the Hon. the Minister for Land Revenue visits Mathurai, Melur and other border taluks of Mathurai district and in Tanjore district, he can see the people who have migrated from the Ramanathapuram district. They will be sleeping under the trees because there is no other shelter for them to live in and no food to eat. In some places, people have completely deserted the villages and migrated to other places and I am prepared to show many such villages which were deserted. Mathurai district is a deficit district and my hon. friend Mr. Vaidyanatha Ayyar has given an amendment that Mathurai district should be treated as a deficit district. And if people from Ramanathapuram district migrate to that district, what will be the position there? I submit that it must be looked into by the Hon. Minister immediately.

"Madam, we thought that after derationing, foodgrains would be easily available. But, rice is being sold at Rs. 1-4-0, 1-8-0 or

3-30  
p.m.

[Sri R. V. Swaminathan] [12th February 1951]

Rs. 1-12-0 and above per measure now. The Hon. Minister has said that there is no use of declaring the district as a famine affected district and that it will be only waste of money. But, my request is that at least some taluks like Mudukulattur, Paramakudi, Ramanathapuram, Arupukottai, Sivaganga and Tiruvadanai, may be declared as famine affected areas under the Famine Code and relief work started early.

"Madam, some time ago the Hon. the Minister for Land Revenue said that the Government were starting a Development Board for Ramanathapuram district. I do not know what has happened to it and whether it is still existing. If that Development Board has given any suggestions and if they were carried out, the people would have been benefited by it. But nothing has been done. There is Kal Aar Scheme near Periyar river solely for Ramanathapuram district and I was told by an expert Engineer that the whole of Ramanathapuram district can be irrigated by this scheme. What does it matter even if it costs Rs. 5 crores or Rs. 10 crores. The Government should spend money on these projects and develop the backward areas. I hope the Hon. the Minister for Land Revenue who has created this Development Board will consider this Kal Aar Scheme for execution early.

"That is why, Madam, I have moved an amendment that full land rent remissions should be given. The Government may say that some crops are being raised in Sivaganga taluk by the water from the river Vaigai. It may be so. But still many areas of Ramanathapuram district are not irrigated. I therefore submit that Ramanathapuram district and almost all the southern districts may be declared as famine affected areas and that particularly in Ramanathapuram district full land rent remissions may be given.

"Madam, it has been said that some zamindari areas that have been taken over by the Government will be treated as ryotwari areas for the purpose of remission. But there are still some zamindari areas left and what about the ryots there? I submit that some kind of remission should be given to those zamin ryots. I hope the Hon. the Minister for Land Revenue will take some strong steps to make the zamindari areas give full land rent remissions to their ryots.

"As my hon. friend Mr. Raza Khan has said, people are under-nourished and have nothing to eat. Even if there is rain, it is of no use to them because they have no cattle. In some areas, some cultivators who have very small bits of land, i.e., half-an-acre or one acre, are ploughing their lands by the spade. How can a man plough with a spade? You should go to my district and see by your own eyes.

"Then, Madam, if there should occur any food riots in Ramanathapuram district, I will not be surprised. We can say that people are not dying on account of starvation. It may be true. But they are on the verge of death. No one is right in expecting sober judgment and rational action from a hungry man. As Bernard Shaw said, 'Hungry man is a easily combustible material', I am afraid it will be a dangerous situation and food riots

[12th February 1951] [Sri R. V. Swaminathan]

may take place in Ramanathapuram district. I know the people of Ramanathapuram district and if they have food, they don't care for anything. So, they may resort to any method. I therefore want to warn this Government to take immediate steps to give timely relief to the people there before the situation goes from bad to worse.

"Then, Madam, last time when the food situation was discussed, I was one of those who said that rationing should be immediately introduced. When the Government are not able to give food according to the ration they had promised, what is the fun of having rationing? That is the point which I made in this House on the previous occasion. We thought that at least relief shops will be opened in the villages. Recently at a conference of the Ramanathapuram District Food Committee, the Collector said that he is not in a position to open relief shops immediately as he has no necessary stock of foodgrains. I would like to ask the Hon. the Minister for Land Revenue: What is the fun of having Provincial Food Committees and District Food Committees when there is no food at all? It is sheer waste of time and money. Practically the District Food Committees are not doing any work. Of course, I cannot blame the Government of Madras for all that is happening in regard to food. Partly the Government of Madras are responsible and partly the Government of India are responsible for the present deplorable condition. The Hon. Sri K. M. Munshi, the Food Minister of the Government of India, made a provocative statement when he came here a few days back that the Government of India allotted 4 lakhs of tons of foodgrains to this State and that this State should feel lucky for that allotment. I do not know who irritated him and what irritated him to make such a provocative statement. Then, Madam, we hear about the conference of Food Ministers. It appears that the Food Ministers of States go there and hear what the Food Minister of the Government of India says. I do not know why our Food Minister cannot tell, 'We want so many lakhs of tons of foodgrains.' And I do not know why the Food Minister of the Government of India should dictate to the Food Ministers of States. Recently there was a news item in the *Mail* reporting the Collector of North Arcot district as having said, 'Unless I get one lakh of tons of foodgrains, I am afraid there will be famine in my district.' When a Collector can say this to the Government, the Food Minister should have guts to tell the Hon. Sri K. M. Munshi, 'I want so many tons of foodgrains. Otherwise I cannot run this Government.' We are running the Government for the benefit of the people and not for the sake of Ministership. We are here to do something to the people. This is my point and I hope the Hon. the Minister for Food will agree with me."

\* SRI PYDAH VENKATANARAYANA:—"Madam, I am very sorry that the food situation this year is very precarious. No doubt paddy may be available now because in Circars it is already harvested and it is being harvested in other places. But, in the lean months to come, I wonder how the Government would be in a position to continue the existing ration and I may be pardoned



[Sri Pydah Venkatanarayana] [12th February 1951]

if I accuse the Government of thoughtlessness and ill-planning in regard to food from the very beginning. I am also sorry to say that they have not made effective representations to the Government of India. The Government should take care to see that even the 4 lakhs of tons of foodgrains reaches our State in due course.

3-45 p.m. I am glad that His Excellency the Governor has toured some of the affected areas in the North Arcot and Chittoor districts and acquired first-hand knowledge of the conditions there. Government should also restrict the land under cash and commercial crops, so that food crops may be grown on such land. Many of the agriculturists have resorted to the cultivation of commercial crops because they get more money.

"As regards rationing in municipal areas in surplus districts, I really wonder why they should introduce rationing there. For instance, Kakinada and Rajahmundry are in the surplus district and there is absolutely no necessity to introduce rationing in those places. I am told that the proposed introduction of rationing in Masulipatnam has been cancelled. Government may also reconsider the question of not introducing rationing in municipal areas, towns and cities, in the surplus districts.

"As regards minor irrigation works, I am sorry to say that the beds of many of the irrigation tanks have not been deepened and the bunds have not been raised. If that is done, they may be expected to result in an immediate yield and the situation may become much better even this year. In my district, the Koringa scheme has not been taken up; there is the Eleru which has very good potential water resources with many kalvois emanating from it; in regard to Kirlampudi, Pallapu, etc., kalvois, the estimates have been pending with departmental officers, and I hope that Government will attend to these works soon.

"In regard to the 25 per cent cut, it has been reduced from 12 oz. to 9 oz., and the rice content is only 7 oz. which is really very difficult to get on with. I hope that the Government will make further representations to the Government of India along with the other States and see whether the cut in the overall ration cannot be removed.

"With reference to the remarks of the hon. Raja of Chettinad, he has fixed the 1st April for the starvation deaths, and I hope that the Government will take pains to take immediate steps to see that such a thing does not happen. As a result of the failure of monsoon crops in several areas have been destroyed; and I hope the Government will come forward to grant full remissions in such areas and start relief works. Thank you, Madam, for giving me this opportunity to speak."

JANAB M. S. ABDUL MAJID:—Madam, Deputy Speaker, I really sympathise with the two solitary Ministers sitting here like the sphinx of the Sahara desert having a riddle with no solution. When they presented the statements to the House either on the seasonal conditions or on the food situation, we the Members of this Honourable House thought that they would place before the

[12th February 1951] [Janab M. S. Abdul Majid]

House some practical suggestions by which they could provide more food for the people as we are to-day actually in the grip of starvation.

"Madam, Deputy Speaker, I must at the outset condemn the Grow More Food policy of the Government, because it has not yielded the result which the Hon. Ministers of this Government were saying times out of number on the floor of this House that it would. Instead of turning to the people and saying 'Grow More Food' I wish the Government turn towards the Delhi Government and say 'Give more food'. Unless we do so, it may not be possible to get the required quantity of food from Delhi. If there is suffering in a State like Bihar, the whole Delhi Government goes topsy turvy and all the available foodgrains are collected and sent to that State; but when the cry goes from a State like Madras, —it used to be said in Urdu there is nobody to hear us. As my hon. friend Mr. Raza Khan has said, even though we have fifty full-blooded Congress members representing this province in the Parliament, they are not in any way doing anything in order to improve the food situation in this State. The Government of India say: 'We are trying to import food from other countries'; they have recently announced that they have made a request for nearly 2 million tons of foodgrains from America. I really do not understand whether the Government have really understood the full implications of that request. If they really want 2 million tons of foodgrains from America, they require nearly 57 million jute bags. I cannot understand where they will find the money for financing nearly 57 million jute bags in this country. Apart from that, Madam, there is what is called the shipping opportunities. There is already a dock strike in England and there are not very many shipping opportunities available from American ports to the Indian ports. Therefore, even granting that America becomes so generous as to permit the export of nearly 2 million tons of foodgrains, I do not understand when we are likely to receive the foodgrains in this country. In America, Madam, foodgrains are handled naked, whereas in this country we have got to handle them in jute bags. What a lot of expenditure and what a lot of trouble this method involves can be imagined when foodgrains are to be imported into the ports of our own country.

"As regards the Grow More Food campaign, it consists of two parts, viz., intensive cultivation and extensive cultivation. In both these aspects, Government have hopelessly failed. I know of several instances where public-spirited men have come forward and said that they are prepared to reclaim marshy lands and they have appealed to this Government to provide all facilities for bringing marshy lands under the plough; but this Government have been indifferent to such appeal. That is so far as extensive cultivation is concerned. With regard to intensive cultivation, particularly in the South Arcot district which I represent, there are several anicuts through which saline water gets into paddy lands, with the result that instead of producing the usual quantity, those lands are giving us lesser yield. That is the problem with

[Janab M. S. Abdul Majid] [12th February 1951]

regard to intensive cultivation. Therefore, from both these aspects of the problem, connected with the Grow More Food campaign, I should say the Government have hopelessly failed. I should say that the money spent on this may as well be conserved and utilized for the importation of huge quantities of foodgrains to our Province from outside. The Hon. Ministers know that we consume more rice here while more wheat is actually given to us. I am sure you are going to put the poor people to greater difficulties by giving them wheat. Madam, you as a woman, as a lady, know that we have to spend more money for buying gingelly oil or ghee to prepare any stuff out of wheat, and therefore, if the Government are going to give more wheat to the people of this State, we will be put to greater difficulties and greater hardships. It must be the duty and responsibility of this Government to see that we get more and more rice. I should think that our State occupies the lowest rung of the ladder in these rationing arrangements. When other provinces ask for anything, they get it easily, because the representatives of those provinces are always under the very shadow of the throne of Delhi and they are able to influence that Government, whereas we are not able to influence the Great Moghul sitting on the Delhi throne. When we actually see before our eyes how our people are suffering and starving, it is our duty to represent to the Government of India whose responsibility it is to supply us with food.

"Again, Madam, there is the question of self-sufficiency. I feel there is over-emphasis on this question of self-sufficiency. By putting over-emphasis on this question of self-sufficiency, you are surely creating a new problem in the world itself; because at the present day, all countries have to depend on one another; it is a mutual world; and if you are going to be self-sufficient in everything, I do not think we will be reaching that ideal at any near date; on the other hand, we will only be prejudicing our case in the world market. There must be an effort made towards attaining self-sufficiency no doubt; but at the same time, we must see whether we could not import foodgrains from countries where they are available. The Ministers of the Government of India say: 'we have decided upon a policy of self-sufficiency and we must reach that point in the year 1951, and until we know that we are not going to reach that point of self-sufficiency, we are not going to import foodgrains from outside India. This I should say is the height of unwisdom. The Government of India must revise their policy and see that they import as much quantity of foodgrains as is required by this country. As my hon. friend Mr. Raza Khan pointed out, there is considerable under-nourishment in this country. Actual production is going down. I was having talks with several people who are running mills and printing machines and who are engaged in several industrial undertakings in this State, and they have all told me that the efficiency of the workers in their factories have gone down by nearly 50 per cent. Our great leaders have been crying 'production and more production', but on the other hand there is no production in the country because of this under-feeding. Because of the under-feeding, the efficiency of the people is going down and production also is going

12th February 1951] [Janab M. S. Abdul Majid]

down. Therefore, Government must launch upon a robust policy of not only providing food for the people at whatever cost it may be, but they should see to it that in this way the other connected problems also are solved.

"Again, Madam, I do not understand this question of surplus district and deficit district. Considering the question purely from an overall point of view, there is deficit in the State, and Government must make the whole State a deficit State. They must not classify the districts into surplus and deficit districts. That only shows that Government want to shirk their own responsibility; they do not want to take the responsibility of feeding the whole of the people in the State. Whenever they talk about surplus districts and deficit districts, I submit they are trying to shirk their own responsibility of feeding the people. They must revise this policy; as a matter of fact, when they abolished informal rationing, they have taken the gravest responsibility upon themselves. It may be alright to-day, but what will happen during the months when we will not be able to get any foodgrains at all from our own fields? I am putting it to the two Honourable responsible Ministers who are sitting before me, whether they will be in a position to carry out this policy even during those lean months. Let us not re-enact the tragedy of Bengal once again in this Province, by trying to shirk our own responsibility, by trying to put the blame on others and ultimately turn round to blame the people themselves saying 'you have not produced more, therefore you have got to suffer'. That must not be the policy of any Government, I submit. Since they are not tired of saying that they are the people's Government, it is their duty and it is their responsibility to see that they carry on the people's Government in the manner in which they ought to carry it. Actually, however, we find considerable suffering on the part of the people; they are not satisfied with the policy of this Government. The Government say 'we have done our utmost and are doing our utmost' but that should not be the case. They must see to it that they initiate a policy which will really give the people more and more food. With these few remarks

"Therefore, with these few remarks, Madam, Deputy Speaker, 4 p.m. I appeal to the Hon. Minister and to the Government that nothing like the situation in Bengal takes place in this State due to their own policy of allowing things to take their own course. They must not launch upon a policy of drift. I find actually, they are only adopting a policy of drift, adopting the line of least resistance. That is what I can say of their policy. If you put it to the Honourable Mr. Munshi, he indulges in rhetoric. What we want is food and not rhetoric and if he is not in a position to provide that food, it is no use trying to taunt the people of this State or the people of this country. Therefore, Madam, I would wish that they impress upon the Government of India with all the powers at their command and with all the vehemence which the Minister can command, to see that we get more food."

\* SRI K. KOTI REDDI:—"Madam, Deputy Speaker, we are unfortunately in a very severe situation. I would like to say a

[Sri K. Koti Reddi] [12th February 1951]

few words with regard to my own district. The situation in the district of Cuddapah may not, of course, be as bad as it is in Ramanathapuram, but except in the two taluks of Cuddapah and Proddatur and a portion of Peddamudium and Jammalamadugu firkas the rest of the district is bad. I have gone through fairly the whole district and visited a number of villages during the last fortnight and I found that the quantity of food available in the district is absolutely insufficient. No doubt, in those two and a half taluks I mentioned, it is possible they may be self-sufficient. I may say, under present rationed conditions. But, with regard to the rest of the area, I should think, that unless food is imported from outside and supplied, I am afraid starvation is bound to result. No doubt, I was one of those who pleaded for derationing in rural areas and I do not regret it. As I once said in the Assembly, if conditions are perfect and if we have the political consciousness, and if we are supplied not 16 oz. or 12 oz., but at least the famine ration of 22 oz. You may be surprised to know, Madam, that even under famine conditions, people in famine camps are supplied 50 tolas which means 22 oz. and not 16 or 8 oz. as at present—if these conditions are fulfilled, you can introduce derationing in rural areas; otherwise it is impossible to work ration conditions. While most of us were for derationing the rural areas, we never thought that Government would absolve themselves from their responsibility of supplying enough quantity of foodstuffs in the districts. It may be for another three or four months, it is possible, because food will be available throughout the whole district, but people will have to live on till the next harvest, at least till September when a portion of millets would be available. Then they may get some cumbu and ragi their next harvest of millets will be only in January next or February. So, if provision is made now for the supply of food at a reasonable price, the price of the main produce, namely, millet, may not go up. Otherwise the price is bound to rise. About 20 days ago, when I made an enquiry, I was told that a putti or 640 Madras measures of cholam, was sold for Rs. 270; a week later it went up to Rs. 300 and my information is, the price yesterday went up to Rs. 320 per putti and so, there is every chance of the price going up further. In fact, in Rajampet, Rayachoti and Badvel, the areas in which there is much demand for cholam, I understand the merchants went from these places and purchased already some cholam. Naturally, it is all a question of supply and demand and the prices go up. The real difficulty is, when once the price goes up on account of famine conditions, even if later on food-grains are supplied in a reasonable quantity later, the price will not go down. I know that even after derationing, the prices are said to be controlled. Knowing as we do conditions in the mufassal and even in towns, this question of price control is impossible under present conditions. For instance, if I am suffering for want of foodstuffs and go and ask the producer or merchant to give cholam at control price, he will only say 'No, what am I to do, then unless I pay the blackmarket price or whatever it is, I cannot get'. It is all a question of supply and demand. So, Madam, the question of control price is not going to be of any

[12th February 1951] [Sri K. Koti Reddi]

help to the people. Therefore, it is better that Government get food from outside the Presidency and supply it to people at reasonable price; it may be for control price or even a bit higher than that. Again, I say that 16 oz. or 12 oz. is not enough for workers, but you must supply food at least at the rate of 20 oz. In fact, I am giving my farm servants at the rate of 45 oz.; otherwise, they are not able to work. So, Madam, unless they are given at least 20 oz., the land-owners may not be able to get work done by and pay their farm servants in order to cultivate the lands. The Government should therefore realize what is the real situation in the mufassal and tell the Government of India that unless they are able to provide so much of foodstuffs, it is impossible to get on with cultivation.

Again, Madam, I do not know what is the difficulty in regard to getting broken rice from Burma. I know in my own district, we used to get a lot of broken rice at a cheap rate. I do not know why we should pay more for rice as against broken rice which can be supplied at less cost to poor people. In this connection, I want to bring to the notice of the Government and this House and particularly to those hon. Members who are coming from towns who are trying for rice and rice alone, there is no need to import foodstuffs from foreign countries for which we have to pay higher price, instead of getting millets and other cereals at half or one-third price of viss. I hope it is not presumptuous on my part if I reveal that though I am myself accustomed to rice and I do claim that ordinarily I want rice, I at one time asked my cook to cook cholam and not rice and for eight days I was able to carry on with cholam. There was nothing wrong with me for having eaten cholam; in fact, I was much better for eating cholam alone. I am told that cholam is more nutritious than rice. Such being the case, I do not see any reason why we should get foreign rice and pay more. I would advise people who are not accustomed to cholam to learn taking it to their advantage. People in my district were accustomed to cholam; but what many of them now do is that though they produce cholam they sell it and buy rice at a higher rate. If it is a question of our country producing enough rice, I do not mind it, but so long as you import rice from outside, I suggest that you get millet at a cheaper rate than rice at a higher rate.

Now, Madam, on the question of kist remission, I think the present Government are still continuing the old methods of calculating the yield per acre or per field. Some twenty years ago when our income was 11 crores, we had to pay three crores to the Government of India,—which was known as the iniquitous impost—and we had to manage with the remaining eight crores. Then as to-day our income was about six crores from land revenue, and our income is more than Rs. 40 crores but still they are calculating the yield according to the old method of finding out the yield per field, when liberal remission would not affect the financial position what is not knowing the amount of labour involved in the process. In my own district the crops have failed and the groundnut crop was an absolute failure except in the one taluk

[Sri K. Koti Reddi] [12th February 1951]

Rayachoti and even there the yield is not worth more than 3 or 4 annas in the rupee. Except under the K.C. Canal where paddy produce was not bad, under the other channels, though I cannot say that it was an absolute failure, yet in most places the crop was very disappointing. I myself cultivated about four acres of wet lands and I got about 160 Madras measures of paddy and my neighbours told me that I was lucky in having got at least this quantity and the others did not get even the seed sown. I have myself seen that in the Nangavaram tank 600 acres were cultivated land, about 500 acres yielded practically nothing. I have myself shown the parched stuff to the Collector and explained the whole situation. In fact, even the lands which were cultivated under tanks, were an absolute failure. Though ultimately we had rains later on, since we had rains out of time, the crops were not able to recover and the consequence was, even the seed was lost in many cases.

"Then, Madam, in regard to the grant of remissions, of course the Collector has got the power in jamabandi to remit land revenue in such cases. With regard to dry assessment the Collector has already intimated about remission that in some villages remission would be granted or at any rate kist collection is now postponed. Personally I am not satisfied with that. In Rayachoti unhappily the millet crop—cumbu—was harvested in September, but no steps were taken at the time by higher officials in regard to finding out the yield as to whether it was good or bad. I hope even in the taluks like Rajampet, Siddout and Rayachoti where not much millet was produced, remission of dry assessment at least to a certain extent, will be given.

4-15  
p.m.

"I suppose that the relief that is being given by this means is very small compared to the sums the Government will have to spend in order to give relief to the labourers on account of famine conditions. It is the duty of the Government to provide work when a man is without one and he is willing to work. I have already indicated my view to the Hon. the Minister for Revenue and I am glad to say that, having had sufficient experience of famine areas and famine relief works, he to a large extent thinks like me. I know, Madam, that in the matter of famine works, we get very little return compared to the amount we spend. The reason for that, so far as I could see, is that hard tests are applied before a particular area is declared as a famine area and by that time, the condition of labourers becomes much deteriorated. By that time, his stamina is so much undermined that even if he is willing, he is not in a position to do much work. Secondly, there is a feeling amongst labourers that the idea of the Government is only to see that they do not die of starvation. My submission, Madam, is that they should be kept in sufficient health and their stamina should be kept up so that they may be of use to the State. We are no longer in the old bureaucratic days to think that it is the duty of the State to see only that nobody dies of famine and so on, under no circumstances the stamina of a labourer, or an agricultural worker should suffer and I plead before the Government to create such conditions in those parts affected by famine. With

[12th February 1951] [Sri K. Koti Reddi]

regard to weavers the Hon. the Minister said that he is not in favour of giving doles and the time before me does not permit me to go into that question now. We must find work for the people willing to work and if it is not done, what happens is that they are not going to die and having nothing to live on, they simply go and borrow from the ryots, with the result that they are bound to them for the future as they would not be able to repay them.

"Regarding famine works, the difficulty arises in that the Government may not be able to find enough work on works of public utility, of which there are only a few; there is the Tunghabhadra, or the Gandikota Projects. So it all means that the labourers will have to leave their places and go to another place for work. Let them who are willing to go, go; but in the case of the other people, it is better to find work in their own villages and the only way by which this can be done is by building village roads. Now, Madam, conditions have changed and we do want very good roads in the villages. We have all the facilities in the towns and now let us at least take advantage of famine conditions and try to provide some facilities to the villages.

"Before I close, Madam, I wish to express my thanks to the Government for their promise that they are going to provide work for the people. If the Government themselves are going to undertake the work, it is well and good. But this may not be possible in all cases and in the other cases, they would get work done through private contractors on the tender system. There is very great danger in this at times like this, and I want the Government to take proper care to see that the present famine conditions are not taken advantage of by the contractors to offer only small wages to labourers. Minimum wages must be fixed before any contractor is given work and it must provide him enough for his food."

SRI L. N. GOPALASWAMI:—"Madam Deputy Speaker, I should congratulate the Government on the bold policy of derationing that they have adopted. I wish to place before them certain factors so that in giving effect to their policy they may really benefit those people whom they wanted to benefit by derationing. For this purpose, the Government have classified the State into four divisions, the surplus areas, the self-sufficient districts, the deficit districts and the more or less self-sufficient districts. We can understand surplus districts and deficit districts but 'more or less self-sufficient districts' is a term which, I think, has no meaning at all; either a district is deficit or it should be surplus. However, two districts have been put under this category, namely, Tiruchirappalli and Madurai. There are perhaps better people to speak about the district of Madurai and I shall confine myself to Tiruchirappalli district. This district, Madam, even during the first year when rationing was introduced was classified as neither a surplus nor a deficit district. At that time, Pudukottai did not form part of this district but still after the addition of the three taluks of Pudukottai which is avowedly a deficit area consisting

[Sri L. N. Gopalaswami] [12th February 1951]

of a population of more than six lakhs, this district is still not classed as deficit but it is still continued to be called 'more or less self-sufficient district'. Thus while all the benefits of a deficit district are not conferred upon it, but on the other hand it is made to suffer all the harm that arises out of a district being surplus. Sir, it is common knowledge that the three taluks of Pudukottai have absolutely no chance of being self-sufficient and they have all along been a drag upon the adjoining districts. I would have been thankful to the Government if for purposes of food at least they had treated this district as part and parcel of Tanjore district because both the people of Tanjore and the people of Pudukottai would have been benefited from such an arrangement. But on the other hand, by attaching Pudukottai to the Tiruchirappalli district, the district of Tiruchirappalli which is already suffering, is subjected to greater demands from its limited resources and so, the people of Tiruchirappalli district are suffering a great deal. Another distinction that is sought to be made within this deficit district which is called more or less self-sufficient is this: there is a difference in the matter of treatment of delta and non-delta areas. While in the delta and non-delta area, the levy system must be the same, and it should be based upon the availability of food-grains and the production of grains in a particular field, I do not see any reason for this distinction here. In the delta area, in the sense that it gets its water through channels provided by the Government and water is not baled out as in other places or it is not got from any other source, even for a single acre of land, the ryot is made to pay something under the levy system whereas the man in a non-delta area though he may own hundreds of acres of land, is not bound to deliver anything by way of the levy system to feed the people of his own district. I do not know if this is what the Government wanted by derationing? Because the Government supply water to the people in the delta area, are those people to be made to suffer and part with their grains without even providing for themselves simply because the water that they get comes through the canals provided by the Government? On the other hand, from the point of view of production, acre to acre, I can prove that in the non-delta area where water is got from wells, like Perambalur and Thuraiyur, the yield per acre is nearly twice or thrice the yield of the delta areas. Are people who cultivate such acreage and produce so much to be allowed to go scotfree? Not only are they allowed to go scotfree but they also attempt to sell all their grains in the black-market, and Salem, the adjacent district being heavily deficit, all the paddy is transhipped by the lorries across the border overnight. I request the Government to bear this point also in their mind before they say that everybody in the non-delta area should be left scotfree. Further, Sir, they leave off big landholders there and catch hold of small men in the delta areas; the person who has one acre of land in the delta area and produces 15 bags of paddy, even this man is not left free whereas the other man who owns large acreage and produces much more in the non-delta is allowed to go free. We in the District Food Committee pleaded with the Collector that the person owning three acres should be exempted from the

[12th February 1951] [Sri L. N. Gopalaswami]

levy, so that a family of 5 (five) or 6 (six) persons may have a tolerably good margin to maintain themselves on. I suppose it was with this intention that derationing has been introduced by the Government and that to benefit the poor landholders but this levy system is working a great hardship upon them. As a matter of fact, in the surplus districts or even in the self-sufficient district of South Arcot, the levy system is not so very hard as it is in Tiruchirappalli. When the Government issued a circular that the levy system will be introduced, we approached the Collector to exempt small holdings but he replied to us saying that a certain quantity has to be procured according to Government orders and he has no other alternative but to fix the quota for everybody. I request that the Government will bear all this in mind and remedy the state of affairs.

"The Government have laid down rules but who is the final authority on these matters? Either they should say that the Collector has got full powers and he will act according to his discretion or that all powers are with the Government or the Board of Revenue. When we go to the Collector, he says: 'I have no final say in the matter; you approach the Board of Revenue' and between the two, matters are delayed and no policy is enforced effectively and even though orders have been passed exempting non-delta areas, no orders have yet been received in the districts and the Collector is taking the levy as usual.

"Now, Madam, they have derationed in the rural areas but if people want to take their paddy to be hulled, they have to take permission from the Firka Supply Officer. I have received a telegram stating that poor people have to walk long distances to their mills and when they go to the mills, they are asked by some one there: 'You are transporting paddy and therefore, you are to be booked because you are taking it without proper permission.' If derationing is the order of the day, why should this permission be necessary for hulling paddy for his own consumption? Therefore, Sir, what I would like to put forward to this Government is, though they have passed orders declaring that there is no rural rationing, but they have not fixed the price at which the paddy is to be sold. They have not said, who can buy and sell paddy nor declared who the licensees are, at what price the licensee is to sell paddy and at what price are the people to buy paddy from him. So, Sir, these are things Government have not yet made clear. Nor is the Collector of the district able to explain the matter.

"Then again Madam, there is an anomaly in the price of paddy, and it will be seen how glaring it is if I show by a practical example. Now paddy is being procured in surplus areas. The procurement price of paddy is Rs. 8-4-9 a maund. That is, this is the price at which the producer is paid when paddy is procured from him. Now that same paddy is sold to the consumer at nearly Rs. 11-4-0 a maund. So, if a man is to purchase rice locally, that is, in a non-ration area, like Ialgudi for example, he has to buy at Government rate of Rs. 11-4-0. So it would be much cheaper for him to purchase from the producer, even at a rate higher than the controlled one; or rather to put it the other way,

[Sri L. N. Gopalaswami] [12th February 1951]

he has to pay more when he has to buy from the Government itself. Now let us compare the price at which Government sell paddy and the price they pay to the producer, and see how glaring is the anomaly. In my place we are providing midday meals to about 300 Harijan students in the Board High School. If we compare the cost of feeding them at the Government price of Rs. 11-4-0 per maund of 32 measures of paddy and the price at which we can get that same quantity in blackmarket available in the locality itself, the difference comes to fifty to sixty rupees. And so the man in charge of this supply of food to the children asks me why not he purchase the requisite quantity in the blackmarket and save fifty to sixty rupees to the institution. Now, I ask, why this anomaly; why not allow the poor cultivator to sell his produce at least at the rate at which Government are selling the rice? I would go one step further and say, if there is profiteering and blackmarketing anywhere it is also found in the Government itself.

"Now I will show how this difference of nearly three rupees arises between the producer's price and the Government's selling price. First of all, Government levy a sales tax at three places between the cultivator and the consumer. When the producer sells his paddy to the miller, no tax is payable. But the Government have unnecessarily introduced a middleman, namely a co-operative society. When the miller sells to the co-operative stores, a sales-tax is levied; and again when the co-operative stores sell to the ration shop holder, another sales-tax is levied and once more when the ration shop sells to the consumer. Besides these, there is the cartage expense to be incurred at the three stages. Incidentally I may say also, that the co-operative society simply for handling the rice between the miller and the ration shop holder gets a profit of Re. 1-1-3 per bag. Thus, Sir, it will be seen that the benefit to the tune of three rupees at the cost of the poor cultivator is shared by the middleman, the co-operative society and Government. If this amount at least is given to the cultivator himself, it will be a stimulant for him to produce more and supply more. But the Government have not done so. So I want Government to take this fact into consideration and see that this is remedied.

"Then, another anomaly I would bring to the notice of Government. Fortunately or unfortunately, I happen to own a few acres in Tanjore district. (Sri V. Raghavayya: 'Is it a sin to own lands?') To-day, the producer has to sell his paddy at Re. 1 less than the Government control price per maund. To-day I have received a letter from my local man there saying that he has sold my paddy and that he will pay me only at one rupee less than the control price per maund. This, again, I want Government to remedy. So, Sir, abolition of rural rationing has not in any way benefited the agriculturist but the blackmarketeer; and who is this blackmarketeer? It is first the Government and then the miller. The miller is the greatest blackmarketeer. He buys from the producer not only the grain under levy, but offers a greater price and procures more; he mixes them as he cannot be found out, and sells them at an exorbitant price to the consumer. That is

[12th February 1951] [Sri L. N. Gopalaswami]

how blackmarket rice is being sold now. This morning the Rajah of Chettinad accused the big mirasdars as hoarding paddy for a long time and then selling it at a higher price. Many of them cannot do so for paddy cannot be concealed and even if some do, it is only very few people do this; and if at all they do this, they have learnt it only from the merchants who tempt them and take advantage of the situation. With these words, I resume my seat."

JANAB MOHAMED ABDUL SALAM:—"Madam, Deputy Speaker, the statement made by the Hon. Revenue Minister and the small booklet issued by the Hon. Food Minister are as dull and unintelligible as any other work of this Government for the last four years in this province. I have no complaint against the Hon. Revenue Minister, for he has been the victim of natural elements like cyclone and want of rain, and he is strongly oppressed by those things. But I do not understand the Hon. Food Minister's difficulty, unless the attitude of the Government at Delhi also has to be reckoned as a natural impediment like cyclone and want of rain. It really surprises me that, instead of doing something in the matter of food, he has contributed to the English language and literature new words. He has in his booklet, of course, without giving any additional information, merely described and classified the districts as self-sufficient districts, more or less self-sufficient districts—I cannot really understand what he means by 'more or less self-sufficient districts'—highly deficient districts and other deficit districts. As I have already said in the past food debates, the facts and figures given by this Food Department are entirely to a great extent wrong; and so, any deductions based on those facts and figures cannot be relied upon. For instance, in the matter concerning Guntur district regarding food, just look how it has been described. Once it was declared to be a deficit district; then it was declared to be a surplus district; again, it was declared to be a non-surplus district. We find in that district, in respect of only three taluks out of the total of ten taluks, paddy is produced. Still, it is described as a self-sufficient district. The poor Collector has been asked by this Government to procure one lakh and forty thousand tons of paddy from this district. Apparently no consideration has been bestowed by this Government on how the situation in the district stands. It seems they have decided that that quantity must be taken from that district, whatever may happen. Madam, we have seen during question hour how this Government, in spite of the meaning conveyed by English words in this booklet furnished to us, answered that they have no basis for describing any system of procurement or any system of distribution of foodstuffs. They say they have abolished rural rationing. They speak of levy system, they speak of procurement and intensive procurement system. They invent names and they themselves are not sure of what they mean by them. I asked the Hon. Minister himself to tell me what is the system followed in Guntur district? I asked him, 'is it intensive procurement?' I asked him, what happened to the advice given, that at least persons possessing two or three acres should be exempted from this heavy procurement. I have asked the Collector of the district, what system is followed in Guntur



[Janab Mohamed Abdul Salam] [12th February 1951]

district; I have asked the officers in charge of procurement about it. They reply, 'we don't know; we have been following only what was happening in the last two years.' From the Collector of the district down to the lowest officer, all of them are unable to say correctly anything on this matter. This morning, the Hon. Mr. Perumalswami Reddi when he discussed the yarn situation said that in the matter of yarn, people are asking him to give cash doles, but that it is not good. I ask him, 'cannot he see this province is made self-sufficient in yarn?' If I produce 100 bales and if my requirements are 80 bales, I cannot spare more than 20 bales. Now, if you ask me to be content with 60 bales and part with 40 bales, then, how can there be self-sufficiency in yarn. Now, it is exactly the same thing that is happening with regard to food in my district. Perhaps it is self-sufficient in food, as three taluks out of ten taluks are rice-producing areas.

"Madam, the Hon. Minister for Food is leaving to-night for Guntur. He has programmed to tour the district for two days."

JANAB MUHAMMAD RAZA KHAN:—"No, he has cancelled his programme." (Laughter.)

JANAB MOHAMED ABDUL SALAM:—"I am very sorry to hear it. (Laughter.) I hope when he goes there he will remember my observations, and see there is no breakdown in whatever system of food distribution that prevails there, that is said to prevail by the Secretary to the Food Department. Now, what is it this Government ought to do? It is the primary duty of any Government, or rather of any civilised Government, to see that proper food supply is given. We know from our experience even from the time of the Britishers that statutory rationing in almost all the municipal areas is not necessary. The people have been voicing that sentiment all along during the last so many years. The Hon. Minister for Food has used that as a reason for abolishing rural rationing in the last debate. We have been agitating that there should be no rationing in some of the towns also. But the Hon. Minister for Food has been saying that it is the order of the Central Government, and unless he introduces statutory rationing in municipal towns, he cannot get any help from the Central Government. To-day, I see from the morning issue of the newspapers, he has given exemption to the municipality of Masulipatam in this regard. I hear, already people have come from Bezvada and have arrived here to ask the Hon. Minister for a similar exemption for the Bezvada municipality. I am sure people from other municipal areas also would come. Surely, there must be some method in this madness. I would like to ask the Hon. Minister, why not Government declare that in all municipal areas there should be no statutory rationing. Government ought not to have too many powers in their hands, in regard to the distribution of food.

"Now, let us know where we stand. This morning Hon. Member Sri T. Viswanatham asked the Hon. Minister for Food, that when the Deputy Minister for Food and the Hon. Mr. Munshi were here in Madras, what actually happened, as it is a sealed book to the public. The Hon. Minister replied, 'we discussed orally the

12th February 1951] [Janab Mohamed Abdul Salam]

situation; and when pressed for a categorical answer, when asked whether any written memorandum was submitted to the Hon. Minister, Mr. Munshi, the Hon. Food Minister—at this critical juncture when people are awaiting for a morsel of food—simply replied 'we have not submitted any memorandum in writing to the Central Minister.' How can the Hon. Food Minister of either the Centre or the State carry all the facts about the requirements of this State into his head? It was a criminal negligence on the part of this Government in not submitting their requirements in writing. If things go wrong to-morrow, the Central Government cannot be held responsible. The Hon. Food Minister of this State cannot say: 'My demand was for 10 lakhs of tons and the Central Government offered only 3 lakhs.' It is a criminal negligence on the part of the Ministers in not saying to the Central Government: 'Our State is surplus in yarn. We require and therefore give us so much yarn and take only the surplus.' Our State is surplus in so many respects and the Central Government are taking away so many articles. Is the purpose of the Central Minister's tour in this State only to go about attending tea parties along with the State Ministers? It has been confessed by the Hon. Food Minister this morning that he did not put in writing the demands of this State in the matter of food. This Government must know where they stand. Is the Hon. Food Minister going to introduce statutory rationing in all major municipalities? He has already exempted certain municipalities. Can he give us a list of the other municipalities that he is going to exempt? He does not know. He wants reports from the Collectors. In connection with the visit of His Excellency the Governor to some place in Chittoor district after the abolition of rural rationing, a news item appeared in the press which clearly showed that derationing was a wrong step taken by the Government. They cannot simply blame on the ground of less production, more demand and the policy of the Central Government. This Government are responsible at least for the proper distribution of the foodgrains that are available at their disposal. Depending upon the opinions of some Members, it was not wise for the Government to have abolished rural rationing. If the Hon. Food Minister has leisure enough, let him refer to what I have said in the past food debate. I said that, if the Government wanted to abolish rationing, they should keep sufficient stock of foodgrains and rush stocks to decontrolled areas whenever necessary. That suggestion has not been followed. This Government have been persistently disregarding the views of the Members of the Party which unfortunately happens to differ from them. There is a large volume of public opinion in this State that the abolition of rural rationing was not a wise step. I know and some sections of this House and you, Madam, will agree with me that it is very difficult to convince the Government and change their major views. At least in future let them keep sufficient foodgrains and rush stocks to decontrolled areas. Let them have a uniform policy and see that they do not add to the already existing troubles of the people of this State. If the Government do not listen to the advice given and take necessary steps in time, the Government and Government alone will be held responsible for any failure in future."

[12th February 1951]

\* **SRI M. A. EASWARAN:**—Madam Deputy Speaker, for the last four years consecutively monsoon has failed to Coimbatore which is one of the dry districts of this State. About fifty per cent. of the garden wells have become dry and the crops have withered. In most places coconut trees have become dry. In some places, palmyra trees also have become dry. Last year, because of fodder famine, most of the palmyra leaves were cut and used as fodder for cattle. This year also there is a fodder famine in an acute form. In Udumalpet taluk, about 3,000 acres of tank-fed lands have been affected. In Erode, there is no adequate supply of water in the Kalingarayan Canal at the tail end and the crop on about 250 acres of wet land have completely withered. In Dharapuram taluk also, the crop at the tail end of the Amaravathi river has withered on account of want of water. The turn system was introduced in the Kalingarayan channel and in the tail-end of Amaravathi channel also. That is the position in the Coimbatore district.

"Fodder famine is very acute. Most of the cattle are being sold at half the normal price in the weekly market and people from outside the district purchase them. In Dharapuram there is a cattle farm owned by a private gentleman in which there are about 2,000 cattle. The cattle are suffering for want of fodder. Last year, the Government provided wagon and other facilities to relieve fodder famine. I request the Government to help to relieve the fodder famine this year also.

"After the abolition of rural rationing, the price of rice has not come down. In Erode taluk, 50 Madras measures of rice are being sold at Rs. 75 to 80. Complete failure of monsoon for four consecutive years has thrown many agricultural labourers out of work. Fifty per cent of agricultural labourers are Harijans. Many agricultural labourers go to towns to seek employment. Because they do not get any work, they are forced to go abegging. Some relief works must be started to help them. In Erode taluk, the excavation of the Lower Bhavani canal is going on. The branch canal excavation work also may be started as a famine relief work. Agricultural labourers, Government servants and middle class people are not able to purchase foodgrains at the prevailing exorbitant price. Foodgrain relief shops are necessary in these parts to help them.

"The condition of weavers in Sivagiri, Uttukuli and Morattupalayam in Coimbatore district is as bad as that of the weavers in Salem. They are suffering very much. They also must be helped like the weavers in Salem district.

"In reply to a question put by me a few days ago, the Hon. Food Minister said that a zonal system had been introduced and that free movement of millets would be allowed within each zone. With the 9 oz. ration consisting of 7 oz. of rice and 2 oz. of millet given in statutory rationing areas, many of the Government servants and the hon. Members of this House are not able to maintain their self-respect. They have to supplement their requirement by out of the way and purchasing. I suggest that the Government may be pleased to permit the free flow of millets in the

[12th February 1951] [Sri M. A. Easwaran]

statutory rationed areas of each zone, so that the Government servants and hon. Members may take cumbu, cholam or ragi to make up for the short supply of rice and maintain their self-respect.

"It is said in the printed statement that the Collectors have been instructed to give rations as usual to hospitals, orphanages and hostels attached to educational institutions. In hostels attached to educational institutions, there are growing children. The ration given for them is inadequate and that tells upon their health. At least for the inmates of hostels attached to educational institutions, the Government should give at the rate of 10 oz. per adult per day.

"It is said that producers in deficit districts also should sell their surplus foodgrains to non-producers at the control price to avoid hardship to non-producers. But the producers in Coimbatore district are not selling their surplus foodgrains to the non-producers at the control price. They take this opportunity to make as much money as possible by selling at a very high price.

"In some places, those who have taken fodder loan that was given last year are not in a position to repay now. The Government may be pleased to allow them to permit repayment next year.

"I and the Hon. Sri N. Sanjeeva Reddi had been to Kollegal some days ago. There we saw that the crop on an area of about 10,000 acres was about to be affected, as at that time there was no water in the tank which irrigated the lands. So far as Coimbatore district is concerned, most of the areas are affected and the Government should give remission of land revenue. With these suggestions, I resume my seat."

The House then adjourned to meet again at 11 a.m. on Tuesday, 13th February 1951.

### III.—PAPER LAID ON THE TABLE OF THE HOUSE.

*Rules framed under the Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947.*

[12th February 1951]

## APPENDIX

[Vide answer to starred question No. 754 asked by Sri D. V. Ramaswami (on behalf of Sri G. Latchanna) at the meeting of the Legislative Assembly held on 12th February 1951, page 557 supra.]

(a) & (b) A statement showing the awards given by the Industrial Tribunals in respect of different categories of Industrial Establishments, during the years 1948, 1949 and from January to July 1950, the industrial establishments which have implemented the awards and those which have not implemented the awards together with the action taken by the Government for non-implementation of the awards, is placed on the table of the House.

12th February 1951]

## APPENDIX

637

## ANNEXURE.

| Category of industrial concern.    | Serial number and name of the industrial concern.                                                               | Whether the award has been implemented in full. | If implemented in part, action taken by the Government for non-implementation of the award. | Whether prosecution has been sanctioned for non-implementation.                                                                                                                                                                                           |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)                                | (2)                                                                                                             | (3)                                             | (4)                                                                                         | (5)                                                                                                                                                                                                                                                       |
| Textiles ..                        |                                                                                                                 |                                                 |                                                                                             |                                                                                                                                                                                                                                                           |
| AWARDS GIVEN DURING THE YEAR 1948. |                                                                                                                 |                                                 |                                                                                             |                                                                                                                                                                                                                                                           |
| 1                                  | The Mahalakshmi Textiles Mills, Pannimalai.                                                                     | Implemented                                     | ....                                                                                        | ....                                                                                                                                                                                                                                                      |
| 2                                  | Do.                                                                                                             | Do.                                             | ....                                                                                        | ....                                                                                                                                                                                                                                                      |
| 3                                  | Do.                                                                                                             | Do.                                             | ....                                                                                        | ....                                                                                                                                                                                                                                                      |
| 4                                  | Madura Knitting Company (interim award).                                                                        | Partially implemented                           | ....                                                                                        | ....                                                                                                                                                                                                                                                      |
| 5                                  | Raja Mills, Mathurai                                                                                            | Not implemented                                 | ....                                                                                        | ....                                                                                                                                                                                                                                                      |
| 6                                  | Sri Rameshchandra Spinning and Weaving Mills, Pandalepaka, East Godavari district.                              | Do.                                             | ....                                                                                        | Prosecution sanctioned. But the management have since obtained a stay order from the High Court, Madras, in respect of the prosecution pending against them. It is understood that the management have filed a petition in High Court to quash the award. |
| 7                                  | K. P. Neelambi and Sons and all other handloom factories in Kozhikode.                                          | Implemented                                     | ....                                                                                        |                                                                                                                                                                                                                                                           |
| 8                                  | The Gnanambika Mills, Limited, Coimbatore.                                                                      | Do.                                             | ....                                                                                        |                                                                                                                                                                                                                                                           |
| 9                                  | Sri Palamalai Rangasankaran Mills, Coimbatore.                                                                  | Do.                                             | ....                                                                                        |                                                                                                                                                                                                                                                           |
| 10                                 | Dispute between Adalakam Pillai, the contractor of Madura Mills Company, Limited, Ambasamudram, and his worker. | Do.                                             | ....                                                                                        |                                                                                                                                                                                                                                                           |
| 11                                 | Sankar Weaving Mills, Thalaiyuthi, Tirunelveli.                                                                 | Do.                                             | ....                                                                                        | ....                                                                                                                                                                                                                                                      |

[12th February 1951]

| Category of industrial concern. | Serial number and name of the industrial concern.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Whether the award has been implemented in full. | STATEMENT I—cont. | AWARDS GIVEN DURING THE YEAR 1945—cont.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Whether the award has been implemented in part, action taken by the Government for non-implementation of the award. | If implemented in part, action taken by the Government for non-implementation of the award. | Whether prosecution has been sanctioned for non-implementation.                                                                                                                                                                                                                                             |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)                             | (2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | (3)                                             | (4)               | (5)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | (6)                                                                                                                 | (7)                                                                                         | (8)                                                                                                                                                                                                                                                                                                         |
| Tanneries—cont.                 | 12 Tirumagal Mills, Gudiyattam                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ..                                              | ..                | Partially implemented. The mill puts up the plea that the Provident Fund Scheme has to be approved by South Indian Mill Owners' Association.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ....                                                                                                                |                                                                                             |                                                                                                                                                                                                                                                                                                             |
| Beedi                           | The disputes between the workers and managements of beedi factories in Tirunelveli district.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Not implemented                                 | ..                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | ....                                                                                                                |                                                                                             | All the managements have been asked to implement the award. Certain companies have closed their concerns. Others evade implementation saying that workers do not want implementation of the award. Necessary action has been taken by Labour Officer, Tirunelveli, towards the implementation of the award. |
| Sugar                           | 1 Cigar factories, Madras City<br>2 Management of cigar factories in Tiruchirappalli.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | ..                                              | ..                | Implemented in part.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ....                                                                                                                |                                                                                             |                                                                                                                                                                                                                                                                                                             |
| Tanneries                       | 1 Tanneries in Dindigul (interim award)<br>2 Tanneries at Sombiam and Madhavaram (interim award)<br>3 Tanneries in Sombiam area<br>4 Tanneries in Sombiam area and Madhavaram area (interim award)<br>5 Nisar Ahmed and Company Tannery, Madhavaram (interim award)<br>6 South Indian Leather Company, Limited, Madras (interim award)<br>7 Gordon Woodroffe Leather Manufacturing Company, Pallavaram (interim award).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | ..                                              | ..                | Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | ....<br>....<br>....<br>....<br>....<br>....<br>....                                                                |                                                                                             |                                                                                                                                                                                                                                                                                                             |
| 5 Tile factories                | 8 The management of tanneries at Rajampet (interim award).<br>9 The management of tanneries at Perambur (interim award).<br>10 Tanneries at Ambur (interim award)<br>The Factories of Commonwealth Trust, Limited, at Jeppo and Keedrola, Mangalore.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ..                                              | ..                | Do.<br>Do.<br>Do.<br>Do.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | ....<br>....<br>....<br>....                                                                                        |                                                                                             |                                                                                                                                                                                                                                                                                                             |
| Sugar factories                 | 1 Sree Rama Sugar Mills, Bobbili<br>2 Management of Decan Sugar and Abbaal Company, Limited, Pugalur.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | ..                                              | ..                | Do.<br>Do.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | ....<br>....                                                                                                        |                                                                                             |                                                                                                                                                                                                                                                                                                             |
| Motor transport, etc.           | 1 A.B.T., Limited, Poonamallee<br>2 Nataraja Engineering Works, Madras (interim award).<br>3 Do.<br>4 Messrs. Kutty and Rao Engineering Company, Limited, Madras (interim award).<br>5 Do.<br>6 Disputes between T. Subramaniam, modiller, and the management of Lakshmi Engineering Works, Madras (interim award).<br>7 Esor Engineering Works, Madras (interim award).<br>8 Messrs. Mabeys Engineering Firma, Madras (interim award).<br>9 Standard Engineering Works, Madras (interim award).<br>10 Nataraja Engineering Works, Madras (interim award).<br>11 Messrs. Branton and Company (Engineers), Limited, Fort, Cochin (interim award).<br>12 St. Vincent Industrial, Limited, Kothikode.<br>13 The Commonwealth Engineering Works, South Kanara (interim award).<br>14 Management of St. Antony's Engineering Industries, Golden Rock (interim award).<br>15 Dispute between Sri K. Venkatarana Ayyar, typist, and management of Sri Meenakshi Sundarawara Electrical Corporation, Karaikal. | ..                                              | ..                | Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do.<br>Do. |                                                                                                                     |                                                                                             |                                                                                                                                                                                                                                                                                                             |

All the managements have been asked to implement the award. Certain companies have closed their concerns. Others evade implementation saying that workers do not want implementation of the award. Necessary action has been taken by Labour Officer, Tirunelveli, towards the implementation of the award.

[12th February 1951]

| Category of industrial concern.         | Serial number and name of the industrial concern.                                                                         | Whether the award has been implemented in full. | If implemented in part, action taken by the Government for non-implementation of the award. | Whether prosecution has been sanctioned for non-implementation.                                           |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| (1)                                     | (2)                                                                                                                       | (3)                                             | (4)                                                                                         | (5)                                                                                                       |
| Motor transport, etc.—cont.             |                                                                                                                           |                                                 |                                                                                             |                                                                                                           |
| STATEMENT I—cont.                       |                                                                                                                           |                                                 |                                                                                             |                                                                                                           |
| AWARDS GIVEN DURING THE YEAR 1948—cont. |                                                                                                                           |                                                 |                                                                                             |                                                                                                           |
| 16                                      | The management of the Indian Steel Rolling Mills, Nagapattinam.                                                           | Implemented                                     | ....                                                                                        | Prosecution of the managements of five hotels who have not yet implemented the award has been sanctioned. |
| 17                                      | Hotels, Madurai                                                                                                           | Do.                                             | ....                                                                                        |                                                                                                           |
| 18                                      | Wimco, Tiruvotiyur                                                                                                        | Do.                                             | ....                                                                                        |                                                                                                           |
| 19                                      | Snuff Companies, Madras                                                                                                   | Do.                                             | ....                                                                                        |                                                                                                           |
| 20                                      | Godland and Company (Printers), Madras (interim award).                                                                   | Do.                                             | ....                                                                                        |                                                                                                           |
| 21                                      | The Burma-Shell Oil Storage and Distributing Company, Tondiyarpur, Madras.                                                | Do.                                             | ....                                                                                        |                                                                                                           |
| 22                                      | Hotels at Kancheepuram                                                                                                    | Do.                                             | ....                                                                                        |                                                                                                           |
| 23                                      | Dispute between Sri Kannappa Mudali, compositor, and the management of Salem Lakshmi Vilas Press, Madras (interim award). | Do.                                             | ....                                                                                        |                                                                                                           |
| 24                                      | Messrs. Spencer and Company, Madras (interim award).                                                                      | Do.                                             | ....                                                                                        |                                                                                                           |
| 25                                      | Caltex (Tondiarpet), Limited, Madras                                                                                      | Do.                                             | ....                                                                                        |                                                                                                           |
| 26                                      | Standard Vacuum Oil Company, Limited, Madras.                                                                             | Do.                                             | ....                                                                                        |                                                                                                           |
| 27                                      | Cashew Processing Factories in Mangalore (Hindustan Commodity Corporation, Limited, Mangalore).                           | Closed                                          | ....                                                                                        |                                                                                                           |
| 28                                      | T.B.T.L., Limited, Palghat                                                                                                | Implemented                                     | ....                                                                                        | The question of implementation does not arise in this case (vide paragraph 2 of the award).               |
| 29                                      | The Standard Furniture Company, Limited, Kallai.                                                                          | Do.                                             | ....                                                                                        |                                                                                                           |
| 30                                      | The Pearce Leslie and Company, Limited, Mangalore.                                                                        | Do.                                             | ....                                                                                        |                                                                                                           |
| 31                                      | The Combatore Cement Works, Mathurakara.                                                                                  | Partially implemented.                          | ....                                                                                        |                                                                                                           |
| 32                                      | Brooke Bond Tea Company, Limited, Coimbatore.                                                                             | Not implemented                                 | ....                                                                                        |                                                                                                           |

On a petition preferred by both the parties under section 19 (3) of the Industrial Disputes Act a further reference has been made to the Industrial Tribunal.

|    |                                                                                                                                                            |             |                                          |  |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------|--|
| 33 | The American Aroot Mission Industrial Institute, Kappadi.                                                                                                  | Closed      | ....                                     |  |
| 34 | The Management of Sevareja Press, Vijayawada; (interim award).                                                                                             | Implemented | ....                                     |  |
| 35 | Dispute between the workers and the management of aluminium factories in the districts of Visakhapatnam, East Godavari, West Godavari, Krishna and Guntur. | Do.         | No aluminium factory in Guntur district. |  |

## STATEMENT II.

## AWARDS GIVEN DURING THE YEAR 1949.

| Textiles | 1 Kandan Textiles, Limited, Madras                                                                  | The award was quashed by an order of the High Court. | ....                                                                                        |                                                                                                                                                         |
|----------|-----------------------------------------------------------------------------------------------------|------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2        | Master-Weavers in Alandur, St. Thomas Mount.                                                        | Implemented                                          | ....                                                                                        |                                                                                                                                                         |
| 3        | Master-Weavers at Woraiyur                                                                          | Do.                                                  | ....                                                                                        |                                                                                                                                                         |
| 4        | Commonwealth Weaving Factory, Cannanore.                                                            | Do.                                                  | ....                                                                                        |                                                                                                                                                         |
| 5        | Master-Weavers, Sankarankoil, Tirunelveli district and Sankarapandiapuram, Ramanathapuram district. | Not implemented                                      | The question of prosecution of the Master-Weavers is under the consideration of Government. |                                                                                                                                                         |
| 6        | Handloom Factories, Karur                                                                           | Implemented                                          | ....                                                                                        |                                                                                                                                                         |
| 1        | Diamond Beedi Factory, Erode                                                                        | Not implemented                                      | ....                                                                                        | As the award could not be implemented due to certain technical difficulties, further reference has been issued to Industrial Tribunal for adjudication. |
| 2        | Kareem, Tajmahal and Bavutia Beedi Factories, Madras.                                               | Implemented                                          | ....                                                                                        |                                                                                                                                                         |
| 3        | I.L.T.D. Company, Guntur                                                                            | Do.                                                  | ....                                                                                        |                                                                                                                                                         |
| 4        | Tobacco Factories, Dindigul                                                                         | Do.                                                  | ....                                                                                        | Of 16 establishments five have not yet implemented. Necessary action has been taken by Labour Officer, Madurai, towards implementation.                 |

[12th February 1951]

| Category of industrial concern.         | Serial number and name of the industrial concern. | Whether the award has been implemented in full. | If implemented in part, action taken by the Government for non-implementation of the award. | Whether prosecution has been sanctioned for non-implementation. |
|-----------------------------------------|---------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| (1)                                     | (2)                                               | (3)                                             | (4)                                                                                         | (5)                                                             |
| STATEMENT II—cont.                      |                                                   |                                                 |                                                                                             |                                                                 |
| AWARDS GIVEN DURING THE YEAR 1949—cont. |                                                   |                                                 |                                                                                             |                                                                 |
| Beedi—cont.                             | 5 "703," Beedi Factory, Tiruchitappalli ..        | Implemented                                     | .....                                                                                       | .....                                                           |
|                                         | 6 'S' Mark Beedi Factory, Tuticorin ..            | Not implemented                                 | The prosecution of the management was sanctioned.                                           | .....                                                           |

|          |                                   |       |       |                                                                                                                                                                                                                    |
|----------|-----------------------------------|-------|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Cigar .. | 1 Cigar factories at Erode ..     | Do.   | ..... | The award could not be implemented due to certain technical difficulties. A further reference has been made to the Industrial Tribunal for adjudication.                                                           |
|          | 2 Cigar factories, Rajahmundry .. | ..... | ..... | The cigar workers under the management to whom notices of prosecution served reported that they were satisfied with the present conditions and they have resolved all their disputes amicably with the management. |

Prosecution sanctioned.

|                |                                                         |                 |                                                                                                                                                             |       |
|----------------|---------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Matcheries     | 1 Christine Leather Company, Limited, Chrompet.         | Not implemented | .....                                                                                                                                                       | ..... |
|                | 2 Gordon Woodroffe Manufacturing Company, Pallavaram.   | Implemented     | .....                                                                                                                                                       | ..... |
| Tile factories | 3 Tanneries in Pallavaram and Chrompet.                 | Do.             | .....                                                                                                                                                       | ..... |
|                | 1 Deccan Sugar and Abkari Company, Pugalur.             | Do.             | .....                                                                                                                                                       | ..... |
|                | 2 Vizagapatnam Sugar and Refinery, Limited, Anakapalle. | Do.             | .....                                                                                                                                                       | ..... |
|                | 3 Deccan Sugar and Abkari Company, Limited, Samalkot.   | .....           | Sri P. Marandeyalu to whom the award was referred under proviso to section 19 (3) of the Industrial Disputes Act [section 19 (4) of the amended Act] gave a | ..... |

12th February 1951]

|                  |                                                        |                        |       |       |
|------------------|--------------------------------------------------------|------------------------|-------|-------|
| Motor transport. | 4 India Sugar Refineries, Hospet ..                    | Do.                    | ..... | ..... |
|                  | 1 Associated Transport, Limited, Madras ..             | Do.                    | ..... | ..... |
|                  | 2 Muregan Transport, Limited, Dindigul ..              | Do.                    | ..... | ..... |
|                  | 3 Madras Public Conveyance Company, Limited, Dindigul. | Do.                    | ..... | ..... |
|                  | 4 Sundaram Transport, Limited, Ariyalur.               | Do.                    | ..... | ..... |
|                  | 5 Trinity-Stratagan, Transport ..                      | Do.                    | ..... | ..... |
|                  | 6 Mettupalayam-Coonor Service, Limited.                | Do.                    | ..... | ..... |
|                  | 7 Appa Rao Fleet Owner, Bheemunipetnam.                | Partially implemented. | ..... | ..... |
| .....            |                                                        |                        |       |       |
|                  | 8 T.K.M. Bus Service, Madras ..                        | Implemented            | ..... | ..... |
|                  | 9 S.T.T., Limited, Madras ..                           | Do.                    | ..... | ..... |
|                  | 1 Standard Engineering Works, Madras ..                | Do.                    | ..... | ..... |
|                  | 2 Dhanalakshmi Type Foundry, Madras.                   | Do.                    | ..... | ..... |
|                  | 3 Standard Engineering Works, Madras ..                | Do.                    | ..... | ..... |
|                  | 4 Nataraja Engineering Works, Madras ..                | Do.                    | ..... | ..... |
|                  | 5 Messrs. Lakshmi Engineering Works, Madras.           | Do.                    | ..... | ..... |
|                  | 6 Standard Engineering Works, Madras ..                | Do.                    | ..... | ..... |
|                  | 7 Madras Engineering Works, Madras ..                  | Do.                    | ..... | ..... |
|                  | 8 Maxwell Engineering Works, Madras ..                 | Do.                    | ..... | ..... |
|                  | 9 Commonwealth (Engineering) Works, Mangalore.         | Do.                    | ..... | ..... |
|                  | 10 Brooke Bond, Limited, Coimbatore ..                 | Do.                    | ..... | ..... |
|                  | 11 Cement Works, Mathurakari ..                        | Do.                    | ..... | ..... |
|                  | 12 Spencer Company, Limited, Madras                    | Do.                    | ..... | ..... |
|                  | 13 Cine Laboratory, Madras ..                          | Do.                    | ..... | ..... |
|                  | 14 Stone Pipe, Limited, Tiruvallur ..                  | Do.                    | ..... | ..... |
|                  | 15 P. Venkateshram Condiments, Limited..               | Not implemented        | ..... | ..... |
|                  | 16 Burmah-Shell Oil Storage, Tondiyarpet, Madras.      | Implemented            | ..... | ..... |
|                  | 17 Associated Printers and Addison Press, Madras.      | Do.                    | ..... | ..... |

decision shortening the operation of the award which was communicated to the parties for necessary action.

The management have stated that they would not pay in accordance with the amendment issued by the Industrial Tribunal and they would contest the validity.

Prosecution sanctioned.



[12th February 1951]

| Category of industrial concern. | Serial number and name of the industrial concern.                                                                                                                                                   | Whether the award has been implemented in full. | If implemented in part, action taken by the Government for non-imple- mentation of the award. | Whether prosecution has been sanctioned for non-implementation.                                                          |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| (1)                             | (2)                                                                                                                                                                                                 | (3)                                             | (4)                                                                                           | (5)                                                                                                                      |
|                                 | STATEMENT II—cont.                                                                                                                                                                                  |                                                 |                                                                                               |                                                                                                                          |
|                                 | AWARDS GIVEN DURING THE YEAR 1949—cont.                                                                                                                                                             |                                                 |                                                                                               |                                                                                                                          |
|                                 | 18 Ajax Products, Limited, Madras .. ..                                                                                                                                                             | Implemented                                     | ....                                                                                          | ....                                                                                                                     |
|                                 | 19 Madras Electric Tramways .. ..                                                                                                                                                                   | Do.                                             | ....                                                                                          | ....                                                                                                                     |
|                                 | 20 Electric Mechanical Industries, Limited, Madras .. ..                                                                                                                                            | Do.                                             | ....                                                                                          | ....                                                                                                                     |
|                                 | 21 Do.                                                                                                                                                                                              | Do.                                             | ....                                                                                          | ....                                                                                                                     |
|                                 | 22 Mysore Vegetable Oil Products, Limited, Madras .. ..                                                                                                                                             | Do.                                             | ....                                                                                          | ....                                                                                                                     |
|                                 | 23 Mutta Coolies, Guntur .. ..                                                                                                                                                                      | Partially implemented.                          | ....                                                                                          |                                                                                                                          |
|                                 | The new mutta workers are paid as per the award. But the old workers have not been reinstated. Necessary action has been taken by Labour Officer, Guntur, towards the implementation of the awards. |                                                 |                                                                                               |                                                                                                                          |
|                                 | 24 Udipi Hindu Restaurant .. ..                                                                                                                                                                     | Implemented                                     | ....                                                                                          | ....                                                                                                                     |
|                                 | 25 Cinema Talkies, Madurai (two theatres, Dhinamani and City Cinema Talkies).                                                                                                                       | Dhinamani Talkies implemented.                  | ....                                                                                          | City Cinema, Madurai, has changed hands from the lessee (who was the party to the dispute to the owner of the premises). |
|                                 | 26 The Orient Products, Ginning Decortica-<br>ting Oil Mills, Tirumangalam.                                                                                                                         | Implemented                                     | ....                                                                                          | ....                                                                                                                     |
|                                 | 27 Tailoring Concerns, Madurai .. ..                                                                                                                                                                | Not implemented                                 | ....                                                                                          | Prosecution sanctioned.                                                                                                  |
|                                 | 28 Hosiery factories in South Kanara, Madras and Madurai districts.                                                                                                                                 | Implemented                                     | ....                                                                                          | ....                                                                                                                     |
|                                 | 29 Andhra Trading Company, Tiruchirap-<br>palli.                                                                                                                                                    | Not implemented                                 | ....                                                                                          | Prosecution sanctioned.                                                                                                  |
|                                 | 30 A. S. Mission Industrial Institute, Karpadi.                                                                                                                                                     | Closed                                          | ....                                                                                          | ....                                                                                                                     |
|                                 | 31 Naren Manufacturing Company, Salem ..                                                                                                                                                            | Implemented                                     | ....                                                                                          | ....                                                                                                                     |
|                                 | 32 Hindustan Construction Company, Vishakhapatnam.                                                                                                                                                  | Do.                                             | ....                                                                                          | ....                                                                                                                     |
|                                 | Do.                                                                                                                                                                                                 | Do.                                             | ....                                                                                          | ....                                                                                                                     |

12th February 1951]

|                                                                         |                                                                     |                 |      |      |
|-------------------------------------------------------------------------|---------------------------------------------------------------------|-----------------|------|------|
| 33                                                                      | Printing and Dyeing Factories in<br>Chirakkal taluk.                | Do.             | .... | .... |
| 34                                                                      | West Coast Electric Supply Corporation,<br>Kozhikode.               | Do.             | .... | .... |
| 35                                                                      | Coir factories, Malabar district .. ..                              | Do.             | .... | .... |
| 36                                                                      | Metal Industries, Shoranur .. ..                                    | Not implemented | .... | .... |
| 37                                                                      | Commonwealth Trust (Hosiery), Limited,<br>Mangalore.                | Implemented     | .... | .... |
| 38                                                                      | Harrison and Crossfield, Limited, Port<br>Cochin.                   | Do.             | .... | .... |
| 39                                                                      | Sri Venkateswara Narayanaswami Ground-<br>nut Oil Mill, Vijayavada. | Do.             | .... | .... |
| 40                                                                      | Prodatur Power and Lights, Limited,<br>Cuddapah.                    | Not implemented | .... | .... |
| The management has been addressed by Government to implement the award. |                                                                     |                 |      |      |

## STATEMENT III.

AWARDS GIVEN DURING JANUARY TO JULY 1950.

|                                                                                                                  |                                                                                           |                     |                                                                                                                               |      |
|------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------|------|
| Textiles ..                                                                                                      | 1 Silk Cloth Producers, Kumbakonam ..                                                     | Not implemented     | Prosecution deferred till the application in the High Court filed by the silk cloth producers is disposed of.                 | .... |
| 2                                                                                                                | Madura Mills Company, Limited, Amba-<br>samudram.                                         | Implemented         | ....                                                                                                                          | .... |
| 3                                                                                                                | Madura Mills Company, Limited,<br>Tuticorin.                                              | Do.                 | ....                                                                                                                          | .... |
| 4                                                                                                                | Madura Mills Company, Limited, Madurai<br>and Tuticorin and Ambasamudram.                 | Do.                 | ....                                                                                                                          | .... |
| 5                                                                                                                | Neelimala Jute Mills Company, Limited<br>and Chittivalasa Jute Mills Company,<br>Limited. | Do.                 | ....                                                                                                                          | .... |
| 6                                                                                                                | Do.                                                                                       | Partly implemented. | The managements are taking all steps to imple-<br>ment the award in full.<br>Hence it is felt that no<br>action is necessary. | .... |
| 7                                                                                                                | Sri Kothandaram Spinning Mills, Im-<br>plemented                                          | Do.                 | ....                                                                                                                          | .... |
| 8                                                                                                                | Do.                                                                                       | Do.                 | ....                                                                                                                          | .... |
| No prosecution was recommended in these cases as the awards will be implemented by the manage-<br>ments shortly. |                                                                                           |                     |                                                                                                                               |      |



[12th February 1951]

| (1)<br>Category of industrial concern. | (2)<br>Serial number and name of the industrial concern.              | (3)<br>Whether the award has been implemented in full. | (4)<br>If implemented in part, action taken by the Government for non-implementation of the award. | (5)<br>Whether prosecution has been sanctioned for non-implementation.                |
|----------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Other industries—cont.                 | STATEMENT III—cont.<br>AWARDS GIVEN DURING JANUARY TO JULY 1950—cont. |                                                        |                                                                                                    |                                                                                       |
|                                        | 7 Bombay Engineering Works                                            | ..                                                     | ..                                                                                                 | Industrial Tribunal negatived the demands and so there is nothing for implementation. |
|                                        | 8 Esar Engineering Works                                              | ..                                                     | ..                                                                                                 | ..                                                                                    |
|                                        | 9 Massey and Company                                                  | ..                                                     | Implemented                                                                                        | ..                                                                                    |
|                                        | 10 Madras Type Foundry                                                | ..                                                     | Do.                                                                                                | ..                                                                                    |
|                                        | 11 Engineering firms in Madurai                                       | ..                                                     | (Direct references by the Union rejected as incompetent.)                                          | ..                                                                                    |
|                                        | 12 Messrs. Gramophones and Company                                    | ..                                                     | Implemented                                                                                        | ..                                                                                    |
|                                        | 13 Messrs. Hoe and Company                                            | ..                                                     | Do.                                                                                                | ..                                                                                    |
|                                        | 14 Odialbail Press, Mangalore                                         | ..                                                     | There are no recommendations in the award.                                                         | ..                                                                                    |
|                                        | 15 Messrs. Sri Krishna Tiles and Potteries (Madras), Limited.         | ..                                                     | Not implemented                                                                                    | The management have been requesting time till their appeal to High Court is decided.  |
|                                        | 16 East India Distilleries and Sugar Factories, Limited, Ranipet.     | ..                                                     | Implemented                                                                                        | ..                                                                                    |

## THE MADRAS LEGISLATIVE ASSEMBLY

Tuesday, the 13th February 1951.

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

## I.—QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

*Strike by the students of the College of Indian Medicine.*

\* 763-A Q.—JANAB ABDUL HAMEED KHAN: Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that students of the College of Indian Medicine have gone on strike; and if so, the reasons therefor; and

(b) the steps the Government have taken to settle the dispute?

THE HON. SRI B. GOPALA REDDI (on behalf of the Hon. the Chief Minister):—“(a) & (b) The students absented themselves on the 5th, 6th and 7th February and resumed attendance at the College on the 8th.

“Towards the end of the previous year, the students submitted certain representations and followed it up by resolutions threatening that if their requests were not complied with, they would take token action which might not be palatable to the authorities’. The requests related to a modification of the syllabuses, courses of instruction and examinations, and were carefully examined in consultation with the Head of the Department and the Board of Examiners who are proficient in their respective subjects and the Commissioner for Government Examinations. Reasonable requests, such as those for training in Organic Chemistry and Special Pathology, were agreed to, to the extent necessary. But Government could not possibly accept unreasonable demands that certain examinations should be held at periods quite unsuitable from the point of view of the syllabuses and the order in which training in the various subjects should be imparted, and compliance with which might endanger the health and life of the people whom the students would be treating after graduation. The Government also deprecated students, who had yet to be trained in their subjects, demanding changes in the order of teaching subjects and of examinations, about which they could not be knowing much. The object of the G.C.I.M. course is to impart a higher standard of instruction and training in the Indigenous Systems as such, with only a basic grounding in Modern Medicine, and obviously not to teach Modern Medicine to the standard prescribed by the Universities for Colleges of Modern Medicine, neglecting instruction in the Indigenous



[13th February 1951]

Systems, for which essentially the course is intended. Government are doing all in their power to achieve the object and to train people to practise the Indigenous Systems on safe and efficient lines."

JANAB ABDUL HAMEED KHAN:—" May I ask, Sir, whether, when the students were admitted to this college, the programme was different from what was followed subsequently, and it is only the adherence to the original programme that the students wanted, and, if so, where is the difficulty in agreeing to that request? "

THE HON. SRI B. GOPALA REDDI:—" I do not think there was any variation in the syllabuses or courses. The students knew what they were going in for, and they need not have troubled the authorities in the middle of the term."

SRI K. R. KARANTH:—" May I ask, Sir, whether, in view of the inadequacy, according to me, of the answer given by the Hon. the Minister, you will be pleased to grant a half-hour debate at the end of the day? This is a very important matter, and the examinations are coming on. There has been a strike at this juncture. Therefore, a half-hour debate may be permitted at the end of the day."

BEGUM SULTAN MIR AMIRUDDIN:—" Sir, I endorse the view expressed by the hon. Member, Mr. Karanth. This is a very important matter, and I request a half-hour debate may be given."

MR. SPEAKER:—" The hon. Member Mr. Karanth has given me notice of a motion for the adjournment of the House to discuss this matter. Perhaps it will suffice if under Rule 21 a half-hour debate is allowed."

*Delay in disposal of papers in the offices under the control of Local Administration Department.*

\* 764 Q.—SRI V. C. PALANISWAMI GOUNDER (on behalf of Sri S. Nagaraja Manigar): Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether any complaints were received to the effect that much delay is caused in the matter of disposal of papers in the offices under the control of the Local Administration Department; and

(b) if so, for what reasons?

THE HON. SRI K. CHANDRAMOULI:—" (a) & (b) No, Sir."

*Harijan hostel for Sattur taluk.*

\* 765 Q.—SRI R. S. MANICKAM: Will the Hon. the Minister for Rural Development be pleased to state—

(a) whether any representations have been received by the Government from any individual of Sattur taluk, Ramanathapuram district, regarding the opening of a Harijan hostel in Sattur taluk; and

[13th February 1951]

(b) if so, when the representation was made and what action has been taken on it?

THE HON. SRI B. PARAMESWARAN:—" (a) & (b) A representation from Sri M. A. A. K. Aiyasami of Virudhunagar, Ramanathapuram district, for the opening of a Harijan hostel at Virudhunagar was received in June 1950 by the Collector of Ramanathapuram, who passed it on to the Director of Harijan Welfare. Ordinarily, no hostel is eligible for recognition in the first year of its existence. Moreover, there is already another recognized hostel at Virudhunagar. Hence no grants were considered for this hostel."

SRI R. S. MANICKAM:—" தலைவர் அவர்களே! சாத்தூர் ஒரு பெரிய தாலுகா ஸென்டர். அதில் இரண்டு பள்ளிக்கூடங்கள் இருக்கின்றன. பக்கத்து கிராமங்களில் ஹரிஜனங்கள் ஏராளமாக இருக்கிறார்கள். சாத்தூருக்கும் விருதுநகருக்கும் ரொம்ப தூரம். அங்கிருந்து விருதுநகருக்குப் போய் படிக்க ஏழைப் பிள்ளைகளுக்கு முடியாது. கஷ்டமாக இருக்கிறது. ஆகையால், தாலுகா ஸென்டரில் ஒரு ஹாஸ்டல் அவசியமென்பதை கவர்ன்மெண்டு கவனிக்கமுடியுமா? "

THE HON. SRI B. PARAMESWARAN:—" We will consider the question in July."

*Weekly market for Uppatur, Sattur taluk.*

\* 766 Q.—SRI R. S. MANICKAM: Will the Hon. the Minister for Local Administration be pleased to state the stage at which the proposal to open a weekly market in Uppatur, Sattur taluk, Ramanathapuram district, stands at present?

THE HON. SRI K. CHANDRAMOULI:—" A site for the location of the market has been selected and the proposal has been sanctioned by the District Board and the Inspector of Municipal Councils and Local Boards. The President, District Board, Ramanathapuram, has reported that final proposals have been sent to the Collector on the 27th January 1951."

SRI R. S. MANICKAM:—" தலைவர் அவர்களே! weekly market வைப்பதென்பது ஒரு சின்ன காரியம். அதை நடத்துவதற்கு முடியவில்லை. பெரிய காரியத்தை எப்படிச் செய்யப்போகிறார்கள். இந்த ஒரு சிறிய காரியத்திற்கு இரண்டு வருஷங்கள் ஆறு மாதம் தாமதமாகின்றது. இன்னும் correspondence-ல் இருக்கிறது. ஒரு ஜில்லா போர்டு ஒரு சின்ன காரியத்திற்கு இவ்வளவு காலதாமதம் செய்தால், பெரிய காரியங்களைச் செய்ய எவ்வளவு வருஷம் செல்லுமென்று பயப்படுகிறோம். இதை உடனே ஆரம்பிக்க வேண்டுமென்றும், அதற்கு வேண்டிய நடவடிக்கைகளை கவர்ன்மெண்டு உடனே எடுத்துக்கொள்ள முடியுமா, என்றும் கேட்கிறேன்."

THE HON. SRI K. CHANDRAMOULI:—" There is some delay in alienation and acquisition."

SRI S. NAGAPPA:—" May I know, Sir, when the market will come into existence, as there had been lot of agitation for this from the people of that locality? "

THE HON. SRI K. CHANDRAMOULI:—" Immediately after the papers are received from the Collector, the matter will be considered."

[13th February 1951]

*Implementation of Article 46 of the Constitution.*

\*767 Q.—BEGUM SULTAN MIR AMIRUDDIN: Will the Hon. the Minister for Rural Development be pleased to state the steps that are being taken by the Government to implement Article 46 of the Constitution?

THE HON. SRI B. PARAMESWARAN:—“ This Government have, even before the coming into force of the Constitution, undertaken a good number of schemes designed to promote the educational and economic interests of the Scheduled Castes, Scheduled Tribes and other backward communities and to protect them from social injustice and all forms of exploitation, as envisaged in Article 46 of the Constitution. A short account of the activities so far undertaken by this Government is placed on the table of the House.”

BEGUM SULTAN MIR AMIRUDDIN:—“ Mr. Speaker, Sir, my question deals with Article 46 of the Constitution, wherein it is stated that the State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes. This question should have been answered by the Hon. the Leader of the House. The Hon. the Minister for Rural Development will be able to answer the latter portion of the question only but not the question relating to the weaker sections of the people in general. Therefore I want the Hon. the Leader of the House to answer my question.”

THE HON. SRI B. GOPALA REDDI:—“ Now that the Hon. the Minister for Rural Development has answered the question, the information is there.”

SRI L. N. GOPALASWAMI:—“ May I ask, Sir, whether the very fact that weaker sections are taken to mean Harijans and backward communities, the Government have come to the conclusion that they are the only weaker sections of the people in our society? ”

THE HON. SRI B. PARAMESWARAN:—“ They are educationally and economically backward, and so they are weaker.”

JANAB MOHAMED ABDUL SALAM:—“ Sir, since Reddis are weaker sections in certain districts like Guntur, will the Government see that some more seats in the Cabinet, and special treatment in the matter of bus permits, appointments, etc., are given to them in the future? ”

THE HON. SRI B. PARAMESWARAN:—“ That is not the intention of those who framed the Constitution.”

BEGUM SULTAN MIR AMIRUDDIN:—“ Mr. Speaker, Sir, will the Hon. the Leader of the House in the first place draw up a list of those who are to be included under the terms ‘ weaker sections of society ’ (these are the words used in the Constitution,

[13th February 1951]

namely, ‘ weaker sections ’ and not backward sections) and thereafter appoint a committee to examine the question, and see how the Directive Principles of State policy, in regard to this Article in the Constitution, can be implemented? ”

THE HON. SRI B. GOPALA REDDI:—“ We shall look into the matter.”

SRI V. RAGHAVAYYA:—“ Sir, as the list prepared by the President of the Indian Republic has been based on the very perfunctory and cursory list of the Government of India Act, 1935, as regards the Scheduled Tribes, and since there has been the omission of nearly four lakhs of people like the Yenadis, Yerukulas and Sugalis in Andhra, lot of injustice and harm has been done to them, may I ask, whether this Government are reconsidering the question of their inclusion on the representations made by the representatives of those people? ”

THE HON. SRI B. GOPALA REDDI:—“ The matter is engaging the attention of the Government.”

SRI S. NAGAPPA:—“ It is seen from the statement placed on the table of the House that the Harijan Welfare Department is running 13 hostels and subsidizing 327 hostels run by other agencies. May I ask, Sir, how many applications of the hostel managers who applied for additional grants or for new hostels were rejected this year for want of funds? If grants for new hostels have been rejected, will it not be contrary to, or against, Article 46 in the Constitution? ”

THE HON. SRI B. PARAMESWARAN:—“ Such of those hostels which did not conform to the rules and such others which did not deserve, were not given grants.”

SRI D. V. RAMASWAMI:—“ Sir, from page 2 of the statement placed on the table of the House, it is seen that the Government propose to set up two advisory committees also to assist the Special Agency Development Officer. May I ask when these advisory committees will be formed, and who will be the members thereof? ”

THE HON. SRI B. PARAMESWARAN:—“ Sir, according to the Constitution, a Commission will go into this matter. In addition to that a special officer has been appointed to investigate these matters. When the President appoints that Commission, they will go into the question of finding out who are all really backward and weak as should be classified as ‘ weaker section of society ’. So far as the Scheduled Classes are concerned, a special officer has been appointed, and he is going round. He will very soon submit his report to the President.”

MR. SPEAKER:—“ Questions are over. We pass on to the next item on the agenda. The hon. Member Sri P. Natesan will now speak.”

[13th February 1951]

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

## II.—GOVERNMENT MOTIONS RE

### (1) SEASONAL CONDITIONS AND FOOD—cont.

SRI P. NATESAN :—“ Mr. Speaker, Sir, the hon. Members of the House have had an opportunity of speaking yesterday on this vexed question of food. There is a Tamil poem which says :

‘தனனையே நோவனோ, பிரலாயே நோவனோ, தற்காலமதையறிவேனோ’  
That means, am I to blame myself or, am I to blame others or, am I to blame the present time? That is the situation which faces the Madras Government at present. I shall first deal with what the Government of India are doing in this matter. The Union Food Minister, the Hon. Shri Munshi has, I think, paid two or three visits to South India. On one occasion he came with the new stunt of what is called the ‘ Vanamahotsavam ’. (Laughter.) He has done everything for the planting of trees but the rains have disappointed him and the trees are not growing. So much so the tax-payers’ money is being wasted by the Government of India in this direction. This gentleman whenever he pays us a visit is accompanied by a paraphernalia of the Food Commissioner, Sri Patil, the Union Food Secretary and his own Secretary. With all these gentlemen he comes, makes enquiries and goes back. The Secretary of the Madras Government deals with the Secretary of the other Government and there is an end of the matter. The Hon. Shri Munshi may be an eminent lawyer, but I must humbly say that he is absolutely useless as an administrator.”

THE HON. SRI B. GOPALA REDDI :—“ Sir, if the hon. Member goes on in this strain, his remarks will amount to an attack on a Minister of the Union Government.”

SRI P. NATESAN :—“ Sir, we must speak strongly because this is a question of life and death at least so far as South India is concerned. It is alright for the Hon. Shri Munshi to be travelling up and down the country and making the people understand that he knows that there is starvation but that he will not allow anybody to die of starvation. On the other hand, hon. Members here, who are real Congress Members coming from various constituencies, have been repeatedly saying that people are dying of starvation. Now, I want to know whose version is correct. I want to point out that the Government of India are responsible for the administration of the entire country. We are depending on them for everything, but the Food Minister is not able to give us anything. Naturally, therefore, we have to speak about the attitude taken by the Food Minister of the Union Government. Recently he has stated that there must be a reduction of 25 per cent in the overall ration. This is merely a question of arithmetic. He has divided the number of people with the quantity of rice available and advocated a reduction of 25 per cent. This is no solution at all of the present problem and looking at it from a practical point

[13th February 1951] [Sri P. Natesan]

of view, it is for the Government of Madras to go on persisting in their demands. The Hon. Ministers have been going to Delhi so many times but have they ever seen the Prime Minister of India and impressed on him the urgency of solving the problem here? Unless there is some top-level discussion, it is impossible to arrive at anything like a happy solution and we will simply go on debating year after year and nothing fruitful will result. The Union Food Minister came when the country was in the grip of famine and visited Chingleput where he was told by the ryots that there was no food to eat and that they were living on tamarind and grass. And coolly he said : ‘ This is the most that can be done ’. Is it pardonable?

“ Reference was made yesterday to the fact that we are represented in the Parliament by as many as 50 Members. I ask, should not the Government of Madras tell these 50 Members to do their best and go on a deputation, if necessary? These people are idling away their time and it will be so because they are only the Congress nominees; they were not nominated by us although there was supposed to be an election. They are all creatures of the Congress Organization and naturally they are not taking any steps now to improve the food situation here.

“ Sir, a report appeared in ‘ The Hindu ’ to the effect that the amount of six crores of rupees allotted by the Government of India to the Government of Madras had not been taken advantage of. What will be the impression this will create in the mind of the Ministers of the Government of India? They will think that the Madras Government are not anxious to get the money and if our Ministers go and ask for money again, probably they will say, ‘ You have not taken advantage of the six crores of rupees given to you, why should you come here again.’ ”

THE HON. SRI B. GOPALA REDDI :—“ Sir, I would like to make a statement later with regard to these six crores of rupees.”

SRI P. NATESAN :—“ I shall be glad to hear what the Hon. the Leader of the House is going to say. The Hon. the Leader of the House has stated in his Budget speech that thousands of acres have come under cultivation as a result of the Grow More Food Campaign. Where is all that rice going? Here I have got a letter from one of the dealers in Madras which says that there is plenty of rice available at present in Pakistan, but Pakistan expects payment in sterling on account of the difference in exchange value between the rupee of the Government of India and the rupee of the Pakistan Government. This merchant says that there are 90,000 tons of rice readily available for shipment from Karachi and that the only thing is that payment should be made in sterling. We need rice and why should we not import this quantity? Why should we not ask the Government of India to make arrangements for importing this quantity? It is the responsibility of the Government to supply adequate food to their people. Private importers ought to be allowed to import these big quantities of rice because it is a question of financing and it may not be possible for the Government to do it.



[Sri P. Natesan] [13th February 1951]

"There is another reason why the Government should be enthusiastic about the import of rice from Karachi. Foreign shippers have now announced a rise in the rate of freight. This import from Karachi will not involve any additional rate of freight and so it is all the more necessary that the Government of Madras should arrange for the import of this quantity from Pakistan. Of course, we missed the bus so far as other countries are concerned because they have already made arrangements for the sale of their rice. When we are paying so much for the imported rice, why should we not pay that price to the producers here? We can certainly get rice if we give that price to our producers. The State Government do not know how much they will have to pay for the imported rice. They are simply being dictated to by the Government of India. The Union Government say: 'we have paid so much for the imports'. Then the ladies in the different States take up the question of cereals and placard their wonderful preparations without rice. (Laughter.) It is alright for the Hon. Ministers to be present at such functions; their photographs appear in the papers and God knows who are satisfied. What is wanted is rice and the poor man wants it. The Hon. the Minister for Revenue said yesterday that he is arranging for a lot of work to be done in all the famine-stricken areas. But, may I ask, without rice, how is the labourer going to live to work? All this would not be any solution at all for the present difficulty. The Government must get rice even if it means a little more expenditure. They must pay that higher price to the local producer also. The local producer is the man on whom we should depend. What is the good of leaving him and going to the Government of India? If necessary, we must take permission from the Government of India to pay a higher price to our producers.

"Then I must refer to the existence of blackmarket. In my own opinion, I feel that there is enough rice to go round in this State; otherwise blackmarket cannot flourish. I cannot understand, as the hon. the Lady Member Srimathi C. Ammannaraja said yesterday, how the Madras Government recognize a black-market price. In their note it is stated that the blackmarket price is so much. That means that they encourage blackmarketing themselves. From where does this rice come into the blackmarket? Sir, everyday there is a report in the papers to the effect that some hundred measures of rice were taken over from somebody in the Central Station. What happens to this rice? Is there any stock account kept for this rice? Probably it disappears along with the police. (Laughter.) People bring into the streets daily different quantities 4, 10 or 20 measures of rice and sell them. The Government get at the man who brings the rice but they do not go deeply into the question and find out who is responsible for selling that rice. There must be some efficiency in the administration in respect of this matter.

"These Congress Ministers are good but they are wanting in efficiency. (Laughter.) But I would like to point out that we have got very efficient civilian officers in the Board of Revenue with administrative experience and integrity. Divide the Madras State

[13th February 1951] [Sri P. Natesan]

into various zones and ask these Members of the Board of Revenue to be in charge of particular zone—one or more zones each. One Minister, not necessarily the Food Minister, can be in charge of that one zone. The officer must be given full discretion to do what he likes without interference from Ministers. (The Hon. Sri B. Gopala Reddi: 'What about co-ordination of work?') If this is done, there will be co-ordination. It is the job of the Hon. the Ministers to co-ordinate the work, but let not these administrative officers be worried by orders and counter-orders. Let them not be worried by the so-called legislators also. Then only the administration will improve. Let not the hon. Members take this in the wrong spirit. I do not mean any insult to them; they want to do their best for the country. But let us take the example of West Godavari. Sometime back the Food Council itself resolved at a conference that surplus rice ought not to be handed over to the Government. That is sufficiently indicative of the way the Congress Legislators are behaving. I want them to realize the seriousness of the situation. Therefore, I have given the above suggestion. These administrative officers are all civilians; they have all been Collectors once; they know what should be done in the districts. They know how to ease the situation.

"I am not interested in statistics but I am interested in the administration so that everybody may be supplied with sufficient food. We know, particularly in South India, some people are working as if they are cattle. Can you imagine any part of the world where men draw heavily-loaded carts? But we see that here. Now, how are they going to draw those carts unless they have sufficient food? The Government do not also give them toddy to drink. (Laughter.) That may be alright but what is the alternative food that they are providing them? The Government of Madras are yet thinking lightly over the matter. They simply prepare statistics which can be prepared by any office. If they ask the Superintendent or the Secretary as to what the position is, he says, 'We have got so many lakhs of tons to-day and we have to get so many lakhs of tons'. My point is that black-market is thriving here and the Government do not seem to do anything to prevent it. I must protest against the light-hearted manner in which the Government are carrying on the administration. We want sustained effort to see that the rice position is eased. It is no good depending on imports only. We must first see that the food-grains here are procured and distributed properly. That, only the civilian officers can do effectively."

MR. SPEAKER:—"A large number of hon. Members have given amendments to the motion. Simply because they have given amendments, they think that the Speaker is bound to allow them to speak. Of course, I am allowing all the hon. Members to speak. But in England in similar debates, for example, in the debates on the King's Speech, the Speaker selects one or two amendments and allows all the Members to speak on those amendments. I think that will be a better procedure than what we are following now. In moving the amendments the Members take some 15 minutes and I have also to take sometime while putting them to the vote of the

[Mr. Speaker] [13th February 1951]

House. Therefore, hereafter, I will have to follow the procedure adopted in England of selecting one or two amendments and allowing all the hon. Members to speak on them."

THE HON. SRI B. GOPALA REDDI :—" Is it the Kangaroo system, Sir? "

MR. SPEAKER :—" No."

11-30 a.m. \* SRI A. VAIDYANATHA AYYAR :—" Mr. Speaker, Sir, I have to point out the grave injustice that has been done to the Madurai district in the recent set-up following the withdrawal of rural rationing. Madurai is a deficit district. We had been directly urging on the floor of the House that procurement should be stopped in all the deficit districts along with the stoppage of rural rationing. In August 1950, there was a motion before the House and there was even division about it. In December 1950, the Government accepted the proposition that in deficit districts rural rationing cannot possibly be administered and therefore it was better to withdraw both rural rationing as well as procurement. But unfortunately, by some chance, it has now been found overnight that Madurai which till December 1950 was a deficit district suddenly became a more or less self-sufficient district on the morning of 1st of January 1951. The object of so declaring it to be a self-sufficient district is merely to procure some amount of paddy to a large extent from a few areas. The Government have to fully understand how far this is likely to affect the people in those areas. It will be seen that this year, in a greater portion of the Madurai district, there has been no rainfall at all and even the Government recognized that there would be nothing worth procuring in the non-deltaic areas. Even with regard to what is called the delta areas, so far as the Periar portion is concerned, on account of the failure of rains, the tail end of the crops have become *chavi*. With regard to the portion between Peranai and Kalekadu, the first crop could not possibly come out owing to failure of rains. There was again the turn system which was instituted. Even then, the second crop also did not properly materialize with the result that even in the Periar portion, we are likely to find that there will hardly be 50 per cent of the yield that could normally be expected by those who have put forward some kind of crops. The label, 'more or less self-sufficient' has been given both to Madurai and Tiruchirappalli districts. There is an attempt to secure 30,000 tons from the Periar portion alone, which means nearly eight lakhs of bags. This quantity is going to be procured for the purpose of meeting the requirements of the statutorily rationed municipalities. If the Government had only gone a little into the figures, they should have known that no greater injustice could be done to the villagers in the Madurai district. The present population of the Madurai district is about 28 lakhs. Out of this, hardly about five lakhs are residing in statutorily rationed areas. The rest, that is, about 80 per cent of this population are residing in the villages. So far as these villages are concerned, rationing has been given up by the Government. There has been complete failure of millets in the dry area portion. Even with regard to the wet area, as I have already

[13th February 1951] [Sri A. Vaidyanatha Ayyar]

said, the portion in the non-delta area has become practically *chavi*. With regard to the Periar area itself, it is doubtful whether even about 75,000 acres are likely to yield on an average of about ten bags per acre and whether that could be procured now. About 22 lakhs of people in the villages are deprived of the very small amount that they have with them and on which alone they should fall back upon. Out of nearly ten lakhs of acres, about six and odd lakhs of acres are punja lands growing millets. They have completely failed. Out of the balance, three lakhs of acres are in the Periar portion. As I already said the crops raised in the remaining portion of about 1½ lakhs of acres have become *chavi*. If, in this state of affairs, the Government are to try to procure 30,000 tons from that area, the result will be, the entire produce from that area will be taken away for meeting the requirements of the statutorily rationed areas, thus leaving the people of the villages without anything to fall back upon. Is it just and is it proper to deprive the villagers of the small thing upon which they have to rely? Even if the entire area yielded, the Government should first try to meet the requirements of the villagers who are very large in numbers. Now only half the acreage is likely to produce. I can understand the Government's trying to take away these foodgrains from the villages, had they continued rural rationing, in which case they will have some responsibility to feed the population of the rural areas. Rural rationing was given up as it was found that it was not possible to continue it and also as it was not efficiently conducted. Now the Government have labelled Madurai district as 'self-sufficient'. At a time when there is no rainfall in that district, if the Government want to take away the very little that is available in that district, then it would be nothing but driving the people into the hands of starvation. If the present state of procurement is to go on, the result will be that hardly anything will be left in the villages and the villagers will have completely to starve. If such a situation took place, I do not know wherefrom the Government are going to procure food for these people. Even in December, when this question of abolition of rural rationing was discussed on the floor of the House, we had suggested to the Government that the statutorily rationed areas should be supplied directly by means of imports from the surplus area. That would have been quite an easy thing for the Government to do as the Government will then have a particular definite area to deal with. My hon. Friend Sri Gopalaswami explained at great length the situation obtaining in the Tiruchirappalli district. But, on the borders of the Madurai district, people in the villages have to purchase at black-market prices. The same is the case in areas near Theni and other places. By the procurement policy adopted by this Government in these areas, the Government are artificially driving the people to purchase paddy or rice at higher and higher rates. If there was no procurement, there would not be any black-market prices also. We find to-day that the levy system that is supposed to go round is worse than even the system of intensive procurement. People have been writing to me, appealing to me from village after village mentioning the serious results of the levy system that is now being put. They say that this system is worse than even the intensive procurement. The way in which

[Sri A. Vaidyanatha Ayyar] [13th February 1951]

it is done is really very bad. In some cases it is 80 per cent and in some others it is 50 per cent. No calculation and no allowance is made for the purpose of this levy system. Without making any allowance for permits for domestic supplies and other expenses, the authorities go and take away everything. I have got written complaints from three or four people of the villages. Some people had gone from the village Kalikappan to Madurai to get permit for paddy which had just then been harvested for their personal consumption. But, in the night, procurement officers—the Taluk Supply Officer, the Firka Supply Officer and District Supply Officer with the help of the Police went to that place, broke open the door of the house in which the paddy was stored, and took away all the stock. This is not with respect to this village only. This is taking place in many other places. At present, the food producer should be regarded as a person who is really blessing the people. On the other hand, what we find to-day is that his position is reduced to that of a criminal, merely because he happens to grow foodstuffs. Side by side, you see the sugarcane producer. He gets as much as Rs. 4,000 per acre. Similarly, the chilli producer is getting about Rs. 3,000 per acre. The same holds good with regard to other commercial crops. But, alas!, the man who grows paddy, besides getting only a meagre price for his crop, is being treated without any mercy as if he has stolen some property and as a criminal. Is it the way in which the Government can expect people to grow more food? As a matter of fact, nobody is prepared to leave any paddy for procurement and everything is sold in black-market. They do this, because, they know full well that even the little quantity of paddy that they may have with them will be completely taken away from them by the Government and they will be left with nothing to meet the requirements of their children and family. They are afraid, and rightly so—that there will not be any safety for their foodstuffs so long as the Government pursue their present policy. Therefore I earnestly appeal to the Government and say that the correct and right thing for them to do is to treat Madurai as a deficit district and stop all levy procurement which is at present going on. I have got wires from Kambam valley and other places. I have also got requisitions from places like Kambam and Uthamapalayam where you have got about 9,000 acres. The Kambam valley people in their complaint say, 'We have got so many thousands of acres and we have produced so much. This is really very little and it would not be sufficient for our requirements even. If the levy-procurement system is to be applied to us, the result will be that all the foodgrains that we have will be taken away from us and we will be left with nothing. This again will result in the spread of famine and many people will die of starvation. So we pray that the procurement system may be totally abandoned.' This is what the Kambam people say. This rush for procurement is such that the local officers even out-heroded the Herod. I enquired of the Food Secretary whether orders not to procure except in deltaic areas had been communicated to districts. He was kind enough to tell me that orders had been issued about ten days back. In fact this news appeared even in the Press. When I went home and saw the Deputy Collector—as it is very

[13th February 1951] [Sri A. Vaidyanatha Ayyar]

difficult to see the Collector who will always be on tour—he said that he had not received any such orders from the Government. As a matter of fact, this order takes time to reach the districts. In the meantime, procurement is made from non-deltaic areas also. I should warn the Government that such a state of affairs will not help them. By their taking away about 30,000 tons from the villages and supplying the same to the towns, they are depriving the villagers. Moreover, they are not enable to put forward the real position of their deficit with regard to the statutorily rationed areas by doing so. They are simply trying to reduce their requirements by 30,000; on the other hand, this quantity belongs to the villagers. When the Government are not in a position to look after the needs of the villages, they should not deprive the villages of the very small quantity that they have. I would, therefore, request the Government to treat Madurai district as a deficit district and communicate to the district authorities the necessary orders cancelling procurement. They should also link some surplus district with the Madurai district so that there may be some kind of automatic flow of rice between the two.

“Thirdly, by abolishing rural rationing, the Government cannot wash their hands off their responsibility to provide food for the people in the villages. There has been no rainfall this year also. There is scarcity of grains. Famine conditions prevail. I, therefore, request the Government immediately to rush to their aid. What they have done, on the other hand, is they have taken away the grains available; they have helped an artificial rise in the prices of foodstuffs; they have not made any arrangements for supplying food to the people. People are left to their own fate. This is so now, at a time when harvesting takes place in certain areas. I have got a report saying that about 500 Harijan families in Chintamani have no food. There are no crops. There is no production . . .”

11.45  
a.m.

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

SRI A. VAIDYANATHA AYYAR:—“The Government have taken away the last grain from the villagers to meet the requirements of other deficit areas. May I request the Hon. the Minister for Food to change his mind and treat Madurai as a deficit area for purposes of supply of rice? Let him not call it self-sufficient in order to balance and adjust the procurement figures.”

MR. SPEAKER:—“Each hon. Member will have ten minutes hereafter instead of fifteen minutes.”

\* BEGUM SULTAN MIR AMIRUDDIN:—“Mr. Speaker, Sir, it must have been a sad experience for two Hon. Ministers of this Government to listen yesterday to the harrowing tales that Members of this House had to tell. I am glad the Hon. the Minister for Food eventually decided to accede to our request to postpone his tour and to allow one more day for this debate. At the outset, I wish to state that the decision of the Government to abolish rural rationing was most ill-advised, ill-conceived and short-sighted. The Food Minister tries to make out in his statement

[Begum Sultan Mir Amiruddin] [13th February 1951]

that it was the demand of the members of this House that made him take this step. But you know, Sir, that when this question was debated here a few months ago on a motion made by Sri Vaidyanatha Ayyar and the House went into division on that occasion, its verdict was against the abolition of rationing in rural areas. Later, however, when the Government machinery broke down and the authorities decided to give up rural rationing, those very members who had previously voted for the retention of rural rationing cast their votes in support of the Government proposal as it is always easy for the Government to make members vote as the Government desire."

SRI L. N. GOPALASWAMI :—" But the League group was neutral then."

\* BEGUM SULTAN MIR AMIRUDDIN :—" The fact of the matter is that we did not support the Government in their ill-conceived decision. I wanted to enter my emphatic protest against the proposal but I did not get an opportunity to speak during the last Food Debate. Since this Government have a large majority in this House, they have just to send round their whip and support for them is assured, no matter how ill-advised their proposal might be. That is how the Government secured the approval of this House to abolish rural rationing. No doubt, vested interests, such as landlords, whether big or small, and people in surplus areas may welcome this decision. But what about millions of landless poor, what about the landless labourers? Are they to starve because of the hasty action taken by the Government? The Hon. the Minister for Food is an industrialist and he is well aware of the fact that when any commodity is in short supply, prices shoot up and black-marketeers play havoc with the situation. Such being the case, was it not most inadvisable to have had recourse to derationing at a time the stock possession of food-grains was so low? Sir, you would have read in the newspapers how His Excellency the Governor was deeply moved during his tour of some of the districts last week when he heard harrowing tales from the villagers about their terrible plight in facing starvation. I am afraid, that unless some drastic action is taken to rush food for the hungry millions the tragedy of Bengal famine will be enacted in this State. The Government have to act promptly so as to ward off the disastrous effects of rural derationing and see that the millions of people that are starving are saved from the jaws of death in the months to come. What has rural rationing meant to millions in the deficit areas? It has meant nothing but hunger, privation and acute suffering. People from the villages are migrating to the urban areas in search of food. In deficit districts rice was available previously for thirteen annas per measure, but now one has to pay Rs. 1-6-0, 1-8-0 and in some cases, even two rupees per measure. Since rural derationing has been adding to people's woes not solving their food problem, I hope the Hon. the Minister for Food will revise his policy and restore rural rationing or at least open relief shops in every village.

[13th February 1951] [Begum Sultan Mir Amiruddin]

" I also hope that he will impress upon the Government of India the imperative necessity of giving more rice to this State. When the Government of Bombay brought to the notice of the Union Government that their deficit was ten lakhs of tons of grain, they were given seven lakh tons. But when the Government of Madras asked for ten lakh tons of grain to meet a deficit estimated to be not less than 13.5 lakhs, only four lakhs was promised. And the Union Food Minister has remarked that this State will be lucky if it gets even this quantity in full. I cannot understand why such preferential treatment should be shown to one State and indifference to the requirements of another. It is the duty of the entire Cabinet to rouse the Central Government to action in order that a crisis in this State may be averted. Hon. Ministers are ever busy undertaking tours. I would request them not to go on tours for such purposes as the opening of hostel, presiding over a college function, opening a cinema hall or attending a dance recital. If they undertake tours, let them, like His Excellency the Governor, do so with the object of acquainting themselves with the difficulties and the problems of the rural folk. It is a pity that even when this Assembly is in session Ministers go away on tour to participate in insignificant functions. I hope this will be avoided in future. One tour, however, I wish them to undertake and that is to go to Delhi en bloc—all the twelve of them—to impress upon the Prime Minister of India, who is a man noted for his great humanity, the gravity of the situation here. I am sure he will be moved by the appeals of our Ministers. The Ministers may also appeal to Sri C. Rajagopalachari and Sri N. Gopalaswami Ayyangar to come to the rescue of this State. The Hon. the Food Minister has been telling us from time to time that representations have been made to the Government of India for an additional quota of grain. But mere assurance that representations have been made are of no avail, when such representations have not proved effective. The Government must make their representations decisive and effective to save this State from famine.

" It is indeed a matter of considerable regret that the Grow More Food campaign in this State has been a failure. This is evident from the fact that the acreage under paddy has gone down by one lakh tons since 1946 whereas the acreage under cash crops has considerably increased. I understand that the acreage under tobacco has increased by 35 per cent. People have been converting areas under paddy cultivation for the growing of commercial crops since that is more profitable to them and it is the commercial crops that are benefiting by the irrigation schemes of the Government. Time and again the members of this House have urged upon the Government to give a higher price to the producers of paddy, for unless the producer has sufficient incentive to produce paddy, he will not do so. The price paid to the producers of sugar has been increased. Why then should not the same policy be adopted with reference to the producers of paddy? Sugar, after all, is not so essential as rice. When incentive is given to the growth of sugarcane, why is such incentive withheld from the growers of paddy? I hope the Government will pay some heed to this demand.

[18th February 1951]

\* SRI K. R. KARANTH :—“ Mr. Speaker, Sir, I do not propose to enter into any controversy regarding the responsibilities of the Ministers of the Central Government as the hon. Gentleman sitting nearby did. At one time Sri Natesan said that there was enough rice going round. If that is a fact, then, there is no meaning at all in abusing the members of the Central Government. I do not know whether he realized the inconsistency in what he said. If there is enough rice in the State, then it is a question of management by ourselves. [At this stage, Begum Sultan Mir Amiruddin (temporary Chairman) occupied the Chair.] But I do not believe, Madam, that there is enough rice. In the matter of abolition of rural rationing, I think the House has to take a share of the blame. Many of the members of the House asked for it and when that has been done now, they want the original position to be restored. I am reminded of the story in the text-book of the ‘Old Man, His Son and the Donkey’. Either the father or the son was sitting upon the donkey by turns and the story ended in the donkey being drowned in the river. This rural rationing and procurement business amount to the same. Procurement was objected to very strongly because of the fact that everywhere people were subject to severe harassment by procurement officials. At any rate, that is my experience so far as my district is concerned. The cultivator was so much teased that little or nothing was left with him even for his own maintenance. Except in the case of a few rich and influential landlords who escaped such harassment either through the negligence or the connivance of the procurement staff, a good number of people were put to unheard of suffering. I have made several speeches in this House on the question of harassment by procurement officials. We cannot have rural rationing on a large scale unless we have procurement on a large scale. Some of us objected to intensive procurement, because that ended in harassment of the actual cultivator. We, therefore, said, ‘give up this intensive procurement and this rural rationing also’. No doubt, it would be in the best interests of the people if there is proper procurement and proper rural rationing. In countries like Britain where there is no much complaint about procurement. If our procurement system had been alright and if our procurement had been justly made, leaving enough grains for the producer for his own maintenance, rural rationing would have been the most ideal thing. Even now if there is a good procurement machinery, I would insist upon the re-introduction of rural rationing. But that is not the case. To leave the people in the villages to their own fate as is now being done, is certainly a negation of good Government. That is not a thing to be done.

12 noon. “ Serious conditions are prevailing in many districts and we read from the newspapers that in certain areas real famine conditions are prevailing. It is the same picture that we get from the particulars furnished in the note placed on the table of the House. Several districts are going in a very bad way, particularly Tamilnad and some other southern districts. This is not the time to give up rationing and procurement. Normally the advice tendered was alright but when conditions are abnormal, when

[18th February 1951] [Sri K. R. Karanth]

crops are spoiled wholesale, then there is no meaning in allowing certain people to have the produce in their own hands and allow large masses of the people to go without anything at all. As we have heard from the hon. Member Sri R. V. Swaminathan, migration is going on from one district to another. This only shows the serious and tragic state of affairs.

“ Let me now say a few words on what I find in my own district. I do not presume to know anything about other districts. As things are going on in my own district, my complaint is the same as that of my hon. Friend Sri Vaidyanatha Ayyar. The district of South Kanara is a deficit district by about 20 thousands tons. This year the export was about 6 thousand tons and the import was 26 thousand tons. That is what the food figures show. During the last four or five years it was between 15 to 20 thousand tons—import from outside districts. I do not know how this so-called self-sufficiency was arrived at; probably it may be by means of some jugglery, and yet the district of South Kanara is classed as self-sufficient. I think we are only in the realm of imagination and not in the realm of practical politics. Even there what do we find? The prices have shot up as elsewhere. The controlled price of rice is about Rs. 15 a maund but the price ruling in thickly populated areas is Rs. 30, that is, double that of the controlled price. In other parts the price is about Rs. 20. What I want to impress is that large quantities of paddy and rice are exported by lorry to outside the district. Lorry loads of them are taken away outside the district in a clandestine manner. More than a month ago, I wrote to the District Collector that this should be stopped. It could be done easily through one or two good Sub-Inspectors of police. The Sub-Inspectors can stop the lorries, and confiscate the paddy as the rules provide for it. Then there will be no export. As it is some people in my own district and particularly in the adjacent district of Malabar, where there is plenty of pepper money are ready to throw currency notes of hundred rupees for rice. Therefore all the grain is flowing towards those areas where money is cheap. By one lorry load a merchant is able to make one thousand rupees. He buys at Rs. 20 in the morning and by the evening he sells it at Rs. 30 a maund and makes one thousand rupees per lorry. This is a most profitable business. Just as in prohibition, there are actual vested interests being established and some people are making any amount of money in the rice trade also in my district. This is the case elsewhere also. Certain people are engaged in these clandestine exports and they are making large profits.

“ What I say is this. There is no use of complaining about procurement and about rationing. These could be worked in my own district as also in other districts provided nobody removes paddy or rice from one place to another. This should be done entirely by the Government agency. I do not want that this should be entrusted to the merchant class. In the proposal now made it is said that the merchants should sell only some portion to the Government and the rest they can sell as they like, that is, the balance goes to the market. There is no doubt about that. What



[Sri K. R. Karanth] [13th February 1951]

I say is, in every district the minimum of staff is enough, no man need be harassed by procurement, and entire purchase should be undertaken by Government. None of the landlords can keep back the stock for a long time without selling the surplus. We must say to them that they must sell their surplus to the Government at controlled price only and to none else. It is quite possible to operate this scheme and I see no difficulty at all. Inter-district movements should be stopped. These are not being done and profiteering is going on. If this is allowed to continue, conditions will become very bad in my district and elsewhere also.

"Then there are one or two points about which I want to say a few words. We protested in the past and the Government agreed to have a limit on the expansion of the acreage under commercial crops, at least to a certain extent. Yesterday we heard that 3 lakhs of acres have been allowed to be under tobacco, jute and cotton by the Government of Madras. I do not know whether it is an agreement that this Government have entered into with the Government of India. If the Government of India have told the Government of Madras to raise these crops or allow them to be raised as they which would get dollars for them from America, then they must give us more food grains. The Government of Madras ought to have said: 'Provide us with so much quantity of extra rice so that we could devote some area for the production of these crops, jute, cotton and others. Otherwise we will not agree to this arrangement'. Some four or five years ago the acreage under paddy was 110 lakhs of acres, last year I think it was 102 lakhs of acres, recently we read it was 92 lakhs of acres. The paddy acreage is going down fast and this Government has no excuse whatever to allow this state of affairs unless there is a prohibition from the Central Government in which case the Central Government must take up the responsibility for feeding the people of this State. They cannot say 'Go on producing jute, cotton and other commercial crops', and at the same time throw the burden of feeding the people on this State. This must be put down with a strong hand, this increase in the acreage under commercial crops to the detriment of food production.

"Lastly I wish to mention the claim of persons living in the City and such other big towns in the State for fuel being given by the Government. I think the time has come when the Government should take it up. Many people told me they require about 15 gundus of fuel a month, especially the middle class people. It costs them about Rs. 30 at Rs. 2 a gundu. Therefore in the matter of not merely rice, but also fuel, the Government must undertake the distribution. Conditions of life are becoming so hard and so very abnormal in the whole State that unless things are done with a strong hand and properly, the outlook is rather gloomy."

**SRI V. C. PALANISWAMI GOUNDER** :—"Madam, the Government in their own statement have described the condition in Coimbatore district as distressing and more acute in the whole of Palladam and Dharapuram taluks and parts of Udumalpet, Avinashi and Erode taluks. Somehow I find the word 'More' has been struck off. Coimbatore comes into prominence as a

[13th February 1951] [Sri V. C. Palaniswami Gounder]

deficit and famine stricken district. The Government statement is fair and though they have described the condition as acute, I must add that actually famine conditions are prevailing in several parts of the district. The present policy of the Government seems to be, not to undertake famine relief works because according to them the starting of such works are cumbersome and require special staff and all that. There is no use of blaming the Famine Code. Government should adjust themselves to the needs of the hour. We have been telling the Government that the Famine Code was drawn up very long ago when the irresponsible Government was in power and all that. Now it is up to the present popular Government to alter the nature of the Finance Code and make it more pliable and easy of application to meet the grave situation. I presume the idea of the present Government is to start relief works with the existing staff itself. The normal works of relief, namely improvement of minor irrigation works, road works under the Highways Department and sinking of wells under the Revenue Department seems to be their programme. But I would like to impress upon the Government that these departments with their normal work and with their present capacity will not be able to do justice to the pressing needs of the district. The Government must sanction more staff to attend to this work. I know the Government have allotted about 10 lakhs of rupees for works under the district boards to take up relief works but I do not see any provision for the appointment of the technical staff to carry out these works. The Government seem to think that starting of normal irrigation work and development work will give the distressed people some employment but human nature being what it is, these people will not easily leave their homes and seek employment in far away places. The district Collector asked the unemployed Harijans to go and seek employment in the Bhavani project. But these poor Harijans could not go there and find work. Their strength is reduced, they are not able to move. They will rather die a slow starvation death than undertake a travel to places 30 to 50 miles away. Therefore last time we impressed on the Collector and the district board authorities to find work for these unemployed in places where the distress was acute.

"In the matter of opening of relief shops also Government are not following a liberal policy especially in the famine stricken areas like Dharapuram and certain other places. Government have issued orders to the Collectors that they may open relief shops in consultation with the Civil Supplies Department. I know the difficulties of the Collector and the time taken by the Civil Supplies Department to sanction the opening of relief shops on a liberal scale. In their statement the Government have stated that relief shops would be opened in taluk and sub-taluk areas and also in major panchayat areas and so on. This will not be sufficient to relieve the widespread distress. Taking Dharapuram as a whole, there is not a single major panchayat area in that taluk and therefore people will have to walk for miles to find a relief shop. Even after walking such long distances, what is it that they find there? Taluk Supply Officer. He is himself a producer and has given a



[Sri V. C. Palaniswami Gounder] [13th February 1951]

a majority of them will have to return without any grains. It seems to be the plight of people in the taluks of Dharapuram, Udumalpet, Erode and Avanashi. Therefore I appeal to the Government that they should make special arrangements to start relief shops in as many convenient centres and places as they can. They must give free and full discretion to the District Collector to open these shops without waiting for orders from the Civil Supplies Department. This department is in Madras and has to attend to the needs of the whole State. This department cannot get even a bird's eye view of the situation in the districts and as such cannot fully appreciate the acute conditions prevailing in the different districts in the State.

12-15 P.M. "I therefore request the Government to give full discretion to the Collector to open as many relief shops as possible."

TEMPORARY CHAIRMAN (BEGUM SULTAN MIR AMIR- UDDIN):—"I have been asked by the Speaker to give not more than ten minutes."

SRI V. C. PALANISWAMI GOUNDER:—"Madam. I will finish within one or two minutes."

TEMPORARY CHAIRMAN (BEGUM SULTAN MIR AMIR- UDDIN):—"I am afraid it cannot be exceeded."

SRI V. RAGHAVAYYA:—"Madam, this is not the first time that we are having a debate on food in this House and this is not the first time for the Hon. the Minister for Food to sit in this House quite calm, composed and certainly not at all perturbed at the various criticisms that are levelled against him. My view is that no Minister however great he may be, not even much-maligned the Hon. Shri K. M. Munshi, can do wonders in a country where able and experienced misfits in the departments are able to successfully sabotage the various constructive programmes that are being chalked out by the heads of departments. I would like to give a few instances where administrative inefficiency and even perversion have prevented the just rules of the Government being put into operation.

"Madam, take for instance the case of Chittoor. This is a district where there has been no rain for the past four years. (An hon. Member: 'No rain for the last four years!') Yes, there is no rain for the past 4 years. I had been there recently and I was told that rice which was selling at Re. 0-11-0 per seer before is now selling at Re. 1-7-0 per seer. Ragi which was selling at Re. 0-9-0 per seer before derationing is now selling at Rs. 1-2-0 per seer. Cumbu which was selling at Re. 0-9-0 per seer is now selling at Re. 1-4-0 per seer. A bag of 60 seers of rice which was available for Rs. 20 before is now selling at between Rs. 45 and Rs. 50 with one additional difficulty. Where is the shop to go and buy the rations? There is no shop and there is no dealer. All the shops have been wound up. We have to go in search of black-marketers and pay whatever he wants. This is the plight to which

13th February 1951] [Sri V. Raghavayya]

not only the Chittoor district but several other districts have been relegated recklessly and the Government won't care to find out what will happen to the consumer in these circumstances. I cannot understand why the Government have not been able to open as many relief shops as possible. The other day, I opened a Hostel for boys and on the first day I went round to purchase rice. I could not get any rice anywhere. Finally, a black-marketer openly told me that if I would pay the price he asked, he would supply rice. That is the plight of people in the Chittoor district where total derationing was introduced. As many as 15,000 people have fled to Nellore and there they are being arrested—for having no means of livelihood! One hundred and seventy people were arrested in one day because they had no place to live in. There are no choultries even. They are being arrested under section 50 of the City Police Act and put in prison because they are going about in the streets. Madam, this is the way in which the Government deal with the food problem. No doubt, debates are taking place in this House and they are being published in the newspapers. But, what is the remedy?

"Then, Madam, let us take the case of Guntur which was a surplus district. It is now reduced to utter poverty on account of maldistribution. I am glad the Hon. the Food Minister is going to Guntur tomorrow. Perhaps by the time he goes there, things may be alright. A train starts at Tenali at 3-30 p.m. and reaches Guntur by 5-30 p.m. Nearly rice worth Rs. 1,000 is being carried in that train every day and there are nearly five such trains that go to Guntur. The people take the rice nonchalantly to Guntur and sell it at abnormal prices. There is no check anywhere, and nobody to obstruct. The train stops one or two furlongs away from the Railway Station and all the rice bags are thrown out of the train. The Driver, the Guard, the Signal-man and the Station Master are all conniving at this. If I have ever seen any control, this is the sort of control that is working thoroughly well. Yet, the Collector of Guntur had the audacity to say at the Conference of the District Food Committee that he was not able to supply rice to the ration shops in Guntur. One member asked, 'why?' He said that rice was not available. Another member put another question, 'Rice is available in the black-market and it is selling at Re. 1 per seer.' He said he was helpless. I would like to tell the Hon. the Minister for Food or the Food Secretary or anybody that is responsible for this, that there is no more anarchy than the one we are seeing in Guntur now. Rice worth Rs. 1,000 is being brought from Tenali every day. Is there no Government in Guntur? This is too bad and it should not be allowed to continue. I know the Hon. the Minister for Food is impregnable. He is like the Fort Bharatpur against which no guns were successful. Likewise, the Hon. Minister may not be affected by what we say in this House. A number of able and experienced misfits in the administration are entirely responsible for sabotaging the policies of the Government and however much one may try, he will not be able to succeed because of the above reasons.

"Then, Madam, let us take the case of Nellore. There is a Taluk Supply Officer. He is himself a producer and has given a

[Sri V. Raghavayya] [13th February 1951]

statement to the Collector that he has not drawn rations for the past four years. But the records showed that he was drawing rations for the past four years. Yet, he had the temerity to take a bag of 72 seers of rice for his own consumption from the co-operative society of which he was the President. Three days later he took another bag of rice. I complained to the Collector who made his own enquiries. I wanted the Collector to examine the clerk of the Society who is a Vaisya gentleman and the Yanadi who carried the bags to his house. Now, I am told that such a thing has never happened. I submit that, so long as the Government are so blind and led by the blind, I am sure, there is absolutely no chance for this State to prosper."

\* JANAB ABDUL KHADER JAMALI :—“ கனம் தலைவி அவர்களே ! சென்ற ஆறு மாத காலமாக இச் சபையில் பல சமயங்களில் உணவு விவாதத்தை நாம் நடத்தி வந்திருக்கிறோம். உணவைப்பற்றி நாம் இங்கு பல தடவைகள் விவாதித்தும் கூட, ஒருவித பயனையும் நாம் அடையவில்லை; நமது சர்க்கார் மத்திய சர்க்காரிடம் தூது சென்றும் ஒரு பயனையும் அடையாததுபோல. இப்பொழுது கனம் உணவு மந்திரி அவர்களால் நமக்குக் கொடுக்கப்பட்ட கணக்கின்படி நமது தேவைக்குக் குறைபாடாக உள்ளது 13 லக்ஷம் டன். இந்த உணவு தானிய புள்ளிவிவரம்— பயிரளவில் இருக்கும்போது கிராம அதிகாரிகளால் எடுத்துக்கொடுக்கப்பட்ட கணக்கின்படிதான்—சர்க்கார் கொடுத்திருக்கிறார்கள். சென்ற 4 வருஷ காலமாக மழையில்லை. ஆகவே, நாம் எதிர் பார்த்ததற்குமேல் இந்த வருஷம் அதிக உணவு பற்றுக்குறையை ஏற்படுத்திவிட்டதென்று, சர்க்கார் நம்மிடம் சொல்லிவிடுகிறார்கள். ஆனாலும்; எனக்கு நீங்கள் குறைந்த காலத்தைக் கொடுத்திருப்பதால் நான் இராமனாதபுரம் ஜில்லாவைப்பற்றி இரண்டொரு வார்த்தைகள் பேசி முடித்துக் கொள்ளுகிறேன்.”

“ நம் கனம் பிரதம மந்திரி அவர்கள் நேற்று கூட இச்சபையில் இல்லை. இன்று வந்திருந்தார். ஆனால் சிறிது நேரத்திற்கு முன்பு எழுந்து சென்றுவிட்டார். கனம் பிரதம மந்திரி அவர்கள் இராமனாதபுரம் ஜில்லா வாசியாகவும், அந்த ஜில்லாவின் பிரதிநிதியாகவும் இருந்து நமது மாகாணத்தை நிர்வகிக்கும் சர்க்காரின் பிரதம மந்திரியாக வந்திருப்பதைப் பற்றி நான் சந்தேகமாக இருந்தேன். அப்படியிருந்தும், அவருடைய சொந்த ஜில்லாவில் இன்று மக்கள் பல பேர் பட்டினியால் சாகிறார்களென்று நான் இங்கே சொல்லாமல் இருக்க முடியவில்லை. இன்று தமிழ் நாட்டில், முக்கியமாக இராமனாதபுரம் ஜில்லாவில்தான், பஞ்ச நிலை தலைவிந்தாடிக் கொண்டு இருக்கிறதென்பதை நான் பல காரணங்களால் எடுத்துக்கொல்ல முடியும். முக்கியமாக, இராமனாதபுரம் டிவிஷன், இராமனாதபுரம், முதுகுளத்தூர், பரமக்குடி போன்ற தாலுக்காக்களில் சென்ற நான்கு வருஷ காலமாக மழையில்லாமல் அங்கு பயிரே செய்யப்படவில்லை என்பதை சர்க்கார் உணர்வேண்டும். நான் சென்ற வாரம் என்னுடைய தொகுதியில் சுற்றுப் பிரயாணம் செய்தபோது, மக்கள் அரிசி, இதர தானியங்களை பணம் கொடுத்து வாங்கமுடியாத நிலையில் மிகவும் கஷ்டப் பட்டுக்கொண்டு இருக்கிறார்கள் என்பதை நேரில் கண்டேன். இதைப்பற்றி சென்ற வாரம் ரெவின்யூ போர்டு மெம்பர் ஸ்ரீ ராகவன் அவர்கள் சுற்றுப் பிரயாணம் செய்து அங்குள்ள நிலைமையை உணர்ந்து அவர்கூட கவரன்மெண்டுக்கு ரிபோர்ட்டு சமர்ப்பித்திருக்கிறார்.

“ கனம் ரெவின்யூ மந்திரி அவர்கள் பஞ்ச நிலைமையைப்பற்றி சபையில் அறிக்கையொன்றை விடுத்திருக்கிறார். ஆனால், முக்கியமாக அவருடைய அறிக்கையில் இராமனாதபுரம் ஜில்லாவின் எல்லா பாகங்களிலும் பஞ்சம் தலைவிந்தாடுகிறதென்று ஒத்துக்கொண்டிருக்கிறார். இப்பொழுது மீண்டும் இராமனாதபுரம் ஜில்லாவில் கிராமாந்திர ரேஷனைக்கொண்டு வந்து ஜனங்களுக்கு இலவசமாக ரேஷன் கொடுத்தால்தான் அவர்களுடைய உயிரைக் காப்பாற்ற முடியும்..

[13th February 1951] [Janab Abdul Khader Jamali]

“ கனம் ஸ்ரீ பக்தவத்சலம் அவர்கள்கூட இங்கு இருக்கிறார். அவரிடம் ஒரு விஷயத்தை இந்த சந்தர்ப்பத்தில் ஞாபகப்படுத்த விரும்புகிறேன். இராமனாதபுரம் டிவிஷனில் இருக்கக்கூடிய மக்களில் அதிகம் பேர் அயல் நாட்டை நம்பியிருக்கிறார்கள். அயல் நாட்டில் தொழில் செய்து வந்தால்தான், இங்கு அவர்கள் ஜீவிக்க முடியும். அவர்களுக்குத் தேவையான பணத்தை அயல் நாட்டுப் பக்கத்திலிருந்து அவர்கள் எதிர் பார்த்துக் கொண்டிருப்பவர்கள். அவர்கள் சர்க்காரில் கடன் வாங்கியிருக்கிறார்கள். அந்தக் கடனைத் திருப்பிக் கொடுக்காத காரணத்தினால் இந்த சர்க்கார் Passport கொடுக்காமல் பல நபர்களை இங்கேயே தேங்க வைத்துக் கொண்டு இருக்கிறார்கள். கனம் பக்தவத்சலம் அவர்கள் தற்சமயம் இங்கு இருக்கிறார். சென்னை சர்க்காருக்கு ரூ. 500-க்குச் குறைவாக கடன் வாங்கியிருக்கப்பட்டவர்களுக்கு விதிவிலக்கு அளிக்க அதிகாரமிருக்கிறது. அவ்விதம் கடன் வாங்கியவர்களில் இராமனாதபுரம் ஜில்லாவில் எவ்வளவோ பேர்கள் இருக்கிறார்கள். அவர்களுக்கு விதிவிலக்கு அளித்து, அவர்களை இதிலிருந்து விடுதலை செய்து, உடனே அயல் தேசங்களுக்கு அனுப்பி வைக்கவேண்டும். அவர்களை அயல்நாட்டுக்கு உடனடியாக அனுப்பி வைப்பதோடு, இராமனாதபுரம் ஜில்லாவில், முக்கியமாக மூன்று தாலுகாக்களில் பல Relief shop-கள் ஏற்படுத்தி ஜனங்களுக்கு கடனாக மொத்தமாகவோ ஒரு allowance போலவோ கொடுத்து, அதை இரண்டு வருஷங்களில் வசூலிக்கக்கூடிய நிலைமையிலோ அல்லது ஜனங்களுக்கு இனாமாக அரிசி சப்ளை செய்வதன் மூலமோ இதை நிவர்த்திக்கவேண்டும். ஒரு தாலுக்காவுக்கு பேருக்காக 2 அல்லது 3 relief shop-களை ஏற்படுத்திவிடுவதால் ஒருவித பிரயோஜனமும் ஏற்பட்டுவிடாது.

“ இந்த மாதம் 10,000 டன் அரிசி தேவையென்று கலெக்டர் ரெவின்யூ போர்டுக்கு எழுதியும் கூட 2,000 டன்தான் ரெவின்யூ போர்டு அனுப்பியிருக்கிறது. 2,000 டன்னில் 1,400 டன் Statutory rationing-க்குப் போய் விடுகிறது. மீதம் உள்ள 600 டன்களை வைத்துக்கொண்டு வரண்ட பிரதேசத்தில், அதுவும் 4 வருஷமாக மழையில்லாமல் பஞ்சம் ஏற்பட்ட இடத்தில் மக்கள் எப்படி ஜீவிக்க முடியுமென்பதை சர்க்கார் உணர்ந்து முக்கியமாக இராமனாதபுரம் ஜில்லாவிற்கு மதராஸ், நீலகிரி, மலபார் போன்று ஒரு தனிப்பட்ட சலுகை காண்பித்து இராமனாதபுரம் ஜில்லாவை பஞ்சப் பிரதேசமென்று கருதி மீண்டும் கிராமாந்திர ரேஷனைக் கொண்டு வந்து அந்த மக்களுடைய பரிதாப நிலைமையை நிவர்த்திக்கும்படியாகக் கேட்டுக் கொள்ளுகிறேன். அதோடு கனம் ஸ்ரீ பக்தவத்சலம் அவர்கள் டியார்ட்மெண்டு மூலமாக கலெக்டருக்கு உடனே கடன் நிவாரணம் அளிக்கும்படி எழுதியனுப்பி மக்களைக் காப்பாற்றி, அவர்களுக்கு Passport வழங்கி அயல் நாட்டிற்கு அனுப்பி வைக்கவேண்டுமென்றும் நான் கேட்டுக்கொள்ளுகிறேன்.”

SRI A. KAMESWARA RAO :—“ Madam, the whole food problem has been bungled and mismanaged by the Centre as well as by this Government. There is no plan for production, distribution and allocation. What is needed to-day is this : the food portfolio both at the Centre and here must be put on a war footing and steps should be taken to produce more in this country and also to import from other countries. At one stage, actually speaking, the policy of the Centre seems to be *செல்லு, உண்ணாது*, i.e., the mother won't give nor would allow the child to beg. Our State Government is helpless in the matter and is looking to the Centre for some doles. It would have been much better if this problem had been taken up by the States themselves and they had attempted to import foodgrains from other countries like Burma and Singapore. That has not been done. And not only that; nobody has studied this problem properly—i.e., where does the disease lie, how much is the deficit, how much

[Sri A. Kameswara Rao] [13th February 1951]

we have to produce, how much we have got, etc.,—all these questions have not been studied, properly. Even if they have been studied, the Government have no vision; they are not counting the natural calamities, and as a result, this bungling has taken place. I entreat this Provincial Government to take courage into their own hands and see that immediately they put this food problem on a war footing. After all, a man wants a little food and a little clothing *కొద్దిగా కొద్దిగా* i.e., all that we do is only for food. So, this food problem must be put on a war footing and a capable gentleman with drive must be put in charge of the department. There is no use depending on individual producers. Whatever is the deficit, we must produce by immediately organizing State farms wherever there is plenty of land. We may also introduce mechanized methods and modern implements to produce more and more to cover the deficit. It is really surprising to see that the Government follow one policy to-day and change it tomorrow. For instance, in the towns they recently introduced the pool system by rice dealers. That now goes and the wholesaler is brought in. I have received letters from Guntur to say that the price has been one pie more, and if the middleman is now introduced, the price of the rice will go still higher. There is no point in bringing in the wholesalers and also introducing rationing in the surplus districts. So, I request the Hon. Minister to see that the middleman—who is merely a transactor—is not brought in again in the towns. Either rationing should be taken away in the towns or at least the wholesaler should not be again brought into the picture, since the price of rice will go up still higher and it will put the consumer to greater difficulties. With these words, Madam, I close my speech."

JANAB M. MUHAMMAD ISMAIL:—"Madam, it is really regrettable that the normal seasonal conditions have failed in this State once again for the fourth year in succession. We all sympathize, the House sympathizes, with the people in their suffering. But it is for the Government to take the necessary measures for ameliorating the conditions of the people. (At this stage the Deputy Speaker occupied the Chair.) So far as Members here are concerned, they have only to see whether the steps taken by the Government and the proposals made by them, are such as to meet the situation and to give their own suggestions in the matter. The Hon. Revenue Minister, Madam Deputy Speaker, has enumerated a number of steps that his department is taking. It is of course a good thing that the Government has suspended the collection of kist and they are considering the question of giving remission to people. I hope that the remissions to be given will be sufficient to give some relief to the poor people. Remission of kist by itself cannot be adequate relief; as is proposed by the Government, people should be given sufficient amount of loans to enable them to carry on their work. On the question of giving employment to the people, the Government say it is not possible for them to follow the measures proposed in the Famine Code. Of course we would also like to see that whatever work the people are asked to do is of productive nature; the work given should not be

[13th February 1951] [Janab M. Muhammad Ismail]

barren though it may give some relief to the affected people for the moment. The Minister says that the Famine Relief Code is against the Government adopting such measures as they want to do. In that connection, I may just make a suggestion that the Famine Code may be amended suitably so as to meet the present requirements.

"One point I want to refer to, Madam Deputy Speaker, and that is this: the statement of the Revenue Minister makes it appear as though the situation in regard to fodder is normal and ordinary even at present. The statement says that fodder is generally available at present; but it is not simply a question of the availability of fodder. Fodder may be available, but at what cost? I want the Government to find out at what cost the poor people are able to get fodder which is required for their cattle and which in turn are required for their agricultural operations. At times, a pair of bulls—why at times, even generally nowadays it is the case—is costlier than a family of human beings; it takes more money to feed a pair of bulls than to feed a house full of children. That is the position now. So, even before further scarcity of fodder occurs, the Government ought to do something in this connexion. Incidentally, Madam, the statement refers to the plight of the weavers also and it says that they are given cash doles and it is proposed to take work out of them; i.e., those people who are given cash doles will have to do some work. Let them take work from them by all means; but at the same time, I want the Government to see that this cottage industry is not thereby impaired. Why divert the people who are engaged in this age-old industry to other work? We want this cottage industry to go on as usual and be a source of employment to lakhs of people which it is to-day. These people do not want cash doles from the Government; on the other hand what they want is sufficient quantity of yarn to be given to them so that they can go on with their usual avocation.

"Madam Deputy Speaker, coming now to the food situation, the Hon. Food Minister is being attacked and criticised on all sides; but I do not think that is fair. The Food Minister is not personally responsible for what is happening or what is being done by the Government in regard to food. That is the view I have expressed on the floor of this House previously and that is the view which I hold to-day. When we criticise the Food department, we do not really criticise the Food Minister as such, because we know that he is the victim of the policy adopted by the Government as a whole. The whole Cabinet is responsible for the plight in which our State is to-day. If anything, the Food Minister is forced to carry out the policy that is adumbrated by the Government, and that Government have all of a sudden decided one day to deration the rural areas. Some members have been complaining that most of the advice given by Honourable Members of this House was in favour of abolition of rationing in the rural areas. But I hope and believe that the Hon. Food Minister and the other Ministers too will remember that I recorded by emphatic protest against such proposal; I protested against the derationing before

[Janab M. Muhammad Ismail] [13th February 1951]

the scarcity of foodgrains was surmounted. They have now abolished rural rationing; and what is the effect of it? The effect is that the Government have absolved themselves from certain responsibility, i.e., the responsibility of finding food for the people of a very large part of the State. The situation of course otherwise remains the same so far as control is concerned, and you find restrictions in the movement of foodgrains continuing and the policy of procurement also is continued, though it may be called by another name, levy. Much heart-burning is caused by the discrimination which is now being made against certain people in certain parts of the province, compared to the others. What the Government have done is just like the story of the man who wanted to jump and clear a well and ended by half-jumping and half-clearing the well. Madam, you are probably wondering what I mean thereby. The man started to clear the well from one wall of it to the other wall; what he thought was 'though I may not be able to clear the whole well, I can clear at least half of it'; and so, he simply fell into the middle of the well. That seems to be the plight of the province to-day under the present policy of the Government. They say; this is the new orientation that has been given to their food policy. For what purpose? For reducing or for doing away with the harassment and the corruption to which the people were being subjected, and also, we are told, for giving the much-needed incentive to the people to cultivate their lands and to produce more foodgrains. Under their present policy, however, I want the Government to think calmly whether they are really giving that incentive, whether the people under the present arrangement, feel enthusiastic about cultivating their lands.

12-45  
P.M.

"Here, I want to say one thing, Madam. Unless you make it worthwhile for them and unless they get the proper price for their produce, you are not going to give them any effective incentive. While the price of every other article which that very producer of foodgrains has to purchase, is soaring up higher, it is not charitable on our part to ask that man alone to be content with price we are prepared to give him. I say that is neither fair nor charitable. Even apart from fairness and justice, it is not also practical politics, because he will try and find some means of avoiding the cultivation of foodgrains if it is possible for him to do so. That is why we find to-day people switching themselves on to the cultivation of sugarcane, groundnut, cotton and such other things, because they find that they pay them more than paddy. Of course, once in a way or for one season you may ask the cultivators to put up patriotic attempts for saving the State and the people at a sacrifice, but you cannot ask them to be content with that position for ever. You cannot make them the only class of people to sacrifice. Therefore, the Government must see their way to effect a substantial rise in the prices of foodstuffs. Of course, the question of inflation and the question of the Government of India will come in, but all the same, you must be able to convince them that they cannot depress the price of the food articles alone, but that the price of foodstuffs must be brought up to the level of the price

[18th February 1951] [Janab M. Muhammad Ismail]

of other articles. When the price generally goes down—it goes down without our asking—the prices of food articles also will go down. If, on the other hand, you adopt artificial means of depressing the prices of foodgrains alone, what will happen is, there will be no incentive for the people to cultivate foodgrains, particularly when they know that the Government are prepared to pay a higher price for grains imported from other countries and even for the grains coming from other States in the Union. Such being the situation, we cannot ask them to be content with the price we are giving them to-day. Therefore, Madam, that is the most important factor in the whole situation and you must make it worthwhile for the producers to produce more foodgrains.

"Then, Madam, as reasonable men with three years of experience, an experience which showed that the normal seasonal conditions failed, they should have anticipated such a failure for the fourth year also and be prepared for such a failure and made their plans accordingly. The neighbouring country of Ceylon began to collect necessary foodgrains several months ahead of the crisis which they thought they would be saddled with in the near future. The Hon. Food Minister said some time ago that Ceylon, which I refer to, is a small country which is equal only to two or three of our districts. It is no doubt true, and their requirements may be smaller as compared with our requirements, but their resources, also are smaller when compared with our resources. Therefore the question is one of policy, one of plan and one of preparedness. In Ceylon they have done the correct thing, but here we have always been talking of self-sufficiency and making a fetish of that policy and that policy has landed us in so many complicated situations and hardships at the present moment. Now, what is wanted is foodgrains, but we cannot keep our self-sufficiency policy. On the other hand, we find that the other countries have made arrangements for getting surplus food, shipping facilities and other things. Even though, they may be willing to help us, they do not find themselves in a position to help us readily in the matter. Therefore, what I say is, if you had only prepared yourself for this eventually in time, nothing would have been lost; on the other hand, we would have gained much. This year, of course, unexpectedly we had some rains, but even then we would not have lost much and the people would have been saved all the suffering. Here again, Madam, when putting forward our demand to the Government of India, I do not understand the basis on which the Madras Government have made their demand. They speak of a deficit of about 13½ lakhs of tons, as compared with the normal production figure, but I think the normal which they refer to relates to 1938-39 or so. I do not know, in so doing, they have taken into account the increase in population that has taken place during these ten years and whether they have also taken into consideration the fact that even when there was normal production of foodgrains in the State they were able to satisfy the requirements of this State without any import from other States. That is to say, even when we had the usual quantity of production of foodgrains in this State, they had to go in for imports from outside. That

[Janab M. Muhammad Ismail] [13th February 1951]

is one thing. Secondly, there has been an increase in population and we have not been given to understand whether these factors have been taken into account in making their calculations. Here, we are told that only 13½ lakhs of tons are our deficit, but if the increased population and the quantity of imports that used to come during pre-war years also were taken into account, I think, our deficit would be in the neighbourhood of 25 lakhs of tons. That ought to be our deficit. But, even taking our deficit at 13½ lakhs of tons, we are given only that 4 lakhs of tons by the Government of India, and even that quantity, as has been already told by various hon. Members, we are not going to get for certain. The Government of India seem to say, that we should thank ourselves to be very fortunate if we happen to get these four lakhs of tons. Then, what is it they want us to do? Supposing we do not get even the four lakhs of tons, what is it that the Government of India expect us to do and what the Government of Madras expect the people of the State to do? Do they want the people of the State to go without food? They seem to argue in this manner, 'they have been going on with this meagre ration for the last two or three years and they can go on for another year.' Is it possible, Madam? Is it a valid argument? It is like asking a man who has been hungry for three days to be hungry for the fourth day also. There is a limit to talking. Again, it is a vicious circle. This reduced vitality on account of reduced nourishment in man, will tell upon the production of our State also. It is not merely the failure of the monsoon but also the reduced vitality of the people that tells upon the production in the State. Even though there may be rains, you cannot produce all the grains you want to produce, because, people do not possess as much energy and vitality as they ought to have under normal conditions. (At this stage, Mr. Speaker resumed the Chair.)

'Now, it is said that the Government of India have been making plans. For example, they have been speaking of the Grow More Food campaign for months and years, but this statement does not refer to the Grow More Food campaign and it does not give any comprehensive picture of the results achieved by the Grow More Food campaign so far. I think it has failed and it has not even produced 10 per cent of the results which they expected to produce. I am sure about it. If, on the other hand, they have heard of achievements in this direction, I am sure they would have referred to it in this statement. So, it goes without saying that the Grow More Food campaign is a failure. Then, should we not know how it has proved a failure and can we afford to give it up because it is a failure and scrap it? Should not the Government take the House into their confidence and say why the campaign has failed? Though the Government of India do not give us an overall picture of the results of their attempts to increase the production of foodgrains, the Government of India had issued some statement regarding the subject a few months ago. I think it referred to the results of the previous year. Therein, it is stated that certain States have recorded an increase of 2 per cent

[13th February 1951] [Janab M. Muhammad Ismail]

in acreage and in average of 9 per cent in the matter of production, and that certain other States, including Madras have recorded a decrease, even including the results of the Grow More Food campaign. That is what they have stated. That is, instead of effecting an increase, we have recorded a decrease. You cannot put everything on the head of seasonal conditions, but there are certain other factors which the Government should have taken into consideration and effected an increase. What I want to know, is, even in spite of unfortunate unhelpfulness of natural conditions in the State, whether you have done it? As has been urged to-day by the hon. Mr. Kaleswara Rao, we said months ago that production of food must be taken up on a war footing and we said that minor irrigation works must be given preference and top priority, because those schemes are likely to give us immediate results. It was at a time when they were making a three-year or two-year plan. But, now we do not hear anything about the three-year plan or whether that plan has been achieving any results or not.

'What is the plan by which the Government are going to do 1 p.m. things; unless they have a plan, such crisis cannot be met. My suggestion, Mr. Speaker, is the Government of Madras must somehow or other prevail upon the Government of India for increasing the price of foodgrains in the State. That is an important and vital point in this connexion. Another thing is that, whether it is easy or not, they must import from other countries and they must get all available foodgrains because when we are having the pinch and when the crisis is upon us, we cannot go and produce grains in our fields for to-day's requirements or to-morrow's requirements. It is the imported food that has to come to our relief. There are friends who speak of our having enough to go round to satisfy the requirements of the State. If it were so I would only say that there was no necessity for us, even years and years ago, to import foodgrains from other countries. There is of course an insufficiency and a shortage of foodgrains in the State which has to be met by imports. And side by side with imports, we have to press on with our schemes and plans of growing more food. We have to concentrate mainly upon minor irrigation schemes and our emphasis must be on intensive cultivation, particularly in the deltaic areas. The Government might say that they have been doing that, but what is the result achieved so far? It has not produced the results which they expected and the House is not enlightened why it is so. We want to know why it is that they are failing in all the measures that they are taking. Anyway, Sir, it stands to reason that one important item in the scheme of intensive cultivation must yield proper results and that is the use of chemical fertilisers. It is known that by the use of chemical manures along with other accompaniments, we can increase our production by forty per cent, and if the production of the deltaic areas is increased by forty per cent, our scarcity will be over. The Government are giving fertilisers on loan but I wish to ask the Government: Is it the policy of the Government to continue the loans over a number of years? This is a thing which is sure to give results and therefore, I feel



[Janab M. Muhammad Ismail] [13th February 1951]

that the Government must concentrate upon it. It is not for one crop that it should be given nor for two crops but it must be continued for a number of years because ours is a conservative country and people do not take easily and readily to new things but when people see that good results are obtained by a particular step over a number of years, they will be induced to follow suit and therefore the system of loans for purposes of manure must be given for a number of years.

"These are things which of course will bring good results in the future, though not in the near future, but unfortunately the crisis will not wait until our fertilisers bring good crops next year or so. Therefore, as has been repeatedly pointed out *ad nauseum* by hon. Members we have to press sufficiently and effectively upon the Government of India to increase our quota to not less than 10 lakhs of tons so that we may get over the difficulty. Having acquired that stock, we must push forward with other schemes, particularly schemes of minor irrigation. Without food, whatever the Government might do will not relieve the situation. Ration Officers might be going on prosecuting people for ration offences. I do not complain about it. The Ration Officer of the City of Madras is doing his best in the matter of detecting smuggling but then will it stave off the crisis? The Government know that this is the bane of the present system of rationing and instead of helping them such measures will only retard them in their plan of providing sufficient food for the people. Therefore, side by side with other steps that the Government may be taking, it is peremptory and it is necessary that they must somehow or other see that they get at least 10 lakhs of tons of rice from the Government of India."

\* THE HON. SRI H. SITARAMA REDDI :—"Mr. Speaker, Sir, on behalf of the Government, I must express my gratitude to the hon. Members of this House for the information that they have been able to furnish about the conditions in the various districts. We have been receiving reports from Collectors and the additional information given by hon. Members will go very much to help the Government to tackle and solve the problem facing it. The overall picture, as has been evident, is one of gloom and it is indeed a difficult problem. The statement regarding seasonal conditions, as is evident from the various statements made by hon. Members, shows that the Government have given a fair and full picture of the conditions in the various districts. Their duty does not end there. Hon. Members, some of them, have suggested that in the matter of giving remissions, we need not go into details, the outturn of crops for each land in each village but that on a rough and ready basis, the Government must declare certain districts as affected districts and grant full remissions of land revenue. I submit, Sir, that would be rather a difficult thing to do. The Government are anxious to see that those people who have been really affected should get adequate relief but the suggestion that entire districts must get full remission of land revenue is a thing which, I feel, cannot be accepted and I am sure hon. Members will also agree with me that those that have really

[13th February 1951] [Sri H. Sitarama Reddi]

suffered are alone entitled and must get relief and not others that have already had some crops which will enable them to pay land revenue.

"Another suggestion was that the Government have not yet opened free kitchens to enable poor people or decrepits to take advantage of them and get free meals and that the provisions of the Famine Code have not been applied. As I said, in the beginning, I feel it is more advantageous to the people who are in distress to have the present policy of expansion of works than declaring a particular area as famine area, opening test works and putting through all the provisions of the Famine Code. The hon. Member Sri Koti Reddi who has had considerable experience of famine relief operations also observed that it would be an unnecessary drain and avoidable waste of public funds and that is why, Sir, this Government have been very carefully following the methods which I have detailed at length in my opening speech.

"Mr. Speaker, Sir, suggestions have been made that the problem of drinking water-supply must be immediately tackled and hon. Members have explained how difficult the position is with regard even to drinking water. We have instructed Collectors to apply for necessary funds to deepen existing wells and improve the sources which will provide adequate drinking water. I can assure the House that the advice of the hon. Member will be considered and steps will be taken to provide them with all the resources available to provide drinking water where needed. Hon. Members must remember that failure of rains has dried up the regular sources of water-supply and I do not know whether in all areas it will be possible to provide drinking water at the nearest place. But let me tell the House that this problem has been already in the mind of the Government and they have instructed the officers concerned to look into it.

"About the question of relief operations, the several suggestions that have been made practically accept and support the proposals already made by the Government and I do not propose to add anything further so far as that particular matter is concerned.

"I think it was the hon. Member from North Arcot district, hon. Member Sri Ramaswami Mudaliyar, who said that in the United Province they have dug thousand and odd tube wells and the Government of Madras must go ahead with the scheme of digging tube wells. I must ask the hon. Member to remember that terrain differs from place to place even in the same State and I suppose even in the United Province they have been trying these operations in the Gangetic valley where it is easy to strike water. Even in this State, the Government have put in tube wells in South Arcot district where we have got artesian wells and we have been already planning to sink about 300 wells in the various coastal districts of the State and we did call in American Engineers to investigate into this matter. We are fully aware of the need for sinking tube wells but there are these limitations, namely the terrain and the condition of sub-soil water, and these make it difficult for us to take advantage of tube wells; we may put them, but there may be no



[Sri H. Sitarama Reddi] [18th February 1951]

water coming out of them. If we had not done as the United Province has done, it is not as though we do not know the advantages of sinking tube wells: we do know them but there are certain limitations for their sinking which I have mentioned and that is why we have not taken advantage of them.

1-15  
P.m.

"Now, Sir, some of the hon. Members said that Grow More Food schemes sent from the districts, and pending with the Government, must be expedited. Sir, I would like to take this occasion to tell hon. Members of this House that there is a food production committee in each district; it is entrusted with the task of formulating schemes which will help the early realization of Grow More Food schemes in each district. It is for the people in each district to take advantage of the committee and put up proposals before them. There is adequate staff already in districts to investigate the suggestions made by the food production committee. I should say that the food production committees in the districts have not been taking full advantage of the powers given to them to make recommendations. There is, what is called, a special food production Cabinet sub-committee, which meets every month and reviews and sanctions proposals sent up by the various district committees, and I would like to tell hon. Members of this House, who are members of the food production committee in their district to see that schemes which are likely to yield early and speedy results are put forth and approved by the food production committees, which, in their turn will send them up to the provincial food committee. This provincial food committee meets every month, it is a high-power committee. The Commissioner of Civil Supplies and the Secretary for Food Production who are members of that committee have been authorized to communicate with the Government direct to save delay. I can assure hon. Members of the House if adequate and full advantage of this machinery is taken, we would be able to push the Grow More Food schemes in the several districts at a much quicker pace. So far as the Madras State is concerned, we are all aware . . ."

SRI T. VISWANATHAM:—"Sir, may I be permitted to make a submission to the Hon. Minister? Sir, the Hon. Minister made the suggestion that we are not very active (laughter) in pressing upon the Government schemes for sanction. May I ask him, Sir, is he aware or will he be able to tell me, how many schemes, already investigated, have been sent from Visakhapatnam district under the said Grow More Food scheme, how many of them have been pending before the Government and how many have been sanctioned. Is it or is it not a fact that nearly 22 schemes have been investigated, and some schemes covering 66 thousand acres to be brought under cultivation, have been investigated fully, whose plans and estimates are completely ready and have been sent to Government, and for months and months nothing has been heard of them?"

\* THE HON. SRI H. SITARAMA REDDI:—"It only shows, how useful can this food production committee be (laughter)

[18th February 1951] [Sri H. Sitarama Reddi]

and how best can any active member serve his district (laughter). Let me assure the hon. Member, I shall look into this matter, if there is delay I shall inquire into it, and I shall see the matter is expedited.

"Sir, I again wish to bring to the notice of the hon. Members of the House how a district food production committee can effectively help to tackle the food production scheme. What hon. Member Mr. Viswanatham pointed out only shows, what is expected of each district food production committee. Several members have said that Grow More Food schemes have failed, that nothing has come out of it, there is shortage of acreage under paddy and so on. Sir, I have been trying to understand this question. One reason why there has been a shortage in the acreage under paddy is the seasonal conditions. Hon. Members are aware that there was a vast devastation of the province due to cyclone last year; and there was also a fall in the amount of rain. (SRI K. R. KARANTH: 'No.' Hon. Member Mr. Karanth thinks it is not correct. I am only trying to show why there was a fall in the acreage under paddy. If he has any additional information he may send it on to me. I welcome it. I would like to impress upon hon. Members of the House, this is not a matter for controversy. I want the House to understand that Government are anxious to see that the Grow More Food scheme is effective. There can be no difference of opinion on this matter. We are all interested that our State should produce more food. Now, one of the reasons I pointed out is seasonal conditions, next, cyclone and there are perhaps a few more reasons also. These are all strong reasons to be borne in mind, when one wants to assess the result of Grow More Food scheme. Because there has been a fall in the acreage under paddy here and there, one should not judge from that that the scheme is a failure."

JANAB M. MUHAMMAD ISMAIL:—"Leaving alone the overall picture, Sir, will the Hon. Minister tell the House the results achieved under the Grow More Food Campaign alone? Will he tell us that he has been able to fulfil his expectations at least by fifty per cent?"

THE HON. SRI H. SITARAMA REDDI:—"The hon. Member has been getting information on this point several times on the floor of this House during interpellations, about the number of acres brought under cultivation. Also, from time to time it is published in the Gazette. So I have nothing more to give him now.

"As I have said several times before, when calculations are made about the acreage brought under Grow More Food Campaign, along with that, the acreage already under existence is taken; and due to seasonal conditions like cyclone last year, there was a certain fall in it."

JANAB M. MUHAMMAD ISMAIL:—"No."

THE HON. SRI H. SITARAMA REDDI:—"Sir, I cannot convince those who refuse to be convinced." (Laughter.)

[13th February 1951]

JANAB M. MUHAMMAD ISMAIL :—" It is not a question of refusing to be convinced. Let him take one particular item in the Grow More Food Campaign, and can he tell the House that he has succeeded at least by about fifty per cent in his expectations. If Government have not succeeded in that, I do not want to blame Government for that. It is not for that purpose I am asking this question. I want to know why they have failed. For example, take the question of fertilizers. If we know the reason why they have failed, perhaps hon. Members of the House will be able to help them."

THE HON. SRI H. SITARAMA REDDI :—" When you use fertilizers on land, when there is no water in the tank, what will you get? "

SRI T. VISWANATHAM :—" Why, is there no water? "

THE HON. SRI H. SITARAMA REDDI :—" Hon. Member Mr. Viswanatham asks, 'is there no water?' He knows the rains have failed."

SRI T. VISWANATHAM :—" No, the tanks are not repaired."

\* THE HON. SRI H. SITARAMA REDDI :—" I am coming to that question. So far as the question of tank restoration is concerned, my hon. Friend knows, we have taken up repairing of tanks, and statistics are available to show how many tanks are repaired. If the hon. Member wants further information on this, it is quite open to him to get the information by giving a short notice question. It is quite possible some tanks there are still to be repaired. But he cannot deny that some tanks or a great many of them have been repaired; it may be a few tanks remain yet to be repaired, and perhaps quite a number of tanks in the zamindari areas do require repairing. But that does not mean, all tanks require repairing."

" Now, I proceed to the question of cultivation of commercial crops. I have been trying to get some information as to how far it has affected food position, i.e., by the increase in acreage of commercial crops. Now, what are the commercial crops under which there is increase? One is sugarcane, the other is plantains, the third is cotton and the fourth is tobacco. Sir, we do want plantains; we do want sugar; they have got food value. We have inquired into this question and we have been repeatedly told they are essential; and so if there is slight diversion from paddy to sugarcane, it is after all a food crop, which we do want."

" Now, coming to the cotton cultivation, I may say, Sir, we are badly in need of cotton. Without cotton, our mills cannot get on; there will be no yarn available, or at any rate, there will be yarn shortage, the mills will suffer and the handloom weavers will suffer; already due to cotton shortage we have had to import cotton from outside, and we had to pay for it two to three times the price which we pay to our Indian cotton. So it is not worth while to curb the growing of cotton. That is why the Government of India have been advising us to increase the acreage under cotton."

[13th February 1951] [Sri H. Sitarama Reddi]

" Now, coming to tobacco cultivation, I see there is some increase in the tobacco acreage. Hon. Members have been asking Government to import food from outside to meet our deficit. For that we should have a favourable foreign exchange. Now, tobacco is a commodity which is in demand all over the world, and it is getting a good price. So what I say is, some of these problems cannot be solved or tackled from a short term point of view; they have to be solved from a long term point of view; and as all-India problems. Let us take it that the area under tobacco at present is five thousand acres. What can we grow in its place? Perhaps cholam, not paddy, because most of the tobacco is grown in dry areas. So how does it help us to grow more food? There was an attempt made to place restrictions on the growing of commercial crops during war time. On examination and on the results achieved, it was decided not to hamper the growth of commercial crops and the attempt was given up in 1947. So when hon. Members emphasise this point, I want them to remember the overall picture."

" Sir, one more thing I want to say before I conclude. Some hon. Members complained that the Ministers have not tackled the problem of food or the Grow More Food Scheme and all those things in a sort of angry mood; some of them said that the Ministers are taking things lightly. Sir, let me assure hon. Members of the House that the Government are aware of the seriousness of the situation; they do not take things lightly; it is wrong for them to think so; I do not want hon. Members of this House to go away with the impression that the Government is taking things lightly. Sir, we do not take things lightly. We know the difficult situation before us; we know the conditions in the districts; we know it much more perhaps than others, because we get every day telegrams about the distress of the weavers, about the scarcity of food supply, about the need for opening relief shops; and so I take this opportunity to tell hon. Members that we are aware of the situation; we take it seriously; and we appreciate the need for urgency impressed upon by hon. Members in this matter. Sir, I do not want to go into other matters which relate to food, to which my colleague in charge of Food will reply."

" Lastly, Sir, I thank hon. Members of the House for the suggestions they have made. Of course, some of them imported more heat, which was quite unnecessary, and perhaps some were quite uncharitable to some of the Ministers. Apart from that, I take it, hon. Members, when they used such language, did so only to make the Government take a much more serious view of the problem and press upon the Central Government the need for an early and speedy supply of foodgrains."

MR. SPEAKER :—" The Hon. Minister for Food will reply after lunch."

The House adjourned for lunch.

[13th February 1951]

(After lunch—2-30 p.m.)

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Mr. Speaker, Sir, though many amendments were moved in this House, as the discussion proceeded we found that they related mainly to two points. Only the objections raised and the remarks made by the hon. Members on these two points have to be dealt with. One is about the quantity of foodgrains required to meet the deficit in this State. Taking into account the production in this State, we submitted to the Government of India in the Food Ministers' Conference at Bombay that our requirement would be about 7½ lakhs of tons of foodgrains. Immediately after that, north-east monsoon which was very promising in the beginning failed us completely. So we prepared and submitted another estimate in which our requirement to be met from outside sources was put down at 10 lakhs of tons. We have clearly explained our difficulties, the basis of our estimate and the reason why we require 10 lakhs of tons of foodgrains. The urgency for the supply was emphasized by means of communications and personal representations to the Hon. Minister and Deputy Minister for Food and Agriculture in the Government of India. We are still trying to impress upon the Government of India that, without this supply, the difficulties which this State is experiencing will increase at a later stage when the stock of grains produced in this State is exhausted. The amendment proposing that the Union Government be requested to allot at least 10 lakhs of tons of foodgrains only emphasizes the stand which the Government have taken and I see no objection to it. It is not a regular amendment at all; it merely expresses the wish of the House in support of the stand taken by the Government. All the difficulties which we are now undergoing will be greatly reduced if we get this 10 lakhs of tons as early as possible, preferably within the next two or three months. The Government of India have put forward several difficulties against this request. Instead of agreeing to our demand, they have raised the question of shipping difficulty even for allotting the promised 4 lakhs of tons. According to a statement of the Hon. Shri K. M. Munshi reported in the Press, he is not sure whether even the promised four lakhs of tons will be available. Though the Government of India are willing to import more quantity than last year, they are not able to get the ordered quantities from outside in time and to the extent they want. The difficulty is aggravated by the fact that some of the States in the country like Uttar Pradesh, Madhya Pradesh, Assam and West Bengal, which were surplus States formerly and from which we were getting some foodgrains, are not in a position to export to other States. On the other hand, those very States have come forward with a request for allotment of foodgrains to meet their temporary deficit. That is how the difficulty for the whole country has aggravated during the past few months and this accounts for the reduction of 25 per cent in the overall ration throughout the country. The reason for the reduction announced by the Hon. Shri K. M. Munshi from Delhi and also given to the Parliament was the uncertainty of arrivals

[13th February 1951] [Sri J. L. P. Roche Victoria]

from outside sources and the need to carry the present stock as long as possible until we were able to get help from outside. This 25 per cent cut is imposed not only on this State but on all the States in India. Let there not be any mistaken notion in the minds of hon. Members that the cut is imposed only on Madras and not on other States. It has been objected to by several States including Madras. We protested that it would affect Madras very seriously, as we had reduced the ration recently and as we were not able to supply the full ration in several places. But the only reply we got was that this sacrifice was demanded of every State and that every State should accept it.”

JANAB ABDUL HAMEED KHAN :—“ May I ask whether the cut applies to Uttar Pradesh and Madhya Pradesh also? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ Yes. It applies throughout the country.”

JANAB M. MUHAMMAD ISMAIL :—“ May I know whether the level of ration was the same 12 oz. in all the States before the cut was imposed? ”

THE HON. SRI J. L. P. ROCHE VICTORIA :—“ As far as I know, it was 12 oz. throughout and now reduced to 9 oz. At least in Bombay, that is the case. We see from newspapers that Uttar Pradesh and Madhya Pradesh are raising some objection and delaying the matter. But I heard from the Hon. Shri Munshi that he meant to enforce the cut on all the States. The once surplus States, which are now deficit, are only facing some temporary difficulties like us either due to want or too much of rain and probably they will become surplus very soon. The idea of the Government is to impress upon the surplus States that the sacrifice should be borne equally by all the States without any distinction. There is one favourable point so far as Madras is concerned. We used to complain that Madras was always having shortage of food, while some other States were having plenty of food. We were having intensive procurement while those other States were having some sort of procurement which was an easy one. That might have been the case before. But now those very States are experiencing difficulty themselves. The Government of India have taken this opportunity to bring home to them that they also form part of the Indian Union and that one part of the country should not suffer when the other parts are having more than their requirements.

“ That is how the cut is now being enforced throughout. If it is going to have a salutary effect throughout the country, especially on the surplus States, it will be for the benefit of this State also in the long run. Because whatever the surplus States produced, the Government of India will see to it that they account for it in the proper way, and send as much of our requirements as possible from those States. The difficulty is not about the surplus States alone. There is the difficulty in shipping the grains from other countries. They are not able to move the grains to our country in time for want of shipping facilities, and that is why the cut has been imposed. We have raised our objections to this

2-45  
p.m.

[Sri J. L. P. Roche Victoria] [13th February 1951]

cut. We have also passed on the opinion of this House to the Government of India that this cut, though it might have been necessitated by circumstances beyond their control, should be restored as early as possible, because the people are now suffering very much on account of the reduction. I have no objection to take that point mentioned in the amendment (that is to represent matters to the Government of India) to the Central Government."

JANAB ABDUL HAMEED KHAN :—" Sir, may I ask the Hon. the Minister whether he will tell us the quantity which the Government of India is expecting from countries abroad, and to what extent they will help this country? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Sir, if I begin to answer all these questions it will become a regular question hour. I would request hon. Members to give me sufficient notice so that I may furnish all particulars. I know that certain quantities are coming from abroad, and that there are difficulties in moving the stocks. I am not able to say all at once the quantities that we are expecting from each country. (Interruption.) The Government of India is expecting to import the whole quantity of 3.7 million tons, that is 37½ lakhs of tons from outside. This is more than what they did last year. If they are able to get this quantity and also the quantity which they are expecting from the United States, it will be over and above the 37½ lakhs of tons. If everything goes right, and if we are really lucky, I think we will overcome the difficult months in a much better way than before. On this account we need not now be much worried.

" Some amendments have been moved regarding the import of rice by this State from Burma and also regarding more imports of rice by the Government of India. The Government of India are willing to import, and they have asked us to forward to them the names of reliable importers in this regard. This question of import from Burma and other places is not so easy as stated by some hon. Members. When the matter was debated in this Assembly and in the other House, immediately the Government of India stated that they were feeling some difficulty in getting supplies from Burma. Because some private merchants, who thought that they would be allowed to import rice from Burma, went to Burma and disturbed the market there so much that even the Government of India who were expecting to get more quantities from Burma were not able to get anything. The Burma Government are now dictating their own terms, because they have so many commitments, and they have to supply many places. They do not want to easily part with their grain. They want to make as much profit as possible. The result is that if they get offers from the Government of India they would refuse to part with their grains or put up the prices. Even our usual supplies were to some extent affected on account of that agitation. Even now the Government of India are prepared to consider fair offers. The point is that this Government have nothing to do with these matters. Everything has to be dealt with direct by the Government of India.

13th February 1951] [Sri J. L. P. Roche Victoria]

" The next point is about derationing in rural areas. When this subject was discussed previously, hon. Members of this House stated that abolition of rural rationing would be beneficial to the State; though there might be some difficulties here and there, it was bound to be successful in the long run, and that it would avoid so much harassment to the people and that corruption also might be removed. These things were said not only in this House but also in the State Food Council. The opinion of the State Food Council was that we should try to abolish rural rationing and at the same time stop procurement in those areas. In accordance with that general feeling and also after examination of the position according to our own information, the Government abolished rural rationing. In doing so, the Government had to follow a certain procedure, because it was not so easy as some hon. Members thought to deration wholesale and not to procure anything from those areas. We have only six districts which are surplus. There are 17 districts in the State which are either wholly deficit or partially deficit or more or less deficit. It is not possible to meet the requirements of all the 17 districts from the surplus districts. Some arrangement had to be made, and that is being done with a view to classify the State in different categories, namely, regular surplus areas, regular deficit areas, more or less surplus areas, self-sufficient areas and more or less self-sufficient areas. Though it could be adjusted to suit the conditions with a view to keep up the present system successfully, it cannot be changed or modified to a large extent, because that will upset the whole calculation on which the Government are proceeding with their scheme. It has taken a little time to work out some of the details. Instructions are being constantly issued to the district authorities. There was some doubt in areas like Madhurai and Tiruchirappalli whether the levy system would be applied throughout the two districts. We are not going to have that. Instructions were sent probably later clearly stating that the levy system would be enforced only in regular deficit areas, and that it would not be introduced in regular deficit areas and more or less self-sufficient districts like Tiruchirappalli and Madhurai. In the meantime there were some difficulties. According to the original scheme of levy, the local authorities have been proceeding on certain lines which might have caused some inconvenience and doubts in the minds of people in those districts. But at present the levy is confined only to those places where we can get something out of the producers. This is necessary because, as I said, in the State there are only six surplus districts, and while we take whatever surplus is available from those districts, we must be careful to see that we do not repeat the same thing which we did last year, namely, removing something more than we should to meet a very difficult situation elsewhere. Last year in the surplus districts there was a cry that we had removed more grain than was necessary with the result to meet the requirements of the people in those areas, we had to procure from other places. We want to be careful this year so that the surplus districts which have been so generous in the past will redouble their efforts to spare as much as possible to meet the situation in the deficit

[Sri J. L. P. Roche Victoria] [13th February 1951]

districts. The people in the deficit districts also must be considerate towards the surplus districts. They cannot expect that all the deficit must be met by the surplus districts. Leave alone what we hope to get from outside this country which of course is hanging in the balance. We have stopped procurement in deficit areas, and it is the duty of the people of the deficit districts to see that whatever stock is available goes round and serves all the people. It should be within the easy reach of all. It is only with a view to help the circulation of the grains that relief shops are opened in places where necessary. Some hon. Members have suggested in their amendments that relief shops must be opened throughout the State. If that is to be done, it will mean re-establishing the old system of rationing. The idea is that as far as possible people must be able to procure the grains themselves, and only in areas where they are not able to procure—for example industrial areas and panchayat areas where people are mostly non-producers—relief shops must be opened. Though we have prescribed the procedure in opening relief shops, that is, they should be opened only in taluk and sub-taluk areas, major panchayat boards and other industrial areas, Collectors are given discretion to modify or alter the procedure. Collectors can open relief shops even in areas which are not panchayat areas or taluk or sub-taluk headquarters, if they think that such places require relief shops for the supply of grains to people who will otherwise not be able to get anything at all. In putting forward the claims and difficulties of the districts, hon. Members will please bear in mind that we have to deal with the State as a whole, and it is not possible to look into the difficulties of each and every district and to satisfy it to the fullest extent. Some sacrifice is required. The Government of India require all the States to make a sacrifice of 25 per cent. Therefore, every district is also expected to make some sacrifice in this matter. I shall only take one instance. The case of Madhurai district has been very forcefully made out by my hon. Friend from Madhurai. But Madhurai is considered, according to our classification, a more or less self-sufficient district. As the hon. Member said, it became a more or less self-sufficient district overnight. But only the order was passed overnight and not the conditions of the district. The conditions of the district remain the same but to meet the emergency we have introduced some classifications and under that, the district is considered more or less self-sufficient. Perhaps the hon. Member does not like that name. But what is in the name after all? It was so classified because we expected that Madhurai, given certain facilities and encouragement, can come up to a regular self-sufficient district. So also is Tiruchirappalli. It is not the purpose of the Government in introducing the levy system to take away anything out of the district. It is only for the benefit of the district that we are having it. During normal times, we used to procure, according to the Intensive Procurement Scheme, as much as 40 thousand tons from the Madhurai district, but at present, according to the levy system, our expectations go up only to 14,000 tons. So, it is wrong on the part of the hon. Member to say that we are going to procure 30,000 tons from the Madhurai district."

3 p.m.

13th February 1951]

SRI A. VALDIYANATHA AYYAR :—" On a point of information, Sir. It was communicated by the Collector in the Food Council in Madhurai in the presence of all Members of the Legislative Assembly that it was intended to procure 30,000 tons."

THE HON. SRI J. L. P. ROCHE VICTORIA :—" He may take it from me that it is not correct. Probably the Collector based his calculation on the whole district. But we confine our attention to only those areas which are wet, either delta areas or some areas which are served by irrigation. I think the Collector must have based his calculation upon the previous note sent from here that the levy system was intended for the whole district. But later on, we modified that system with a view to meet the situation according to the capacity of the district. Again, it was thought that by moving the grains from the landholders to the rationed areas, we would be depriving the villages of so much of grains instead of allowing the grains available there for free circulation. It is not quite correct because whatever we are able to procure from the Madhurai district is not going to serve the entire requirements of Madhurai or the municipalities. However, we are going to bring in foodgrains either by imports from outside India or from reserves which the Government of India may give us from other sources. So, Madhurai will not be allowed to face the difficulty which the hon. Member fears it may have to. At the same time, we want to make a beginning in this direction. When normal conditions return—we are not going to be always in the same state—they themselves will be very happy to make the district a regular self-sufficient district. In the meanwhile, the Government will pay attention to some of the points raised by the hon. Member and will give such instruction as is necessary to avoid unnecessary difficulty and harassment of the producers. Our idea is to take advantage of all the facilities available in the State. If Madhurai wants to go out of this scheme and classify itself as a deficit district, what happens to the other regularly deficit areas which every hon. Member knows, are in a very considerably worse plight, namely, North Arcot, Chittoor and Ramanathapuram. If these districts have to be helped, we must find out some districts which are able to help themselves at least to some extent, though not completely. With that in view, we are trying this experiment both in Tiruchirappalli and Madhurai. With regard to Madhurai, I think Mr. F. W. A. Morris, who is the Collector of the district, will be able to effectively introduce the system with the co-operation of the people, because he has already started it in Coimbatore and has experience of it."

SRI V. C. PALANISWAMI GOUNDER :—" On a point of information, Sir. The Hon. the Food Minister has said that the Collectors are given discretion to open relief shops where necessary. The Government themselves recognize that there is much distress in Coimbatore. Famine conditions are almost prevailing in parts of Dharapuram, Palladam, etc. I want to know whether the Collector is given discretion to open relief shops by himself or with the permission of the Civil Supplies department."



[13th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA :—" I have already pointed out where such relief shops should be opened. We have given them a sort of priority, for example, taluk headquarters, major panchayat areas, minor panchayat areas, etc. Besides those general instructions, I have already said that the Collector has got full discretion to open relief shops in any area if he finds that there is any difficulty in that particular area. For example, the coastal areas and some parts of Dharapuram may require some immediate relief and the Collector has now been authorized to do as much as possible to relieve the distress. I can only appeal to the hon. Members to give some time to the scheme of derationing in the rural areas to show results. We know that there are some difficulties in several districts. We also know that in several places the difficulty is only temporary and in some places the difficulty may continue for sometime more. All these were considered when we planned our scheme to help the districts tide over the difficulty. It is our belief that in the long run it is bound to be a success, if the people co-operate with the Government. In spite of the failure of the monsoon and other matters over which we have no control, I think it may be possible even with the small supplies available in the State, to make a little headway in improving the distribution and giving more satisfaction to the people. If the scheme is worked in that spirit, I am sure it will not cause much difficulty as some hon. Members fear there may be."

JANAB MOHAMED ABDUL SALAM :—" Sir, I was submitting that Guntur district was not a surplus district as decided by the Government. I want to know whether he has referred the matter to the Secretary and whether he has got anything to say in the matter."

THE HON. SRI J. L. P. ROCHE VICTORIA :—" As I have said, we have only six districts in the State which are surplus and I think Guntur is one of them."

" With regard to subsidy, the Government of India said that they had to revise their previous policy of giving subsidy on the imported foodgrains owing to the increased freight charges and owing to their decision to import larger quantities this year. They, therefore, expect the States to bear a portion of the subsidies and confine them to import industrial areas. That point is being discussed with a view to arrive at some arrangement by which our State may not be affected to a very large extent. Of course, we will have to shoulder some expenditure on that score, but we will be able to bear that additional expenditure only if the Government of India treat us considerately in this matter. If we have to bear the subsidy ourselves, naturally prices have to be increased. The Hon. Shri Munshi also has cleared this point recently with reference to a question raised in the Parliament."

" Then there is the question of classification of card-holders in rationed areas. That was causing some heart-burning in some areas when there was a move recently to re-classify the card-holders owing to the general shortage of rice, with a view to give more

[13th February 1951] [Sri J. L. P. Roche Victoria]

millets, if possible, to the regularly-millet-eating people. But the new proposal has been dropped and we have gone back to the old classification. So, I do not think there will be any difficulty in this respect.

" In asking for allotments from the Government of India, there was an amendment to the effect that out of the 10 lakhs of tons, we must ask for 8 lakhs of tons of rice. The Hon. Shri Munshi has explained the whole difficulty by saying that they had to impose the 25 per cent cut owing to the general shortage of rice."

" That was the reason given at the time when the cut of 25 per cent was made. So there is no point in asking that out of the ten lakhs of tons, 80 per cent should be rice. It will be practically impossible for the Government of India to do so. Though we do not oppose such a proposal, we must also be practical when we ask the Government of India for certain things." 3-15 p.m.

" Then there is the question of heavy manual labourers. Though there is a cut of 25 per cent, heavy manual labourers will be able to get an extra four ounces of other grains and not rice. This was in force even when we had an over-all rations of 12 oz. That is, they were getting additional four ounces, making up a total of 16 oz. in all. Now, when others are supplied 9 oz., these people are entitled to an additional ration of four ounces by way of other grains if they apply for the same. It is not possible for us to give them this additional rations in the shape of rice; we can only give them this additional rations in the shape of other grains according to the availability of the same."

" One of the amendments mentions about free distribution of rice to needy people. Well, that is not a practical proposition. When we are not able to give rice even to those who are paying for it, how can we think of distributing rice free? Of course in famine areas, it is a different matter. I do not think that a general proposition that all needy people should be given free rice whenever it is necessary can be accepted."

" I think I have covered all the main points raised by the hon. Members during the discussion of this question in this House. The Government agree with the main opinion expressed in this House that the State requires larger quantities of foodgrains to keep up an adequate supply to the people of the State. On that point, every one agrees. Government also agree that as much relief as possible should be given in the State itself consistent with our supply position with regard to meeting the situation arising out of derationing in the rural areas. It is not that the Government are not able to send supplies to the different places. Even now, supplies are being sent to some of the worst-affected areas. The Government are giving necessary attention with regard to keeping up regular supplies to meet the demands of these areas. I cannot of course totally deny the reports appearing in papers as well as reports given out by the hon. Members during this debate. They may be true to some extent. But, I would only request the hon. Members to find out means of meeting the situation as best as we could. When we are faced with such a serious



[Sri J. L. P. Roche Victoria] [13th February 1951]

situation as this, it is the duty of every one of the hon. Members to co-operate with the Government. I am glad to find that hon. Members have accepted that the Government are trying to do their best in the matter. We require the co-operation of the hon. Members and also the co-operation of the people in general. If the hon. Members offer that co-operation and help the Government to tide over the difficulty, I am sure that our position will be much better than what it is to-day. In this connexion, I would like to remind the hon. Members that the difficulties in which we find ourselves placed to-day, are not confined to the State of Madras and they are not confined to the Union Government either, but are found in every part of the Globe. This is a world difficulty and if hon. Members view this question from that point of view, I am sure, we will be in a better position to solve our difficulties to some extent. I thank the hon. Members for the detailed information given and certain remarks and suggestions put forward by them with a view to meet the situation and enable the Government to face the future difficulties and also to reduce the present difficulties. I shall certainly take all these points into consideration and I hope to do the best that I can to meet the situation with your co-operation. That is all what I have got to say, Sir."

SRI A. VAIDYANATHA AYYAR :—" Sir, I want information on the following points from the Hon. Minister for Food.

" Firstly, with regard to Madurai district, assuming that it should usually be classified as a 'self-sufficient' or as a 'more or less self-sufficient' district, when there has been no rainfall and when there has been failure of crops this year, may I ask the Hon. Minister whether as a matter of fact it would be right for the Government to classify it as a 'more or less self-sufficient' district this year, rather than a deficit district?

" Secondly, with regard to the levy system, may I know whether the Hon. Minister will give instructions that the levy will be easy-levy instead of strangle-hold levy as it is at present being worked out?

" Thirdly, when the villagers are left to themselves to find out their food requirements somehow or other without expecting any assistance from the Government, is it not necessary that such places should be attached to some adjoining surplus districts so that there may be easy flow of foodgrains? I have suggested in my amendment that deficit districts must be interlinked with adjoining surplus districts.

" Fourthly, may I know from the Hon. Minister whether it is not necessary that merchants should be licensed to purchase paddy and millets from surplus areas and districts and sell paddy in villages?

" I would like to have information from the Hon. the Minister for Food on the above four points."

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Sir, I have already stated that though it may be called a more or less self-sufficient district, it is left to the Collector to point out any serious

13th February 1951] [Sri J. L. P. Roche Victoria]

difficulty existing in that district and to adjust the levy system according to the conditions prevailing there. If the hon. Member refers to the order on the levy system, it will be seen that this system will be only an easy levy system and not the levy system which some people are afraid of.

" With regard to attaching the Madurai district to a surplus district, I have already stated that it is only from a surplus district that the Government can get some supplies. If we attach the surplus areas to some deficit areas, where will the Government go for procurement? "

SRI A. VAIDYANATHA AYYAR :—" Where are the people to go then? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" If everybody is allowed to make purchases from the surplus districts, as they wish, then the surplus in that district will be drained to such an extent that the whole State will be put into difficulty. The question of either attaching or linking a deficit area with a surplus area has been given up. It is impossible to work and it will never work. My Friends from the north—Visakhapatnam and East Godavari—have also been insisting upon the same thing. We are not able to agree to that proposition. Probably there might come a time when we might think of that proposition. But at the present moment, it is not possible for us to accept it."

SRI A. S. SAHAJANANDA :—" தலைவர் அவர்களே! ஹரிஜனங்களின் ஹாஸ்டல்களிலும், பள்ளிக்கூடங்களிலும் உள்ள மாணவர்களுக்கு 9 ஒளன்ஸ் கொடுக்காமல் 12 ஒளன்ஸ் கொடுக்கும்படி உத்திரவிட முடியுமா? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" பள்ளிக்கூடங்களிலும், ஹாஸ்டல்களிலுமுள்ள மாணவர்களுக்கு 12 ஒளன்ஸ் கொடுக்க முடியாவிட்டாலும் 9 ஒளன்ஸ்ஸாவது கொடுக்கவேண்டுமென்று கலெக்டர்களுக்கு தெரிவித்து இருக்கிறோம். அதில் கஷ்டம் ஒன்றும் இருக்காது, அப்படி கிடைப்பது கஷ்டமாக இருந்தால் கலெக்டர்களைக் கேட்டுக்கொண்டீர்கள். களானால் வேண்டிய உதவியைச் செய்வார்கள்."

SRI V. JAGGA RAJU :—" Sir, even though East Godavari is supposed to be a surplus district, people are feeling it very difficult to get rice at scheduled prices. In order to check black-marketing in rice, I suggest to the Government . . . "

MR. SPEAKER :—" The hon. Member is making a speech. Let him come to his point of information."

SRI V. JAGGA RAJU :—" I request the Government that the distribution of rice can be done by co-operative societies in the delta areas, as previously . . . "

MR. SPEAKER :—" Let not the hon. Member make a speech."

SRI V. JAGGA RAJU :—" Previously, producers-cum-consumers co-operative societies were entrusted with the distribution of paddy and rice in those areas and they were working well. May I request the Government if it would be possible for them to entrust the work of distribution and sale of paddy and rice to these co-operative societies in the delta area and other places, if they come forward with such a request? "

[13th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA :—" Yes, Sir, if co-operative societies are able to organize a proper agency and are able to conduct the work in an efficient manner, then I do not see any reason why the Government should stand in their way."

SRI P. KANDASWAMI PILLAI :—" So far as the districts where rural rationing is abolished, may I know what difficulty is there for the Government to allow the landowners to bring the produce from their lands to the rationed areas especially when they are willing to be content with the produce brought from their own lands? May I know why they are required to obtain permits from the Collectors to bring the produce from their lands into rationed areas? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" If that is allowed, the difficulty will increase. By removing rural rationing, our idea is that the foodgrains should circulate freely in the villages and rural areas. They should not be allowed to come into rationed areas. Otherwise, there is no fun in keeping statutory ration only in the towns. Unless people are required to get permits to bring rice or any other rationed article into the rationed area, it will not be possible to work the proposition and the rural areas also will suffer more."

SRI R. V. SWAMINATHAN :—" May I know whether at the recent District Collectors' Conference, a proposal was made that the districts of Madurai, Ramanathapuram and Tirunelveli should be classified as a separate zone and the inter-district ban on free movement of foodgrains must be removed so far as these three districts are concerned? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" That proposal was not with regard to rice. The question of rice was not at all considered in the Conference. I have already told about that and hon. Members are aware of that. That proposal relates to millets only. It was proposed that separate zones may be prescribed and the movement of millets from places where they are available to other places where they are not available may be allowed. That concession was extended only with respect to millets and not rice. Even for rice also, if some people from Ramanathapuram require rice from Tanjore district, of course, they may be given permits to import as much quantity of rice which will be required to meet their requirements. But this is different from treating the three districts as a separate zone. These three districts are mostly deficit areas and by attaching them together, nobody will be benefited."

3-30 SRI D. V. RAMASWAMI :—" The Hon. the Minister for  
Food said that several conferences of Food Ministers were held at Delhi at which the needs of Madras State were made known to the Government of India. I want to know whether at any one of these conferences the view was expressed that negotiations should be conducted with Soviet Russia or China for the supply of rice irrespective of the position that the Government of India have taken with regard to the United States of America in other matters."

13th February 1951]

THE HON. SRI J. L. P. ROCHE VICTORIA :—" They are all matters in which we cannot interfere."

SRI T. VISWANATHAM :—" Sir, reference was made this morning to a reply given in the Legislative Council on the 23rd January 1951 by the Hon. the Minister for Food. The question was why the Government allowed the grants made by the Government of India to lapse. It was said that the Government of India made a block grant of 625 lakhs of rupees in 1947-48, 325 lakhs in 1948-49 and 400 lakhs in 1949-50 and that the Madras Government had to surrender nearly 600 lakhs of rupees since they were not able to execute certain schemes. May I know, Sir, what explanation the Hon. the Minister for Food has to give on behalf of the Government for this lapse of duty? "

THE HON. SRI J. L. P. ROCHE VICTORIA :—" When that question was raised in the Council, the Hon. the Leader of the House promised to make a statement on it. I think he will be able to explain the position better."

MR. SPEAKER :—" I want to know whether the Movers of the amendments to the Motion on Seasonal Conditions press them or withdraw."

SRI R. V. SWAMINATHAN :—" I withdraw my amendment."

The amendment was, by leave, withdrawn.

SRI K. KOTI REDDI :—" I withdraw my amendment."

The amendment was, by leave, withdrawn.

SRI M. A. EASWARAN :—" I withdraw my amendment."

The amendment was, by leave, withdrawn.

MR. SPEAKER :—" Dr. M. J. Samuel is not in his place. His amendment is deemed to have been withdrawn. I shall put the Government Motion to vote now. The question is—

That the seasonal conditions in the State be taken into consideration."

The motion was carried.

MR. SPEAKER :—" I shall now take up the amendments to the Motion on Food."

JANAB M. S. ABDUL MAJID :—" I withdraw my amendment."

The amendment was, by leave, withdrawn.

SRI R. V. SWAMINATHAN :—" I withdraw my amendment."

The amendment was, by leave, withdrawn.

JANAB MOHAMED ABDUL SALAM :—" I withdraw my amendment."

The amendment was, by leave, withdrawn.

[18th February 1951]

SRI K. KOTI REDDI :—" I withdraw my amendment."

The amendment was, by leave, withdrawn.

JANAB ABDUL HAMEED KHAN :—" I withdraw my amendment."

The amendment was, by leave, withdrawn.

MR. SPEAKER :—" Hon. Members, Sri Pydah Venkatanarayana, Sri K. R. Karanth and Janab Mahboob Ali Baig are not in their places. Their amendments are deemed as withdrawn. I want to know whether hon. Member Sri Gopalaswami presses or withdraws his amendment."

SRI L. N. GOPALASWAMI :—" I want to ask only one question, Sir. In view of the fact that the levy system will be insisted upon in the Tiruchirappalli district, will the Hon. the Minister for Food assure me that those who own less than three acres will not be subject to this levy, so that they may be able to have what they produce for their own maintenance?"

THE HON. SRI J. L. P. ROCHE VICTORIA :—" That will be considered."

SRI L. N. GOPALASWAMI :—" I withdraw my amendment."

The amendment was, by leave, withdrawn.

SRI M. A. EASWARAN :—" I also withdraw my amendment."

The amendment was, by leave, withdrawn.

SRI P. KAKKAN :—" தலைவர் அவர்களே ! ரேஷன் அமுலில் உள்ள இடங்களில் ஹரிஜனங்களுக்கு வழங்கப்பட்டிருக்கும் கார்டுகளுக்கு வழக்கமாக அவர்கள் சாப்பிடுவதுதான் கொடுக்கவேண்டுமென்றும், அரிசி அவர்களுக்கு கொடுக்கப்படுவதென்றும் ஈரோடு, கோயம்புத்தூர் முதலிய இடங்களில் சொல்வதாகத் தெரிகிறது. அரிசியை அவர்கள் சாப்பிட்டால் கூட அவர்களுக்கு சோளம், கோதுமை, கம்பு முதலியவைதான் கொடுக்கப்படுகின்றன. அவைகளுக்குத் தகுந்த நெய், எண்ணெய் முதலியவை அவர்களுக்கு கிடைக்காததால் மற்றவர்களைப் போலவே அவர்களுக்கும் அரிசி, கோதுமை, முதலிய தானியங்களைச் சரியாகப் பகிர்ந்து கொடுக்க ஏற்பாடு செய்யவேண்டுமென்று கேட்டுக்கொண்டு என் திருத்தத்தை வாயஸ் பெறுகிறேன்."

The amendment was, by leave, withdrawn.

SRI. V. C. PALANISWAMI GOUNDER :—" I have already said that acute shortage of foodgrains is prevailing in Coimbatore and that for want of sufficient number of relief shops there, the prices of foodgrains are shooting up. May I ask the Government to see that necessary steps are taken in order that the prices may be brought down?"

There was no answer.

MR. SPEAKER :—" The Hon. the Minister for Food has no answer to give."

[18th February 1951]

SRI V. C. PALANISWAMI GOUNDER :—" I want an answer."

MR. SPEAKER :—" The Hon. the Minister has no answer to give."

SRI V. C. PALANISWAMI GOUNDER :—" Since the Minister is not able to reply, I withdraw my amendment." (Laughter.)

The amendment was, by leave, withdrawn.

MR. SPEAKER :—" Hon. Member, Dr. Samuel, is not in his place. His amendment is deemed as withdrawn. I want to know whether hon. Member, Sri Vaidyanatha Ayyar, presses his amendment."

SRI A. VAIDYANATHA AYYAR :—" I am not convinced about the justice of including Madurai as a 'more or less self-sufficient' district at a time when there is no rainfall and when there is absolute destruction of crops. Nor am I satisfied that the Hon. the Minister for Food has given any reason as to how these poor people are to purchase rice and where to purchase it. I, therefore, regret that I am unable to withdraw my amendment."

MR. SPEAKER :—" The question is—

'Add at the end the following :—

"and on such consideration this Assembly resolves—

(1) that Madurai district be treated only as deficit district;

(2) that procurement by levy or otherwise be totally abolished;

(3) that statutorily rationed areas be supplied by direct imports from surplus districts;

(4) that deficit districts be inter-linked with adjoining surplus districts; and

(5) that Madurai villages be saved from impending starvation by sufficient number of merchants being licensed to purchase paddy and millets from surplus areas and districts and sell paddy in villages."

The amendment was lost.

MR. SPEAKER :—" The question is—

'That the food situation in the State be taken into consideration."

The motion was carried.

MR. SPEAKER :—" I wish to tell the House that the debate on 'yarn scarcity' will be continued to-morrow and that it will be taken up as soon as we have finished with the business—some small bills—put down for to-morrow."

SRI A. KAMESWARA RAO :—" Are we adjourning to-morrow, Sir?"

MR. SPEAKER :—" Yes, I think so."

[18th February 1951]

## (2) YARN SCARCITY.

\* THE HON. SRI C. PERUMALSAMI REDDI :—" Mr. Speaker, Sir, I move—

*' That the yarn scarcity in the State be taken into consideration.'*

" I have placed on the table of the House a statement\* relating to the yarn position in our State. Members of this House must be now fairly familiar with this question and I am sure they will offer their constructive suggestions to help the Government."

MR. SPEAKER :—" Motion moved—

*' That the yarn scarcity in the State be taken into consideration.'*

As pointed out in the morning, it would be better if we take up one comprehensive amendment instead of every Member who has given notice of amendment moving it. Hon. Member Janab Abdul Majid's amendment is a comprehensive one. He will move the amendment."

SRI K. KOTI REDDI :—" It does not cover my case, Sir."

MR. SPEAKER :—" These are only token amendments. Hon. Member Janab Abdul Majid will move his amendment."

JANAB M. S. ABDUL MAJID :—" Sir, I move—

*' Add at the end the following :—*

*" and on such consideration this Assembly resolves that the Government of India be requested to allot to the Madras State 29,000 bales of yarn per month for the handloom industry."*

Sir, there is a mistake in the amendment circulated to us. It is written as 27,000 bales instead of 29,000. I have corrected it."

JANAB N. MUHAMMAD ANWAR :—" I second it."

MR. SPEAKER :—" Amendment moved—

*' Add at the end the following :—*

*" and on such consideration this Assembly resolves that the Government of India be requested to allot to the Madras State 29,000 bales of yarn per month for the handloom industry."*

\* JANAB M. S. ABDUL MAJID :—" Sir, let me at the outset express my appreciation on behalf of the handloom trade and industry of the keener interest taken by our Government, particularly, the Hon. the Minister for Industries, Sri Perumalswami Reddi, in the affairs of the handloom weavers of this State. I think, if they had only taken such interest all along, the miseries of the handloom weavers would not have reached such agonising proportions . . ."

MR. SPEAKER :—" Let me fix the time-limit. Each Member will have fifteen minutes."

[18th February 1951]

JANAB M. S. ABDUL MAJID :—" I am afraid, I cannot finish in fifteen minutes, Sir."

JANAB M. MUHAMMAD ISMAIL :—" Half an hour for the Mover, Sir."

MR. SPEAKER :—" It is not possible. Let the hon. Member continue."

\* JANAB M. S. ABDUL MAJID :—" A very industrious and self-respecting community has to-day come to a state of want and beggary. They are almost standing at the doors of the Collectors of the districts asking for doles because they are not able to earn anything due to scarcity of yarn. The Hon. the Minister for Land Revenue, Sri Sitarama Reddi said yesterday that receiving of doles was something very bad. I immediately protested against that statement and said : ' Yes, we do not want any doles and charities; what we want is only yarn.' It is really degrading for me to see my people appearing before the Government and asking for doles when I know for certain that the coffers of our Government are almost empty and that they are not in a position to give these doles.

" Now, Sir, I shall place my case before the Hon. the Minister for Industries in the order or in the sequence in which he has presented his statement. Sir, in the year 1945—in April—the All-India Yarn Distribution Scheme was introduced under which the quota for Madras was fixed at 21,305 bales, that is, 26.05 per cent of the free yarn available. All the present troubles of the handloom industry, all the miseries and sufferings that the weavers are undergoing to-day are the result of this percentage. This was based on the figures given by the Fact Finding Committee of 1941. Although the Fact Finding Committee's report contained very valuable information with regard to the handloom industry. I should think that with regard to figures, they committed the gravest error possible. Thereby they have done the greatest injury to the handloom industry of this State. They said that there were about four lakhs of looms in this State out of which only two lakhs were active looms. On the basis of this figure, the Textile Commissioner and the other authorities who were in charge of the work then, fixed a percentage and this percentage is 26.05, as I have already pointed out. I would request the Hon. the Minister immediately to arrange for a census of the active looms in the State. If he takes a census, he will find that it is not two lakhs but there are more than five lakhs of active looms in this State. Therefore, if the Government want to control or organize a scheme for the distribution of yarn, such scheme should be worked on the basis of the figure. I have given now, viz., five lakhs of active looms. That comes to this. We need about 40 per cent of the free yarn available in the country. Unless this is done, unless this point is impressed upon the Government of India and the Textile Commission, this State will continue to suffer as it is suffering to-day.

" Then, Sir, the Hon. Minister referred to the glut of 1949 calling for the provision of relief measures. This was not due to p.

[Janab M. S. Abdul Majid] [13th February 1951]

the reasons furnished in the statement. It was entirely due to the policy of the Government of India in imposing a ban on the export of handloom products to various countries especially to East Bengal. As I have pointed out on several occasions, the handloom industry of this State is much more prosperous than the handloom industries in Bombay, Punjab, Madhya Pradesh or Uttar Pradesh. This is entirely due to the fact that large quantities of handloom products were exported from this State not only to meet the needs of the internal market but also to overseas countries like Burma, Ceylon, Singapore and several of the Middle Eastern countries. If one studied the history of the handloom industry in this State, he would find that this industry suffered very much whenever there were no exports of handloom product to the overseas markets. The handloom industry suffered in 1929 when our overseas markets were shut out due to the competition of Japan with our products. In 1941 due to hostilities practically all the overseas markets were closed for this product and therefore we were not able to export and as a consequence the industry suffered. From this it would be evident that the handloom industry of this State depends for its survival and prosperity on the export trade. Therefore it must become the responsibility and duty of this Government to impress upon the Government of India that export of this product should be allowed to continue undisturbed. I have cried times without number that the life-line of this industry, namely, export, should be left undisturbed. But unfortunately, my voice was a cry in the wilderness. I was then ploughing a lonely furrow. But to-day I find several hon. Members have come up and are co-operating with me in trying to see that this life-line is maintained. Therefore, Sir, I say, if you want to get more yarn, the Government should press upon the Government of India the importance of the export trade. Recently when the Hon. Minister for Industries and Supply of the Government of India was in the City, I brought this to his notice and he readily stated: 'If you put forth this argument, you will get more yarn.' Here is an assurance given by the Hon. Minister of the Government of India and our Government should take this opportunity and impress upon the Government of India and see that we get extra yarn for the quantity of handloom products which we are exporting to the overseas market.

"During the normal years Madras State has been exporting about six thousand bales of handloom products to various countries. From this you can imagine what amount of wealth it has brought into this country. To-day we are not able to export more than a thousand bales or so because the Government of India have been adopting a policy which was inimical to the interest of handloom industry of this State. We have lost almost all the markets for this product in the Far-East, and Middle-East countries and in several European countries. At the time when Government of India prevented merchants from exporting to overseas markets, these markets which were usually our markets were exploited by the other countries like the United States of America, United Kingdom and Japan. To-day the position is, our customers in the overseas countries have lost the taste for these products. We were able to create an interest in these products in the

[13th February 1951] [Janab M. S. Abdul Majid]

overseas markets such as Malaya and Indonesia with the help of our master weavers, the enterprising merchants and other expert workmen connected with the trade. It is my privilege to claim that the handloom product of this state has almost become the national dress in those countries. 'Kailies' and 'Sarangs', these are the national dress of the people in those countries. Who created this interest in those countries in these products? We have created it. If that interest is to be maintained in those markets, we must see to it that this life-line of the industry, namely, export, is maintained and the Government of India should not interfere time and again with the export trade. To-day the Government of India are crying: 'You must export more,' 'You must export more.' 'Export or perish' has become the slogan of the Government of India. But at a time when we wanted to export they said, 'No'. Here I am not laying a charge at the door of this Government. But if this Government want to keep the flourishing industry of this State going and to progress, and thus help the several lakhs of handloom weavers, they must impress upon the Government of India to allow exports of these products and see that the export trade is in no way affected.

"Then, Sir, in his statement the Hon. Minister has stated 'the yarn allotted to this State fell from 22,096 bales in January 1950 to 16,332 in April, 13,026 in May, 16,332 in September, 12,232 in October and 11,139 in December, the average for the year being 16,967 bales per month.' I can conceive that the production of yarn has dwindled due to scarcity of cotton and certain other causes and therefore the allotment is low. But I want to put a straight question to the Hon. Minister. Taking a figure given in the statement, namely 16,352 bales that was allotted in September 1950, assuming that about two thousand bales go away to meet supply of yarn to the weaving factory and other miscellaneous consumers, there is yet a balance of about 14 thousand bales. Each bale weighs 400 pounds. These 14 thousand bales multiplied by 400 pounds and divided by the number of looms existing in the State (there are nearly five lakhs of looms in the State), each weaver must have got at least 12 pounds of yarn per month. I am putting this question to the Hon. Minister whether for the last several months every weaver in this State has got that 12 pounds. All the hon. Members who are here will say that the weavers do not receive even two pounds. I ask where have these 14 thousand bales gone? I feel that the distribution scheme of the Government is defective. Government should order an enquiry into this and find out how much each weaver got actually out of this 12 pounds. He has not received the 12 pounds that should have been given to him. This is the bare fact. I am not asking for more bales of yarn. I am only asking: 'What has happened to these 14 thousand and odd bales that the Government received?' Have they been distributed properly? I am sure, Sir, they are not eaten by white ants because they come fresh from the factory and go into the hands of the handloom weavers. I do not know how these 14 thousand bales which this province received or receiving on an average every month were distributed.

[Janab M. S. Abdul Majid] [13th February 1951]

"Then, Sir, the Hon. Minister has stated in his statement: 'It has been computed by Dr. Narayanaswami Nayudu, who conducted an inquiry in 1947—that 27.5 lakhs or 5.5 per cent of the population was dependent on the handloom industry.' Yes, he is almost correct but my claim is 30 lakhs are dependent on the industry. Dr. Narayanaswami Nayudu has not included in his figures those people engaged in industries which are subsidiary to or dependent on the handloom industry such as spinning mills—these cannot survive but for the handloom industry of this State—dyeing factories) and the dyes and chemical industry. These subsidiary industries will not survive if the handloom industry is not going to survive.) If people engaged in these industries also are included then you can imagine the amongst of havoc that would be caused to the very economy of the State if the handloom weaver is not properly cared for. This industry contributes in the form of sales-tax—I make pointed reference to this as the Hon. the Finance Minister is also in the House now—income-tax and excise duty, to the economic prosperity of the State and to the country. Therefore it should become the sacred duty of the Government to see that this industry is maintained. Government are allotting crores of rupees for the Khadi scheme. (Interruption.) If crores are incorrect, at least lakhs are being allotted. I want to know: 'Is not handloom industry an indigenous industry or is it a foreign industry?' I say, Sir, it is an indigenous industry which is in existence from time immemorial. Lakhs and several thousands of people are engaged in that industry. We have been clothing peoples of the world with the product of this industry—even a Queen of Shiba or a Cleopatra. These products in the past have become the pride of various courts of Europe. Even to-day I am prepared to throw a challenge. Let all the weaving mills be closed down. The handloom industry will clothe the people of this country. But unfortunately the people at the helm of affairs do not want to try this. They are wasting their money in some other quarters. Here, we have got people who will clothe us in the finest of cloth possible. The handloom cloths were so fine that they are known as 'Shabnam.' I believe the Hon. Minister for Finance will be able to understand the word 'Shabnam.' 'Shabnam' is dew morning. The cloth was called so because it was fine. Such cloth we were producing and even to-day we have got capable weavers who can weave such good cloths. But the Government are not caring for their interest. They are simply turning the channels of their finance into some other field. (Mr. Speaker sounded the gong at this stage.) I may be given a few more minutes, Sir, as this is a very important matter."

MR. SPEAKER:—"The hon. Member can have five more minutes."

\* JANAB M. S. ABDUL MAJID:—"Then, Sir, the statement says: 'Whatever supplies we have received, we have handled with care, making the most equitable distribution between the districts, and in the districts on the advice of Yarn Advisory Committees, between the weavers.' I wish the Government of the

13th February 1951] [Janab M. S. Abdul Majid]

State had enumerated the actual number of active looms in this State. I happen to be the President of the Yarn Advisory Committee. It is imposed upon me that I should collect the census of looms in my area. You know, Sir, as a non-official with no organization, whether I would be in a position to collect the correct information on the looms actively working in my area. It is impossible. Therefore, Government must undertake that duty. The Hon. Minister has stated that he is going to take a census of these looms and charge four annas per loom. I do not mind paying that but the Government must collect the correct information. It is only on that information we will be able to fight with the Government of India and get more yarn.

"Then, Sir, in another place the Hon. Minister has made an appeal in the statement that 'If he can have a subsidiary occupation, as in the past, not only his income will be more but he will be better qualified to meet the competition of factory production and the complications of the modern finance and trade.' The Hon. Minister does not indicate what subsidiary industry is there that the handloom weavers can take up. I may tell the Hon. Minister that people engaged in other industries are coming to our industry. Due to prohibition several thousands of ex-tappers were left in the streets and the handloom industry is accommodating and feeding them. Several thousands of people are coming into our fold. We don't go to the other industries. And further there are no subsidiary industries in this State.

"Wherever we go, we can see that industries are almost 4 p.m. languishing due to the policy pursued by the Government. Therefore, what is the use of asking the handloom weaver to take to subsidiary occupation? Sir, there seems to be an impression with the Government of India that the handloom weaving is only a part-time job in this State. It is not correct. I claim that it is a full-time job. The handloom weaver is working for 12 hours and there is no subsidiary occupation for him. Therefore, the Hon. Minister must impress upon the Government of India that handloom weaving is not a subsidiary occupation, and that on the other hand, it is a full-time job in this state. Now I will make certain suggestions to improve the yarn position in this State.

"In the first place, yarn that is being allotted to the weaving section of the composite mills must be reduced. By this we are not going to lose anything because that yarn that is reserved for the handloom industry will be converted into cloth. Therefore, this Government must impress upon the Government of India that the yarn allotted to the weaving sections of composite mills must be reduced.

"The Government must ban all exports of yarn. I know that the Government of India are deeply interested in promoting exports. But, at a time when enterprising and industrious people of this State are suffering due to want of yarn, this Government must request the Government of India to put a ban on exports. I am glad that the Government of India have already done it. I also know that the powerful vested interests of Bombay have great pull with the Government of India and I am afraid that,



[Janab M. S. Abdul Majid] [13th February 1951]

due to their machinations, if I may be permitted to use that expression, Sir, they may pull the Government of India to lift the ban on exports.

"The Government should import cotton. Cotton available in this country is no doubt very meagre and in spite of the Grow More Cotton Campaign we have not reached a stage when we need not depend upon cotton imported from foreign countries. The Government of India knew that there was going to be yarn shortage in this country and they should have entered into contracts with foreign countries for 1951 in 1950 itself. They have been keeping quiet all these years and there is no cotton in the world market to-day. I know that the price of foreign cotton is nearly three times the price of Indian cotton. But yet, we could import cotton.

"Then, Sir, the Government should make more allotments of cotton to the spinning sections of the mills and to the spinning mills as such and thereby increase the yarn production.

"There must be three shifts in the working of the mills and through this system also we can produce more yarn.

"No permission should be given for organization of more power loom factories particularly during yarn scarcity period. Power looms are of recent origin. People who had capital and who wanted to make profit got into the industry and organized power loom factories. The Government of Madras are readily assigning any quantity of yarn they require, as if the handloom industry is not producing cloth to-day. Therefore I request that a ban must be put on the starting of more power loom factories in this State.

"Then, Sir, the Government should import yarn from foreign countries. The price of foreign yarn is no doubt higher than the price of Indian yarn. But, when we take into consideration the black-market price of yarn in this country, I feel that the price of foreign yarn is not much higher. There is now no price control for yarn imported from foreign countries. If price control on yarn is to be continued, Government must see that the prices of not only Indian yarn but also yarn imported from foreign countries are also controlled.

"The Government must also give encouragement for starting more spinning mills.

"Then, Sir, there is a tendency on the part of the mills to spin counts of yarn for which they are not averaged. This means loss in productive efficiency but also loss in quantity. I therefore request the Government to put a ban on the mills from spinning counts of yarn for which they are not suited."

MR. SPEAKER:—"The hon. Member has already taken 25 minutes."

JANAB M. S. ABDUL MAJID:—"Sir, I am really sorry that you have not given me enough time."

13th February 1951]

MR. SPEAKER:—"No, I have given the Hon. Member more time."

\* JANAB M. S. ABDUL MAJID:—"Sir, I appeal to the Hon. Minister to help the handloom weaver. Whenever I represented anything to him, he gave me a sympathetic hearing and tried to help me. Yet, I know his helplessness because he has got to depend on the Government of India. To-day our Government is something like a glorified Panchayat Administration."

\* SRI. N. M. R. SUBBARAMAN:—"கனம் சபாநாயகர் அவர்களே! ஜனாப மஜீத் அவர்கள் கைத்தறித் தொழிலை ஆதரித்து மிகத் திறமையாகவும், உற்சாகமாகவும் பேசினார்கள். அதைவிட அழகாக கைத்தறித் தொழிலை ஆதரித்து நான் பேச முடியாது. இந்திய சர்க்கார் கைத்தறி கைத்தொழில் விஷயமாக ஒரு உறுதியான, தெளிவான கொள்கையை எடுத்துக்கொள்ளும் வகைக்கும் இந்தத் தொழில் சரியாகப் பாதுகாக்கப்படுமென்று நான் நினைக்கவில்லை. கொஞ்சம் அதிகமாகப் பேல் கொடுப்பது: அடுத்த மாதங்களிலே அதைவிட கொஞ்சம் அதிகமாகக் கொடுப்பது, இதனால்ல்லாம் அதிகம் அனுகூலம் ஏற்படாதென்று நான் நினைக்கிறேன். ஜவுளி உற்பத்தியை பொறுத்தமட்டும் நம்முடைய தேவைகள் அனைத்தையும் கைத்தறியிலேயே நாம் நெசவு செய்வது என்ற திட்டமான கொள்கையை நம்முடைய சர்க்காரும், இந்திய சர்க்காரும் அவசியம் ஏற்றுக் கொள்ள வேண்டும். அவ்விதம் இந்தக் கொள்கையை ஏற்றுக்கொண்ட பிற்பாடு அதற்குத் தகுந்தாற்போல் தங்களுடைய எல்லா காரியங்களையும் திருத்தி மாற்றியமைத்துக்கொள்ள வேண்டும். இவ்விதம் செய்வதினால் உற்பத்தி குறையாது. அல்லது துணிகளுடைய விலை அதிகமாகிவிடும் என்பது இல்லை. மில் நெசவு வருவதற்கு முன்னாலேயே அல்லது மில் நெசவு அதிகமாகவதற்கு முன்னாலேயே கைத்தறி ஏராளமாக இருந்து இருக்கின்றன. நம்முடைய தேவைகள் அனைத்தையும் நம்முடைய கைத்தறிகளே நெசவு செய்து கொடுத்து இருக்கின்றன."

"இன்று கைத்தறியைப் பொறுத்தமட்டும் சர்க்கார் ஓரளவு உதவி கொடுத்து வருகிறார்கள். எனினும் கைத்தறித் தொழில் நிலைத்து நின்று வருகின்றது. இரண்டு மூன்று ஆண்டுகளுக்கு முன்னால் வரைக்கும் மில் தறிகளுக்குப் போட்டியாகவே கைத்தறித்தொழில் நடைபெற்று வந்திருக்கின்றது. யுத்த காலத்திற்கு முன்னால் கைத்தறியாளர்களுக்கு கிடைத்து வந்த கூலிகூட கிடைக்காமல் கைத்தறித் தொழில் நடந்து வந்தது. மிகவும் பிரசித்தி பெற்ற பம்பாய், ஆமாதாபாத் போன்ற நெசவு ஆலைகள் நிரம்பிய பிரதேசங்களிலேயே மதுரை போன்ற ஊர்களிலிருந்து கைத்தறிகளில் உற்பத்தியாகும் துணிகள் அங்கு போய் விற்கப்பட்டன. மில்களின் சரக்குகளின் விலையைவிட கைத்தறித் சரக்குகளின் விலை அதிகமாகவே இருக்கும். எனினும் கைத்தறித் சரக்குகள் அங்குபோய் விற்பனை செய்யப் பட்டன என்றால் கைத்தறியாளர்கள் அத் தொழிலின் முன்னேற்றத்திற்கு எவ்வளவு கஷ்டமும், நஷ்டமும் ஏற்றுக்கொண்டு வேலை செய்து வந்தார்கள் என்று நன்றாக உணர முடியும். தவிர ஏற்றுமதியினாலேயே கைத்தறி ஜவுளிகளுக்கு அதிக லாபம் கிடைத்து வந்தது. நாம் சட்டென்று ஏற்றுமதி செய்வதை தடை செய்தவுடன் நம் கைத்தறிக்காரர்களுக்கு எவ்வளவு கஷ்டம் ஏற்பட்டது என்று எல்லோருக்கும் தெரியும். நம்முடைய மாகாணத்திலிருந்து மற்ற மாகாணங்களுக்கும், வெளி நாடுகளுக்கும் கைத்தறி ஜவுளிகளை ஏற்றுமதி செய்யக்கூடாதென்று இரண்டு ஆண்டுகளுக்கு முன் தடை செய்தவுடன் மற்ற மாகாணங்களிலும், கீழ் திசை நாடுகளிலும் நமக்கு இருந்த மார்க்கெட் சட்டென்று தடைபட்டு போய் விட்டது. வியாபாரத்தில் மற்ற நாடுகளெல்லாம் நம் சர்க்காருடன் போட்டி போட்டுக்கொண்டிருக்கும் ஒரு சமயத்தில் நாம் நம் ஏற்றுமதியை தடை செய்ததால் நம் மார்க்கெட்டை இழக்க நேரிட்டது. அதன் காரணமாகவே இன்று பெரும்பாலான கைத்தறிகள் பாதிக்கப்பட்டு விட்டன. யென்பதை நாம் உணர்கிறோம். ஆகவே கைத்தறிகள் விஷயத்தில் ஒரு திருத்தமான கொள்கையை நாம் ஏற்படுத்திக்கொள்ள வேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்."

[Sri N. M. R. Subbaraman] [13th February 1951]

“அடுத்ததாக மில் நூல் உற்பத்தி விஷயத்தில் கொஞ்சம் ஏறக்குறைய தட்டு ஏற்பட்டாலும் முதலில் பாதிக்கப்படுவது கைத்தறிக்கள்தான். பந்து வேண்டிய அளவு இல்லாவிட்டாலும் சரி, அல்லது மில்களில் வேலைநிறுத்தம் ஏற்பட்டாலும் சரி மின்சாரம் கிடைக்காவிடியும் சரி, நூல் உற்பத்தி குறைந்து அதனால் பாதிக்கப்படுவது கைத்தறித் தொழில்தான். மில் நெசவுத் தொழில் ஒன்றும் பாதிக்கப்படவில்லை. ஆனால் உற்பத்திக்குறைந்த உடனே கைத்தறி தான் பாதிக்கப்படுகிறது. எனவே கைத்தறிக்காரர்களுக்கு வேலை குறைந்துபோய் சாப்பாட்டுக்கே கஷ்டப்பட வேண்டியவர்களாகிவிடுகிறார்கள். அந்தக் கஷ்டம் மிகவும் அதிகமாக கடந்த ஒரு வருஷமாக மிகவும் அதிகரித்துக்கொண்டே வந்திருக்கிறது. இப்போது அந்தக் கஷ்டம் மிக உச்ச நிலையை அடைந்திருக்கிறது என்று சொல்லவேண்டும். மற்ற ஜில்லாக்கள் எல்லாவற்றையும்விட கைத்தறிப்பாளர்கள் படும் கஷ்டம் மதுரை விலிருந்து வருகிற பிரதிநிதிகளுக்கு மிக அதிகமாகத் தெரியும். சேலத்தில் அதிகக் கஷ்டம் ஏற்பட்டதன் காரணமாக கைத்தறித் தொழிலாளர்கள் சத்தியாக்கிரகம் செய்தனர். மதுரையிலும் மற்ற ஜில்லாகளிலும் சத்தியாக்கிரகம் செய்கிறார்கள். சத்தியாக்கிரகம் செய்ய வேண்டுமென்பதாகக் கிளர்ச்சி மனப்பான்மையோடு அவர்கள் சத்தியாக்கிரகம் செய்யவில்லை. எவ்வளவோ முறை விண்ணப்பித்துக்கொண்டும் அதனால் எந்த பயனையும் ஏற்படவில்லையென்ற அதிருப்தியாலும், சத்தியாக்கிரகம் செய்வதைத் தவிர இன்றையதினம் வேறு ஒரு வழியும் இல்லை என்ற எண்ணம் கொண்டு தான் சத்தியாக்கிரகம் செய்ய முன் வந்திருக்கிறார்கள். நம்முடைய சர்க்கார் மட்டும் போதிய அக்கரை எடுத்துக்கொண்டு அதிகமான பேர்களை ஈடுபடுத்தியிருக்கும், மதுரைக்கும் அனுப்பியிருக்கிறார்கள். ஆனால் கடந்த மூன்று நான்கு மாதங்களாகவே தவறாது நூல் தட்டு ஏற்பட்டுவிட்டதால் கைத்தறிப்பாளர்கள் நம்பிக்கை இழந்து விட்டார்கள். 25 ஆயிரம், 30 ஆயிரம், கைத்தறிகள் இருக்கும் ஈடுபடுத்திற்று 150 பேர், 100 பேர் என்று அனுப்பினால் ஆளுக்கு ஒரு பெண்ணைக் கிடைக்க வில்லை. அடுத்து வரும் மாதங்களிலாவது அபிவிருத்தி அமைப்பதா என்று கைத்தறிப்பாளர்கள் எண்ணி நம்பிக்கையின் பேரில் ஊசலாடிக் கொண்டிருக்கும்பொழுது அப்போதும், எமாற்றம் அடைந்தால் அவர்களுக்கு எவ்வாறு சமாதானம் ஏற்படுமென்று நாமே யோசித்துப் பார்க்கவேண்டும். ஆனால் அதற்கெல்லாம் காரணம் நம்புடைய சென்னை சர்க்கார் என்று நான் கூறவில்லை. சென்னை சர்க்கார் கைத்தறி தொழில் விஷயமாக அதிகமாக, அக்கரை எடுத்துக்கொண்டது. நம்முடைய மந்திரிகளும் பெருமாள்சாமி ரெட்டியாரும் விசேஷ அக்கரை எடுத்துக்கொண்டு தான் உழைத்து வருகிறார்கள். அவர்கள் இப்போது கொடுத்து இருக்கிற அறிக்கையிலேயே அது மிக விளக்கமாகத் தெரிகிறது. ஒரு வருடத்திற்கு முன்னால் நூல் அதிகமாகத் தேங்கிக் கிடந்தபோது ஏற்றுமதி அனுமதிக்கப்பட்டது. அதன் காரணமாக கைத்தறிகளுக்கும் அதிகத் தேவை போக பாக்கி தேங்கிக் கிடந்த உடனே வெளி நாடுகளுக்கு அதை அனுப்பிவிட்டார்கள். அப்போதே நான் இந்தச் சபையில் சொல்லியிருக்கிறேன். அந்தக் காலத்திலேயே பூராவையும் நாம் அனுப்பாமல் தேக்கி வைத்துக்கொண்டிருந்தால் நல்லது. அவ்வாறு பூராவையும் அனுப்பாமல் ஓரளவு மட்டும் ஏற்றுமதியை அனுமதிக்க வேண்டுமென்று நான் கேட்டுக் கொண்டேன். அந்தக் காலத்தில் இது அவ்வளவாகக் கவனிக்கப்படவில்லை. அந்தக் கஷ்டம் இன்று நம் எல்லோரையுமே பாதிக்கிறது. கச்சாப் பொருள்களை அனுமதித்துத்தான் உற்பத்திச் சர்க்குரின் விலையை நிர்ணயிக்க முடியும். பஞ்சினுடைய விலை அதிகமாக அதிகமாக நூலினுடைய விலை அதிகமாகிறது. நூலின் விலையை ஒட்டியே சர்க்கின் விலை உயர்கிறது. ஆனால் சர்க்கார் உற்பத்திச் சர்க்கின் விலையை நிர்ணயிக்கும்போது, இவைகளையெல்லாம் கவனிக்க வேண்டும். ஏற்றுமதி செய்தால் நல்ல லாபம் கிடைக்கிறது. ஆகவே நூலினுடைய விலையையோ, உற்பத்திச் சர்க்கின் விலையையோ நிர்ணயிக்கும்போது சர்க்கார் நூல் கைத்தறி பிரதிநிதிகள், மில் பிரதிநிதிகள், பொதுஜனப் பிரதிநிதிகள், சர்க்கார் பிரதிநிதிகள் ஆக எல்லோரும் உட்கார்ந்து யோசித்துத்தான் நிர்ணயம் செய்யவேண்டும். ஆனால் இப்போது யார் இவ்வாறு நிர்ணயம் செய்கிறார்கள் என்று தெரிய வில்லை. இதனால் கைத்தறித் தொழிலே நசித்து விடுமோவென்று பயமாக இருக்கிறது. ஒரு மாதத்திற்கு முன்னாலே சன்னமான நூலின்

[13th February 1951] [Sri N. M. R. Subbaraman]

விலையை ஏற்றினார்கள். அப்போது மோட்டா நூலின் விலை ஏறுமென்று எதிர்பார்க்கப்பட்டது. நம் நாட்டுப் பஞ்சினுடைய விலையை அனுசரித்து ஏற்றுவதாய் இருந்தால் மோட்டா நூலினுடைய விலையையும் ஏற்றியிருக்க வேண்டும். அவ்விதம் செய்யத் தவறியதால் என்ன ஆயிற்று? ஒரு பெரிய அவ நம்பிக்கையும், அதிர்ந்தியும் ஏற்பட்டது. இப்போது எங்கும் சத்தியாக்கிரகம் ஆரம்பமாகியிருக்கிறது. இப்போது என்னும் அதிருஷ்ட வசமாக மோட்டா நூலினுடைய விலையையும் ஏற்றியிருக்கிறார்கள். அதனால் நிச்சயமாக இப்போது அதிக நூல் கிடைக்குமென்று நினைக்கிறேன். இந்த விலையை சென்ற மாதமே ஏற்றியிருந்தால் இவ்விதமான அதிருப்தி ஏற்பட்டிருக்காது. ஒருவேளை அதிருப்தி இருந்திருந்தாலும் அதிலே பெரும் பகுதி தீர்ந்துபோய் இருக்குமென்று எண்ணுகிறேன். இந்த நெருக்கடியை நாம் தீர்த்துவிட்டால் மற்ற விஷயங்களையெல்லாம் நாம் சுலபமாகத் தீர்க்கலாம்.”

“இப்போது கைத்தறித் துணிகளுடன், மில் துணிகளும் ஏராளமாக உற்பத்தி செய்யப்படுகிறது. அதனால் மில் துணிகள் கைத்தறித் துணிகளுடன் போட்டி போடாமல் அவசியம் பார்த்துக்கொள்ளவேண்டும். கைத்தறித் தொழிலை பாதுகாப்பதற்கு இந்திய சர்க்காருக்கும், மத்தியசர்க்காருக்கும் மாகாணக் கமிட்டிகளைப் பொருத்தவரைக்கும் நல்ல மிகவும் பிரயோசனமாக யோசனைகளைச் சொல்லுகிறார்கள். அந்த யோசனைகள் எல்லாம் இன்னும் அனுப்புவதில் வருவதாகக் காணும். இந்த விஷயத்தில் நம்முடைய சர்க்கார் மிகவும் அக்கறை கொண்டுள்ளார்கள். ஆதலால் அவைகளை ஏற்றுக் கொண்டு சீக்கிரமாக அவைகளை அமுலுக்குக் கொண்டுவர அவர்கள் முயற்சி செய்ய வேண்டும். சேல, வேலுடி போன்ற சில ரகங்களை மட்டும் கைத்தறிகளுக்கு என்று ஒதுக்கி விட்டால் போதுமென்று நினைத்தால் சமாதானம் அடைய முடியாது. அவ்விதம் ஒதுக்குவதினாலேயே நிச்சயமாகப் பயன் இருக்கும்படி பார்த்துக் கொள்ள வேண்டும். இந்த உத்தரவுகளை மாத்திரம் போட்டு விட்டால் பிரயோசனமில்லை. மில்கள் துணிகளை பீஸ் பீசாக உற்பத்திசெய்து சாயம் கொடுத்தோ, அல்லது Print செய்தோ ‘சாரிகள்’ விற்காமல் பார்த்துக் கொள்ளவேண்டும். ஆகவே போடும் உத்தரவு எவ்வளவு பாதுகாக்கப்படுகிறது என்று பார்த்துக் கொள்ளவேண்டும்.”

“இப்போது நூல் அதிகம் இல்லாததினாலேயே கைத்தறிகள் கஷ்டம் பட வேண்டியிருக்கிறது. உண்மையாக எல்லாருக்கும் தெரியும். அவர்களுக்கு நிவாரணம் கொடுக்கவேண்டும். அவர்கள் தங்கள் தொழிலுக்கு வேண்டிய நூலைத்தான் கேட்கிறார்கள். நூல் கொடுத்துவிட்டால் அவர்கள் தங்கள் தொழிலை தேடிக்கொண்டுவிடுவார்கள். ஆகவே கைத்தறிகளுக்கு நூல் அதிகமாகக் கொடுத்து அவர்களுக்கு தொழில் கிடைக்கும்படியாகச் செய்ய வேண்டுமென்றும், நிரந்தரமாக அவர்களுக்கு அந்தத் தொழில் செழித்து வளர மில் கைத்தறிகள் இவைகளுக்கு இடையே ஒரு திட்டமான கொள்கையை மத்திய சர்க்காரும், நம் சர்க்காரும் பின்பற்ற வேண்டுமென்றும் நான் கேட்டுக்கொள்ளுகிறேன்.”

SRI P. KANDASWAMY PILLAI:—“Mr. Speaker, Sir, I do not propose to take up much time of the House by narrating the glory of the handloom industry of this Province. The handloom industry is well-known throughout the world. That is an industry which brought great credit to our country in the countries of the world, and as was stated by the hon. Gentleman Mr. Majid, even queens in other countries were happy to send for and wear our handloom cloth, because it was so fine, so beautiful and so cheap and within the reach of all grades of people. Not only that; on the economic side, it gives work for lakhs and lakhs of people. In our State alone, as admitted by the Government, more than 27 lakhs of people are engaged in this industry. Such an industry should therefore be protected and given every facility to improve and continue. That is why our great leader Mahatma Gandhi advised us that every Indian must wear cloth produced by the handloom, the hand-spun and hand-woven cloth. Some of us are

[Sri P. Kandaswami Pillai] [13th February 1951]

following that advice and some of us do not follow it to-day; that is a pity. Very many people who talk about handloom industry, do not themselves make use of handloom cloth; I do not speak about the Members here; even some weavers in my place, sell their own goods and purchase foreign cloth and wear it. Still, they come to me and say 'You must support the handloom industry', although, as I said, they are themselves wearing Glasgow mull or other fine cloth manufactured in foreign countries; most of them are simply preaching to the others and the whole thing ends there. Or, it may be that they do so with some commercial object, in which case there cannot be much of seriousness in what they say. I therefore make an appeal on this occasion that every weaver should himself wear handloom cloth; he must take an oath that he will wear only the handloom cloth manufactured in his own house. If that is done, I am sure we need not worry about foreign markets. Now that there is yarn shortage in our country, we are talking about it, we are saying that we must produce more yarn, that more yarn should be distributed, that there is something wrong with the Central Government, and all that. When however we get a regular supply of yarn and when we produce cloth more than what is enough for our requirements, I am sure we will have to find markets in foreign countries for our cloth, in places like South Africa, Colombo, Singapore, etc. Therefore, Sir, I submit this industry is a very important industry and we have to protect it. According to the statement during the year 1950 every month's supply was being allotted by the Central Government, and it is on account of the maladministration of this subject by the Central Government that all this present trouble has come—that is my sincere opinion. If a capable and sincere man was appointed to be in charge of this work, all this trouble would not have arisen, and we could have averted a major portion of this trouble. I think the Hon. Sri Harekrashna Mahtab when he recently visited Madras, mostly admitted this, that the man in whose charge this work was left in Bombay was not a very able man. They were supplying about 12,000 bales every month as against the 16,000 which the Central Government was allotting as our yarn quota to this State; the 16,000 was only on paper. If we go to the Controller of Yarn in Madras, Mr. Sivaraman, he would say that on paper the quota was 16,000 while actually the quantity received was only 12,000. In no month has the quantity received corresponded to the quantity allotted. Why, I ask? Is it not due to maladministration? I am afraid the Central Government have been giving too much importance to foreign trade and to our credit in the foreign countries; and they are thinking about everything only in terms of its effect on the foreign countries, without paying due attention to the effect in our own country. They have not paid sufficient attention to this subject; that is my impression. The duty of this State, I submit, is to make the Central Government understand properly what they have to do, how they should discharge their duty towards this State. We all know that very important subjects like food and clothing are in the hands of the Central Government; if we want sufficient food for our people, we have to depend upon them, and if we want

[13th February 1951] [Sri P. Kandaswami Pillai]

cloth, we have again to depend upon them. This Government no doubt have been impressing upon the Central Government our requirements in regard to various things, including food and clothing, but I am afraid it is not sufficient. Evidently, they have not made a sufficient impression upon that Government.

"I will now come to the more immediate point, viz., what are the methods to be adopted to give sufficient yarn to our weavers. Sir, it was suggested by Mr. Majid that power looms should not be given any further licence and that for the weaving section in composite mills, yarn should not be supplied too much. I entirely agree with him. The argument of the Central Government however is that whatever yarn is available 'should be equitably shared between all States, and that weaving mills cannot be starved to the point they close down and throw up another serious labour problem.' They seem to think that if supply of yarn to the power looms and to the weaving section of composite mills is reduced, labour trouble will come in. No doubt mill labourers are well organized and for every small thing they will come out in their thousands, make a scene and cause great trouble to the Government. But I do not think there will be more than a few lakhs of people as mill labourers, while even according to the Government calculation, more than 27 lakhs of people are engaged in this handloom industry. Therefore I submit that Government need not fear that labour trouble will arise if they do not supply yarn to the power(?) looms and the composite mills weaving section. My humble suggestion therefore is that the Government of this State, if they are anxious to get sufficient quota of yarn from the Centre, must arrange to send out a committee there consisting of three or five able and sincere people; they must go and sit in Delhi until they are able to convince the Government there that unless they allot a certain quantity of yarn of the required count to this State (Sri K. Subramanyam: 'Satyagraha')—I do not advise Satyagraha. My hon. Friend, Mr. Subrahmanyam may be an adept in Satyagraha and that is why probably it suddenly strikes him like that—I do not want to go to that extent; I suggest they may go there and by their arguments, by their explanations and by their firmness, they may convince the Ministers of the Central Government and get the required quota. This State is not at all willing to revolt against the advice and instruction of the Central Government; they are interested in seeing that law and order is generally maintained and that the prestige of Government is maintained. If the State Government revolts against the Central Government, there will be no harmony or peace in the country. I suggest that three non-official Members who are very capable may be sent to Delhi at the cost of the Government, with all the facts in their possession; they must sit in Delhi and convince the Central Government and get whatever we want. (An hon. Member: 'Name them.') I do not say that Mr. Raza Khan or Mr. Majid should go; in fact, I cannot say that; it is not my duty; my duty is to suggest the policy to the Government and leave the rest to the Government.

"Now, Sir, I come to the grievances of the weavers. The weavers have lost their employment on account of the policy of

[Sri P. Kandamswami Pillai] [13th February 1951]

the Government and not on account of anything else. I say they are willing to work if only work is provided for them. They are now deprived of their work on account of the policy of the Government and therefore the Government are bound to pay them; otherwise they cannot live. So far as the weavers of Salem are concerned, until they made themselves felt in Salem town, nobody thought of them. They are not a well-organized set of people like the mill labourers. They are very good and quiet people and therefore they were keeping quiet all these days reconciling themselves to their fate and thought that their fate was to suffer. Then probably some intelligent person went and told them that unless they made noise they could not get anything. Accordingly they went and picketed at the Collector's office. I do not see anything wrong in their having done so, but I am only sorry that they restricted their activities only to Salem town and not to the whole district. Then it was that they were able to get some doles. I am not satisfied that the weavers of Salem town alone are given this dole, but the doles must be given to all the weavers in the district, if not in the whole State. If Government feel that their finances would not allow it, they must extend the payment of doles to the whole district of Salem at least. Of course, I am thankful to the Government for giving some doles to the poor weavers; otherwise they would be starving. Now they are given at the rate of Rs. 2-8-0 per week. In my humble opinion, it should be increased to Rs. 3-8-0 at least per week, that is, eight annas per day. Even with eight annas a day, a family of the weavers cannot be maintained now a days. Therefore, the dole must be increased to Rs. 3-8-0 and the system of giving doles immediately extended to the whole district of Salem, instead of limiting it to Salem town alone. (An hon. Member: 'Why not to the whole State?') Of course, I have no objection if it is extended to the whole State. I only said that if it is not possible for the Government to extend it to the whole State, it may be extended at least to the whole of the Salem district, because it is now restricted to Salem town. (An hon. Member: 'It should not be stopped.') No, if the Government are prepared to supply the required quantity of yarn, they can stop it immediately, because the weavers do not care for the doles, but they want more yarn, because now, on account of the policy of the Government and their mal-administration, the weavers do not get sufficient quantity of yarn. I am, therefore, emphatically of the opinion that doles must be given to the weavers in the entire district of Salem, though not to all the weavers in the State."

**SRI P. KAKKAN:**—“கனம் சபாநாயகர் அவர்களே, சென்னை சர்க்கார் கைத்தறி மந்திரி அவர்கள் இந்த நூல் நெருக்கடியான சமயத்தில் தன்னை இயன்ற மட்டும் இந்தப் பிரச்சினைத் தீர்ப்புக்கு பாடுபடுவது வரலாற்று நான் அவரைப் பாராட்டுகிறேன். அது மட்டுமல்ல மத்ய அரசாங்கத்தின் கைத்தொழில் மந்திரியாரும் இங்கு வரவழைத்து இங்கு நடக்கும் கைத்தறி தொழிலை பார்வையிடும்படி செய்ததற்காகவும் நான் அவரை பாராட்டுகிறேன். இப்பொழுது இங்கு நடக்கும் காக்ரீஸ் அரசாங்கம் இங்குள்ள கைத்தறியாளர்களை ஒரு நல்ல நிலைமைக்குக் கொண்டுவரவேண்டுமென்று வேலை செய்யும் காலத்தில் இம்மாகாணத்திலுள்ள கைத்தறியாளர்கள் இங்குக்கும் காக்ரீஸ் அரசாங்கத்தின் பக்கத்திலிருந்து

[13th February 1951] [Sri P. Kakkan]

கொண்டு அவர்வர்களுடைய கடமைகளை சரிவரச்செய்து வந்து அரசாங்கத்தின் ஊழியர்களாக இருந்து அரசாங்கத்துடன் ஒத்துழைத்தால் இன்றுள்ள சென்னை காக்ரீஸ் சர்க்காரும் மத்திய சர்க்காரும் அவர்களுக்கு இன்னும் அதிகமாகவே ஒத்தாசை செய்வார்களென்று கூறுகிறேன். ஏனென்றால் இப்பொழுது அவர்கள் மற்றவர்கள் பிரசாரம் செய்வதில் செலியாய்த்து இவ்வரசாங்கத்தை குறை கூறிவருவது கொஞ்சம் கூட பொருத்தமில்லை என்று சொல்லுகிறேன்.

“அடுத்தபடியாக கனம் மந்திரி அவர்களுக்கு சில முக்கியமான தகவல்களைக் கொடுக்க விரும்புகிறேன். சென்னை அரசாங்கம், இன்று நூல் இருக்கும் முறையை கவனித்து நூல் கொடுக்கும் முறையில் இன்னும் கொஞ்சம் அதிகமாக சிரத்தை எடுத்துக் கொண்டு கவனம் செலுத்தினால் உண்மையாகவே இப்பொழுதிருக்கும் நூல் பிரச்சினை சிறிதளவு தீர்க்கலாம். இப்பொழுது ஒவ்வொரு தாலுகாவிலும் கொடுக்கப்பட்டு வரும் நூல் எல்லாம் எப்படி இருக்கிறது என்றால் அந்தந்த தாலுகாவிற்குத் தேவையான எந்தந்த நம்பர் நூல் வேண்டுமென்பதே தெரியாமல் அந்தந்த தாலுகாவிற்கு தேவையில்லாத நம்பர் நூல்களையேதான் கொடுக்கப்பட்டு வருகிறது. எந்த தரிக்கு எந்த நம்பர் நூல் தேவைப்படுகிறதோ அதைக் கொடுக்காமல் வேறு நம்பர் நூலைக்கொடுத்து வருகின்றார்கள். அதனால் கைத்தறியாளர்கள் அந்த நம்பர் நூல்களை உபயோகிக்க முடியாமல் ரொம்பவும் கஷ்டப்படுகிறார்கள். ஆனால் அவ்விதம் தனக்கு வேண்டாம் நம்பர் நூலைக் கொடுத்தாலும் அதை வாங்காமலிருப்பதில்லை. எந்த நம்பர் நூல் கிடைக்கிறதோ அதை அவர்கள் வாங்கி, அந்த நம்பர் நூல் எங்கு தேவையாக இருக்கின்றனவோ அங்கு அதை அனுப்பி, தனக்கு தேவையான நம்பர் நூல் எங்கு கிடைக்கின்றனவோ அங்கிருந்து வாங்கி வந்து உபயோகப்படுத்துகிறார்கள். இவ்விதம் விற்பனை நடைபெற்றுக் கொள்ளும் லாபம் அடையக்கூடிய black market விற்பனை நடக்கிறது. ஏனென்றால் தனக்குக் கொடுக்கும் நூலை அதிகவிலைக்கு விற்பனை செய்து வேண்டிய நூலை அதிக விலைகொடுத்து வாங்கி வருகிறார்கள். இவ்விதம் செய்வதால்தான் black market - ல் விற்பனை நடந்து வருகிறது. இவ்விதம் நடப்பதில் கைத்தறி காரர்களின்மேல் குறைசொல்வதற்கில்லை. ஏனென்றால் அவர்களுடைய தரிகளுக்கு உபயோகப்படும் படியான நம்பர் நூல்களை அவர்களுக்கு சப்ளை செய்யாததால்தான் தங்களுக்கு வேண்டிய நம்பர் நூல் கிடைக்கும் இடத்திற்குச் சென்று வாங்கி வருகிறார்கள். இவ்விதம் சர்க்கார் தேவையான நம்பர் நூலை சப்ளை செய்யாததால் கைத்தறியாளர்கள் black market செய்வதற்கு ஹேதுவாக இருக்கிறது. அந்தந்த தாலுகாவிற்கு வேண்டிய நம்பர் நூல்களை சப்ளை செய்து விட்டால் இந்தப்பிரச்சினை அதிகமாக இருக்காது என்று நான் நினைக்கிறேன். ஆகவே அவர்வர்களுடைய தரிகளுக்கு வேண்டிய நம்பர் நூல்களை சப்ளை செய்யும் பொருட்டு அதற்கு வேண்டிய கணக்கெடுத்து அதன்படி சப்ளை செய்யும்படியாகக் கேட்டுக் கொள்ளுகிறேன். ஆகவே கனம் மந்திரி அவர்கள் ஜில்லா தோறும் எந்தந்த நம்பர் நூல் வேண்டுமென்று கணக்கெடுத்து அதன்படி நூல்களைத் தரும்படி மத்ய அரசாங்கத்தைக் கேட்டு அவர்கள் அவ்விதம் சப்ளை செய்தால் இப்பொழுது ஒவ்வொரு ஜில்லாவிலும் ஏற்பட்டிருக்கும் பிரச்சினை, ஒருவாறு தீரும். இதைச் செய்யும்படியாக அரசாங்கத்தைக் கேட்டுக்கொள்ளுகிறேன்.

“இன்னும் ஒவ்வொரு ஜில்லாவிலும் master weavers என்று சொல்லக் கூடிய ஒருதரப்பட்ட தரிக்காரர்களுக்கின்றார்கள். இவ்விதமான master weavers-க்கு அரசாங்கத்தினிடமிருந்து சில தரிகளுக்கு நூல் கொடுக்கிறார்கள். இவ்விதம் இவர்கள் நூல் அரசாங்கத்தினிடமிருந்து வாங்கி தனிப்பட்ட தரிக்காரர்களுக்கு நூல் கொடுக்கிறார்கள். இவ்விதம் செய்வதில் ஒரு விஷயத்தை அரசாங்கம் கவனிக்க வேண்டும். இந்த master weavers அரசாங்கத்தினிடமிருந்து நூல்களை வாங்கி தனிப்பட்ட தரிக்காரர்களுக்கு ஒரு குறிப்பிட்ட சமயங்களில்தான் நூல்களைக் கொடுக்கின்றார்கள். அதனால் தனிப்பட்ட தரிக்காரர்கள் மிகவும் கஷ்டப்படுகின்றார்கள். Master weavers தனிப்பட்ட தரிக்காரர்களுக்கு வேண்டுமென்பொழுதெல்லாம் நூல்களை சப்ளை செய்து வந்தால் அவர்களுக்கு எவ்வளவோ செளகரியமாக இருக்கும். ஆனால் master weavers அவ்விதம் செய்வதில்லை. தனிப்பட்ட தரிக்காரர்

[Sri P. Kakkan] [13th February 1951]

கனிடம் சேலேகள், வேஷ்டிகள் இருக்கின்றனவா என்று பார்த்துக் கொண்டு அவர்களிடம் சரக்குகள் இல்லை என்றால்தான் நூல்களைக் கொடுக்கிறார்கள். இவ்விதம் சப்ளை செய்வதனால் தனிப்பட்ட தரிக்காரர்களுக்கு கஷ்டங்கள் ஏற்படுகின்றன. இதனால் தனிப்பட்ட தரிக்காரர்கள் தங்களுக்கு நூல் தேவையாக இருக்கும் பொழுதெல்லாம் master weavers-க்கு அதிகப்பணம் கொடுத்து நூல்களை வாங்கி வருகிறார்கள். அதன்மேல் black market விற்பனைதான் நடக்கிறது. அதனால் தனிப்பட்ட தரிக்காரர்களுக்கு கஷ்டமேற்பட்டு நெருக்கடி உண்டாகின்றன. ஆகவே master weavers-க்கு நூல் சப்ளை செய்வதில் கொஞ்சம் கவனம் செலுத்தவேண்டும். இதையெல்லாம் நான் சொல்லவே இல்லை. நான் தரிக்காரர்களுடன் பழகி வருவதால் அவர்களுடைய குறைபாடுகளைக் கேட்டு அவர்கள் சொல்வதைத்தான் நான் இங்கு சொல்லுகிறேன். ஆகவே இந்த master weavers-ஐ யெல்லாம் ஒன்று சேர்த்து ஒரு society-ஆக ஏற்படுத்தி அந்த சொசைடியின் மூலம் அவாவர்களுக்கு தேவையான நூல்களை கணக்கெடுத்து அதுபடி சொசைட்டி மூலமாக நூல்களை சப்ளை செய்தால் தரிக்காரர்களுக்கு கஷ்டமில்லாமல் நூல் கிடைத்து வரும். அவ்விதம் ஒரு சொசைட்டி ஏற்படுத்தினால் வரும் மொத்தத்தில் 12½% அல்லது 20% ஐ அந்த சொசைட்டிக்குக் கொடுத்து விடலாம். அதனால் master weavers கொள்ளை லாபமடிப்பதென்றில்லாமல் எல்லோருக்கும் தேவைப்படும் பொழுதெல்லாம் நூல் கிடைத்து எல்லோருக்கும் லாபம் கிடைத்து வரும். இவ்விதம் செய்தால் இந்த கைத்தறி சமுதாயத்திற்கே ஒரு செளகரியத்தை செய்ததாகும். சொசைட்டி ஒன்று ஏற்படுத்தினால் அவர்கள் சரிவா கணக்கு வைத்து விற்பனை செய்து வருவார்கள். அதனால் அரசாங்கத்திற்கும் விற்பனை வரிமூலமாக வருமானமும் கிடைக்கும். கைத்தறியாளர்களுக்கும் புதுகாப்பளிப்பதாகும். சமுதாயத்தின் கஷ்டத்தை தீர்த்து ஏழைகளுக்கு நிச்சயமாக ஒத்தாசை செய்வதுமாகும். அதன்மேல் இந்த நூல் பிரச்சினையும் தீர்ந்துவிடும் என்று சொல்கிறேன்.

“கனம் தலைவர் அவர்களே, கனம் மந்திரி அவர்கள் இந்த நூல் பிரச்சினையை நல்ல முறையில் கூடுமான வரையில் நிவர்த்தி செய்து வருவதற்கு நான் மட்டுமல்ல இங்குள்ள மதுரை அங்கத்தினரால் கனம் சுபராமன் அவர்களும் புகழ்ந்து சொன்னார்கள். இப்பொழுது கோயம்பத்தூர், சேலம் ஜில்லாக்களில் ஏழை தரிக்காரர்கள் கஷ்டப்படுவதைப் பார்த்து அவர்களுக்கு வாயம் ஒன்றுக்கு ரூ. 2½ வீதம் கொடுக்கப்படுவதாக கேள்விப்பட்டேன். சென்னை அரசாங்கம் செய்து வருவதை தரிக்காரர்கள் உண்மையாகவே அறிய வேண்டும். சும்மா விருக்கும்நாட்களில் பணம் கொடுத்து உதவும் அரசாங்கம், சென்னை அரசாங்கத்தைத்தவிர, வேறு எதுவும் கிடையாது. மற்றும் எவ்வளவோ மில்களில் strike-கள் நடக்கின்றன. அந்தக் காலங்களில் நம் அரசாங்கம் சம்பளம் கொடுத்து உதவுவது போல் வேறு எங்கும் கிடையாது. இந்த காங்கிரஸ் அரசாங்கம்தான் அவ்விதம் செய்து வருகிறது. எழைத்தரிக்காரர்களின் நன்மையைக் கருதிதான் அவர்களுக்கு வாரம் ஒன்றுக்கு ரூ. 2½ வீதம் கொடுத்து வருகிறார்கள். இதை அவர்கள் உணர வேண்டும். இதேமாதிரி மதுரையிலும் நிலைமை இருக்கிறது. அங்கும் இதேமாதிரி கொடுத்துவ வேண்டும். அதை அரசாங்கம் செய்யுமென்றே நம்புகிறேன். ஆகவே கைத்தரிக்காரர்கள் காங்கிரஸின்மேல் நம்பிக்கை வைத்து, காங்கிரஸிற்கு நன்றி செலுத்தி வந்தால் அவர்களுடைய நிலை உயரும் என்று சொல்லி நான் முடித்துக்கொள்ளுகிறேன்.”

SRI A. VAIDYANATHA AYYAR:—“Mr. Speaker, Sir, we are all extremely grateful to the Hon. Sri Perumalsami Reddiar for the great interest that he has been taking till now and particularly in the recent months for urging on the Government of India that there should be sufficient yarn for the handloom weavers of this State. In fact, when an unfortunate report appeared in the Press from the Central Government authorities that there had been no pressure exerted by the Madras Government that sufficient yarn should be given for handloom weavers, it was immediately

[13th February 1951] [Sri A. Vaidyanatha Ayyar]

repudiated by the Hon. Minister and files upon files were shown which revealed that the Madras Government had been trying their utmost in the matter. But, while being so thankful and while seeing the situation, as disclosed in the statement put forward by the Hon. Minister, there remains this awkward fact, that there are thousands of weavers at present without employment, some picketing in Salem and some in Madurai and at other places actually without any work. There are about 15,000 weavers in Madurai, about 10,000 round about Aruppukottai, about 4,000 in Chinnalapatti and some thousands in Salem. This position, therefore, is one which ought to exercise the complete attention of the Government and enable them to take measures in advance, so that such things may not recur in the future. In fact, one of the basic principles upon which we, who belong to the Congress and who follow the lead of Mahatma Gandhi, proceed and are trying to instil into the minds of the people, is that we should rather prefer handloom weavers products to even mill products. We have also actually got the administration into our hands. At once we found that it was a tragic pity that thousands of weavers in the Madras State were without yarn for conducting the work. In Madurai, from statistics prepared by the office itself, we find from April 1950 down to December 1950, there has hardly been work for them, sometimes even for six days; and the highest amount of work was only for 10 days a month. At Madurai, it deteriorated down to nearly two and half days in November 1950. Now, what is the reason for this sudden debacle? Of course, some explanation is found from the statement itself. But, what I want to instil in the Government is that there should have been a kind of policy adopted by which the supply of yarn to handloom weavers should have been given top priority, even in preference to weaving in the mills.

“I understand there are composite mills and only a certain portion of the yarn is left free. It is, therefore, up to us by means of legislation, if need be, to take extraordinary powers under the Essential Articles Act to commandeer sufficient quantity of yarn in order to save these weavers. The Government have not been behind hand in parting with crores of rupees to organized industries. In the case of the Madurai Mills for instance for the purpose of finding the margin of cotton price between the Indian price of Rs. 800 or Rs. 900 and the world price of Rs. 3,000, the Government have made a free gift of Rs. 1½ crores during the last one year in order to enable it to, work. It means giving an annual subsidy of Rs. 600 per labourer, that is Rs. 50 per labourer per month. That has been paid by the Government of India to one Mill which is employing 25,000 labourers. Why not the Government try to give a fair help to the weavers so that they may be having enough yarn with which they may work their looms? After all the principle is the same. There is another defect and that is the desire of the mill-owners to see that they get the highest profits even out of the yarn they manufacture. In my place, Sir, there was one mill which was till now a spinning mill but it started a set of 150 power looms and another mill started 50 power looms and these 200 power looms are working 16 hours a day, and are



[Sri A. Vaidyanatha Ayyar] [13th February 1951]

working for 26 days in the month. Each power loom is able to consume as much yarn as 20 handloom weavers would do in a day and the result of these 200 power looms working at the rate of 16 hours per day for 26 days in the month is that it consumes as much yarn as 4,000 handloom weavers would consume. Mahatma Gandhi was able to discover the mischief behind the employment of power for such purposes and he saw that the employment of power for such purposes would take away the food from the mouth of the labourer who would otherwise have it. Therefore it is I have been suggesting to the Government that with regard to the power looms started recently, they should cut off the yarn supply and divert the yarn thus saved for the use of the handloom weavers. To trust the mill-owners rolling in gold to open their hearts to see to it that they help the handloom weavers is to expect the impossible. Quite recently, Sir, when the Hon. the Minister visited Madurai, a raid was made on one of the mills at the instance of the workers and it was found that 200 bales of yarn were there in bundles for nearly a year. If it had been turned over to the handloom weavers, they would have been able to make a living for a whole month of thirty days. The Government should not only refuse to give permission to start power looms but also cut off the supply of yarn to recently started power looms. The thing is that we cannot afford to throw 27 lakhs of people in the street to take care of themselves. The Government must take courage in both their hands and see that they take extraordinary powers, just as they took powers in the case of the Sholapur Mills, so that enough yarn is diverted for the use of the handloom weavers.

"We have only to see how these poor people are treated and how on the other hand the mill-owners are being treated. In the village when one can sell one bag of paddy for Rs. 36, he is compelled to part with it for Rs. 12 which is the controlled price in order that the townsmen may be supplied with food but when it comes to a question of taking anything from the mills for the use of the poor people, there arises all sort of obstructions, laws, regulations, constitutional difficulties and Fundamental Rights under the Constitution. We shall not be worth our salt if we are not able to divert enough quantities of yarn in order to keep the handloom weaver engaged throughout the month.

"When I suggested to the Hon. Minister for Industries that we should start a yarn pool so that in times of danger and crisis we might draw upon it, the Hon. Minister replied that the idea is no doubt good but we are not able to get our yarn for our day-to-day use and therefore, where is the question of starting a pool. It is just like starting a reservoir to impound the rain water so that it might be used when there is a failure of rains. But my point, Sir, is that if this question had been considered earlier and a pool had been there, it would have been very useful now and we would not be allowing the handloom weavers to be in this sad plight.

"Then, Sir, there is the question of master weavers. As has been pointed out, master weavers may be necessary because the

[13th February 1951] [Sri A. Vaidyanatha Ayyar]

weavers are poor and they may not have sufficient money. But at the same time, I must say, Sir, that the position of the master weaver is much abused. In most of the places in the south, we find most of the master weavers becoming suddenly rich in the course of a year or two. I know of one case in Rajapalayam. They could not become rich except by submitting false accounts in the supply of yarn to their people and blackmarketing the yarn and selling it at high prices. That is a position, which I am sure the Government will take note of.

"It was pointed out to me in the course of a conversation by the Hon. the Minister for Industries that the number of handlooms has increased by fifty per cent in the course of three years. Five lakhs of looms was the original census but it has now become seven lakhs. Hon. Members know that nobody who was not a weaver before could have suddenly taken to weaving. It requires previous experience, training and heredity and therefore, I feel that this number is merely put up by those who are interested in giving false census with a view to securing yarn for purposes of disposal in the blackmarket, just like what people do by way of getting false ration cards for rice. The Government should be very careful in this matter also.

"The only other thing that I wanted to point out is that I must thank the hon. Gentleman, Mr. Majid, for his eloquent plea on behalf of the handloom weavers and I wish to point out to him that it would have been far better had he only gone a bit further and also stood by khadi, producing also hand-spun yarn, so that they may be of use for feeding the loom, instead of our being wholly dependent upon mill-owners for the supply of mill-made yarn. If poor people had been taught to spin yarn also on a large scale, there would not have been this trouble with regard to yarn. In his prophetic manner, Mahatma Gandhi laid emphasis upon this aspect of the matter and now we see what the position would have been, if we had taken to handspinning also on a large scale. I request my hon. Friends on the League side not to condemn Khadi but to remember that we have gone to the rock-bottom with regard to the yarn position because we depended upon mill-owners who have no kind of sympathy for the weavers to give them the yarn.

"Finally, Sir, I wish to say this to the Government. Let not the poor weavers be blamed for picketing offices; their position is very bad, for with the will to work they have not been given the materials with which they have to work and so, they deserve our sympathy; it is not with a view to obstruct anybody, much less the Government; there are times and stages when people have to attract and fix the attention of the Government and Members of the Legislature like ourselves on the kind of difficulties that have overtaken them and they perhaps felt that without it, they could not do it. I earnestly request my Hon. Friend, the Hon. Sri Perumalsami Reddi to do his utmost so that there will not be any occasion in the future to say that we were unable to help



[Sri A. Vaidyanatha Ayyar] [13th February 1951]

these poor and helpless people and the Government would, I am sure be able to help them because they have got such powers in their hands."

\* **SRI M. KANNIYAPPAN** :—" கனம் தலைவர் அவர்களே ! இன்றைய தினம் கனம் ஸ்ரீ. பெருமாள்சாமி ரெட்டியார் அவர்கள் நெசவுத் தொழிலாளர் சம்பந்தமாக இருக்கக்கூடிய நிலைமையை உத்தேசித்து ஒரு அறிக்கையை சமர்ப்பித்தார். ஆனால், இன்றையநிலையில் நம்முடைய மாகாணம் பூராவிலும் நெசவாளர்களுடைய கஷ்டத்தைப் பார்க்கின்றபோது உண்மையில் நாம் அவர்களுக்குச் சிறந்த முறையில் ஒரு காரியத்தைச் செய்து, அவர்கள் பசியினின்று காப்பாற்றப்பட்டிருக்கின்றார்களா என்று பார்க்கும்போது, இல்லை என்று தான் நான் சொல்லப் பிரியப்படுகிறேன். ஏன்? என்று கேட்கலாம். 6, 7 மாதங்களாக ஒவ்வொரு மாதமும் ஒவ்வொரு இடத்திலும் கிடைக்கக்கூடிய நூல் 'கோட்டா' வானது ஒரு தறிக்கு 6 பந்து, 5 பந்து, 4 பந்து வீதம் கொடுக்கப்பட்டிருக்கின்றது. அதை 'இல்லை' யென்று யாரும் மறைக்க முடியாது. 4 பந்து நூலை ஒரு நெசவாளி வாங்கி நெசவு செய்ய முடியுமா என்று பார்க்கவேண்டும். அவர்கள் எந்த காரணத்தையோட்டியும் துரியில் 4 பந்து நூலைப்போட்டு நெசவு செய்ய முடியாது. அந்த முறையில் இன்றைய நிலைமை இருக்கின்றது.

" நம்முடைய அரசாங்கத்திற்குப் போதுமான உரிமை இருக்கின்றதா என்று பார்க்கும்போது, இல்லை என்றுதான் சொல்லவேண்டும். ஆனால் மத்திய அரசாங்கத்திற்குத்தான் உரிமை இருக்கிறது என்று சொல்லப் படுகிறது. மத்திய அரசாங்கத்தின் மந்திரியார் அவர்கள் இங்கே வந்தபோது நம்முடைய நிலைமையை எடுத்துத் தெரிவித்தோம். தெரிவித்தபோது அவர்கள் கவனிப்பதாக சொன்னார்கள். கவனித்தார்களா என்று நாம் எண்ணிப்பார்க்கின்றபோது 'இல்லை' யென்றுதான் நாம் சொல்லவேண்டியிருக்கின்றது. அவர் வந்ததும், அதற்கு அதிகமான கஷ்டமும் தொந்தரவும் ஏற்பட்டிருக்கிறதாகத்தான் உண்மையாகச் சொல்ல முடியும். பட்டினியால் எத்தனையோ நெசவுத் தொழிலாளர் குடும்பத்தைச் சேர்ந்தவர்கள் மடிந்திருக்கிறார்களென்று பத்திரிகை வாயிலாக நாம் பார்க்கின்றோம். இல்லையென்று சொன்னாலும் அதை ஒத்துக்கொள்ளமுடியாது.

"சேலம் அருகிலுள்ள ஒரு நெசவுத் தொழிலாளருடைய குடும்பத்தைச் சேர்ந்த தாய் இரண்டு குழந்தைகளுடன் கிணற்றின் விழுந்து இறந்தாள். அவ்விதம் இறக்க நேர்ந்தது ஒரு நெசவுத் தொழிலாளருடைய குடும்பம் என்பதாக 'தந்தி' என்னும் பத்திரிகையில் ஒரு செய்தி வந்திருந்தது. அதை நான் பார்த்தேன். அதிக வினித்தேன், பல இடங்களில் நெசவாளர்கள் பிச்சை எடுப்பதைக்கூட என் கண்ணாடிக் கண்ணாடிகளினால் அவர்களை நோடியாகக்கூடக் கேட்டுமிருக்கின்றேன். சேலத்தில் பட்டினியால் நாங்கள் கஷ்டப்பட்டு அங்கே இருக்க முடியாததால் இந்த பல ஸ்டாண்டில் வந்து 'பிச்சை எடுக்கின்ற நிலைமை ஏற்பட்டுக்கின்றது' என்று அவர்கள் தெரிவித்தார்கள். இதை உடனடியாகத் தீர்க்க வேண்டுமானால் மத்திய அரசாங்கத்தை நாம் வற்புறுத்தவேண்டும். அப்படி மத்திய அரசாங்கத்தை வற்புறுத்த நம்மால் முடியவில்லையென்று நாம் எண்ணுவோமானால் நம்முடைய மாகாணத்தில் இருக்கக்கூடிய கிளர்ச்சியை அவர்களுக்கு எடுத்துச் சொல்லி, மகாத்மாஜி அவர்கள் வெள்ளைக்காரர்கள் இந்த நாட்டை விட்டுப் போகவேண்டுமென்று எண்ணியபோது டில்லியை நோக்கித் தொண்டர்கள் கால் நடையாக வரவேண்டுமென்று சொன்னார்கள். அதைப்போலவே சென்னை மாகாணத்திலுள்ள நெசவாளர்களை நான் வேண்டிக்கொள்ளுகின்றேன், டில்லியை நோக்கிச் செல்வதற்குக்கூட சென்னை மாகாணத்திலுள்ள நெசவாளர்கள் தயாராக இருக்கவேண்டுமென்று. ஏன் இதைச் சொல்கின்றேன் என்றால் அந்த நிலைமை இன்று நம் மாகாணத்தில் ஏற்பட்டிருக்கின்றது. நம் மாகாணத்தில் எத்தனையோ இடங்களில் இன்றைய தினம் உண்மையாகப் பார்க்கின்றபோது மறியல்கள் ஆரம்பித்திருக்கின்றார்கள். 9 இடங்களில் மறியல்கள் நடைபெற்றுக்கொண்டு வருகின்றன. மதுரையிலிருந்து எனக்கு ஒரு கடிதம் வந்திருக்கின்றது. அங்கே யார் இந்த நெசவுத் தொழிலாளர் கிளர்ச்சியை நடந்துகிறார்கள்? வேறு கட்சியை

[13th February 1951] [Sri M. Kaniyappan]

சேர்ந்தவர்கள் அல்ல. தேசிய மனப்பான்மையுள்ள காங்கிரஸ் ஸ்தாபனத்தைச் சேர்ந்த பெரும் தேசப்பக்தர்கள் இன்றையதினம் அங்கே தலைமை வகித்து நடத்துகின்றார்களென்று அவர்கள் சொல்கின்றார்கள். இருக்கக்கூடிய நிலைமையை உத்தேசித்து—இன்றையதினம் பத்திரிகையில்கூட வந்திருக்கிறது—நிலைமையை சமாளிக்க முடிந்தால் சமாளியுங்கள், இல்லாவிட்டால் நீங்கள் இராஜினாமா செய்துவிட்டுப் போங்கள்' என்றுகூட மதுரையில் நடந்த பொதுக்கூட்டத்தில் நம்முடைய அரசியல் தோழர்கள் பேசியிருக்கிறார்கள்."

**MR. SPEAKER** :—" The hon. Member may continue his speech to-morrow. The House will now proceed to the next item, the half-hour debate on the students' strike in the College of Indian Medicine, Madras."

### III.—HALF-AN-HOUR DEBATE RE STUDENTS' STRIKE IN THE COLLEGE OF INDIAN MEDICINE, MADRAS.

**MR. SPEAKER** :—" I shall allow hon. Members Mr. Karanth ten minutes, Begum Sultan Mir Amiruddin ten minutes and the Hon. Minister ten minutes."

**SRI B. S. MURTHY** :—" Sir, I want to speak. I request I may be allowed to speak also."

**MR. SPEAKER** :—" I shall allow hon. Member Mr. Karanth ten minutes, the hon. Lady Member five minutes and hon. Member Mr. B. S. Murthy five minutes, and the Hon. Minister ten minutes. What else can I do, if several Members want to speak. Half an hour is the limit for this debate."

\* **SRI K. R. KARANTH** :—" Mr. Speaker, Sir, I rise to speak on the students' strike in the College of Indian Medicine that is now going on. The matter is agitating the minds of 200 students of this college. I have tried my best to understand their problems. It seems to me that the Government, if they had not made up their mind already, and unless they want to refuse their demands, may allow most of their demands, if not all of them.. I am glad the hon. Lady Member, Begum Sultan Mir Amiruddin, who is a member of the governing body of that college, and who is to follow me, will be able to throw more light on the subject; and hon. Member Sri Murthy, who is closely connected with the students will be able to supplement what I have to say with his first-hand knowledge of affairs. This is a matter on which the Government should not make these two hundred students, all of them Intermediates, and nearly thirty of them Graduates, go about the City in this fashion asking for sympathy. It is a very deplorable fact that in this way Government should allow things to go on, including the Premier, whom I miss here very much."

**MR. SPEAKER** :—" The hon. Member means, the Chief Minister."

\* **SRI K. R. KARANTH** :—" Yes, I mean, the Chief Minister, with great respect to him, who is administering this subject for the last one month or so, should be absent during this debate."

**THE HON. SRI B. GOPALA REDDI** :—" Only for the last twelve days."

[13th February 1951]

\* SRI K. R. KARANTH :—“ Even that twelve days the nil experience is better than the nil experience of the Hon. Leader of the House, who is answering for him. Because, Sir, in answer to a supplementary question, I find, with great respect to him, he made the mistake by saying that it is not correct to say that something was promised, there has been some change in the syllabus and so on. It was not correct; I have gone very carefully into the matter and find he is wrong. The essential grievances, as far as I can understand of these students, I shall briefly state. You know, Sir, that in the first Congress Ministry, the Hon. Dr. Rajan who was in charge of Public Health, was not sympathetic towards this institution. Then, when the lady Minister was in charge of Public Health in 1946-47, she wanted to give all help and encouragement to this college; and this House approved—if I am not mistaken and if my memory does not fail me—nearly Rs. 20 lakhs for this institution. I understand not even three or four lakhs has been spent out of this. Even though provision was made at that time for the improvements to the college, and I hear nothing, but certain extensions to the hostel, have been done. Sir, from that time, they were promised in substance that most of the recommendations made by the Chopra Committee would be given effect to. In fact, most of them were included in the syllabus. Sir, these students joined this college under certain expectations made to them. They thought they would be treated as any one who passed out of the other two medical colleges in this city. Now, I do not know, why, Government in their answer this morning said as though—I do not want to say, stepmotherly fashion—they want to treat them in an unfair way. The idea with which this college was started was to give the students of Indian Medicine a good training in the Modern system of Medicine and in the Indigenous system of Medicine, so that, as was said by an eminent scientist, in the science of healing there cannot be anything different between the West and the East. Now, if Government do not want this college let them abolish it. If they want to retain, better give the students a good training. I have gone through their courses of study. I find for Surgery, Modern Medicine and Midwifery, these students have very nearly the same hours of study as are given to the students in the other two colleges in the city. Like the latter, the former are also given very good training in clinical work in hospitals, in radiology and in the Mental Hospital. So that nobody can say that these students have not a good training for their future profession. Perhaps the difference lies in the number of hours given to the study of indigenous medicine. Regarding surgery and modern medicine, they are taught these subjects in their third and fourth year course; whereas in the case of students in allopathy they are taught these in the third, fourth and perhaps in the fifth year course. We are told that the change has been made in the syllabus so that some more emphasis may be given to indigenous medicine. The students want that there should be no lowering of the standard fixed in 1947. They want the authorities to adhere to it. So the answer given by Government this morning is very unfortunate and tragic, namely, that it would endanger

[13th February 1951] [Sri K. R. Karanth]

the health and life of the people whom the students would be treating after graduation. It is very unfortunate, after making these students study for nearly five years, spending their best part of life there and to say that only certain courses alone should be open to them. Sir, at a recent conference over which the Hon. Dr. Rajan himself presided, it was resolved that the courses for these students should be the same as those for those in the other two colleges, and that the standard should be the same, and they should be treated on a par with the others, and they should be given recognition, that is, registered under Act IV of 1914. Now, to turn round and declare all on a sudden that all these two hundred students would be registered under the old class, under the Board of Indian Medicine, like old time pandits, of whom we have an ample number is quite unfair, and is really adding insult to injury. I am very sorry that has been said so. That need not have been said at all. I know many an L.I.M. in my own place is earning as much as the medicoes coming from the other colleges. Therefore, to turn round to-day and give them a brand of inferiority is quite unfair. That is the effect of the answer of Government given this morning. I wish that answer had not been given. I feel their request may be summed up under three or four heads. I do beg of Government not to treat them like this. It is not fair to do so. These are things which even a layman can understand. This not at all a technical point. I understand their claims have been favourably recommended by their own Principal, the Principal of the College of Indian Medicine and also by Dr. Guruswami Mudaliyar, who I understand, is the Honorary Director of the Institution. Many of us can understand what these students beg for. They do not want lowering of standard in Modern Medicine and Surgery, which was promised to them two years ago. The hours of study for those subjects were spread out over the third, fourth and fifth year. Now what is sought to be done is that the examination in these subjects is to be held in the fourth year. They want them to be held in the fifth year; for they say, 'we are ready to study'. Sir, very seldom do we see students coming forward like that and saying that sort of thing now-a-days. So we should not refuse their request.

“ As regards their recognition, the University does not recognise them. They have to be registered under Act IV of 1914. Now, Sir, in another case relating to Ayurvedic practitioners. Dr. U. P. Mallayya and myself, after spending a lot of time over it, sent up a representation to Government, but it has been thrown into waste paper basket. In that we represented to Government that it was quite unfair to allow them only to prepare kashayams, and sell them, and not to allow them to give injections or cut open boils and wounds and so on. Sir, this sort of inferiority is hardly fair. I can understand Hon. Dr. Rajan doing it, who while handling this portfolio in the First Congress Ministry, gave this institution a step-motherly treatment. That is not fair at all. I do hope Government will take a different view now. Then, about the question of joint classes. For a year two separate

[Sri K. R. Karanth] [13th February 1951]

classes were held; but now joint-classes are being held. I do not think there is any question of prestige involved in this. Different standards ought not to be insisted. Else what is the use of teaching the same subjects together to two different categories of pupils. Now, the classes are clubbed together, and so there is no point in fixing different standards. If the Government do not want the college, let them abolish it.

"Sir, I shall finish in a few minutes, I crave your indulgence for a minute or two more, as otherwise I would not be able to make out a case. Lastly, Sir, on equipment, nothing has been spent. What is the use of having this college and not spending anything on it? When Government are willing to spend in crores on the Stanley Medical College and the other college at Madurai, cannot they spare some money to furnish this college with proper equipment? One can appreciate this sort of treatment by an alien Government, but not by our own Government. I personally resent this sort of treatment to these young people. Sir, this is not at all a difficult question to be solved. It can be solved by sitting round a table of all parties concerned in this affair. And I beg Government to treat these young people fairly in this matter."

\* BEGUM SULTAN MIR AMIRUDDIN :—"Mr. Speaker, Sir, in reply to a short notice question this morning, the Hon. Leader of the House stated as follows: 'Government could not possibly accept unreasonable demands, that certain examinations should be held at periods quite unsuitable from the point of view of the syllabuses and the order in which training in the various subjects should be imparted, and compliance with which might endanger the health and life of the people, whom the students would be treating after Graduation.' Sir, I do not know how the demands of these students are unreasonable, or how their compliance would endanger the health and the life of the people whom they would be treating after the completion of their studies. One of the demands is that the examination in Modern Medicine and Surgery should not be held in the fourth year but in the fifth year in conformity with the syllabus prescribed by Government in their G.O. No. 4169, P.H., dated 22nd December 1947. The students want the Government to adhere to this syllabus, and not to deviate from it, so that their knowledge of modern medicine may not be meagre, nor fall short of the requirements of a medical graduate. I do not think this demand is unreasonable. If Government wish to cut short the study of Allopathic subjects in the College of Indian Medicine, they can do so for the next batch of students. But so far as the present batch of students are concerned, the Government should adhere to the promise held out to them when they joined the institution. Some of the students, I understand are graduates. They consider that it would be a waste of their efforts if after spending five years after graduation they cannot hope to be registered under Act IV of 1914. Government propose to register these students merely as A class practitioners of the indigenous

[13th February 1951] [Begum Sultan Mir Amiruddin]

system of medicine. When their studies cover the same period as that put in by Allopathic students, they should be given the same status as Allopathic graduates. The students are also perfectly justified in demanding that in the field of Surgery and Midwifery, their studies should not be cut short for Indian Medicine, as Ayurveda, Siddha or Unani, cannot stand on its own legs in regard to the subjects. The students are prepared to work hard to fully equip themselves both in modern medicine and indigenous medicine. This will be in the interests of the general public, and will not endanger the health and life of the public, as was stated by the Hon. the Leader of the House, this morning. Another demand is that joint classes for both school and college students should be given up and a separate class is held for them. In 1947-1949 separate classes were held for the school and college courses. But from 1949 combined classes for Allopathic subjects are being conducted. When combined classes are held, the standard of lectures has necessarily to come down to fit in with the knowledge of Licentiate in Indigenous Medicines.

"The students also desire that better staff be appointed to this college to teach Allopathic subjects. I understand that persons with L.M.P. diplomas have become Professors in this college in such important subjects as Midwifery. The problem of staff can be solved if the Government accept the recommendations made in a resolution passed at the Inter-Provincial Health Ministers' Conference held at Delhi in August 1950 under the Chairmanship of Dr. T. S. S. Rajan, wherein it was stated that the students of the College of Indian Medicine could attend lectures in subjects like Anatomy and Physiology either in Government Medical College or Stanley Medical College. The College of Indian Medicine has already a van which can be utilized for transporting the students. In conclusion, I would suggest to the Government to appoint an Expert Committee to examine the grievances of the students and make suitable recommendations."

\* SRI B. S. MURTHY :—"Mr. Speaker, Sir, I had something to do with this College since 1943. At the time of the Advisers' Government, there was a strike and I had the honour to lead it. I am now trying to see whether the Government will come round and see that the demands of these students are reasonable and yield to them at an early date. If not, I, from this place, warn the Ministry that they cannot do injustice to the students and to a subject which is of national importance. At the time of the old strike, Mr. T. Austin was the Adviser concerned. He was so audacious as even to refuse an audience to the committee. But subsequently he conceded all our demands. Now what are the students asking for? The Government have asked the students to come from their homes and promised them so much. They said that they would make the country a land flowing with milk and honey, but to-day they say that not even water is available. It is a very deplorable matter so far as the Government are concerned. Why did the Government start the College? If they were content with retaining it as a School of Indian Medicine as

[Sri B. S. Murthy] [18th February 1951]

it was when started by the Raja of Panagal, there would have been no agitation at all. Having started the College, why should they grudge to give it the necessary status? Ministers, especially the Hon. Dr. Rajan, had a prejudice against this College. Ever since Dr. Rajan took charge of the Medical and Public Health portfolio, he has been openly meeting out a step-motherly treatment to this College. I am sorry that he is not present here. I do not mean to say anything bad against him. But the facts are there. The students' demands are not unreasonable. They ask, having established a college and having asked them to come and study for five years, why should the Government discriminate between their college and the Allopathic colleges? Let the Hon. Ministers see what is going on in the North. All over Northern India, a great filip is being given to indigenous medicine. In Cawnpore and Allahabad there were conferences of Ayurvedic doctors which made a request to the Government of India to take up the cause of indigenous medicine, give it the place that it deserved, and place the practitioners of that system on a par with the Allopathic doctors. I only request that the Government should not be adamant, pettifogging and standing on false prestige. After all we are here to govern in the best interests of the whole country. The students of to-day are going to be the citizens of tomorrow. If the Government do not concede their reasonable demands but brush them aside as being unreasonable and leave the matter in the hands of the students, it will be dangerous to the public interest. I am not able to understand the answer of the Hon. Minister. . . (Interruption.) We are not fond of King's English. We want ideas. It is a jumble of words with no meaning at all. I reiterate that the Government need not stand on false prestige. I request them to constitute a committee of experts to go into the demands of the students and see that justice is done not only to the students but also to the cause of indigenous medicine."

THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, even before the half-an-hour debate was demanded by my hon. Friend Sri K. R. Karanth, we asked the Honorary Director and the Principal to meet us to discuss the various points raised in the students' memorandum. We had the benefit of their advice at 3 o'clock this afternoon. We went into the points raised in the memorandum very carefully. We are not at all standing on false prestige, nor do we want to irritate or do anything of that type to the young generation of students. We are only anxious to give our students a good training in whatever subject they want. The college is termed the Government College of Indigenous Medicine. There are Allopathic colleges like the Visakhapatnam Medical College, Stanley Medical College and the Madras Medical College. They are intended for teaching the Allopathic system of medicine. But we have started this college for training students essentially in the indigenous system."

SRI B. S. MURTHY:—"Integrated system."

13th February 1951]

THE HON. SRI B. GOPALA REDDI:—"That was one of the things wanted by the students."

"The emphasis is on the indigenous system. If we neglect that system and go in for the system that is taught in other colleges, the purpose of this College is lost. We want that the purpose for which this College was started must be fulfilled. It was the opinion of this Government and also of the experts that the students trained in the indigenous system must also be given a proper grounding in modern medicine. But that does not mean that the standard of instruction in modern medicine imparted to them should be equivalent to the standard in allopathic colleges, nor can the knowledge of students of indigenous medicine in modern medicine be compared with the knowledge of allopathic students. The idea of the Government was that at the end of the fourth-year course there should be an examination in Modern Medicine, so that in the fifth year the students could concentrate entirely on indigenous medicine. The students want the examination to be held at the end of the fifth year. The course will stop with the fourth year and there will be no examination for one year. Perhaps the students want to learn more of modern medicine and less of indigenous medicine. This college is not a duplication of the Stanley or Madras Medical College. This college was started for the specific purpose of concentrating on indigenous medicine. The students want to have the best of both the worlds—modern medicine as well as indigenous medicine—and I think they are aiming at too much."

AN HON. MEMBER:—"What is wrong?"

BEGUM SULTAN MIR AMIRUDDIN:—"The students of this College put in more periods—42 periods—whereas the students of Medical Colleges put in about 35 periods or so."

THE HON. SRI B. GOPALA REDDI:—"Whatever it may be, I do not think students of modern medicine are idling away their time. The students want the same standard of modern medicine as is taught in allopathic colleges and also the best instruction in indigenous medicine. Then they can study modern medicine for five years and indigenous medicine for another five years. I think it is an impossible demand. They are trying to bite more than what they can munch. The purpose of the college must be fulfilled. The students joined knowing full well that the college imparts instruction mainly in indigenous medicine. There is no use of claiming that they must be taught in modern medicine to the same standard as in Medical Colleges. After all, the Secretary and Minister may be lay people. But we are acting on the advice of experts—the Honorary Director Dr. M. R. Guruswami Mudaliyar and the Principal. Experts are in a better position to know what is good for the boys. The boys need not come and say whether the examination should be at the end of the fourth or fifth year or whether Pathology should be taught in the second year."

[18th February 1951]

SRI K. R. KARANTH :—" Did the experts say in the latest conference that they should be registered under class 'A', that they should not be given proper registration and that they should not be allowed to practise modern medicine and surgery? Do they go to that extent? I can understand that they cannot be given the same standard of instruction in modern medicine as in Medical Colleges. But the standard must be sufficiently high."

THE HON. SRI B. GOPALA REDDI :—" I am speaking about syllabus, course of training, etc. Registration is a matter which we are certainly considering. We do not want to put them on any inferior cadre. Their registration will be on the proper standard. But with regard to the course, whether Organic Chemistry or Special Pathology should be taught in the first year or second year, people who have been in the teaching line will be in a better position to decide."

SRI B. S. MURTHY :—" There is a fear in the minds of the students that by changing the curriculum and syllabus and by registering them under class 'A' practitioners, their status will not be as high as that of the students passing out of the Madras or the Stanley Medical College. That is the fear lurking in the minds of the students. Is there any truth in it? "

THE HON. SRI B. GOPALA REDDI :—" I want to tell the hon. Member and also the students that they need not entertain any such apprehension. The question of registration is being examined and we shall take all possible care to see that they are given a status which their equipment and the position that they have attained after five years' training demand. We know that all the students have passed the Intermediate Examination, and that they have undergone five years' training at great expense."

" With regard to examinations, etc., I think we can leave such matters to the experts."

SRI R. SUBBA AYYAR :—" What is the difficulty in calling them Bachelors of Indigenous Medicine and Surgery? "

THE HON. SRI B. GOPALA REDDI :—" We are calling them Graduates in Indian Medicine. I suppose that term is good enough."

" The University authorities say that the purpose for which the college was started must be fulfilled. In spite of our best efforts in persuading them, they have not recognized the course. They say that they cannot examine these students in Modern Medicine, but that they can examine them in Indigenous Medicine."

JANAB MOHAMED ABDUL SALAM :—" If the syllabus is changed? "

THE HON. SRI B. GOPALA REDDI :—" Change of syllabus is again a matter for experts. Experts do not frame the syllabus light-heartedly or to the disadvantage of the students. The college was started in July 1947."

[13th February 1951] [Sri B. Gopala Reddi]

" There was not much thought bestowed on the curriculum and syllabus. Something was drawn up in the beginning, and later on these experts thought that they could change the syllabus. They thought that it was not to the disadvantage of the students, and they, therefore, changed the syllabus. It is not as if we took great pleasure in changing the syllabus and put the students to inconvenience. That was not the idea of the experts. The experts who constituted the committee felt that the change was necessary, and they effected the change. It was not with any intention to irritate the students. It is much better that we concentrate on the purpose for which the college was started. The college was started to give the students a good background in indigenous medicine. That is how the problem is to be tackled. Instead of merely duplicating what is being done in other allopathic colleges, we want to give a separate training in this college. This will be achieved only if we pursue the course that is prescribed."

SRI B. S. MURTHY :—" Sir, the demands of the students are there and the reply of the Hon. the Minister is also there. We have asked the Government to appoint a small committee of experts to go into the matter *de novo*, because we know that the old order. . . (Interruption.) I would like to know, Sir, whether the Government would be pleased to appoint a committee to enquire into the matter instead of enforcing an executive order."

THE HON. SRI B. GOPALA REDDI :—" Sir, without committing myself to the appointment of any committee, I can straightway give the assurance that we will certainly go into the matter. We have already heard the Principal and the Honorary Director of the College. We shall take all necessary steps. Further, there are also the Demands under Public Health and Medical coming up for discussion. Then we can have greater time devoted to this aspect of the demand of the students. Certainly hon. Members will be entitled to raise these points under those Demands."

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

The House then adjourned to meet again at 11 a.m. on Wednesday, 14th February 1951.

[13th February 1951]

## APPENDIX I.

[Vide answer to starred question No. 767 asked by Begum Sultan Mir Amiruddin at the meeting of the Legislative Assembly, held on 13th February 1951, page 652 supra.]

This Government have been devoting special attention to the promotion of the educational and economic interests of the Scheduled Castes, Scheduled Tribes and other weaker sections of the people and have been taking necessary measures to protect them from social injustice and exploitation. Some of the more important measures undertaken by the Government in this regard are set out below, in brief outline, under the main heads, (1) Educational, and (2) Economic and a few other broad heads, like 'Protection from social injustice' and 'Appointment to Public Services,' etc.

## I. PROMOTION OF EDUCATIONAL INTERESTS.

Pupils belonging to the Scheduled Castes, Scheduled Tribes and other Backward Classes including Muslims are being granted either full or half fee concessions in the educational institutions in the State. In addition to these fee concessions, the Harijans, Muslims and other members of Backward Classes are given preferential treatment in the matter of award of general scholarships, while the students belonging to aboriginal tribes in the Agency tracts, Muslims, Mappillas, etc., are given also special scholarships. These scholarships are intended to defray the cost of books, clothing and in some cases boarding, etc. In the matter of admission to Government arts and professional colleges, students belonging to Scheduled Castes and Scheduled Tribes are receiving preferential treatment. The Fisheries and Forest Departments are running separate schools for the children of the Fishermen and Chenchu communities.

2. In a number of places, schools have been opened specially to meet the needs of the Harijan children. There were 1,232 schools with 95,321 pupils during 1949-50. During the same year 13,969 scholarships of the value of Rs. 5,46,902 were granted by the Harijan Welfare Department. Necessary provision is also being made every year for grants to pupils for the purchase of clothes, books, etc. The Harijan Welfare Department not only runs 13 hostels where free boarding and lodging are given to the students, but also subsidizes as many as 327 hostels.

3. The Harijan Welfare Department is also looking after the interests of the other Backward Classes. An amount of Rs. 7.5 lakhs has been sanctioned for the amelioration of the Backward Classes by the grant of scholarships to Backward Classes students reading in high schools and colleges.

13th February 1951]

## II. PROMOTION OF ECONOMIC INTERESTS.

## A. Formation of Co-operative Societies.

Special attention is being paid to the promotion of the economic interests of the Harijans and other backward communities. There were 2,536 co-operative societies exclusively for Harijans with a membership fee of Rs. 1.52 lakhs and a paid-up share capital of Rs. 10.29 lakhs on 30th June 1949. Besides these, a number of Harijans and members of backward communities are members of local credit societies also. On 30th June 1949, 68,246 persons belonging to these communities were members of rural credit societies. There are about 65 co-operative societies for the Chucklers and other backward communities with about 3,400 members. Special staff have also been sanctioned to start co-operative societies for the fisher-folk both in the East and West Coasts. There are now about 97 such societies in the State. The co-operative societies for Harijans are exempt from the payment of fees payable under the law for the registration of their documents and for obtaining encumbrance certificates, etc. A lump-sum grant of Rs. 35,000 is annually placed at the disposal of the Registrar of Co-operative Societies for disbursement to Harijan co-operative societies and societies composed of backward communities in order to enable them to pay remuneration to persons employed to write up their accounts. Steps have also been taken by the Co-operative Department to organize co-operative societies for the Agency and hill tribes.

## B. Special ameliorative and development programme for the Agency tracts.

The Government have decided upon the formulation and implementation of a Ten-year Plan for the amelioration of the condition of the hill tribes and the development of the Agency tracts. They have appointed a Special Agency Development Officer of the grade of a Senior Collector to be exclusively in charge of the drawing up of a programme. To assist him, there is a team of experts consisting of one District Agricultural Officer, Executive Engineer, Health Officer, District Forest Officer and a Geological Expert. The Special Agency Development Officer and the team of experts have been asked to tour the Agency areas, study the conditions and draw up a programme. It is proposed to set up two advisory committees also to assist the Special Agency Development Officer.

## C. Other ameliorative measures undertaken by the Harijan Welfare Department.

Besides providing educational facilities, the Harijan Welfare Department is also attending, among others, to the following items of ameliorative work:—

- (1) Relief of congestion by provision of house-sites.
- (2) Provision of sanitary amenities in villages such as wells, tanks, roads, burial and burning grounds, etc.
- (3) Giving grants to private agencies employed on social and economic uplift of the eligible communities.



[13th February 1951]

(4) Assignment or lease of land for cultivation. For carrying out the above purposes, the Government have set apart a sum of rupees one crore, in addition to the usual provision made in the budget from the general revenues for schemes relating to the ameliorative measures for Harijans which has now been fixed at Rs. 64 lakhs. The Budget Estimate for 1950-51 is Rs. 92.67 lakhs, and is likely to be increased to rupees one crore.

#### D. Miscellaneous revenue concessions.

In the matter of lease of lanka lands, the members of the eligible communities have been given special concessions. Though the lanka lands are normally leased out in public auction, in order to protect the economic interests of the poor members of these eligible communities, they are leased out to them without auction at fair rentals provided they form themselves into co-operative societies. Similarly, though the fisheries are ordinarily disposed of by sale in public auction, the Collectors have been authorized to dispose of the fishery rights without auction in favour of panchayats and co-operative societies and to give first preference to co-operative societies of Fishermen or Harijans engaged in fishing.

### III. RECLAMATION OF KALLARS, YENADIS, ETC.

The interests of Kallars, Koravars, Yenadis and Sugalis also are receiving the needed attention at the hands of this Government. Two major reclamation schemes, viz., (1) Kallar Reclamation Scheme in Madurai, Ramanathapuram and Tanjore districts and (2) the Yenadi Reclamation Scheme in Chittoor district are in operation now. Similar schemes for Koravars of Salem and Sugalis of Kurnool and Chittoor districts are also in existence though on a small scale.

### IV. PROTECTION FROM SOCIAL INJUSTICE.

The Removal of Civil Disabilities Act, 1938, as amended by the Amending Act of 1947 and the Madras Temple Entry (Authorization) Act, 1947, have gone a long way in freeing the Harijans from the age-long disabilities under which they had been labouring. They can now freely enter public temples and places of public resort, such as educational institutions, hostels, hotels, tanks, etc. In fact, they now enjoy equal right of access to these places with members of other castes and communities.

### V. APPOINTMENT TO PUBLIC SERVICES.

The Service Rules issued under the Government of India Act, 1935, which afford protection to the weaker sections of the people continue to be in force with some modifications by virtue of Article 313 of the Constitution.

2. Harijans and Backward Classes are eligible to the following concessions in the matter of appointments to the Public Services:—

(i) Prescription of a lower percentage of marks in the S.S.L.C. examination for purposes of the minimum general educational qualification.

[13th February 1951]

(ii) Prescription of higher age-limits for appointment to certain services.

(iii) Non-applicability of the age-limit prescribed for the various services and posts to the appointment of a candidate who is a Harijan or a member of the Backward Classes to a post for which the Special Rules prescribe a qualification lower than the degree of B.A., or B.Sc., if such candidate possesses a general educational qualification which is higher than the minimum educational qualification and he is otherwise qualified for appointment.

(iv) Grant of exemption from payment of fees for admission to competitive examinations for appointments to posts advertised by the Madras Public Service Commission in the case of candidates who have passed the Intermediate Examination in Arts or who have taken a degree in any of the Universities of the State.

The Rules regarding (1) age and (2) qualifications are also relaxed in deserving cases of Harijans and Backward Classes candidates.

In filling posts in non-technical subordinate services and posts to which recruitment is admissible by transfer from the Madras Ministerial Service and such recruitment is not made on a communal basis, preference is, as far as possible, given to Harijan members of the Madras Ministerial Service working in the department concerned.

#### REPRESENTATION IN LOCAL BODIES AND IN THE LEGISLATURE.

Seats have been reserved for Scheduled Castes on local boards, municipal councils and the Corporation of Madras. Seats have also been reserved for Scheduled Tribes and for Scheduled Castes in the Legislative Assembly.

### APPENDIX II.

[Vide item II (2) on page 698 supra.]

#### Textiles—Yarn—Statement on yarn supply to handloom industry.

The handloom industry is facing a crisis, not the first in its life, but a grave one. The industry has a proud past. Its products formed the staple of world trade until the Industrial Revolution of the 19th century. In the short space of fifteen years from 1815, the export trade suffered a fall from 165 lakhs to 8 lakhs of rupees. Only the attachment of the women and the poor to handloom products enables the industry to survive the vicissitudes of time and fortune. It established markets in Africa, Ceylon, Burma and the Far East. Even here, European and Japanese competition occasioned a sudden contraction of the market since 1929. Then came World War II, which made controls necessary and limited the output of handlooms. In April 1945, the All-India yarn distribution scheme was introduced under which the quota of Madras was fixed at 21,305 bales being 26.05 per cent of the free yarn available. The actual quantity of yarn available per month has been 23,985

[13th February 1951]

bales in 1945, 18,471 bales in 1946, 19,784 bales in 1947, 16,172 bales for the first four months of 1948, 21,711 bales for the last four months of 1948, 26,163 bales in 1949 and 16,957 bales in 1950. In 1949, the crisis was from another end, the marketing of cloth. There was a glut of yarn and cloth, making relief measures necessary. The causes for this situation were first that 1948 was a peak year for the cotton yarn industry with a production of 322,107 bales of yarn in a month. Accordingly, the allocation of mill-made cloth was doubled to 24,000 bales for this State. Simultaneously, the normal export of 3,000 bales of handloom cloth practically vanished due to political and financial changes in the Burma and the Far East markets. The handloom industry could not take the strain of resulting competition within itself and with mill-made cloth. The reaction was that control was removed and mills were given concession (1) to sell one-third of their production to the buyers of their own choice in the Indian Union, (2) to sell all yarn unlifted by the State nominees to buyers of their own choice, (3) licensed dealers purchasing yarn from the mills were allowed to sell the same to licensed dealers in other States or to licensed dealers or consumers within the State without any restriction and (4) licences were issued freely with effect from October 1949 by abolishing the class of wholesale and retail dealers and by reducing the licence fee and deposit from Rs. 125 and Rs. 5,000 to Rs. 50 and Rs. 500, respectively, and (5) liberalization of exports.

The present situation is the swing back to the previous shortage. The cotton available for production has reduced the total yarn available at spindle point, from 3.2 lakhs of bales in September 1948 to 1.9 lakhs of bales in September 1950. During the same period, the export figures rose from 4,495 bales to 19,405 bales. Consequently, the yarn allotted to this State fell from 22,096 bales in January 1950 to 16,332 in April, 13,026 in May, 16,332 in September, 12,232 in October and 11,139 in December, the average for the year being 16,957 bales per month.

These figures are self-explanatory. If on a State allocation of 22,000 bales, there was work for only 12 days, on about half that, there is work only for six or seven days. This must be understood in the context of the organization of the handloom industry. It has been computed by Dr. Narayanaswami Naidu, who conducted an inquiry in 1947 that 27.5 lakhs or 5.5 per cent of the population was dependent on the handloom industry. Next to agriculture, the handloom industry was the largest economic aggregate, a fact, the importance of which Government have not forgotten. The weavers fall into four classes: first, independent weavers, whose number has increased, second, weavers dependent on "master weavers", third, weavers working on wages in factories particularly on the West Coast and fourth, weavers, who are members of co-operative societies, who form about one-third of the total number. Independent weavers have suffered most as their financial resources are poor, and they have no one in particular to lean to. In 1947, their monthly earnings were reckoned from Rs. 30 to Rs. 60 and these have been halved now. Many of them are also subject to debt.

[13th February 1951]

The situation is therefore distressing and Government have been greatly exercised. We have exhausted all our arguments to obtain larger supplies of yarn from the Government of India. Whatever supplies we have received, we have handled with great care, making the most equitable distribution between the districts, and in the districts, on the advice of Yarn Advisory Committees, between the weavers. Some districts have felt the strain more than others because of the greater distribution of weavers in towns where they have no opportunity for any subsidiary occupation. Our allocations have taken note of this. In a few districts where distress was greatest, the Government have sanctioned doles and directed the opening of relief works. We have successfully prevailed on the Government of India, to ban exports and to withdraw the concessions to mills to sell one-third of their production directly to their own nominees. When Hon'ble Sri Harekrushna Mahtab was in Madras, we were fortunate to obtain from him allocations of 17,451 bales for January, 18,801 bales for February, 19,037 for March and thereafter the previous quota of 22,500 bales. The worst therefore appears to be over. Some of the deficiency will be made up by about 400 bales of foreign yarn allowed to be imported. Further, general permission has been given to import from French India. Applications to import artificial silk yarn are being recommended. There is every expectation that our own supplies will now be readily released by the mills, since the prices of yarn have been raised consistently with the price of cotton and there can be no grievance for the mills on this account.

The past situation therefore was a conspiracy of unavoidable circumstances. The Government of India allowed export and relaxed controls to ease the position arising from the glut of 1949. The export was necessary to earn foreign exchange for food which is also in vital demand. Since then the supplies of cotton have fallen in spite of import. The India Government argue that the available supplies should be equitably shared between all States and that weaving mills cannot be starved to the point they close down and throw up another serious labour problem. It is pointed out that Madras has always had its share of 26.05 per cent of the free yarn available. Recently Madras has been allowed *ad hoc* supplies in addition to its share. The All-India Handloom Committee recommended that 100,000 bales may be reserved for the handloom industry of which 26,168 bales should be allocated to Madras. The Madras Government have pressed for 29,000 bales on the ground that handlooms have increased since its share was last fixed and that in any case Madras has developed the handloom industry on a scale to become dependent on it. The Madras Government will continue to press for this supply.

At the same time we do not consider that our task ends here. We feel that the weaver should not remain unemployed for the greater part of the month, because it is not good for him or for the country. If he can have a subsidiary occupation, as in the past, not only his income will be more but he will be better qualified to meet the competition of factory production and the complications of the modern finance and trade. We cannot rule out the recurrence of a glut, if the handloom production rises to previous levels.

[13th February 1951]

For such circumstances the export market requires to be stabilized and expanded. One difficulty in this connexion is the absence of standardization. It has been suggested to Government that it should secure standardization by confining exports to articles standardized to the satisfaction of designated trade associations. The question of establishing emporiums in foreign markets is also important and has been taken up by the Co-operative Department. The present crisis has shown how the handloom industry is vulnerable. The question of fortifying it, is one that deserves our attention. In this all can help, including the weaver who must be prepared to utilize all his time and to work in the common interests of the industry.

## THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 14th February 1951.

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

## I.—QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

*Control of the price of the imported yarn.*

\* 768 Q.—SRI A. J. ARUNACHALAM: Will the Hon. the Minister for Industries be pleased to state whether there is any proposal to control the price of imported yarn?

THE HON. SRI C. PERUMALSAMI REDDI:—“Yes. 80s and 100s yarn to be imported from United Kingdom will be sold at specified rates by controlling the margins of profit on landed cost.”

SRI A. J. ARUNACHALAM:—“May I know, Sir, what is the margin of profit that is fixed over the landed cost?”

THE HON. SRI C. PERUMALSAMI REDDI:—“3½ per cent over the landed cost to the importer, 1-9/16 per cent to the State nominee and 6½ per cent to the retailer.”

*Reorganization of district boards.*

\* 769 Q.—SRI V. RAGHAVAYYA: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have any scheme for the reorganization of district boards; and

(b) if so, what it is?

THE HON. SRI K. CHANDRAMOULI:—“(a) & (b) The Government propose to appoint shortly a committee consisting of non-official members to examine the present position of district boards and their future after the introduction of the Madras Village Panchayats Act, 1950.”

SRI V. RAGHAVAYYA:—“May I know, Sir, what are the highlights of the changes that are going to be introduced, and how the future dispensation is going to be?”

MR. SPEAKER:—“The Hon. the Minister has answered that all that will be referred to a committee.”

SRI V. RAGHAVAYYA:—“My point is that the committee is only a medium of carrying out certain proposals. I ask what is the nature of the proposals and what are the changes to be introduced. How are the changes going to be different from the present dispensation? That is what I want to know.”

[14th February 1951]

THE HON. SRI K. CHANDRAMOULI :—“ When the committee is appointed, some general instructions will be given. On the lines of those instructions, the committee will go into all matters, and then make a report.”

SRI R. V. SWAMINATHAN :—“ I presume, Sir, that this committee will go into the financial aspect of the district boards also. Since some of the district boards are finding difficulty in the matter of finance, will the Government come forward to help such of the district boards as require financial help from the Government?”

MR. SPEAKER :—“ How does this supplementary question arise out of the main question? If the Hon. the Minister is prepared to answer, I have no objection.”

THE HON. SRI K. CHANDRAMOULI :—“ This has nothing to do with the main question, Sir.”

SRI B. S. MURTHY :—“ May I ask, Sir, whether the committee will come into existence after the introduction of the Panchayats Act or before? If it comes into existence after the introduction of the Panchayats Act, I do not know for what purpose the committee will come into existence.”

THE HON. SRI K. CHANDRAMOULI :—“ The committee will come into existence even before the introduction of the Panchayats Act.”

SRI V. M. RAMASWAMI MUDALIYAR :—“ May I ask, Sir, whether the Government will give us an indication of the terms of reference to that committee, and whether one of the terms of reference will be to examine whether the district board has become superfluous or redundant or that the district boards should continue to function with certain modifications?”

THE HON. SRI K. CHANDRAMOULI :—“ I cannot give that off-hand.”

SRI V. RAGHAVAYYA :—“ May I know from the Government whether this question whether the powers of the district boards should be curtailed will be referred to that committee for consideration?”

THE HON. SRI K. CHANDRAMOULI :—“ We want to re-organize the district boards in the light of the present circumstances, and naturally the powers of the district boards will never be curtailed.”

*Acquisition of house-sites in Padaramabhadrapuram village.*

\* 770 Q.—SRI D. V. RAMASWAMI (on behalf of Sri G. Sanyasi Rao) : Will the Hon. the Minister for Land Revenue be pleased to state the reasons for the delay in the acquisition of house-sites in Padaramabhadrapuram village in Visakhapatnam district?

THE HON. SRI H. SITARAMA REDDI :—“ The answer is placed on the Table of the House.”

[14th February 1951]

SRI D. V. RAMASWAMI :—“ In view of the fact that the Harijans in Padaramabhadrapuram are the most hard hit people by the damages caused by the floods of 1949, may I ask, Sir, why even now (1951), the proposal of the Collector has not been sent to the Government? May I ask when will they expedite the matter, because some of the Harijans, on account of their desperate condition, have gone to other places? There is no reason why the proposal should be delayed further.”

THE HON. SRI H. SITARAMA REDDI :—“ The reason for the delay has been explained in the paper placed on the Table of the House. The Collector has been reminded more than once. I expect the work has now been completed.”

SRI V. I. MUNISWAMI PILLAY :—“ Sir, in view of what is contained in the last portion of the statement placed on the Table of the House, will the Government call for a further report from the Collector so that the Harijans may get the house-sites as early as possible?”

THE HON. SRI H. SITARAMA REDDI :—“ There is no need, Sir. I am sure the work has been completed now, because the Collector in his letter has stated that he would be completing the work by the end of December 1950.”

SRI B. S. MURTHY :—“ May I know, Sir, whether any amount has been collected from the Harijans as the first instalment for the acquisition of this land, and, if so, when and whether the second instalment has been called for?”

THE HON. SRI H. SITARAMA REDDI :—“ No money is going to be collected from any of the Harijans. The money will be provided from the Cyclone Relief Fund.”

SRI V. RAGHAVAYYA :—“ Acquisition of house-sites for Harijans by an order of the Government of Madras has not been made as expeditiously as it is desired, because of the difficulties arising in acquisition proceedings. May I ask, Sir, whether the Government will circularize all the Collectors that the emergency sections of the Land Acquisition Act should be brought into operation in every case, where sites are being acquired for Harijans and others?”

MR. SPEAKER :—“ The main question relates to a particular place in a particular district. The supplementary does not arise out of this question.”

*Average under jute cultivation.*

\* 771 Q.—SRI B. S. MURTHY : Will the Hon. the Minister for Agriculture be pleased to state—

(a) the total area under jute cultivation in 1947, 1948, 1949 and 1950;

(b) the steps taken to increase the sowing during the current year; and

[14th February 1951]

(c) the facilities, if any, offered to the ryots for jute cultivation?

THE HON. SRI A. B. SHETTY :—“(a) The acreage under jute cultivation in this State for the four years is as follows :—

|                | ACS.   |
|----------------|--------|
| 1946-47 ... .. | 40,405 |
| 1947-48 ... .. | 39,668 |
| 1948-49 ... .. | 52,415 |
| 1949-50 ... .. | 87,297 |

“The crop, raised on these areas though popularly classed as jute, is largely comprised of Bhimunipatnam jute, Kasi gogu (or mesta), Bombay hemp, etc., and very little of what may be properly called Bengal jute, which has never been grown in this State on a commercial scale.

“(b) & (c) During 1950, trials on the cultivation of Bengal jute conducted in previous years were continued at four Agricultural Research Stations and on 31 acres of private ryots' holdings.

“Seeds of Bengal jute were supplied free of cost to ryots on whose fields the jute cultivation was tried and a subsidy of Rs. 20 per acre was also given. The question of continuing the trials in Bengal jute and of increasing the production of mesta is under consideration.”

SRI B. S. MURTHY :—“May I ask, Sir, whether in any one of the farms of the Government the attempts made to grow Bengal jute have been a success?”

THE HON. SRI A. B. SHETTY :—“Bengal jute can be grown in a number of places. But mesta, which is locally grown, is more popular with the ryots because it gives greater yield.”

JANAB ABDUL HAMEED KHAN :—“May I ask, Sir, whether any stretch of land, which was producing foodgrains, has been utilised for growing jute, and, if so, what is the extent of such land?”

THE HON. SRI A. B. SHETTY :—“I have no figures regarding the extent of land under food-crops, which has been diverted for growing this mesta.”

SRI A. VEDARATNAM PILLAI :—“May I ask, Sir, whether jute is grown as a green-manure crop after paddy is harvested?”

THE HON. SRI A. B. SHETTY :—“I do not think jute is a green-manure crop. It is grown for the purpose of meeting the requirements of the large number of the jute mills in our country which were getting their supplies from the jute-growing areas which have gone to the share of East Pakistan as a result of partition.”

[14th February 1951]

SRI A. VEDARATNAM PILLAI :—“Sir, are the Government giving any help to the dry areas in Tanjore district for growing jute, and will they give their expert advice to extend jute cultivation to other areas also?”

THE HON. SRI A. B. SHETTY :—“The Government have said that for trials of cultivation of Bengal jute, seeds will be supplied free and a subsidy of Rs. 20 per acre will be given. Other than these, jute does not require any help, because it is popular with the ryots. The area under jute cultivation is also being extended.”

SRI V. C. PALANISWAMI GOUNDER :—“May I know, Sir, if Bengal jute is grown as a rain-fed crop or wet-land crop or a garden crop?”

THE HON. SRI A. B. SHETTY :—“It can be grown on wet lands or dry lands.”

SRI D. V. RAMASWAMI :—“Did the Agricultural department of the Government of Madras find anything difficult in the variety of jute that is grown in Visakhapatnam area covered by the Chittivalasa and Nellimalai mills?”

THE HON. SRI A. B. SHETTY :—“It is good enough for certain purposes. But Bengal jute is better.”

BEGUM SULTAN MIR AMIRUDDIN :—“May I know whether jute cultivation in this State has been undertaken at the instance of the Central Government, and whether the Union Government has promised to compensate this State for the loss of food-crops caused to this State by this diversion from food-crops to jute?”

THE HON. SRI A. B. SHETTY :—“Jute cultivation has not extended to such an extent as to require an undertaking of that sort from the Central Government. But the Central Government are giving help for conducting trials in growing Bengal jute.”

JANAB ABDUL HAMEED KHAN :—“Is it not a fact, Sir, that growing jute is more profitable to the ryot than growing foodgrains?”

THE HON. SRI A. B. SHETTY :—“Yes, Sir, I think jute is a paying crop.”

JANAB MUHAMMAD RAZA KHAN :—“Arising out of the two questions put by the hon. Member Sardar A. Vedaratnam Pillai regarding the growing of jute in Tanjore district, is it not a fact, Sir, that the Director of Agriculture has stated that experiments in jute cultivation in this State have been a colossal failure?”

THE HON. SRI A. B. SHETTY :—“I do not think it can be put that way. I only said that mesta was popular with the ryots, because it gave a greater yield.”

SRI B. S. MURTHY :—“Is it not a fact that Bengal jute requires much water and a sort of marshy land? In this State

[14th February 1951]

there are large stretches of marshy land and ample water facilities. Why not the Government make experiments in growing Bengal jute in those places instead of in farms with artificial help?"

THE HON. SRI A. B. SHETTY :—" I have already said that experiments are being conducted."

11-15  
a.m.

SRI V. RAGHAVAYYA :—" To give a further impetus to the growth of jute cultivation, may I know whether the Government have ever considered the food value of the jute leaves?"

THE HON. SRI A. B. SHETTY :—" I have no information."

SRI R. V. SWAMINATHAN :—" May I know whether there is any possibility of jute cultivation in the southern districts and if so, whether the Government have any scheme to popularise it there?"

THE HON. SRI A. B. SHETTY :—" There are prospects of growing jute in Tanjore but the difficulty is paddy land has to be diverted for this purpose. In Malabar and South Kanara also it is possible to grow jute."

SRI K. KOTI REDDI :—" Are the Government aware that jute leaves form very good fodder for cattle?"

THE HON. SRI A. B. SHETTY :—" It may be, but I have no information."

BEGUM SULTAN MIR AMIRUDDIN :—" May I know whether the 47 acres newly brought under jute cultivation could not have been utilized for the cultivation of foodgrains?"

THE HON. SRI A. B. SHETTY :—" The Government have an integrated production programme and jute and cotton cultivation also requires attention."

SRI K. RAJARAM NAYUDU :—" Is it not a fact that in wet lands jute is cultivated only during the interval between the first and the second crops and that the cultivation of jute does not affect the food-crops at all?"

THE HON. SRI A. B. SHETTY :—" I am not in a position to give detailed information on all these questions. I can answer only those questions which arise out of the main question."

SRI B. S. MURTHY :—" May I know whether the increase in the acreage under jute cultivation in this State has been helpful to any extent in giving relief to the jute mills in Bengal?"

THE HON. SRI A. B. SHETTY :—" It has been of some help, Sir."

MR. SPEAKER :—" Questions are over. The Hon. the Finance Minister will now make a statement on the lapse of Government of India's grants for Grow More Food Schemes."

14th February 1951]

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

# II.—STATEMENT RE LAPSE OF GROW MORE FOOD GRANTS FROM THE GOVERNMENT OF INDIA.

\* THE HON. SRI B. GOPALA REDDI :—" Sir, in answer to a question in the Legislative Council recently, the Government furnished figures relating to the grants sanctioned by the Government of India for Post-war Development and Grow More Food schemes during the last three years, and the amounts that were actually earned by this Government. Yesterday, the hon. Gentleman Sri Natesan referred to these figures and commented adversely that this Government had not utilized about Rs. 6 crores out of the grants made by the Government of India for the Grow More Food campaign. There has been similar criticism in the Press also. As the Government desire that the position should be fully understood, I am making this statement. The following are the relevant figures :—

| Year.   | Grants sanctioned by the Government of India for both Post-war Development and Grow More Food Schemes. | Amount actually earned by this Government. | Amount that lapsed. |
|---------|--------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------|
| (1)     | (2)                                                                                                    | (3)                                        | (4)                 |
|         | RS.                                                                                                    | RS.                                        | RS.                 |
|         | LAKHS.                                                                                                 | LAKHS.                                     | LAKHS.              |
| 1947-48 | 625                                                                                                    | 270                                        | 355                 |
| 1948-49 | 325                                                                                                    | 230                                        | 95                  |
| 1949-50 | 400                                                                                                    | 250                                        | 150                 |
| Total   | 1,350                                                                                                  | 750                                        | 600                 |

"The first point to which I should like to draw attention is that the grants sanctioned by the Government of India in 1947-48 and 1948-49 were block grants intended to cover expenditure on both Post-war Development schemes and Grow More Food schemes in those years. Only in 1949-50, there was a separate grant of Rs. 150 lakhs sanctioned for Grow More Food schemes. It is not therefore correct to say that the amount of Rs. 6 crores that lapsed during the three years related entirely to Grow More Food schemes. In the year 1947-48, the Government of India made a very large provision (Rs. 45 crores) for grants for the development schemes of all State Governments knowing well that the State Governments would not be able to earn such grants in full. In fact, Dr. Matthai, the then Finance Minister to the Government of India, told me so, while I broached the matter to him. That was the first year in which our programme for development schemes and Grow More Food schemes were being drawn up, and much progress could not be expected in the year. Having



[Sri B. Gopala Reddi] [14th February 1951]

regard to the time required for the preparation of detailed plans and estimates, and the organization of men and materials. There was at the time, a paucity of technical personnel and capital machinery. Even with the best of intentions, it could not be expected that over Rs. 6 crores would be spent in the first year of our development plans. The allotment made by the Government of India was with reference to funds that were expected to be available with them for grants to State Governments, and was not based on the estimates of expenditure framed by this Government for the year.

During the next year 1948-49, the Government of India while finally reducing the grant to Rs. 325 lakhs, made a new condition that their grant would be limited to 50 per cent of the expenditure incurred by this Government on approved development and Grow More Food schemes. The grant adjusted to the credit of this Government in this year was Rs. 230 lakhs, which meant that the total expenditure incurred by this Government on approved schemes was over Rs. 460 lakhs, as against only Rs. 270 lakhs in the previous year.

In the year 1948-50, the Government of India fixed the maximum grant for development schemes at Rs. 250 lakhs, and the grant for Grow More Food schemes at Rs. 150 lakhs. But during the course of the year, the Government of India made a new condition in regard to Grow More Food schemes to the effect that the subsidy cost of Intensive Cultivation schemes should first be met from the procurement bonus fund and that only the excess of the total subsidy cost, if any, over the bonus fund could be met from the separate Grow More Food grant. The total expenditure incurred in 1949-50 was over Rs. 8 crores, made up of over Rs. 6 crores under Post-war Development schemes and about Rs. 2 crores under approved Grow More Food schemes. Thus in respect of Post-war Development schemes, this Government had spent much more than twice the maximum grant of Rs. 250 lakhs fixed by the Government of India, and no part of this grant therefore lapsed.

As regards Grow More Food schemes, in the ordinary course, about Rs. 1 crore of the Grow More Food grant of Rs. 1½ crores would have been earned. But under the revised instructions of the Government of India, the expenditure of about Rs. 2 crores had to be set in full against the bonus fund of about Rs. 250 lakhs, and the separate grant of Rs. 150 lakhs for Grow More Food schemes could not be earned.

For the current year 1950-51, the Government of India have not sanctioned any grant for Post-war Development schemes. As regards Grow More Food schemes also, they have not fixed any maximum limit for their grant for approved schemes. It is now expected that the entire bonus amounts received or to be received in the year and the unutilized sums of previous years would be covered by the expenditure on Grow More Food schemes, and that also a further Grow More Food grant of over Rs. 90 lakhs, on a half-cost basis would be earned.

14th February 1951] [Sri B. Gopala Reddi]

"It will thus be seen that the lapse in respect of the Government of India's grant for Grow More Food schemes alone should be deemed to be only a small part of the total lapse of over Rs. 6 crores, that most of the lapse occurred inevitably only in the first year of our plans, and that progressively increasing sums have been spent on Grow More Food and other schemes in recent years."

## III.—GOVERNMENT BILLS.

(1) THE MADRAS MERGED TERRITORIES (NOMINATION TO DISTRICT BOARDS) BILL, 1951 (L.A. BILL NO. 1 OF 1951).

THE HON. SRI K. CHANDRAMOULI:—"Mr. Speaker, Sir, I beg to introduce the Madras Merged Territories (Nomination to District Boards) Bill, 1951, and move—

*That the Bill be taken into consideration at once.*

"Consequent on the merger of the Pudukkottai, Banganapalle and Sandur territories in this State, it has become necessary to include the non-municipal areas in those territories within the jurisdiction of Tiruchirappalli, Kurnool and Bellary district boards respectively, and to give representation to the people of those territories on the respective district boards. But as the areas comprised in the three merged territories have not been included in any of the territorial constituencies of the Madras Legislative Assembly, it is not possible to prepare electoral rolls for those areas under section 51 of the Madras Local Boards Act, 1920, and to secure representation for the people of those areas on the district boards on an elective basis. It is, therefore, proposed to take power to nominate representatives of the people of the three merged territories on the district boards concerned. The nominated members will be treated as temporary additions to the sanctioned strength of the district boards, and will continue in office till the expiry of the term of office of the elected members on the boards. The Bill gives effect to this object."

MR. SPEAKER:—"Motion moved—

*That the Madras Merged Territories (Nomination to District Boards) Bill, 1951, be taken into consideration at once.*"

SRI P. VENKATASUBBIAH:—"Mr. Speaker, Sir, I wholeheartedly congratulate the Hon. the Local Administration Minister on having brought forward this Bill. It was in February 1948 that the historic event of the merger of these States in the Indian Union took place. Since that time, the people of these three areas, nearly seven lakhs in number, have become part and parcel of the Madras State and have become the free citizens of one independent India. In this connexion, the people of these areas cannot forget the late Sardar Vallabhbhai Patel, the Deputy Prime Minister of India, who, by his sagacity and statesmanship, brought about this historic change. When we became an integral

[Sri P. Venkatasubbiah] [14th February 1951]

part of this State, we were hoping that, under the popular regime of the elected representatives of this State, we the people of these areas, would be looked after very well and our economic position would be brought on a par with that of the other people in the Union. In this respect I can say that the Madras Government have been trying their best to improve the economic conditions of these people. But a little more care and attention than at present is necessary because the economic condition of these people, who have been groaning under the autocratic regime of the native rulers for many centuries, is so bad as to need great relief. With this object in view, we have been agitating that the land revenue assessment in Banganapalle area which is far higher than in the adjoining territory must be brought to the level of the adjoining areas. The Government went into the question immediately and we were given a temporary relief in 1949 itself. We are grateful for this and for conceding our request for a further reduction in the level of taxation applicable to the whole State. The Settlement Officer has come down to Banganapalle State to study the various problems of land tenure there.

MR. SPEAKER :—"The hon. Member is making general remarks about the merger of Banganapalle. Let him confine his remarks to the Bill before the House."

SRI P. VENKATASUBBIAH :—"Sir, this is one of the beneficial measures that the Government have brought forward. Since Banganapalle was brought under the jurisdiction of the Kurnool District Board, the District Board has not bestowed any attention on the educational and other needs of the people there. This is due only to the lack of representation of these areas on the District Board. I am, therefore, glad that the Government have brought this Bill to give representation to these areas on the District Board. In this connexion, I beg to state that Banganapalle has been given only one seat. I request the Hon. the Minister to increase it to two seats so that it may be in conformity with the population strength of that area. I am very hopeful that the Hon. the Minister will accede to my request. I wholeheartedly support this Bill."

11-30 a.m.

SRI R. V. SWAMINATHAN :—"Mr. Speaker, Sir, I rise to welcome this Bill. I am glad that at least now the Government have realised the true position and come forward with a measure to remove the deep feelings of the people in the merged States that they have no chance of representing their grievances with regard to elementary schools, roads, hospitals and similar other benefits which are enjoyed by the people in the adjoining area of the concerned District Board. I presume that these members who are going to be nominated to the District Boards will have the same rights and privileges as the other existing members of these Boards. In the Statement of Objects and Reasons it is stated, 'the nominated members will be treated as temporary additions to the sanctioned strength of the district boards.' I am not able to understand this. I want to know whether this term 'temporary

[14th February 1951] [Sri R. V. Swaminathan]

additions' is used only with reference to the strength of the Board; I also want to know whether this term has got anything to do with their qualifications and the privileges to be enjoyed by them.

"I would like the Hon. Minister to explain to us the basis on which the Government have prescribed six seats to the Pudukkottai State. I am of opinion that, on the basis of population, that territory should get more than six seats. I think its population is more than four lakhs. We have got other District Boards in our State. To quote one instance, the taluk of Tiruppattur in the Ramanathapuram district, which has a population of about 2,40,000, is allotted six general seats and one seat reserved for women, making up a total of seven seats on the Ramanathapuram District Board. When such is the case, the merged territory of Pudukkottai, which has a population of about four lakhs, should have at least 12 seats in all, distributed among the District Boards to which it may be attached. I do not know what made the Government allot only six seats to this territory. I hope the Hon. Minister will enlighten us in this respect.

"In our District Boards, we find that each taluk has got one reserved seat, either for the Muslims, Christians, Harijans or women. I may state that the six seats allotted to the territory of Pudukkottai are not sufficient even under 'General seats' not to speak of reserved seats. I know, Sir, that according to our Constitution, we are not going to have any reservation, except for Harijans. As far as Legislatures are concerned, it is true that reservation for minorities will not be encouraged. But, to-day, in the District Boards, we find that there are reservations for minorities and women. Now that the Government are going to nominate members to the existing District Boards, where the practice of reservation is in vogue, my request to the Hon. Minister and the Government is that they may consider the question of giving representation to these minorities accordingly. If this principle is accepted, the territory of Pudukkottai, which has got a number of Harijans and Muslims, would get adequate representation."

THE HON. SRI B. GOPALA REDDI :—"Are there no ladies? What about them?" (Laughter.)

SRI R. V. SWAMINATHAN :—"Of course there are women also. So far as the population is concerned, I think there will be more women than men and they should also be given representation. In respect of this matter, I even thought of bringing in an amendment; but I felt that no useful purpose will be served by my doing so unless the Hon. Minister agreed to that principle. Even now I would appeal to him to consider this suggestion and bring forward an amendment to increase the number of seats allotted to the territory of Pudukkottai and give representation for minorities and women. Prior to the merger with the Madras State, Pudukkottai had a Legislative Council consisting of about 30 or 35 members. They had administrative and legislative powers. When such was the case, is it proper and just to give

[Sri R. V. Swaminathan] [14th February 1951]

only six seats to the territory of Pudukkottai on the District Board? I appeal to the Hon. Minister to reconsider the position and enlighten us as to why and on what basis the Government have fixed six seats to the territory of Pudukkottai. With these words, I support the motion for consideration of the Bill, Sir."

SRI R. NATESAN:—"Mr. Speaker, Sir, I thank the Hon. Minister for Local Administration for having brought forward this Bill to give representation to the merged territories, at least now after a lapse of three years. I am not satisfied with the number of seats, viz., six seats, that is allotted to Pudukkottai. I want to know from the Hon. Minister, on what basis this representation is given. If it is on the basis of population, I may say that the population of the territory of Pudukkottai, excluding Pudukkottai town which is a municipal area, according to the census of 1941 is above four lakhs. The taluk of Udayarpalayam in the Tiruchirappalli district, which has a population of about 3,70,000 is given nine seats—seven general seats and two reserved seats. Again, the taluk of Perambalur, the population of which is only 2,45,000 is given six seats. Thus it will be seen that even according to population, the territory of Pudukkottai is entitled to get more than ten seats. On the other hand, if representation is given on territorial basis, I would like to point out that the area of Pudukkottai division is 1,200 square miles, whereas the entire area of the Tiruchirappalli district is about 3,600 square miles. Therefore on either basis—population or area—we are entitled to get more than ten seats. I ask the Hon. Minister to give us only eight seats, which is less than our legitimate quota. The people of Pudukkottai, with or without justification, are not satisfied with the merger and this unfair representation will add to their dissatisfaction. Even though I have not moved with the Hon. Minister closely, I believe that he is broad-minded, straightforward, plain and sympathetic. So I hope that he will have no objection to increase the number of seats allotted to Pudukkottai from six to eight."

SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I would like to make a few observations on this Bill . . ."

SRI K. BRAHMANANDAM REDDI:—"On a point of information, Sir, I want to know the population of Tiruchirappalli district so that we may arrive at a correct conclusion . . ."

MR. SPEAKER:—"When an hon. Member (Sri Gopalaswami) is speaking, it would be advisable to avoid interrupting him with points of information. Let the hon. Member Sri Gopalaswami continue his speech."

SRI L. N. GOPALASWAMI:—"While I quite recognize the fact that the people of Pudukkottai should have representation on the District Board, I cannot reconcile myself to this old business of nomination which is absolutely unsuited to modern times. In these days of a Republican Constitution, I do not know why the Government should resort to nomination of their own people to

14th February 1951] [Sri L. N. Gopalaswami]

represent certain other areas which have no representation. The main argument that has been put forward in the Statement of Objects and Reasons is that they have no electoral rolls. I may point out to the Hon. Minister that for the elections to be held under adult franchise, there are the Preliminary Rolls already published. These rolls can certainly be used for conducting elections. If they do not want adult franchise, then I would like to draw the attention of the Hon. Minister to the fact that prior to the merger, the then Pudukkottai State had a Legislative Council, for election to which electoral rolls existed. As mentioned by Sri Swaminathan, some 30 to 35 members were being elected on the basis of those electoral rolls to the Legislative Council. Those electoral rolls could be used for electing the representatives from the territory of Pudukkottai to the Tiruchirappalli District Board. Anyhow, I wish the Government to realize that the very idea of nomination is repulsive to the ideals of democracy. Even if it be to a small committee, it is better that the people are given the right to elect their own representatives and it is not right to resort to nomination. I do not think that powers of nomination should be given to any authority however great, even to the Government.

"Apart from the fact that Pudukkottai had a Legislative Council and the electoral rolls prepared for that Council may as well be utilized for this purpose, I would also like to mention that there have been panchayat boards in this territory of Pudukkottai. Members were elected to these Boards in the past, on the basis of some rolls which could be used by the Government for purposes of election of members to the District Board now. But, unfortunately, the Government have given up all these methods of democracy and given preference to this system of nomination. When I had occasion to put a question to the Hon. Minister as to how the representation and the number were going to be decided, he said that they would be decided both on the basis of area as well as of population. Sir, the decision is not in consonance with the population basis, has been clearly shown by the two hon. Members Sri Swaminathan and Sri Natesan. When the seven taluks of Tiruchirappalli district have a representation of 52 people, is it just and proper for the Government to allot only six seats for the three taluks of the territory of Pudukkottai? I think this representation is given neither on the basis of population nor on the basis of area. I want to know on what basis these six seats have been allotted.

"There is one other matter to which I would like to draw the attention of the Hon. Minister and the hon. Members of this House and that is this. So far as the Tiruchirappalli district is concerned, the system of nomination is likely to upset the present administration of the District Board. There has been a majority of only a few votes in the election for the Presidentship of the Board. If the Government want to upset the administration of the district board by nominating their own men, then I should say that it is not in consonance with democracy and democratic principles. I can understand their attempt to change the administration of the Board by sending in elected representatives; that

[Sri L. N. Gopalaswami] [14th February 1951]

would be a different matter altogether. On the other hand, if they want to upset the whole administration by sending in the nominated representatives, then they will be repeating what the Justice Party did when they had no majority in these District Boards; they used to adopt the methods of nomination or bifurcation when they wanted to keep their party men in power in these institutions. I therefore appeal to the Hon. Minister to take all these things into consideration and see whether he cannot introduce election in the place of nomination. If this cannot be done, I request him to nominate members on a just and equitable basis."

SRI N. VENKATASUBBAYYA :—" Mr. Speaker, Sir, I welcome this Bill. Though it is now three years since the merger took place, there has been no representation for these merged areas on the District Boards. The general policy of the Government—both at the Centre and in the States—is to give some sort of representation to the people who have come into our fold. This Bill is a necessary corollary to that policy.

11-45 a.m. "It is in keeping with the progressive and democratic ideals which are characteristic of our Minister for Local Administration. Therefore, I welcome it as a means by which the voice of the people of the merged States, which had been suppressed for centuries together, can be raised in the Councils of our State. Not only in this House we have got our nominated representatives coming from Pudukkottai, Banganapalle and Sandur but we also seek to have representation for these people on the District Boards also. From my own experience of the way in which these merged States are treated by the District Boards now, I do not think that they have done or do well in discharging their duty by these people. The Government have been solicitous of the welfare of the people of the merged States. They have given large grants. They have initiated a number of schemes for their economic betterment. But in line with this policy, the District Boards have not done anything for the merged States. I know certain High schools which exist now, are languishing for want of adequate teachers. Teachers have not been posted. Buildings have not been constructed. No attempts have been made or are being made to secure better rented buildings. Elementary schools are closed. The District Board, I am sorry to say, is not doing anything good to the people of Banganapalle. But I feel that if a representative had been sent there earlier, the State would not have been neglected. I felt, therefore, very glad when I was told that this Bill was coming on. It is also our duty to see that the people, whose rights and privileges and whose interests have been entrusted to our care, rest assured that they will not fall from the frying pan into the fire. This at any rate is the feeling in certain quarters and it is absolutely necessary that we should disabuse their minds of this feeling. Already the State Government have done much for the people of the merged States. If the District Boards also are keen on doing the same thing, then we can certainly open a bright chapter in the life and progress of the people who till now were very unfortunate, having lived for centuries under the autocratic and irresponsible rule of the Rajahs and Nawabs.

14th February 1951] [Sri N. Venkatasubbayya]

"As regards nomination, I wish to make one or two suggestions. Of course, my hon. Friend, Sri Swaminathan has already referred to it. I want to say a word or two to supplement his statement. I will not deal with Pudukkottai with which I am not familiar. But so far as Banganapalle and Sandur are concerned, Banganapalle has been allotted only one seat. You know, Sir, that the place was under the rule of Nawabs and that there is a considerable Muslim population there. I do not want that our Muslim brethren in our secular State should go with the idea that they have not been represented on the District Boards. If one seat is given, I do not know whether it should go to a Hindu or a Muslim. We cannot have a half seat for the Muslims and the other half for the Hindus. Therefore, I would request the Hon. the Minister for Local Administration to consider whether it will not be feasible and proper to allot two seats to Banganapalle, so that the Hindus can have one seat and the Muslims the other. I would like to know if the concerned clause cannot be suitably amended."

SRI B. ANANTACHAR :—" Mr. Speaker, Sir, this is a short Bill and it is welcome to all of us. But certain features of it are not very happy. They are poor and vague and I would like to invite the attention of the Hon. Minister to some of them. We seem to be always relying on the counting of heads. We often ignore the historic aspect, the economic importance and the strategic value of things. Counting of heads is not always safe. Relying on statistics and population is not wise. We have got to think of other things. Historically, Sandur was ruled by Ghorpades. They are very good at sticking like leeches, if I may say so, and had a hard grip on the administration and real interest in the welfare of the people. That is why I consider that it is a very important State. It was important, it was bound to be important and it is bound to be important now as a slice of Madras State. Let us not forget that aspect. Then there are the Sugalis or the Lambadis in Thandas. They had a very good industry. Even now, I suppose that cottage industry is thriving there. Rope making still goes on. So also several other cottage industries are thriving. Some of these will die out if there is no proper care and proper representation. May I, therefore, request the Hon. the Minister to give more representation to these areas? Nomination is bad; but nominating only one makes it worse. Let us have more than one to help the other interests of the area. I am sure one will not satisfy anybody. It will not satisfy the Hon. the Minister himself. There is a lurking idea in the mind of the Minister that more representation ought to be given to States, like Sandur, where we have got good teak and sandalwood and where there is a beautiful hill called Ramandrug. Its salubrious climate is much better than that of Bangalore. Some of these facts which have nothing to do with either population or statistics may also be taken into consideration."

SRI P. KAKKAN :—" கனம் சபாநாயகர் அவர்களே, கனம் ஸ்தல ஸ்தாபன மந்திரி அவர்கள் ஸமஸ்தானங்களுக்கும் ஜில்லா போர்டுகளில் ஸ்தானங்கள் அமைக்கவேண்டுமென்று கொண்டுவந்திருக்கும் இந்த

[Sri P. Kakkan] [14th February 1951]

மசோதாவை நான் ஆதரித்து அவரைப் பாராட்டுகிறேன். இந்த மசோதாவானது சுமார் மூன்று அல்லது நான்கு மாதங்களுக்கு முன்னதாகவே வந்திருக்கவேண்டும் என்பது என்னுடைய அபிப்பிராயம். இன்றைக்கு கனம் சூர். நடேசன் அவர்களும், கனம் பி. வெங்கடசுப்பய்யா அவர்களும் நம்முடைய சட்ட சபைக்கு சமஸ்தான பிரதிநிதிகளாக வந்து உழைத்துவருகிறார்கள். அதைப்போலவே ஜில்லா போர்டுகளுக்கும் அந்தந்த சமஸ்தானங்களிலிருந்து பிரதிநிதிகளை அனுப்பிவைக்கவேண்டும். ஆனால் எனக்குமுன் பேசியபோது கனம் கோபாலசாமி அவர்கள் இன்னும் வேட்டர்கள் ஜாப்தா தயாராகவில்லை என்று சொல்வது முன்னுக்குப்பின் முரணாக இருக்கிறது. சட்ட சபைக்கு பிரதிநிதிகளை அனுப்பிவைத்திருப்பதுபோன்று ஜில்லா போர்டுகளுக்கும் பிரதிநிதிகளை அனுப்பவேண்டுமென்று சொல்லும்பொழுது அவர்களுக்கு எலெக்ஷன் வைக்க வேண்டுமென்று சொல்வது என்னவென்று புரியவில்லை. இன்றைய தினம் புதுக்கோட்டை மக்கள் ஜில்லா போர்டுகளில் அங்கம் வகித்து மக்களுக்கு நன்மைகளைச் செய்யக் காத்துக்கொண்டிருக்கிறார்கள். ஆகவே புதுக்கோட்டையிலிருந்து ஜில்லா போர்டுகளில் அங்கம் வகிக்க பிரதிநிதிகளை அனுப்பிவைக்கவேண்டியதவசியமாக இருக்கிறது. ஆகவே கனம் மந்திரி அவர்கள் உடனடியாக இன்றே இந்த மசோதாவை நிறைவேற்றி புதுக்கோட்டை மக்களுக்கு எவ்வளவு தூரம் நன்மைகளைச் செய்யவேண்டுமோ அதைச் செய்யவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

“புதுக்கோட்டை மூன்று தாலுகாக்கள் கொண்டது. அதாவது ஆலங்குடி, குளத்தூர், தமிழ் நாட்டிற்குத் தலைமை வகித்து காங்கிரசிற்கு உழைத்துவந்த தேச பக்தர் கனம் சத்தியமூர்த்தி அவர்களுடைய ஊராட்சி திருமயம், ஆக மூன்று தாலுகாக்கள். இந்த மூன்று தாலுகாக்களில் ஜனத்தொகை சுமார் நான்கு லட்சத்திற்குமேலிருக்கிறது. ஆனால் திருச்சிராப்பள்ளி ஜில்லாவின் ஜனத்தொகை சுமார் 22 லட்சத்திற்குமேலிருக்கும். ஆனால் அங்குள்ள ஜில்லா போர்டிற்கு 52 பேர்கள் அங்கத்தினர்களாக இருக்கிறார்கள். அவ்வித நிலைமையில் புதுக்கோட்டை சமஸ்தானத்திற்கு என்று பத்துப்பேர்களை ஜில்லா போர்டிற்கு அனுப்பவேண்டும். இப்பொழுது கனம் மந்திரி அவர்கள் ஆறு ஸ்தானங்கள் என்று இந்த மசோதாவை கொண்டுவந்திருக்கிறார். இந்த ஆறு ஸ்தானங்களுக்கு பதிலாக பத்து ஸ்தானங்கள் அமைக்க வேண்டுமென்று சொல்லுகிறேன்.

“இம் மாகாணத்தில் எத்தனையோ ஹரிஜனங்களுக்குள்ளிருக்கிறார்கள். அவர்களில் எத்தனையோ ஹரிஜனப் பிரதிநிதிகள் ஜில்லா போர்டுகளில் அங்கம் வகித்து வருகிறார்கள். திருச்சி ஜில்லா போர்டில் புதுக்கோட்டையிலிருக்கும் ஹரிஜனங்களும் அங்கம் வகிக்க வேண்டுமென்றால் இப்பொழுது கொடுக்கப்பட்டிருக்கும் ஆறு ஸ்தானங்கள் போதாது. ஹரிஜன பிரதிநிதிகளுக்கு என்று ஸ்தானங்கள் கொடுக்கவேண்டுமென்றால் இந்த ஆறு ஸ்தானங்களோடு இன்னும் கூட 3, 4 ஸ்தானங்களைச் சேர்த்து ஹரிஜன பிரதிநிதிகளுக்குக் கொடுக்கவேண்டுமென்று கனம் மந்திரி அவர்களைக் கேட்டுக்கொள்ளுகிறேன். அவ்விதம் 3, 4 ஸ்தானங்களை சேர்த்துக் கொடுத்தால்தான் புதுக்கோட்டையிலிருக்கும் ஹரிஜனங்களுக்குப் பிரதிநிதித்வம் கொடுத்ததாகும். அந்த புதுக்கோட்டை மக்களுக்கு நாம் செய்யக்கூடிய உதவி இதைவிட வேறு ஒன்றுமில்லை. ஆகவே புதுக்கோட்டைக்கு அதிகப்படியான ஸ்தானங்களைக் கொடுத்த, அதாவது பத்து ஸ்தானங்கள் கொடுத்து ஜில்லா போர்டுக்கு அங்கம் வகிக்கும்படியாகச் செய்து புதுக்கோட்டை மக்களை ஆதரிக்கும்படியாகக் கேட்டுக் கொள்ளுகிறேன்.”

SRI T. VISWANATHAM:—“Mr. Speaker, Sir, I welcome this Bill because it seeks to give representation to unrepresented areas. But I cannot agree with the proposal to give that representation by nomination. Sri Gopalaswami drew our attention to one aspect of it. As he was speaking on it, some hon. Members, I observed, were saying: ‘Why is this gentleman bringing in this

14th February 1951] [Sri T. Viswanatham].

matter here?’ Sir, my hon. Friend Sri Gopalaswami was pointing out that this business of nomination would upset the smooth working of the District Boards and that the present position of the District Board of Tiruchirappalli was that the President came in by a very narrow majority. It so happens that he is not a *persona grata* with the powers-that-be. In the circumstances, if the Government take the power of nomination, we heard it said by Sri Gopalaswami, they would be lending themselves to the criticism that they are siding with one party against another. Surely, the Hon. the Minister for Local Administration would not like it to be said of him that he is taking sides in the affairs of the District Boards. He is far above these District Boards. He is in the Ministerial level and so whatever he does should not lend itself to such criticism. It is not safe. It is not a theoretical opinion I express. These are things which really took place some two years ago in our State and they should not be repeated. That is the anxiety with which I am voicing this opinion. Sri Gopalaswami said that nomination was bad. If that is so, nomination of more members than are now contemplated is worse. It is true, Sir, that the Hon. Sri Chandramouli, when replying to the debate, will take my argument and say that nomination of more members will be bad and that it will upset the present balance. Sri Gopalaswami did not ask for greater representation. (The Hon. Sri K. Chandramouli: ‘He asked for it.’) If he also wants it, then it is because we want representation to be given on a fairly uniform basis. I wanted only to say that nomination was bad. The basis of representation should be the same as in other districts. The hon. Member Sri Gopalaswami said that there was something smelling of politics here. I want the Hon. the Minister to steer clear of politics and see that he is not used by one party in the District Boards against the other. I would like to ask him, Sir, how is it difficult to have elections conducted in all these areas. Podakkottai, for instance, can be divided into six, eight or ten units and elections can be conducted with the existing electoral rolls which have been prepared for the elections to the Assembly. It will not take more than a month. Therefore, I would like the Hon. the Minister to consider the suggestions made in this House and see that he does not make himself liable to be criticised in the manner pointed out by some of us.”

SRI K. BRAHMANANDAM REDDI:—“Mr. Speaker, Sir, as has been observed by the previous speakers, this is only a small Bill. My hon. Friend Sri Gopalaswami took exception to representation by nomination. I therefore wish to remind the hon. Member of a statement once made on the floor of this House by the Hon. Sri C. Rajagopalachariar regarding nominations made by popular Governments. There is a fundamental difference between nominations made by bureaucratic Governments and those made by popular Governments.”

JANAB MUHAMMAD RAZA KHAN:—“That is one argument.”



[14th February 1951]

**SRI K. BRAHMANANDAM REDDI** :—" Certainly it is an argument and it is so in fact for the simple reason that a popular Government cannot simply afford to nominate a man who is not popular or who has not got a representative character. That is the fundamental difference."

**JANAB MUHAMMAD RAZA KHAN** :—" If one proved it to be otherwise ?"

**SRI K. BRAHMANANDAM REDDI** :—" It may be, Sir, that to-day, the hon. Member Mr. Raza Khan sitting here has a representative character. Tomorrow if he goes to the polls he may lose his seat and also lose his representative character. It is just possible that a man possessing a representative character to-day may not have it throughout his life. When the Government make the nomination, the point to remember is whether the nominee at that particular time has popular backing or representative character. That is all."

" Then, Sir, the hon. Member Sri Viswanatham was saying that there was the smell of politics here. I suppose it is not the intention of the Government to upset the smooth working of any District Board. The population of Tiruchirappalli district is supposed to be about 24 to 25 lakhs. There are already 52 members in the Board. The population divided by the number 52 would indicate that each member represents about 50 thousand of the population. On this basis, if the population of Pudukkottai is 4 lakhs they must get 8 representatives."

**SRI R. V. SWAMINATHAN** :—" It comes to ten."

**SRI K. BRAHMANANDAM REDDI** :—" My hon. Friend is better informed about this State. It is only a question of arithmetic. If according to population they are entitled to ten representatives they must get it. I request Government to nominate people specially from the backward classes and Harijans. By this I do not mean that the other communities should be excluded. I only want that a fair proportion of these seats should be given to the backward communities, Harijans, Christians and Muslims."

**SRI S. NAGAPPA** :—" Mr. Speaker, Sir, I oppose the idea of nomination contained in the Bill. My hon. Friend, Sri Brahmanandam Reddi explained that nomination by a popular Government was different from nomination made by a bureaucratic Government. Nomination is nomination whether it is made by a popular Government or by a bureaucratic Government. The member nominated will be the nominee of the Government and not a representative of the people. People are always against the whims and fancies of the Government. So I would suggest that instead of the Government making the nomination, let the Hon. Minister amend the Bill and provide for co-option of the required number of members by the District Boards concerned. They are representative bodies and they can as well co-opt the members instead of the Government nominating whomsoever they please."

14th February 1951]

**SRI K. BRAHMANANDAM REDDI** :—" What is the Government? Is it not a representative body? "

**SRI S. NAGAPPA** :—" They are representative in a bigger way. But the representatives of the Board will be in a better position to decide who is popular and who is unpopular in the locality."

" Then, Sir, the State of Banganapalle which is in my district has a population of about 50,000 to 60,000. (An hon. Member : ' It is only 45 thousand '.) Yes, let us take it as 45,000. That State contains about 64 villages. If one member is to represent the whole State he will not be in a position to know what is happening in the whole State of Banganapalle. The population of Kurnool district is 12 lakhs. There are 52 members on the Board. About a lakh of people are represented on the board by four members. When this is so, why not give representation at the rate of one member for every 25,000? On this basis Banganapalle should get more than one member."

" The total number allotted now is only eight. If they increase it to ten, then they can nominate two members from the backward communities and Harijans, who form 1/5th of the population."

\* **SRI V. I. MUNISWAMI PILLAI** :—" I welcome the motion moved by the Hon. Minister for Local Self-Government. I would not have risen on this occasion to speak had it not been for the fact that my hon. Friend Sri Gopalaswami brought in a controversy over the question of nomination. He has entirely forgotten the difference between the scheme of nomination that was in existence before the pre-Republican days and the one that now obtains. To-day if the Government have thought of nominating certain persons, it is not in the nature of the nomination made in the earlier days Government want to give representation to such of the States that have been merged into the districts. These people have been there without representation for some time. If they are to get it by election, it will take a lot of time. They will not get representation at the time when it is wanted. My hon. Friend Sri Nagappa suggested co-option. He has not understood the implication of it and the harm that it might inflict. If there is a party in the district board which wants to increase its strength in order to overrule the minorities on the board, co-option will only help that party. If it is co-option, the President of the Board will try to put in his own men to strengthen his hands. What is sought to be done under this Bill is fair and I welcome the Bill."

**SRI N. ANNAMALAI PILLAI** :—" கனம் தலைவர் அவர்களே! இந்த மசோதாவை ஸ்தல ஸ்தாபன மந்திரி கனம் ஸ்ரீ சந்திரசேகரன் அவர்கள் கொண்டுவந்ததை நான் பாராட்டுகிறேன். சிறிய சமஸ்தானங்கள் எல்லாம் சென்னை சர்க்காரிலும், இந்தியா முழுவதிலும் உள்ள கிறித்தவர்களிலும் யூனியன் கவர்ன்மெண்டில் சேர்ந்திருப்பது ரொம்பவும் சந்தோஷப்படுமாய்வுமான விஷயம். அநேக ஆயிரம் வருஷங்களாக தனித் தனியாக இருந்த சமஸ்தானங்கள் எல்லாம்! நம்முடைய தலைவர் காலஞ்சென்ற ஸர்தார் வல்லபாய் பி.பி. அவர்களைப் போல முயற்சியினால் ஒன்றுசேர்க்கப்பட்டது. இந்த சமஸ்தான அந்தந்த



[Sri N. Annamalai Pillai] [14th February 1951]

ஜில்லா போர்டு ஸ்தாநங்களுக்கு புதுக்கோட்டையிலிருந்தும் மற்ற இதர சமஸ்தானங்களிலிருந்தும் பிரதிநிதிகளைத் தேர்ந்து எடுப்பதற்கு ஏற்பாடு செய்திருப்பது ரொம்பவும் போற்றற்குரியது. ஆனால், அதில் இன்னும் பிரதிநிதிகளை ஜாஸ்தியாகச் சேர்த்திருக்கவேண்டும். ஏனெனில், இது வரையில் தனித்திருந்த ஒரு ராஜ்யமானது யூனியன் சர்க்காரில் சேர்ந்த பிறகு முதல் முதலாக ஜில்லா போர்டு வருகிறபோது எல்லா வகுப்பினருக்கும் பிரதிநிதித்துவம் இருக்கிற மாதிரியாக அதை அமைக்கவேண்டும். ஏதோ ஒரு 6 பேர்களை வைத்துவிட்டு ஒரு ஜில்லா போர்டை அமைத்து விட்டதாக முடிவு கட்டிவிட்டால் அங்கு இருக்கின்ற எல்லா வகுப்பினருக்கும் அதில் பிரதிநிதித்துவம் கொடுத்திருப்பதாக நினைக்க முடியாது. ஆகையினால், எல்லா வகுப்பினருக்கும் அதில் இடம் கிடைக்கும்படியாக இன்னும் ஸ்தாநத்தை அதிகப்படுத்தவேண்டுமென்று தெரிவித்துக்கொள்ளுகின்றேன். இதை (nomination) இல் விடுவதா, அல்லது தேர்தலில் விடுவதா என்ற பிரச்சனையைப்பற்றி சர்க்காரே முடிவு செய்துகொள்ளும் படி விட்டு விடுவதே நல்லது. ஏனெனில், இப்பொழுது நாம் நம்முடைய சர்க்காரிடத்தில் பொறுப்புக்களனைத்தையும் விட்டு வைத்து இருக்கிறோம். அவர்கள் அதை கவனித்துக்கொண்டு வருகிறார்கள். அடிக்கடி சர்க்காரின் மீது எதிர்ப்புக் கிள்கள் சந்தேகப்பட்டு குற்றம் குறைகளைச் சொல்வது சர்வ சார்பரணம். ஆனால், நம்முடைய popular சர்க்கார், பொறுப்பு வாய்ந்த சர்க்கார், செல்வாக்கு வாய்ந்த சர்க்கார், செய்கிற வேலைகளில் தோஷம் கண்டுபிடிப்பதும், பலவிதமாகப் பேசுவதும் விந்தையாக இருக்கிறது. நாம் ஜனங்களுடைய பிரதிநிதிகளாதலால், அந்தந்த ஜில்லா போர்டுகளில் எல்லா மக்களுக்கும் பிரதிநிதித்துவம் வாய்ந்திருக்கும் படியாகச் செய்யவேண்டும். ஆகையால், nomination செய்தாலும் ஸ்தாநங்களை அதிகப்படுத்தி எல்லா வகுப்பினர்களுக்கும் பிரதிநிதித்துவம் இருக்கும்படியாகச் செய்யவேண்டும்.

“மற்றும் ஒரு வார்த்தை சொல்ல விரும்புகிறேன். இங்கே இதற்கு முன் பேசிய எனது நண்பர்கள் கனம் ஸ்ரீ நாகப்பா அவர்களும், கனம் ஸ்ரீ சக்கன் அவர்களும் ஹரிஜனங்களுக்கு ஜாஸ்தியாக ஸ்தாநங்களை ஒதுக்கவேண்டுமென்று சொன்னார்கள். அப்படி ஒதுக்கவேண்டியது அவசியம். மேலும், அங்கே இருளர்கள், குறவர்கள், ஏனாதிகள் போன்ற ஜனங்களும் இருக்கிறார்கள்.

Mr. SPEAKER:—“அங்கு அவர்களெல்லாம் கிடையாது.”

Sri N. ANNAMALAI PILLAI:—“கனம் தலைவர் அவர்கள் அங்கே யாரும் அப்படி கிடையாதென்று சொல்லுகின்றார். கிடையா தென்று சொல்வது உடம்பில் இருத்தம் ஒடாமல் இருக்கிற மாதிரி இருக்கிறது. உடம்பில் இருத்தம் ஒடுவதைப் போல் எந்தப் பக்கத்தில் எந்த ஜாதியார் இல்லையென்று சொல்லமுடியாது. ஒவ்வொரு இடத்திலும் அவர்கள் ஹிம்ஸைப் பட்டுக்கொண்டு இருக்கிறார்கள். அந்த ஹிம்ஸையிலிருந்து அவர்களைப் பாதுகாக்க வேண்டியதற்கு இந்த சமுதாயத் தார் எல் லொருக்கும் பிரதிநிதியாக சிலர் இருக்கவேண்டும். ஜாஸ்தியாக உள்ள இந்த ஹரிஜனங்கள், இருளர்கள், குறவர்கள், ஏனாதிகள் போன்ற இனத்தவர்களுக்கும் பிரதிநிதித்துவம் கிடைக்கும்படியாகவும் இன்னும் ஸ்தாநத்தை அதிகப்படுத்தவேண்டும். Nomination செய்வதைக் குற்றமாகக் கருதாமல், பின்னால் election வருகிறபடியினால் nomination செய்வதை முறையாகக் கொள்வதில் ஆட்சியில் இல்லை. இப்பொழுது election நடத்துவதானால் அதற்கு வோட்டர்கள் ஜாபிதா தயார் செய்வதில் இன்னும் ஒரு வருஷம் கடந்தபேரயலிடும். ஜனங்களும் பிரதிநிதிகள் இல்லாமல் போய்விடுவார்கள். ஆகையால், ஜனங்களுடைய பிரதிநிதியாக ஜில்லா போர்டைச் செய்தவருக்கு கனம் மற்றவர் அவர்கள் கொண்டு வந்த இந்தத் திருத்த மசோதாவை நான் ஆதரித்து, இன்னும் ஸ்தாநங்களை மாத்திரம் அதிகப்படுத்தவேண்டுமென்று கேட்டுக் கொள்கின்றேன்.”

Hon. Sri K. CHANDRAMOULI:—“Sir, before I close the debate of the hon. Members, I would like to explain the basis on which the number of members to be nominated was

14th February 1951] [Sri K. Chandramouli]

arrived at by the Government. The population of Tiruchirappalli, excluding the municipal areas, is 1,963,862 and the population of the Pudukkottai State is 404,160. The strength of the district board is 52. Similarly, in Kurnool the population is 1,075,114. (An hon. Member: ‘It is wrong’.) There is nothing wrong in the figures. The hon. Member forgets the fact that the figure given excludes the population in municipal areas. The population of Banganapalle is 44,592. The population of Bellary is 333,633, while that of Sandur is 15,814. The strength of the board is 49. If we take the population of the districts, excluding the population in municipal areas, and the strength of the district boards, the number of seats for these merged States on the population basis should be, Pudukkottai 11, Banganapalle 2 and Sandur 1. This is the proportion that has been adopted by the Government. But if 11 members are taken for Pudukkottai, it will be unwieldy. Therefore Government thought that it would be better to bring the number to the irreducible minimum. That is why we have reduced the total number to half so that Sandur may get 1, Banganapalle 1 and Pudukkottai 6.

“Hon. Member Sri R. V. Swaminathan raised the point of representation to minorities. I can assure the hon. Member that when nominations are made, the position of minorities will be taken into consideration and proper representation will be given to them.”

“Then, Sir, many criticisms were levelled against the Government about nominations. The Government at first examined the position whether elections could be conducted and we asked the Collectors for suggestions. In regard to Banganapalle and Sandur, there are no electoral rolls. In Pudukkottai, there are some electoral rolls for the Legislature and the Local Boards. But, according to the report of the Collector and the Assistant Collector, the dates up to which the electoral rolls for the various Local Boards in the State are revised, have not been specified. It appears from the letters of the Assistant Collector and the Inspector of Panchayats of Pudukkottai that the electoral rolls were prepared on different dates with different particulars, and there was no uniformity followed. Therefore, Sir, we wanted to give some sort of representation for these three States on an informal basis.

“Even the Government wanted to avoid as far as possible this nomination. But the people in the States are very anxious and are pressing for representation. I therefore wanted this matter to be settled as early as possible.”

Hon. Member Sri L. N. Gopalaswami said that there were some politics in the Tiruchirappalli District Board and that the Government might enter the same. It is natural that an hon. Member thinks like that. But that is not the way of interpreting the idea of the Government. The Government wanted to give representation to the people in the District Boards and we are not moved by the political currents and counter-currents in the District Boards or anywhere. I can assure the hon. Members that

[Sri K. Chandramouli] [14th February 1951]

it is not the intention of the Government to frustrate the present set-up of District Boards or favour certain people by bringing them into the District Boards and creating troubles. I therefore request the hon. Members not to have any misapprehensions about this legislation. The Government have resorted to this nomination with great reluctance. Some hon. Members are nominated even to this House and they are working here as best as the Members who are elected. I request the hon. Members to support this Bill."

MR. SPEAKER:—"The question is—

'That the Madras Merged Territories (Nomination to District Boards) Bill, 1951, may be taken into consideration at once.'"

The motion was carried.

Clause 1 was put and carried.

Clause 2.

MR. SPEAKER:—"The motion is—

'That clause 2 do stand part of the Bill.'"

SRI R. NATESAN:—"Mr. Speaker, Sir, I move—

'In clause 2 (1) (a), for the words "six members", substitute "eight members".'

Sir, according to the Hon. Minister, Pudukkottai area is entitled to get 11 seats, but the Government are pleased to give only 6 seats. I request the Hon. Minister to increase the number from 'six' to at least 'eight'."

SRI L. N. GOPALASWAMI:—"Mr. Speaker, Sir, I have great pleasure in seconding the amendment of my hon. Friend Sri R. Natesan. If the people of Pudukkottai, according to the statement of the Hon. Minister, deserve eleven seats in proportion to their population, the Hon. Minister should have no objection in accepting the amendment of my hon. Friend and increasing the number to 'eight'."

MR. SPEAKER:—"Amendment moved—

'In clause 2 (1) (a), for the words "six members", substitute "eight members".'

\* THE HON. SRI K. CHANDRAMOULI:—"Sir, I have already explained how the proportion has been arrived at. If at all we accept any increase, it will be 'eleven'. But we have reduced the number in order not to make the existing District Board unwieldy and I request the hon. Member to withdraw his amendment."

SRI R. NATESAN:—"Sir, in view of what the Hon. Minister said, I beg leave of the House to withdraw my amendment."

The amendment was, by leave, withdrawn.

[14th February 1951]

SRI P. VENKATASUBBIAH:—"Mr. Speaker, Sir, after hearing the explanation of the Hon. Minister, I do not want to move the amendment standing in my name, and I welcome the Bill."

SRI R. V. SWAMINATHAN:—"Sir, with regard to the number of seats, I am not able to understand the argument advanced by the Hon. Minister. He said that Pudukkottai got eleven seats according to its population but he reduced it to 'six' because the Government did not want the District Board to become unwieldy. The people of Pudukkottai are not concerned with any party in the District Board and they only want adequate representation according to their population. Because it affects this party or that party in the District Board, are the people of Pudukkottai to suffer? I think, Sir, there is no reason for reducing the number."

"Then, Sir, the Hon. Minister said that the electoral rolls were not up-to-date. Electoral rolls have been prepared by the State just before the merger on the basis of adult franchise and they are ready now and I do not know why elections could not be held. Anyway I hope that the Hon. Minister will give fair representation to all in the nominations."

SRI A. KAMESWARA RAO:—"Mr. Speaker, Sir, I cannot understand the argument of the Hon. Minister when he says that the strength of the District Board will become unwieldy if 11 members are nominated. Sir, even the strength of this House is going to be increased to 375 and what is the harm in increasing the strength of the District Board by 11? If the Government want to give representation to the people of Pudukkottai, they must give it in full measure."

SRI P. KAKKAN:—"கனம் சபாநாயகர் அவர்களே, மதிப்புக் குறிய கனம் சுவாமிநாதன் அவர்கள் கேட்டுக்கொண்டபடி கனம் ஸ்தல ஸ்தாபன மந்திரி அவர்கள் இம்மசோதாவை பரிசீலனை செய்வார் களென்று நினைக்கிறேன். ஏனென்றால் பாதி பாதியாக போட்டுக் கொள்வது என்று சொன்னால் ஏதோ தயவு தாட்சண்யமாக கொடுக்கிற மாதிரியாக இருக்கிறது. தயவு தாட்சண்யம் காட்டவேண்டியதே இல்லை. உண்மையாக எதைக் கொடுக்கவேண்டுமோ அதைத்தான் கொடுக்கவேண்டும். இப்பொழுதில்லாவிட்டாலும் பிற்புட்டாகிலும் ஒரு amendment-ஐக் கொண்டுவந்து புதுக்கோட்டை சம்பந்தப்பட்டபட்டில் இன்னும் கூட ஒன்றிரண்டு பேர்களை சேர்த்துக்கொள்ளவேண்டுமென்று கனம் மந்திரி அவர்களைக் கேட்டுக்கொள்கிறேன்."

JANAB N. MUHAMMAD ANWAR:—"Mr. Speaker, Sir, I see something very fishy in this. The Hon. Minister is going to have nominations in a fashion that may upset the scheme of things in the District Board. If the Government are really honest in their intentions, I would only appeal in the interests of fair-play and justice that such nominations must be made with the active consent of the President of the District Board who now enjoys a virtual majority. Otherwise, the Government will be taking to itself the right, by this legislation, to reduce the majority into a minority."

756 THE MADRAS MERGED TERRITORIES (NOMINATION TO  
DISTRICT BOARDS) BILL, 1951 (L.A. BILL NO. 1 OF 1951)

[14th February 1951]

\* THE HON. SRI K. CHANDRAMOULI :—" Sir, my hon. Friend Sri Swaminathan has not understood correctly what I said. The maximum strength of each District Board has been fixed. The strength of the Tiruchirappalli District Board is 52. This is only a special legislation brought forward for a temporary addition and also for a specific purpose for a short period. When we make temporary additions, we must see that the minimum number is added and not the maximum.

" Regarding the internal affairs of the District Board, we have nothing to do. When we nominate members, we nominate only people of the locality. And when once they are nominated they are independent and they can vote according to their will. We cannot compel them because we have nominated them. That was the idea, Sir, in resorting to nomination."

12-30 p.m. MR. SPEAKER :—" The question is—

' That clause 2 do stand part of the Bill.' "

The motion was carried.

The Preamble was put and carried.

THE HON. SRI K. CHANDRAMOULI :—" Sir, I now move—

' That the Bill be passed into law.' "

The motion was put and carried and the Bill was passed into law.

(2) THE MADRAS PROHIBITION (AMENDMENT) BILL, 1951  
(L.A. BILL NO. 2 OF 1951).

THE HON. SRI N. SANJEEVA REDDI :—" Sir, I beg to introduce the Madras Prohibition (Amendment) Bill, 1951 and move—

' That the Bill be taken into consideration at once.'

" Sir, this is a very small Bill. As we worked the Prohibition Act, some difficulties were brought to our notice, and we have tried to bring forward amendments to the Act, in order to put the provisions in order. The Hon. Mr. Sitarama Reddi brought to notice one difficulty, i.e., that the prohibition officers had no authority, as the Act stands at present, to arrest people who are found drunk. I give credit to Mr. Viswanatham also for having pointed it out later; he wrote to me about it, but it was first brought to notice by Mr. Sitarama Reddi as I said. There were also some other difficulties noticed, such as that the prohibition officers were not in a position to go and arrest without warrant any person found committing an offence. It is with a view to remedy such defects and to give power to prohibition officers to arrest people who are either drunk or who are doing things in a secret manner that we have brought forward this Amending Bill. It is a simple Bill, and I do not think it is necessary to

14th February 1951] [Sri N. Sanjeeva Reddi]

explain now the whole prohibition policy in regard to this Bill, or the working of prohibition itself. I hope, Sir, that Members will give their immediate consent to the Bill and pass it."

MR. SPEAKER :—" Motion moved—

' That the Madras Prohibition (Amendment) Bill, 1951, be taken into consideration at once.' "

SRI P. NATESAN :—" Sir, the Hon. Minister has already told me that I can speak as I please, so that the protest I now make is only formal. But I must oppose the Bill with all the vehemence that I can command. The Prohibition Act has been there for some years, and the Act has covered all sorts of offences so far as prohibition is concerned. Ever since this Act was passed, the Hon. Minister for Prohibition has been bringing in some amending Bill or other at every session. This only shows that the country is not behind prohibition and that prohibition offences are on the increase, as you can see from the Madras Information published by the Government of Madras and also from various speeches made by hon. Members of the Congress party here, particularly by Mr. Koti Reddi who one day stated that this was a cottage industry in Cuddapah district. One Mr. Timma Reddi, who I think, is an ex-Vice-President of the Congress committee there, has been going about saying that this prohibition has been an absolute failure. And yet we find that the Government of the day think that this Act has got the backing of the people."

SRI T. VISWANATHAM :—" May I correct the hon. Member ? "

SRI P. NATESAN :—" I do not want to be corrected, Sir. What I am saying is the honest truth, according to what we find in the Congress papers. Illicit distillation has now become a cottage industry, and nobody can deny that; and it is a pity that these distillers do not come to the Government for subsidies under the Madras State Aid to Industries Act. I repeat, Sir, that this Act covers almost all the offences. The Hon. Minister is bringing under the scope of the Act offences under section 4-A and section 5 also. I consider, Sir, this will be curtailing the civil liberties of individuals. For instance, a police constable can, in order to enter into a house, say that he suspects that something is going on there, that illicit distillation is going on. Where is the remedy for this, I ask? Even into respectable houses, anybody can enter; any day I may be told: ' Look here, Mr. Natesan, I suspect there is illicit distillation going on here ' and one may enter my house; and not only I but my family also may be harassed in this manner. This, I submit, is a very great curtailment of civil liberty. If the police are to have the power, it will make them become a little bit more liberal in the matter of walking into houses. Only yesterday I found in the papers that in some place where the police wanted to find out if there was illicit distillation, there was murder. Some people are trying now to take the law into their own hands, although there are the Penal

[Sri P. Natesan] [14th February 1951]

Code and the Prohibition Act. That only shows that the people are not reacting favourably to your prohibition policy. I have always maintained, Sir, that while prohibition by itself is good, it should not be enforced in the form of a law. There should not be any harassment of the people; if you want people not to get intoxicated, you go about lecturing; there are Congress organizations everywhere, even in the villages. What are they doing? If by education you are not going to bring round a man, do you mean to say that an Act is going to do any good? Already we have heard that illicit distillation is on the increase. So, I say that passing an Act will not make prohibition a success. I am certain that all hon. Members of this House including the Government Members are sure by now that prohibition has been a failure in our State; but they are not saying it out because of the next elections. If probably it is now definitely stated that there is to be no election in the near future, they may modify their statements and they may not even bring forward this amending Bill. There is no doubt in the mind of anybody or in the mind of the public that this prohibition has become a failure. Nobody denies that drinking is bad, but people ought to be weeded out of drinking habits by education. The Act as it stands and the amending Bill as it now comes, will only curtail the liberty of individuals. To that extent, the Ministers can as well bring forward amending Bills to any other Act restricting the liberty of individuals; and after all there are the legal advisers who can try to help in bringing forward any kind of legislation. Sir, I do not at all agree with this amending Bill and I protest against it very strongly."

SRI N. ANNAMALAI PILLAI :—" கனம் தலைவர் அவர்களே, கனம் மதுவிலக்கு மந்திரி அவர்கள் கொண்டு வந்திருக்கும் இந்த மதுவிலக்குச் சட்டத் திருத்த மசோதாவை ஆதரித்து சில வார்த்தைகளை நான் சொல்லப் பிரியப்படுகிறேன்.

"அநேக வருஷங்களாக அடிமைப்பட்டிருந்த இந்த தேசம் சுதந்திரம் அடைந்து மூன்று வருஷங்கள் ஆகின்றன. இருநூறு வருஷங்களாக இராஜ்ய பரத்தை நடத்தி வந்த ஆங்கிலேயர் ஆட்சியில் கள்ளுக்கடை வைத்திருந்தார்கள். அந்தக் கள்ளுக்கடைகளை வைத்திருந்த காலத்தில் வருஷத்திற்கு எத்தனை கொலைகள் நடந்ததென்றும், இப்பொழுது குடியை எடுத்துவிட்டதனால் எவ்வளவு கொலைகள் நடந்திருக்கிறதென்றும் ஒப்பிட்டுப் பார்த்தால் ஸ்ரீமான் நடேச முதலியார் அவர்கள் இப்படிப் பேசியிருக்கமாட்டார்கள். இது ரொம்ப வெட்ககரமாயிருக்கிறது. பஞ்சத்திலே மக்கள் பரதவித்துக் கொண்டிருக்கிற போது அவர்களுக்குப் பிராணப் பிச்சை கொடுத்துக் கொண்டிருக்கிறது இந்த மதுவிலக்குச் சட்டம். இந்த மது விலக்குச் சட்டத்தினால் ஜனங்கள் அடைந்து இருக்கும் நன்மைகளை அவர்கள் அடையவொட்டாமல் செய்வது முதலாளிகள் வேலை. முதலாளிகள் ஜனரூப இருந்துகொண்டு எப்பொழுது மதுவிலக்குச் சட்டம் ஒழியும், எப்பொழுது தாங்கள் கொள்ளை லாபம் அடிக்கலாம் என்று கார்த்திக் கொண்டிருக்கிறார்கள். ஏழை மக்களை மறுபடியும் குடிக்க வைத்து பாழ் படுத்தவேண்டுமென்றும் அவர்கள் எண்ணிக் கொண்டு இருக்கிறார்கள். இப்பொழுது எதிர்ப்பில் இருக்கும் கனம் மெம்பர்கள் இந்த சட்ட சபையில் இருக்கிறவர்கள் இதை நன்றாக யோசித்துப் பார்க்கவேண்டும். கள்ளுக்கடை மறுபடியும் வைக்கவேண்டுமென்று பல தடவைகளில் இச் சட்ட சபையில் சொல்லப்பட்டு வருகின்றது. விவரப் பரிசீலனையை கங்காணிகள் பல பேர் இதைக் கொண்டு வர வேண்டுமென்று சொல்லுகிறார்கள்."

14th February 1951]

MR. SPEAKER :—" ஸ்ரீ நடேச முதலியார் அவ்வாறு சொல்லவில்லை."

SRI N. ANNAMALAI PILLAI :—" மறுபடியும் கள்ளுக்கடை வைத்தாக வேண்டுமென்று சொல்லுகிறார்கள். Criminal சட்டம் ஏற்பட்டு அநேக வருஷங்கள் ஆன பிறகும் திருட்டு இன்னும் குறையவில்லை. சட்டம் செய்து மூன்று வருஷங்களுக்குள்ளாக எங்கு பார்த்தாலும் கள்ளுக்கடைகள், சாராயம் காய்ச்சுகிறார்கள் என்றெல்லாம் சிலர் பேசி, ஜனங்களைத் தப்பான வழியிலே கொண்டு போய் விட்டுவிடக் கூடாது. ஜனங்கள் இன்று சுபிட்சமாக வாழ்வதற்கு—இந்தப் பஞ்சகாலத்தில் வாழ்வதற்கு—இந்த மதுவிலக்குச் சட்டம்தான் ஜீவாதாரமாகவும் அமிர்தமாகவும் இருந்து வருகிறது. இதனால் ஜனங்கள் உயிர் வாழ்கிறார்கள். ஏழைகளை வஞ்சித்துப் படு குழியில் தள்ளும் படியாக ஸ்ரீ நடேச முதலியார் அவர்களுடைய இந்தப் பேச்சு இருக்கிறது. அதைக் கேட்டு இங்கிருக்கும் மெம்பர்கள் யாரும் ஏமாந்து போகமாட்டார்கள் என்று நம்புகிறேன். ஆனால், கனம் மந்திரி அவர்கள் இப்பொழுது கொண்டு வந்திருக்கும் மதுவிலக்குச் சட்டத் திருத்த மசோதாவை இப்பொழுது மாத்திரமல்ல; அநேக நாளாகவே கனம் ஸ்ரீ நடேச முதலியார் அவர்கள் எதிர்த்துப் பேசிக்கொண்டு வருகிறார்கள். நாட்டில் மக்கள் அவர் பேசிக் கொண்டு இருப்பதை அறிந்துகொண்டிருக்கிறார்கள். கனம் ஸ்ரீ நடேச முதலியார் அவர்கள் இப்பொழுது பேசியது எவ்வாறு மக்களிடையே பிரதிபலிக்கும் என்பதைத் தெரிவித்துக்கொண்டு கனம் மந்திரி அவர்கள் கொண்டு வந்த இந்தச் சட்டம் ரொம்பவும் அவசியமானதென்றும் ரொம்பவும் அவசரமானதென்றும் தெரிவித்துக் கொள்ளுகிறேன்."

SRI P. NATESAN :—" On a point of personal explanation, Sir. I request I may be allowed to speak in Tamil."

MR. SPEAKER :—" Let the hon. Member speak in Tamil."

SRI P. NATESAN :—" தலைவர் அவர்களே, நான் தமிழிலேயே பேசுகிறேன். கனம் அண்ணாமலை பிள்ளையவர்கள் பேசும்பொழுது வெள்ளைக் காரர்கள் இருக்கும்பொழுது அவர்கள் இந்தக் கள்ளுக்கடைகளை வைத்திருந்தார்களென்று அவர்கள் மேல் குற்றம் சாட்டினார்கள். நான் சொல்லுகிறேன் வெள்ளைக்காரர்கள் வருஷத்திற்கு ஆயிரம் ஆண்டுகளுக்கு முன்னால் இந்த மது விலக்குச் சட்டத்தை எந்த அரசாங்கத்தார், எந்த தமிழ் அரசனால்தான் கொண்டு வரப்பட்டது என்று கேட்கிறேன்."

SRI N. ANNAMALAI PILLAI :—" இந்தக் குடி பஞ்சமா பாதகத்தில் ஒன்று என்று ஏற்கனவே மனுவில் சொல்லப்பட்டு குடியை தள்ளப் பட்டிருக்கிறது."

MR. SPEAKER :—" Order, Order."

SRI P. NATESAN :—" நான் சொன்னதெல்லாம் காங்கிரஸ் காரர்கள் சொன்னதைத்தான் திருப்பிச் சொன்னேன். நானாக ஒன்றும் சொல்லவில்லை. Prohibition சரியாக நடக்கவில்லையென்றும், ஜனங்களை அசுவரஸ்யமா இருக்கிறார்களென்றும் காங்கிரஸ் மெம்பர்கள் தான் சொல்லுகிறார்கள். அதையேதான் நானும் சொல்லுகிறேன். இந்த விஷயத்தைக் குறித்து இந்த சட்ட சபையில் பேசவேண்டாமென்றும் இங்கு சொல்வதில் பிரயோசனமில்லை என்பதையும் காங்கிரஸ் மெம்பர்களுக்குச் சொல்லும்படியாகக் கேட்டுக்கொள்ளுகிறேன்."

JANAB N. MUHAMMAD ANWAR :—" Mr. Speaker, Sir, it is very difficult to convince the hon. Member Mr. Natesan. (Interruption by Sri P. Natesan.) I must repeat that in this entire House, he is in a minority of one on this issue of prohibition. Let everybody in this State know that he has absolutely no support when he speaks on prohibition. Let me

[Janab N. Muhammad Anwar] [14th February 1951]

say, Sir, it is very difficult to convince drunkards. Drunkards have got their own way of arguing. I must say that the Hon. Minister is right in bringing forward this legislation with a view to see that these offences are dealt with severely. When three weeks back I was at Colombo right opposite to the Grand Oriental Hotel, I saw a gentleman, very fashionably dressed, with hands up, being led by the Police. I asked for the reason and they said: 'although we do not have prohibition here, we would not allow anybody to conduct himself rudely in public because of drink.' If that could happen in that little island in spite of the fact that they have no prohibition there, I cannot understand why, when we have adopted prohibition as our programme here, we should not give similar power to the concerned authority to arrest and lead a drunkard to the police station. Mr. Speaker, Sir, if only the hon. Member Mr. Natesan knows the atrocities these drunkards commit to their wives, to their children, to their neighbours and to the village folk, he would not have come forward in the fashion in which he did to-day. What are these civil liberties, what are these individual rights when people have gone drunk, when they have absolutely surrendered their rights to wisdom and perpetrated atrocities in the neighbourhood? Whose liberties are we to protect? Is it the liberties of the drunkard that should be protected or is it of the majority who want protection from the drunkard? I must say, Sir, that we are one with the Government on this issue of prohibition. Come what may; let us see who comes and opposes this policy; we shall give him a lot of blows; let him die on the spot, we do not mind. What I say, Mr. Speaker, is this: that we are behind the Government, with the Government and for the Government on this issue."

JANAB ABDUL HAMEED KHAN:—"Mr. Speaker, Sir, while I am anxious that this Government should do everything to make prohibition a success in this State, I cannot but state on this occasion that the State has not been able so far to make prohibition a success. What is the reason? The State has not converted the drunkard from his bad habits by persuasive methods, by propaganda, by adopting conciliatory methods and tried to reform him. I believe, Sir, that legislation is certainly not the method by which you can improve the morals of men.

12-45 p.m. "It is only persons who believe that drink is wrong, those who are religious and who know what religion means they will be afraid that if they drink they would be committing a sin and acting against the injunctions of God. Either a person should have fear of God or fear of Government, or love of the Government which rules the State. The Government, on their part, should by their own conduct create a sense of satisfaction in the minds of the people. People should not only obey the laws made by the Government but they should also be satisfied with the administration itself. People will follow only those laws which are acceptable to them in their life. I am afraid, in this case, because people do not get enough to eat, they are not in a position to give up drinking toddy, which I understand, is a very nutritious and healthy food

14th February 1951] [Janab Abdul Hameed Khan]

before it gets fermented. So, instead of the Government bringing forward such pieces of penal legislation, they should carry on propaganda among the people and turn those habitual drunkards to become ordinary citizens and give up drinking such intoxicating drinks. I am sure there would be no need for any legislation of this sort. I think the Act as it exists to-day is sufficient for the purpose and if that Act has not succeeded, I do not think this amending Bill also will succeed. What is sought to be done by this amending Bill is to add certain powers to the existing powers, so as to enable a policeman to enter a house when though he suspects that a person who is drunk is inside his own house. I think that is the object of this amending Bill. I am not sure whether it is the intention of the Hon. Minister to empower a police officer to enter a house on the plea that there is somebody in the house who is drunk. I know that in the case of huts—and even in bigger houses—there have been disputes among the brothers or other members of the family and there may be loud shouts in the course of quarrelling. Now, if a policeman happens to pass along and if he suspects that the quarrel among the members of the family is due to drunkenness and enters the house and tries to arrest the persons concerned, I say, Sir, it is certainly interfering with the liberty of the individual. As I said, it all depends upon how the Government create satisfaction among the people and give all the necessities of life to the people and it is only then that Prohibition will become a success. So, Sir, instead of bringing forward legislation like this which curtails the liberty and freedom of the individual, Government should give sufficient food to the people, so that it may give satisfaction and contentment and then they will certainly obey the law as the Government expect them to obey."

SRI A. VEDARATNAM PILLAI:—"கனம் அக்கிராஜாதிபதி அவர்களே, கனம் மதுவிலக்கு மந்திரி அவர்கள் கொண்டுவந்திருக்கும் இந்த திருத்தச் சட்டத்தை நான் முழு மனதுடன் ஆதரிக்கிறேன். இந்த மதுவிலக்கு சட்டத்தை இந்தக் கனம் மதுவிலக்கு மாகாணத்தில் அமுலுக்குக் கொண்டுவருவதற்காக நாம் செய்திருக்கும் தியாகம் எவ்வளவோ உள்ளது. அதனால் நாம் சற்றேறக்குறைய பதினெட்டுக் கோடி ரூபாயை தியாகம் செய்து இந்த சட்டத்தை அமுலுக்குக் கொண்டுவந்திருக்கிறோம். இந்த சட்டம் நன்றாக அமுலுக்குக் கொண்டுவந்து அது சரியாக நடக்கும்படியாகப் பார்க்கவேண்டியது அரசாங்கத்தின் முதல் கடமை. இந்த சட்டம்—இந்த மாகாணத்திற்கு மாதிரிமல்ல—இந்த நாட்டிற்கே ஒரு பெரிய சட்டம். ஆகையினால் இதில் அநேகம் குறைபாடுகளிருக்கலாம். அவைகளை யெல்லாம் கண்டுபிடித்து பல அபிப்பிராயங்களைக்கேட்டு நடவடிக்கைகளில் குறைபாடுகள் ஏற்படுவதை அவ்வப்பொழுது கண்டுபிடித்து அவைகள் இல்லாமல் திருத்தியமைக்க வேண்டியது அரசாங்கத்தின் கடமை. அனுபவத்தில் கண்டுபிடிக்கப்படும் குறைகளை திருத்துவதற்காகத்தான் இந்த சட்டத்தைக் கொண்டுவந்திருக்கிறார்கள். ஆகவே இதை நான் முழு மனதுடன் ஆதரிக்கிறேன். இது ரொம்பவும் அவசியம். இதில் எந்த ஆட்சேபமையும் இருக்கமுடியாது. இந்த சட்டத்தினால் கனம் நடேசன் அவர்களுடைய கஷ்டம் என்னவென்பது நம் எல்லோருக்கும் தெரியும். பழைய சட்ட சபையில் இந்த மது விலக்குச் சட்டம் நிறைவேறிய காலத்தில் இதற்கு ஒத்துப் பாடியவர்கள் இப்பொழுது எந்தக் காரணத்தினாலோ அவர்களுடைய மனம் திரும்பிப்போய் இதை அவர்கள் ஒரே மூச்சாக எதிரிக்கிறார்கள். கனம் அன்வார் சொல்லியதுபோல் இதுமா திரியான ஒரு குரல் கேட்கிறதென்பதில் அதையொட்டி ஒத்து ஊதுபவர் ஒருவருமில்லை. இதை அவர்களும் நன்றாக அறிவார்கள் என்றே நினைக்கிறேன்.



[Sri A. Vedaratnam Pillai] [14th February 1951]

“இன்னும் அவர் சொன்னார், பிரசாரத்திலுமூலம் இந்த மதுவிலக்கு குற்றங்களை நிறுத்திவிடலாம் என்று சொன்னார்கள். அவர் ஒருகாலத்தில் காங்கிரஸிலிருந்து இப்பொழுது மாஜி காங்கிரஸ்காரராயிருக்கிறார். இதன் உண்மை அவருக்கு நன்றாகத் தெரியும். இரண்டாயிரம் ஆண்டுகளுக்கு முன்னால் தமிழ் நாட்டில் ஒரு பெரியவர் அதாவது பொய்யாபொய் புலவர் என்று சொல்லக்கூடியவர் ஒன்று எழுதிவைத்திருக்கிறார்.

“கனித்தானைக் காரணங்  
காட்டுதல் கீழ்நீர்க்  
குனித்தானைத் தீர்த்து இயற்று.”

கள்ளைக் குடித்துவிட்டு மதுபோதையில் இருக்கக்கூடியவனை எவ்விதம் பிரசாரத்தினால் திருத்தியமைக்கமுடியும் என்பதைப் பார்க்கவேண்டும். பஞ்சமா பாதகத்திலிருந்து இருக்கும் ஒருவனை பிரசாரத்தினால் திருத்தியமைப்பது என்பது முடியாது என்று தமிழ்ப்புலவர் சொல்லியிருக்கிறார். போதையிலிருப்பவனை திருத்தவே முடியாது. தண்ணீரில் மூழ்கிக் கொண்டு இருப்பவனை தீவட்டியை வைத்துக்கொண்டு தேடுவது போலிருக்கிறது. ஆகவே பிரசாரத்தினுமூலம் போதையிலிருப்பவனை திருப்பவே முடியாது என்பதை கனம் நேசன் அவர்கள் உணரவேண்டும். அதை சட்டத்தினால் தான் நிறுத்திவிடமுடியும். இப்பொழுது திருட்டுக்குற்றம் செய்க்கூடாது என்று சட்டமிருக்கிறது ஆனால் திருட்டுக்குற்றமும் நாளுக்குநாள் அதிகரித்துக் கொண்டேதான் வருகிறது. எத்தனையோ சட்டங்களிருந்தும், அவைகளுக்கு நூற்றுக்கணக்கான திருத்தங்கள் கொண்டுவந்தும் திருடாமல் யாரும் இருக்கவில்லை. திருப்பித்திருப்பி திருடிக்கொண்டுதானிருக்கிறார்கள். அந்நேரம், பெல்லாரியில் திருட்டுதனமாக சராயம் காய்க்கிறார்கள் என்றால் அதனால் சட்டமே போய்விட்டது என்று சொல்வது தவறு. இந்த சட்டம் எங்கள் தஞ்சை ஜில்லாவிலும், அதைப்போன்று இன்னும் மற்ற ஜில்லாக்களிலும் எவ்வளவோ வெற்றிக்கரமாக நடந்துவருகிறது. அங்கேவந்து பார்த்தால் தெரிய வரும். அங்கே எவ்வளவோ ஏழை குடிகள் நல்ல ஸ்திதிக்குவந்திருக்கிறார்கள். குடியிருக்க லீரம், குடிக்கக் கஞ்சியில்லாமலிருந்தவர்களும் இப்பொழுது எவ்வளவோ செளகரியமாக இருக்கிறார்கள். அவர்கள் ஆடு, மாடு, நிலம், முதலியவைகள் வைத்துக்கொண்டு எவ்வளவோ செளகரியமாக இருக்கிறார்கள். அங்கே கொஞ்சம் வந்து பார்க்கவேண்டும். ஆகவே இந்த சட்டத்திற்கு அவருடைய ஆட்சேபங்கள் முக்யமானதல்ல. இத்திருத்த சட்டம் ரொம்பவும் அவசியம். இன்னும் இதுபோன்று அவசியமான திருத்தங்களை எதிர்பார்க்கிறோம். நாம் பதினெட்டுக்கோடி ரூபாயை தியாகம் செய்கிறதால்தான் மறுபடியும் இந்த சட்டம் சரிவர நிறைவேற்றப்பட வேண்டுமென்பதற்கு இந்தத் திருத்தத்தைக் கொண்டுவருவது ஒரு குறையாகாது. ஆகவே இந்தத் திருத்தத்தை நான் முழுமனதுடன் ஆதரிக்கிறேன்.”

THE HON. SRI N. SANJEEVA REDDI:—“Mr. Speaker, Sir, hon. Members like Mr. Anwar, Mr. Vedaratnam Pillai and others have effectively replied to the arguments of hon. Member Mr. Natesan. Whatever arguments might have been put forward, I do not think, he will be convinced. It is impossible to convince Mr. Natesan who refuses to be convinced even by our arguments. (Sri P. Natesan: What about Civil Liberties?) Sir, the hon. Member is speaking of Civil Liberties and it has been spoken of by very many hon. Members. As pointed out by Mr. Anwar, if a drunkard beats his wife and starves his children, is that to be tolerated by any State? So, Sir, it is in the interests of the family, apart from the interests of the nation, that it should be prevented. Apart from that, Sir, hon. Member Mr. Natesan quoted persons like hon. Members Mr. Koti Reddi and Mr. Timma Reddi, an ex-Vice-President of the Andhra Provincial Congress Committee. Hon. Member Mr. Koti Reddi, my predecessor in office, was really sorry that there were some defects here and there and he was kind

[14th February 1951] [Sri N. Sanjeeva Reddi]

enough to give me some suggestions about the good working of Prohibition. But, there are some Congressmen who are opposed to it because of personalities and for various personal reasons they are opposed to the present Government as it is constituted. It may be out of spite that they are trying to oppose the Prohibition policy of the Government and they are trying to condemn the methods of enforcing Prohibition. So, I do not see why hon. Member Mr. Natesan should have taken them as his example. Why not he quote bigger and greater persons like Sri Tandon and others who have been congratulating the Government? Hon. Member Mr. Natesan is also a representative of the people and a Member of this Assembly and as such he should try and give constructive suggestions to the Government, but he has never done so in the course of the last five years. On the other hand, he has been only criticizing, whatever may be the nature of the amendments that are brought forward by the Government. I hope at least next time he will have some useful suggestions to make and will place them before the Government and the House, so that we will be able to take those suggestions and carry them out for effective enforcement of Prohibition. Destructive criticism will neither help him nor the country. I therefore request my hon. Friend to give useful suggestions next time and I will gladly accept them and see that Prohibition is enforced much better.

“Now, Sir, in regard to the other point raised by Mr. Hameed Khan that the food value of the sweet juice is lost, I may tell him that it is not so. Evidently the hon. Member does not know that people are taking a lot of jaggery out of it. In places where there are a number of palm trees and coconut trees, there are thousands of co-operative societies for jaggery doing pretty good work. I understand that jaggery worth more than 40 lakhs of rupees is being taken out of the sweet juice. So, it is not necessary that the sweet juice should be drunk as toddy or sweet juice. Of course, in some districts, people do not convert the sweet juice into jaggery, because they are not accustomed to it and so they misuse the privilege. Therefore, we have cancelled the licence, but in a majority of the districts where this is done, it is working very effectively. So, Sir, we are not losing the food content of the sweet juice.

“Then, Sir, in regard to the amending Bill itself, it is not a new power that we are seeking to take under the Bill. The police have already got the power to arrest people and take them to a court of law and get them punished for the offences; whereas the Prohibition Officer has not got specific powers under the Act to enter a house and arrest a person and get him convicted, though in many cases they have been managing to get through cases. But, in cases where the Magistrate specially wants the Prohibition Officer to point out the particular section of the Act under which such arrests are made, they are not able to do so as the Act exists at present. So, in order to remedy this minor defect, the Government have brought forward this amending Bill. It is not with a view to harass people that this has been brought forward, but only



[14th February 1951]

to help the enforcement of Prohibition a little more effectively, so that the Prohibition Officers may also have the authority to arrest and get the offenders convicted by magistrates.

"Again, Sir, there are a good number of suggestions which the Government are examining and for better enforcement of Prohibition we may have to bring forward amendments as and when necessary. In fact, it is only by practical working, we know which sections of the Act are defective and need amendment. So, it may perhaps be necessary to bring forward a number of amendments at a later stage when the Assembly is in session. So, Mr. Natesan need not feel sorry that the Government are bringing forward one amendment every time the Assembly sits. I may inform the hon. Member that it is only as a result of experience gained that the Government can amend the Act and make it more effective. I thank the House for their support to the Bill."

MR. SPEAKER:—"The question is—

'That the Madras Prohibition (Amendment) Bill, 1951, be taken into consideration at once.'

The motion was carried.

Clauses 1 and 2 and the Preamble were put and carried.

1 p.m.

THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, I move—

*'That the Madras Prohibition (Amendment) Bill, 1951, be passed into law.'*

MR. SPEAKER:—"Motion moved—

'That the Madras Prohibition (Amendment) Bill, 1951, be passed into law.'

SRI B. ANANTACHAR:—"Mr. Speaker, Sir, let me at the outset tell the House that we have misunderstood the hon. Gentleman Mr. Natesan; his main object is that, when an Act is passed, all the provisions of it must be carried out but without infringing civil rights, fundamental rights of citizens. Sometimes, we do not emphasise the proper words. Probably we are confusing between rights, civil rights and fundamental rights.

"Here, Sir, this is really a very good measure. I have appeared in some of these cases much against my will and for other reasons and I have been forced to defend these people and my main object has been to see that the defects in investigation and the demerits in the prosecution are later on corrected and a good case made out against real offenders; it is with that object that I have been trying to advocate some of these cases.

"There is a sort of inequality between the Prohibition Sub-Inspector and the Police Sub-Inspector. The people have begun to know the Police and they have become a part and parcel of our society; the Policeman is there in his turban and dress in every corner of the village; he is in the brain and heart of the individual and one cannot forget him. But with regard to the Prohibition Guards, they are people upon whom khaki has been imposed and

14th February 1951] [Sri B. Anantachar]

the people could not make out much distinction between one and the other with the result that in some of the districts, the Prohibition men have been man-handled, man-handled even by women (laughter) and that is the worst of it and those people had to flee and seek refuge somewhere and do so many things in order to escape. So, under such circumstances, it is but natural that such inequality should be removed immediately. That is why the Hon. the Minister thought that this was a good remedy and their status should be equalized and they should be armed with equal powers. If the Policeman has not done wrong and even if he has, if it is such an offence that it has not been brought to the notice of the Government and the Policeman has been working the provisions of the Act effectively, why not give the same status and powers to the Prohibition people?

"There is one small snag and that is the appointment of honorary officers who will be authorized by the Government for this purpose. I do certainly emphasize that before authorization is given to non-officials, their experience, their status and their qualifications should be seriously taken into consideration by the Government, so that there may be no scope for anybody to complain that civil liberties even to the slightest extent have been invaded. I once again congratulate the Hon. Minister on the measure and I hope there will be full-fledged and complete Prohibition with all the defects and demerits rooted out."

THE HON. SRI N. SANJEEVA REDDI:—"Mr. Speaker, Sir, I am not sure if my hon. Friend Sri Anantachar supported me or the hon. Member Sri Natesan. Though he did support both of us, he supported the policy no doubt and I am thankful for it. He also suggested that the Government must be very careful in giving powers to non-officials and I shall certainly take his suggestion and see that powers are not unnecessarily given to people. I thank the House for the support it has given to the measure."

MR. SPEAKER:—"The question is—

'That the Madras Prohibition (Amendment) Bill, 1951, be passed into law.'

The motion was carried and the Bill was passed into law.

(3) THE MADRAS GENERAL SALES TAX (AMENDMENT) BILL, 1950  
(L.A. BILL NO. 39 OF 1950)

THE HON. SRI B. GOPALA REDDI:—"Mr. Speaker, Sir, I present the Report \* of the Select Committee on the Madras General Sales Tax (Amendment) Bill, 1950, and move—

*'That the Bill as amended by the Select Committee be taken into consideration.'*

The House approved the main principles of the Bill, namely the setting up of a Tribunal and the matter was referred to a Select Committee. The Select Committee sat for two days and worked

[Sri B. Gopala Reddi] [14th February 1951]

out certain details and they enlarged the scope of the Bill and gave specified powers to the Tribunal and also the High Court. I have nothing more to say in the form of a speech. I move that the Report of the Select Committee be taken into consideration.

MR. SPEAKER:—“ Motion moved—

That the Madras General Sales Tax (Amendment) Bill, 1950 as amended by the Select Committee be taken into consideration.”

JANAB M. S. ABDUL MAJID:—“ Mr. Speaker, Sir, let me at the outset congratulate the Hon. Minister on implementing a suggestion, which originally emanated from my Benches, namely, the constitution of a Sales Tax Tribunal. It is to be constituted with a view to mitigate the suffering and harassment of Sales Tax assessees. With regard to the constitution of the Tribunal, I tried to point out a defect, namely, that three Members will constitute the Tribunal and one of them happens to be a Member drafted from the Department. When cases come before the Tribunal, the parties will be the assessee on the one hand and the department on the other. Therefore, what is the necessity to have a departmental man on the Tribunal who, I take it, happens to be a party to the case? The Hon. Minister who happened to be the Chairman of the Select Committee had his own arguments and now the Bill has come before the House for its approval.

“ If I may be permitted to go to another point, I wish to say, Sir, that the Hon. Minister seems to have misunderstood some of the points that we were trying to press upon him in connection with the reduction of the sales tax on hand-loom cloth. What I wanted was the complete abolition.

THE HON. SRI B. GOPALA REDDI:—“ Mr. Speaker, I think the hon. Member is not right in referring to anything about hand-loom cloth just now. I suggest to him, that he can wait for the Budget discussion and he can say what he wants then.”

JANAB M. S. ABDUL MAJID:—“ I shall refer to this matter during the Budget discussions.

“ I am happy, Sir, that the Sales Tax Tribunal will be constituted as early as possible. After suggestions in that direction had been made in this House it has taken four or five years for them to take shape and now that the Bill has come and is going to become law, I hope, in the wake of it, will come the Tribunal which will go to relieve the suffering and hardships of the sales tax assessees.

\*BEGUM SULTAN MIR AMIRUDDIN:—“ Mr. Speaker, Sir, I wholeheartedly congratulate the Hon. Minister on accepting the demands of this House and particularly of our Benches for constituting the Sales Tax Tribunal and not taking some time over it as they are taking over the question of the Income-tax Tribunal. But I do not know why the Government are having a Member of the Commercial Taxes Department on the Tribunal. This will be a

[14th February 1951] [Begum Sultan Mir Amiruddin]

judicial tribunal and hence independent people who have had nothing to do with such matters ought to be chosen to be Members and I can see no reason why a member of the executive is going to sit on the tribunal, which is a Judicial Tribunal. The Hon. Minister may say that a Member of the Department would be needed to explain matters, but would there not be lawyers on behalf of the assessees and also the Government to explain things to the Members of the Tribunal? This is what they do in the Income-tax Tribunals and so, what is the necessity for a Member of the Commercial Taxes Department to be on the Tribunal? There are lawyers who argue cases of a very complicated nature in the High Court and I feel, Sir, there seems to be no necessity for a Member of the Department to be on the Tribunal. It is where I do not agree with the Government in regard to the constitution of the Tribunal.

“ I am glad, Sir, that some useful changes have been made by the Select Committee, for instance, a time limit has been imposed regarding the issue of *suo motu* orders by the Board of Revenue and discretion has been given to the Tribunal not to ask the assessee to pay in full but in instalments. I feel that these are very useful changes. But about the question of costs, it is said that no costs will be awarded. I do not know the reason. Is it because the Government would be a party there and in some cases the cost will be mulcted on the Government? I feel that it is necessary to give full discretion to the Tribunal in the matter of costs to enable them to award costs to parties. With these words, Sir, I have great pleasure in supporting the Bill.”

JANAB M. MUHAMMAD ISMAIL:—“ Mr. Speaker, Sir, I want to join my other Friends in congratulating the Government on bringing forward this measure for the constitution of an appellate Tribunal in matters concerning Sales Tax. The measure is pretty long overdue and we are glad that it has been brought at least now.

“ In the constitution of the Tribunal, the Government have got powers to make rules and enforce the Bill and I hope they will do it in such a way that it will give satisfaction to all the parties concerned.

“ I wish to refer to another matter and I am sure the Leader of the House will not ask me to refer to it at a later stage, namely, during the discussion of the Budget. I want to remind him of a definite promise he made on the floor of the House on that matter in August last. Then I referred to the claim of poor people dealing in perishables like meat and vegetables for relief and he even stood up in the middle of my speech and said that he was going to bring forward an amending legislation in November. But things have happened which did not enable him to bring such a measure in November and I was under the impression that at the very first opportunity when he brought forward such a measure he would include provisions for the relief of those people. I have been pleading for years that relief should be given to them and I

[Janab M. Muhammad Ismail] [14th February 1951]

would very much have appreciated it if he had implemented that promise even now by adding some more clauses to it and thus given effect to a very very kind and considerate promise he made on the floor of the House. I do not know how he is going to do it during the Budget session, but I hope that at the very earliest opportunity, he will implement his promise to the House in that respect.

1-15 p.m. JANAB ABDUL HAMEED KHAN:—“Mr. Speaker, Sir, I am glad the Bill as it has emerged from the Select Committee meets with the allround approval of the House. Of course, it was due to the spirit of give and take that prevailed in the Select Committee, and particularly in view of the accommodative spirit evinced by the Hon. Minister for Finance in the course of deliberations of the Select Committee that this result was obtained.

“Sir, there are two observations which I have to make with regard to this Bill. One of them is with regard to the inclusion in the Board of Tribunal, as has been pointed out by some of the previous speakers, of a non-official, to the extent to which, he might help the tribunal with the procedure and activities of the sales tax department. There is no denying the fact, that, his experience of that department will certainly be useful and helpful to the tribunal. But at the same time, inasmuch as the very object of setting up the tribunal is that it should be cent per cent an independent judicial body, we oppose the inclusion of officials in the tribunal. It is not as if we have no confidence in Government officials; we have confidence in Government officials; we expect them to do justice where justice is needed; but because we do not expect them to have a judicial outlook, we do not want a departmental officer on the tribunal. Sir, it is always safe to see that the tribunal is cent per cent independent of the Government. It is with that aim that this very Government has been pursuing the policy of separating the Judiciary from the Executive. It is that spirit and principle that is also followed in constituting this tribunal. Of course, the Hon. Minister may have his own explanation as to why one of the members of the tribunal should be drafted from the services and to the extent to which the tribunal should be independent.

“Another point that I would like to emphasise on this Bill is this: not only should this body be completely judicial and completely independent, but the status of the members and the chairman should be of a very high order, higher than that of an ordinary member of the services. They should be paid a higher salary than that which the highest officer in the Government department is drawing. I therefore think the chairman of the tribunal should occupy the status of a High Court Judge. He should be paid as much as Rs. 8,500 or Rs. 8,000 at least, and the members may be paid Rs. 1,500 or Rs. 1,000 at least. I do not know whether Government will agree to this. Perhaps they may give the chairman a salary which a District Judge is expected to get before he retires. Now that the salary has been retrenched, when we

[14th February 1951] [Janab Abdul Hameed Khan]

constitute a judicial body like the tribunal, we should see that the members of the tribunal are kept above board; and that is why I would suggest a salary of Rs. 4,000, a salary that does not obtain to an officer in the services, so that like the Judges of the High Court they may be above suspicion. Sir, status goes with the salary drawn, to a certain extent, though of course, it is not entirely the salary that makes for status. But when we wish to set up an independent judicial tribunal, we should fix the salary of the members of the tribunal at such a high level as to give them respect, position, status and independence. We are now discussing the Bill as it has emerged from the Select Committee. I have not given notice of any amendments. But I make these observations for the consideration of the Hon. Minister for future guidance, so that he may in the light of experience gained in the administration of this tribunal, come forward with an amending Bill in the future.”

SRI D. V. RAMASWAMI:—“Mr. Speaker, Sir, I am very glad to congratulate the Hon. Minister for Finance for bringing into operation the unanimous suggestion of this House. The need for such a tribunal has been suggested for a long time, and so it has come in proper time to satisfy the real requirements of the public. But there is unfortunately a doubt with regard to the need or justification of appointing a departmental official as a member of the tribunal. I feel there is every justification for including such an official because sales tax questions are more technical and highly difficult for ordinary persons with judicial experience to decide. They are not like ordinary questions of rights *inter partes*. I therefore feel in deciding such questions the experience of seniormost officers like the Deputy Commissioner of Commercial Taxes, or a Member of the Board of Revenue will be absolutely essential to make the tribunal a success. Secondly, even from the point of view of analogy, we find in the High Court, in Full Bench Cases, when a Full Bench is constituted, one of the judges who form that bench is the judge who heard the full case before in a Division Bench. So also, in forming this sales tax tribunal, there is nothing wrong in having an officer of the department on it. That will only add to the efficient and complete consideration of the questions referred to that tribunal. Therefore, Sir, the present arrangement is extremely necessary and I support the Bill.”

JANAB MUHAMMAD RAZA KHAN:—“Mr. Speaker, Sir, I have not much to say except that I feel happy that the hon. Gentleman, the Finance Minister is very very lucky, that whenever he sponsors a Bill coming from the Select Committee, members of the party in power and members in the Opposition are vying with each other in congratulating him. It is a really a good thing. Of course some members differ with regard to the appointment of a particular member; but some others say, perforce he should be from the department; and of course the Hon. Minister will reply to that point. But the point I wish to bring before the

[Janab Muhammad Raza Khan] [14th February 1951]

House is, the Hon. Minister has agreed to frame rules, and when they are framed they will be submitted to this House for approval; and we welcome it; for we are given an opportunity to improve them where we feel such an action is necessary.

"Then, Sir, with regard to the third member of the tribunal, of course, it is clear the intention of the Minister is to have a departmental officer. I have no objection to having such a member on the tribunal. But he should be one who has only two or three years of service before him to retire so that he may not look for future promotions from such a position. If that is done, the Government bias will be absent in him and he would be able to bring an impartial mind to bear upon questions. It is really very creditable that the Hon. Finance Minister has been very very accommodating in all the discussions that took place in the Select Committee.

"Now, Sir, there is one other thing, to which I have to draw attention, on account of the fact that it has been given wide publicity and glaring headlines in the Press. I refer to the statement which the Hon. Finance Minister made while presiding over the National Savings Certificate Week. Though this has nothing to do with sales tax, he made the statement that if the merchants did not contribute to the National Savings Certificate, he, as Finance Minister of this State will assume powers to ask them to pay money under sales tax in advance. (Laughter.) I do not know whether it was the policy of the Government he was announcing there, or he made it in the usual buoyancy of spirit, as is usual with Ministers (laughter) whenever they are in the midst of distinguished persons at meetings. (Laughter.) On this occasion, perhaps as he was in the midst of distinguished administrators like Sir C. P. Ramaswami Ayyar and leading cinema figures like N. S. Krishnan and Thyagaraja Bhagavathar he thought fit to say like that. I do not know in what spirit or feeling he made that statement. All the same what he said has caught the eye of the public as it was prominently displayed in glaring headlines in the Press. (Laughter.) Sir, I have never heard any Finance Minister of any other State in India declare like this, I am not sure whether he really meant it; perhaps he only said it in a light-hearted manner. All the same it has really agitated the public mind, and the public want to know whether he is really serious about it."

SRI V. M. RAMASWAMI MUDALIYAR:—"Mr. Speaker, Sir, I am very glad the Hon. Finance Minister has been able to bring a Bill for the setting up of an appellate sales tax tribunal in this session. Those of us who have been practising before the Commercial Tax Officers, welcome this measure. We have been as a matter of fact pressing upon the Hon. Minister the need for such an independent tribunal. Sir, one or two points have been made by some members from the opposite side. The hon. Lady Member asked why no provision has been made for costs in the cases heard by the tribunal. I may at once state here there is a

[14th February, 1951] [Sri V. M. Ramaswami Mudaliyar]

parallel for this in the Income-tax Tribunal. There also, when a case is decided no costs are awarded. So, it is only proper that here too, no costs should be awarded.

"Sir, I have got one observation to make with regard to the powers of revision conferred on the High Court under section 12-B of this Bill. This clause, I fear, unnecessarily restricts the power of the High Court. For it is stated here that the High Court will revise the orders of the tribunal. We would like to know what such revision is, because the High Court has already inherent powers of revision. The civil revision powers of the High Court are already fairly defined. So there is no need for such a provision in the Bill. Cases may arise where the High Court may have to look collectively and settle points of law and fact. So I hope this provision will not circumscribe the power of the High Court.

"Sir, I wish now to say a word about the salary of the members of the tribunal. Some members said that the salary should be Rs. 4,000. Some members quoted the parallel of the Income-Tax Appellate Tribunal in this regard. I do not think they are paid Rs. 4,000. I think they are paid Rs. 2,500, if I remember right. And it must be noted that that tribunal decides cases involving sums running into crores and crores of rupees. But so far as sales tax is concerned, I do not think the Madras Government is collecting any more than 18 crores of rupees. So I feel the provision of appointing a district judge is quite enough and sufficient safeguard from the point of view of independent decision both on matters of fact as well as of law."

JANAB N. MUHAMMAD ANWAR:—"Mr. Speaker, Sir, just one minute. Who should be the third member? The parties to the dispute are the Sales Tax Department and the assesses. I am an assessee. The Hon. Finance Minister is so careful as to have for the third member an officer of the Sales Tax Department, whether retiring or retired. In fairness and in justice, an assessee must be taken into the tribunal, because assesses are contributing a large amount of revenue. If the Hon. Minister is struggling for an assessee—not that I volunteer myself (laughter)—an assessee's association can be formed and asked to elect a representative. After all, the Government want to protect the interests, the rights, the privileges of the assesses and redress their grievances. It is the assessee that must be guaranteed freedom from harassment. Mr. Speaker, I am voicing forth the opinions of the millions and millions of dumb assesses. I plead with the Government and the powers that be that an assessee, and a first-class assessee at that, must be taken into the tribunal."

The House adjourned for lunch at the stage.

(After lunch—2-30 p.m.)

\* THE HON. SRI B. GOPALA REDDI:—"Sir, as I said, this is a non-contentious Bill and I am glad that the proposal to have a tribunal is welcomed by all sections of the House. I do not think we have delayed the constitution of the tribunal purposely,

[Sri B. Gopala Reddi] [14th February 1951]

though we have had the Sales Tax Act since 1939. Ten years is not very long period in the administration of the Sales Tax Act and I can fairly claim that we have come very early with a proposal for the constitution of a tribunal. I have no doubt that the tribunal will give to the assesses the satisfaction that the Government are dealing with all cases fairly and fully, so that they may not go with the impression that the Government are always in the wrong. That sort of impression or attitude will not do any good to anybody. After all, the assessing authorities also labour under very difficult circumstances. Sometimes they do not get proper accounts. Those who feel that the assessing authorities are always in the wrong are not doing justice either to the Government or to the parties concerned. We want the members of the tribunal to be independent. We have specifically provided that the Chairman shall be a judicial officer. There seems to be a little doubt in the minds of some Members as to whether the departmental man will act independently. Of course there is nothing about this laid down in the Bill and from what I told in the Select Committee, the Members of the Select Committee assume that one of the members will be a departmental man. Even assuming that it is so,—we have not taken a final decision in the matter—I do not think that we are doing anything wrong. One's having been some time ago a Deputy Commissioner of Commercial Taxes or a Commercial Tax Officer should not act as a disqualification for his appointment to the tribunal. What ought to be a qualification should not be regarded as a disqualification. After all, all the three members will be appointed by the Government. Hon. Members need not feel that simply because they are appointed by the Government, they will always be deciding in favour of the Government. That is not what we intend them to do. To feel that the departmental man will always be looking to the Government for instructions is wrong. We do not want our officers to be so very sub-servient. They must take an independent view when they are expected to do so. Direct recruits to the posts of District Judges are appointed by the Government. That does not mean that they do not dispense justice. Once they are elevated to that high position, they do acquire the habit of looking at things impartially and in a judicial manner. I am sure they render justice to all parties concerned. The departmental man will be in a better position to appreciate whether the correct procedure has been followed by the officer or whether he has made the assessment in a perfunctory manner. All the details can be better understood and appreciated by a departmental man than by an accounts officer or a judicial officer. Therefore there is nothing wrong in having a departmental man on the tribunal. Even with regard to the Central Income-tax Tribunal, the Chairman Mr. Shah is an I.C.S. Officer, a revenue officer who later on went to the judiciary. In the Madras Tribunal, there are two officers. The Chairman Mr. Choudary was a departmental man. He was an income-tax officer in my place (Nellore). I do not think that any body has ever complained that, because he was a departmental man, he is always deciding in

14th February 1951] [Sri B. Gopala Reddi]

favour of the Government. I do not think the apprehension that a departmental man will always toe the line of the Government need be entertained very seriously.

"Hon. Gentleman, Mr. Abdul Hameed Khan feels very strongly that the Chairman should be of the cadre of a High Court Judge and that the salary of the Chairman and the members must be very high so that they may be above board. It is an indirect aspersion on the other officers that, simply because they are not receiving a high salary of Rs. 3,000 or so, they are not above board. There are District Munsifs who are started on Rs. 300. They deal with difficult cases and cases in which large properties are involved. Likewise, our Sub-Judges have vast jurisdiction and they go only up to Rs. 700. Nobody has said that because their salary is Rs. 600 or Rs. 700, they have been found wanting in doing justice. So, salary is not the sole criterion. It is the man that matters and it is the way in which he looks at things that is all important. Here again, we have not taken any final decision. I said that the Chairman might be given Rs. 1,500 to Rs. 1,800 and the Members, Rs. 1,200 to Rs. 1,500. For the present, I think these scales will suffice. I do not know whether there will be full-time work for the tribunal. I do not know the number and nature of the appeals that will come up before it. It may be that the members may not have enough work if they go about their work in an expeditious manner. All these things have to be reviewed after some time and necessary action taken. If the scales are high to start with, we cannot reduce them easily. But if we start with lower scales, we can enhance them if the situation demands. Therefore there is not much force in this point.

"I gave the assurance in the Select Committee that once an officer of the Department was appointed as a member of the tribunal, he would not be reverted to the Department. If he is on the tribunal for three months, then reverted for six months and again put on the tribunal for three months, it will not be fair to him or to the tribunal. We will keep in view or perhaps provide in the rules that an officer once appointed to the tribunal will not be reverted to the Department. I think that is enough guarantee that he will not toe the line of the Government but take an independent view on the tribunal.

"The question of costs was raised. In this matter also, we have copied the Income-tax Tribunal. I have enquired and found that that Tribunal does not award costs. If the matter goes up before the High Court, it is left to the discretion of that Court to award costs or not. If the Sales Tax Appellate Tribunal is empowered to award costs, sometimes it may be embarrassing. In some cases the costs incurred by the Government also may have to be borne by the appellants. It is a bi-lateral business. So we thought that the cost must be borne by the respective parties and that it need not be awarded.

"We have taken this opportunity to incorporate in the Bill certain amendments in respect of administrative matters. They are non-controversial. I am glad that this measure has received the approbation of the House."



[14th February 1951]

MR. SPEAKER:—"The question is—

That the Madras General Sales Tax (Amendment) Bill, 1950 (L.A. Bill No. 39 of 1950) as amended by the Select Committee be taken into consideration."

The motion was carried.

Clauses 1, 2, 3, 4, 5, 6, 7 and 8 were put and carried.

Clause 9.

MR. SPEAKER:—"The motion is—

That clause 9 do stand part of the Bill."

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

That in clause 9, in new section 12-B, in sub-section (7) (b), after the words "The application for review shall be preferred within such time, and in such manner," insert the words "as may be prescribed."

The object of the amendment is to rectify a lacuna in legal drafting."

The amendment was put and carried.

MR. SPEAKER:—"The motion is—

That clause 9 as amendment do stand part of the Bill."

2-45 SRI T. VISWANATHAM:—"Mr. Speaker, Sir, I want to  
9-20 make a few remarks on this Clause. This Clause contains a good number of 'suo motus'. I thought the Hon. the Finance Minister, who remembers the criticism I made last time, would pay some attention to this. Apparently, the remarks coming from this side do not get much attention unless backed by certain other factors. If we refer to section 12 of the Act, it will be seen that it was practically the Board of Revenue that had this power of revising orders, calling for papers and passing its own orders. But now this power is sought to be given statutorily to two distinct kinds of officers, namely, the Commercial Tax Officer and the Deputy Commissioner, who are all spread over the whole State. They may even increase in number. The proposed Section 12 (1) says—

"12 (1) The Commercial Tax Officer may—

(i) *suo motu*, or

(ii) in cases in which an appeal does not lie to him under section 11, on application, call for and examine the record of any order passed or proceeding recorded under the provisions of this Act

Section 11 does not prescribe any limitations. Any assessee objecting to an assessment made on him under section 9, sub-section (2), may, within thirty days from the date on which he was served with notice of the assessment, appeal to such authority as may be prescribed. That is, there is an appeal against any assessment made. Therefore, Sir, the language in cases in which an

[14th February 1951] [Sri T. Viswanatham]

appeal does not lie to him under section 11' is not quite appropriate. I suppose, the Hon. the Finance Minister will consult the Legal Department later, and change the wording before he takes this Bill to the Council. That wording is not suitable.

"Sir, my real objection is that this *suo motu* power should not be given to these officers in the various places. Then, the period fixed is also 3 years and 4 years. I can understand this power vesting in the officers to assess cases which might have escaped assessment on account of inadvertence or for reasons beyond their control, if the period is limited to one year. I would earnestly plead that this power be retained by the Board of Revenue. But if the Commercial Tax Officers and the Deputy Commissioners should be given this power, I would request that the period be limited to one year. Let me frankly tell the Hon. the Minister what will happen in the various districts if this kind of *suo motu* power is vested in the Commercial Tax Officer and the Deputy Commissioner. He also was a non-official for some time, and he also knows things as they happen in the districts. This power will be a good handle in the hands of Commercial Tax Officers to harass a good number of the assesseees to get certain things from them which otherwise they would not be able to. Originally this provision might have been introduced with a sincere motive and an honest purpose just for calling for papers to find out whether assessments had been made properly. But I submit that this power will now be used as a handle to harass the assesseees. I know certain officers, when they are given powers, use those powers only to make money, and I need not hide, having expressed myself freely so far, the fact that there are so many cases where the provisions of the Act have been utilized by the officers for making money. The Hon. the Minister cannot deny this. There may not of course be many officers who abuse their powers. But a power like this, namely, the sword of Damocles always hanging over the heads of assesseees for three years and four years, will be used to harass the assesseees. This will always be used to collect funds. If funds are required for certain institutions the Commercial Tax Officer will freely use this power. I suppose the Hon. the Minister is aware of the practice in the districts. Of course there are the instructions, but all instructions are set at nought when it comes to a question of aiding institutions which are in the good books of the Ministry. When we bring in legislation we have to take note of all things, and we should not give too much power to the Commercial Tax Officers. I readily agree with the Hon. the Minister that some assessments might inadvertently escape. It is only fair that assesseees should not escape. If the Government think that this power should be given to the Commercial Tax Officer and the Deputy Commissioner, it should be limited to one year. If the Commercial Tax Officer or the Deputy Commissioner is not going to detect a thing within one year, let me assure the Government that they will not detect it, even in three years. This *suo motu* power should, in the first place, not vest in the Commercial Tax Officer and the



[Sri T. Viswanatham] [14th February 1951]

Deputy Commissioner. It should be taken away. But if that cannot be done, at least it should be restricted to one year. That will enhance the purity of the administration, and will also keep always the Commercial Tax Officer and the Deputy Commissioner on the vigil so that they may be more careful than otherwise. Giving them time for three years will simply make them negligent. They will fabricate cases after a long time has lapsed, and by then possibly the books are gone or business changes hands or the parties die and new incumbents come in. I hope the Hon. the Minister will consider all these difficulties."

\* THE HON. SRI B. GOPALA REDDI:—"Sir, in the Act, there is no reference to either the Commercial Tax Officer or the Deputy Commissioner. The only authority mentioned is the Board of Revenue. For the first time we are bringing in the Commercial Tax Officer and the Deputy Commissioner. Previously they had no *locus standi*. The Board of Revenue delegated some of its powers to its subordinate officers. Therefore, what is being sought to be done now is to legalise the present practice. We have now put it in the Act itself that these officers also can exercise that power *suo motu*. In the Act there was no time-limit fixed for the Board of Revenue. The Board can call for records at any time to see whether the tax has been correctly assessed. We are now limiting the power to a definite period of 3 or 4 years as the case may be, because we do find transactions covering taluks, districts, and sometimes even States. It may be that we come across certain accounts by cross-checking at some time later. Therefore, the authorities concerned must have ample jurisdiction to call for records and pass orders as they deem fit. The *suo motu* power or the time-limit has nothing to do with the abuse of powers. Even without this power, if the officers want to abuse their powers, they can certainly do so and harass the people. *Suo motu* power does not, therefore, come in the way of helping or not helping any institutions. What we have done is only to legalise the present practice, and to limit the power to a period of 3 years and 4 years, as the case may be. We have not done anything fundamentally wrong or against the provisions of the Act."

MR. SPEAKER:—"The question is—

That Clause 9, as amended, do stand part of the Bill."

The motion was carried.

Clauses 10, 11, 12 and 13 were put and carried.

The Preamble was put and carried.

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

That the Bill as amended be passed into law."

MR. SPEAKER:—"Motion moved—

That the Madras General Sales Tax (Amendment) Bill, 1950 (L.A. Bill No. 39 of 1950), as amended, be passed into law."

[14th February 1951]

SRI V. RAGHAVAYYA:—"I just want to say a few words, Sir. In this sales tax affair, I have always been feeling that the judicial element has been lacking. The administrative staff have not till now been working properly. It is not that I want to doubt the veracity of particular officials. I wish to draw the attention of the House to one particular instance wherein the advertence of the Government to assessment, the subsequent contention of the party, and the final decision of the authority, had all been at variance with each other. There is a person called Venkatasubbayya Naidu of Gudur. He has been assessed to sales tax on an income of Rs. 8 lakhs. The Deputy Commercial Tax Officer assessed his income at Rs. 35 lakhs. He appealed against this, and his appeal tossed between three districts. Finally, I am told that the original estimate of Rs. 8 lakhs was accepted. My point is that it is all due to the administrative staff. The Deputy Commercial Tax Officer says one thing and the Deputy Commissioner cancels that. Is it not better, when such large amounts are involved, that these appeals are heard by a court of law (a judicial body)—may be a tribunal consisting of judges who know law and equity and to whom alone these matters should be referred? At least cases involving a sum exceeding a certain limit should be dealt with by these judges, so that justice might be done to the Government as well as to the assesseees."

"In income-tax matters people who are well versed in law have been chosen for disposing of appeals. Is it not necessary that a general knowledge of law should be prescribed for the disposal of these appeals also? A 'no good' Deputy Collector when he rises to the position of a Collector or an overlooked man or some other official is charged with this enormous responsibility, and when influential assesseees like mica magnates of Nellore district, who are able to wield such wonderful influence as to have their say in money matters established, are involved, the position becomes difficult. Here is a case in point. I am not weaving a well out of my imagination. Here is a case in which the Deputy Commercial Tax Officer was bold enough to say that the particular assessee's income was Rs. 35 lakhs. How can an appeal be effective? How the registers become false? Let the Government go into all these matters. This is the talk of people which may not be heard by the Hon. the Minister."

THE HON. SRI B. GOPALA REDDI:—"What are they talking about?"

SRI V. RAGHAVAYYA:—"The talk is that the gentleman concerned is an influential person and that the Government had to eat the humble pie and bend before him. That is the talk if the Hon. the Minister is pleased to know. I am not here referring to that talk. I ask why should this Government lose their income? Is it not safer for the Government in public interest to refer these matters to a judicial tribunal?"

"One word more, Sir, and I have done. This is a matter on which special attention must be bestowed. People know how they

[Sri V. Raghavayya] [14th February 1951]

get their income and what the loopholes are by which a man can escape without paying sales tax and income-tax. It is a history by itself. All the skill which a human being could practise and perfect has been employed by the mica magnates of Gudur, and lot of money is being lost to the Government. What I say, is, hereafter, the Government should try, if not in this Bill, at least in some other Bill, to tighten their grip over these very rich assesses, and see that the Government do not lose their income. My suggestion is that a tribunal consisting of three judges should be constituted to dispose of appeals."

\* THE HON. SRI B. GOPALA REDDI:—"Sir, the cardinal principle of the Bill is to set up a tribunal—(Interruption) a tribunal consisting of three judges who will be a paradise for the lawyers to make money! That is not the view we take. It must be an administrative court presided over by a judicial officer. The Accounts Officer must also be there to see whether the accounts have been maintained properly or not. It is not possible for the judges to know whether the accounts have been maintained properly or not. (Interruption.) Judges are not competent to deal with matters of account. Likewise it is not for the Departmental officer to look into the procedural matters. Judges have their own limitations. They are not superhuman. They can interpret the law as it is. They are not competent to decide all things under the sun. It is better they know their limitations in some cases. After all we are now setting up this tribunal. It is for the tribunal to go into the question whether there has been proper assessment or not. Any aggrieved party or the Government can go to the tribunal and ask for justice.

3 p.m. "Then there is the question of mica magnates. I have gone into the accounts from year to year and double or treble the amount has been collected during the last two or three years from the mica magnates alone. Commercial Tax Officers are trying to be vigilant and to get as much money as possible from the mica industry. There is an appreciable progress made in the receipts from this commodity alone. Apart from that, I do not know whether my hon. Friend Sri Raghavayya has got to say anything about some particular mica minor. Something is wrong somewhere perhaps. I think he has got in his mind a sort of personal matter. But I can tell him that the particular operator has never come to me and the Government have no jurisdiction over the matter. I do not, however, know whether he has gone to the Board or not. If any party is aggrieved, he goes to the Board or to the Court. The Government have no right to interfere in the matter as the law is very clear with respect to it. But the aggrieved party has always the right to go to the Court. Simply because the Deputy Commercial Tax Officer has assessed the income of a party at 35 lakhs of rupees, it does not mean that the party has no right to protest if it is an undue assessment. Perhaps Sri Venkatasubbiah Nayudu protested to the Board of Revenue, but he never came to me. As far as I can see, from what I heard in talks and not from the Board, the case was

[14th February 1951] [Sri B. Gopala Reddi]

transferred to the Nellore Commercial Tax Officer because he had already dealt with the case and he was supposed to be in favour of the assessee. After it was transferred, I think that Commercial Tax Officer gave the award. I am not saying this on the ground of any information received from the Board but because my hon. Friend Sri Raghavayya has referred to it, I have to say what I understood. The party never came to me and I never dealt with the matter. Whenever any aggrieved party comes to me, I advise him 'You better go to the Court and show that my officers have done something wrong; it will be good for our officers also if sometimes decisions are pronounced against their actions.'

"Now, the tribunal will certainly go into these matters. If the Government are aggrieved, they will also go to the tribunal. Suppose a Commercial Tax Officer is very lenient to a particular assessee and the particular assessment is very low. In that case, the Government are entitled to go to the tribunal. It is only to meet these cases that there must be *suo motu* powers to call for records and see whether the party has been correctly assessed or not. In this way it might take sometimes two or three years to get correct accounts and by cross-checking we might get a lot of information. I think the officers do have recourse to cross-checking to get at some clue or other. I do not think any of these powers will be abused or our officers will be unduly harsh or very lenient towards certain parties. After all, they have got to use their judgment and discretion in these things. It may be that the Deputy Commercial Tax Officer has assessed a person's income at 35 lakhs of rupees and the higher authority finds that he can be assessed only 10 lakhs of rupees. We cannot impute any motives on that account and say that any of them has been bribed. All these things must take their own natural course and the officers must use their natural instincts of justice and fair play. The constitution of a tribunal is a great improvement made and I think the sales tax administration will better itself with the scrutiny of the tribunal over which a judicial officer will be presiding. I hope also that the departmental officers will be able to render justice to all parties."

SRI V. RAGHAVAYYA:—"Sir, I want to make a personal explanation. I never stated that the Hon. the Finance Minister had been approached by anybody or had succumbed to the request of anybody. I am prepared always to state that the Hon. the Finance Minister Sri Gopala Reddi is Caesar's wife."

MR. SPEAKER:—"The question is—

'That the Madras General Sales Tax (Amendment) Bill, 1950, (L.A. Bill No. 39 of 1950), as amended, be passed into law.'

The motion was carried and the Bill, as amended, was passed into law.

[14th February 1951]

## IV.—GOVERNMENT MOTIONS.

- (1) DRAFT AMENDMENTS TO THE MADRAS GENERAL SALES TAX (TURNOVER AND ASSESSMENT) RULES, 1939.

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

That the following draft amendments to the Madras General Sales Tax (Turnover and Assessment) Rules, 1939, which it is proposed to make in exercise of the powers conferred by section 3, sub-sections (4) and (5), of the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), be approved:—

## DRAFT AMENDMENTS.

In the said rules—

- (1) in rule 4 (3), item (d) shall be relettered as item (e) and before item (e) as so relettered, the following item shall be inserted, namely:—

" (d) in the case of watch and/or clock repair contract 50 ";

- (2) for proviso to sub-rule (8) of rule 5-A, the following proviso shall be substituted, namely:—

" Provided that this power shall be exercised before the expiry of two years next succeeding that in which the collections were made ";

- (3) for rule 13, the following rule shall be substituted, namely:—

" 13 (1) In lieu of the method of assessment described in rules 7 to 12, the method described in sub-rules (2) to (5) of this rule may, at the option of the dealer, be adopted in the case of dealers whose net turnover exceeds Rs. 20,000. If the dealer desires that this method of assessment should be applied to him from the beginning of any year, he shall intimate his desire to the assessing authority at the time of submitting the return prescribed in rule 6 or thereafter before the 1st April in any year. The change-over to this method shall not be permitted in the course of a year.

- (2) The dealer shall submit so as to reach the assessing authority on or before the 25th day of every month, a return in Form A-3 showing the gross and net turnover for the preceding month and the amount or amounts actually collected by way of tax or taxes during that month. Along with the return, he shall also submit a receipt from a Government treasury or a cheque in favour of the assessing authority for the full amount of the tax or taxes payable for the

[14th February 1951] [Sri B. Gopala Reddi]

months to which the return relates, under any of the sections 3, 5 or 8-B (2) or under any notification issued under section 6 (1).

- (3) The return so filed shall, subject to the provisions of sub-rule (4), be provisionally accepted.

- (4) If no return is submitted in respect of any month before the last day of the succeeding month or if the return is submitted without a receipt or cheque for the full amount of the tax payable or if the return submitted appears to be incorrect or incomplete, the assessing authority shall, after making such enquiry as he considers necessary, and after giving the dealer an opportunity as prescribed in rule 9 of proving the correctness and completeness of his return, where one has been submitted, determine the turnover to the best of his judgment and provisionally assess the tax and taxes payable for the month and shall serve upon the dealer a notice in Form B-1 and the dealer shall pay the sum demanded at the time and in the manner specified in the notice.

- (5) After the close of the year in which the provisional assessment as laid down in sub-rule (3) has been made, the assessing authority shall, after such scrutiny of the accounts and after such enquiry as he considers necessary, satisfy himself that the returns filed are correct and complete, and finally assess under a single order on the basis of the returns the tax or taxes payable under any of the sections 3, 5 or 8-B (2) or under any notification issued under section 6 (1) for the preceding year.

- (6) If the final assessment made under sub-rule (5) is greater than the provisional assessment made under sub-rule (3), the assessing authority shall serve upon the dealer a notice in Form 'B' and the dealer shall pay the sum demanded at the time and in the manner specified in the notice. If the final assessment is lower than the provisional assessment, he shall serve upon the dealer a notice in Form 'C'";

- (4) in sub-rule (2) of rule 15, for the words and brackets " (or the last day of the month following that in which he commences business) and thereafter on or before the last day of every month ", the words and brackets " (or the 25th day of the month following that in which he commences business) and thereafter on or before the 25th day of every month " shall be substituted;

- (5) in sub-rule (3) of rule 18, for the words " not later than the last day of every month submit a statement to

[Sri B. Gopala Reddi] [14th February 1951]

the registering authority", the words and figures "submit so as to reach the registering authority not later than the 25th day of every month, a statement" shall be substituted;

## (6) in Form B-1,—

(1) in the heading, for the words "final monthly assessment", the words "provisional monthly assessment" shall be substituted;

(2) the word, brackets and figure "and (5)" occurring under the heading shall be omitted; and

(3) in the first sentence, before the word "assessed", the word "provisionally" shall be inserted;

(7) in Forms B and C, for the brackets, words and figures "[see rule 12]" occurring under the heading, the brackets, words and figures "[see rule 12 and rule 13 (5)]" shall be substituted;

## (8) in Forms A-2, B, B-1 and B-2—

(i) the following shall be added at the top of each form, namely:—

"Assessment No.

..... of 19 .

Registration No.

Deputy/Assistant Commercial Tax Officer";

(ii) in Form A-2, for the words

"by money order to the undersigned

by cheque in favour of the undersigned

by remittance into Government treasury at.....

to the headman of.....

to the tax-collector", the following words shall be substituted, namely:—

"by money order to the undersigned

or

by cheque in favour of the undersigned

or

by remittance into or the Government treasury at . . . . .

or

to the Deputy Commercial Tax Officer/Assistant Commercial Tax Officer.....

or

to the headman of.....

or

to the Bill Collector";

[14th February 1951] [Sri B. Gopala Reddi]

(iii) in Forms B and B-2, for the words

"by cheque in favour of the undersigned

by remittance into the Government treasury at.....

to the headman of.....

to the tax-collector", the following words shall be substituted, namely:—

"by money order to the undersigned

or

by cheque in favour of the undersigned

or

by remittance into the Government treasury at .

or

to the Deputy Commercial Tax Officer/Assistant Commercial Tax Officer.....

or

to the headman of.....

or

to the Bill Collector.....

(iv) in Form B-1 for the words

"by cheque in favour of the undersigned, or

by remittance into the Government treasury at.....

the following words shall be substituted, namely:—

"by money order to the undersigned

or

by cheque in favour of the undersigned

or

by remittance into the Government treasury at.....

or

to the Deputy Commercial Tax Officer/Assistant Commercial Tax Officer

or

to the headman of.....

or

to the Bill Collector....."

"Sir, many hon. Members may not be able to follow the amendments unless I explain them a little. Therefore, I may be permitted to explain them now.

"Amendment No. 1.—Prior to 1st January 1948 'works contract' was not subject to sales tax. In the case of watch and clock repairs prior to that date, only 15 to 20 per cent of the turnover of repair works representing the cost of materials used was assessed to tax. After 1st January 1948, watch and clock repairs were brought under the category of 'works contract' and assessed to tax after giving a deduction of 30 per cent of the turnover towards labour under rule 4 (3) (d) of the Turnover and Assessment Rules.

[Sri B. Gopala Reddi] [14th February 1951]

"The watch and clock dealers of Madras represented that the assessment of 70 per cent of the turnover of repair works is arbitrary, unfair and improper and that it does not bear any proportion to the actual cost of materials used. They requested that they should not be assessed to tax on 70 per cent of the turnover of repair works, but should be assessed only on 15 per cent of such turnover.

"The representations were examined and it was decided that the turnover representing watch and clock repairs should be assessed to tax after allowing a deduction of 50 per cent. The amendment proposed is necessary for the purpose.

"*Amendment No. 2.*—According to the proviso to sub-rule (8) of rule 5-A of the Turnover and Assessment Rules, the assessing authority is precluded from examining the accounts of the registered dealer for purposes of satisfying himself that the dealer has paid in full the amount or amounts collected by him by way of tax after the end of the year next succeeding that in which the collection was made. In the case of registered dealers who are not assesseees it is pointed out that the Commercial Taxes department is experiencing considerable difficulty to complete the checking of their accounts within one year. It is, therefore, considered necessary that the time-limit allowed under the proviso to sub-rule (8) of rule 5-A of the Turnover and Assessment Rules to the assessing authority to check the accounts of the registered dealer for purposes of satisfying himself that the dealer has paid in full the tax collected by him should be increased from one year to two years. Draft amendment No. 2 gives effect to this proposal.

"*Amendment No. 3.*—Rule 13 of the Madras General Sales Tax (Turnover and Assessment) Rules provides for assessment on the basis of monthly turnover. Under sub-rule (1), a dealer whose net turnover is about Rs. 20,000 may elect to pay tax under sub-rules (2) to (5) at any time in the year. If this option is exercised by a dealer in the course of a financial year, it is bound to cause administrative difficulties. Changes from the method of assessment under rule 13 to the provisional method of assessment under rules 6 to 11 are permitted only at the commencement of the financial year. On the same analogy, it is now considered that changes from the method of provisional assessment to the method under rule 13 should be permitted only at the commencement of the financial year by withdrawing the existing concession in sub-rule (1). The new sub-rule (1) of rule 13 provides for this.

"According to the existing provisions of rule 13 of the Turnover and Assessment Rules, the assessment made every month shall be final. It has been reported that in actual practice no final assessment is made every month and that it is done only at the end of the year. As this practice is not in conformity with the provisions of the rule, it is proposed to amend the rule so as to provide for provisional assessment (instead of final assessment)

[14th February 1951] [Sri B. Gopala Reddi]

every month on the basis of monthly returns in Form A-3 and for final assessment at the end of the year. The revised rule now proposed provides for this.

"*Amendments No. 4 and 5.*—Rules 13 (2) and 15 (2) of the Turnover and Assessment Rules require dealers to submit to the assessing authority on or before the last day of every month returns of turnover in Forms A-3, A-4 or A-5 as the case may be, showing the transactions of the previous month, along with a treasury receipt or a cheque for the full amount of tax payable for the month to which the return relates. As the assessee is granted time till the end of the month to submit the return for the preceding month and to send a cheque in payment of the tax due for the month to which the return relates, it is not possible to realise the tax due for a particular month in the succeeding month and it has to be realised only in the second month after that to which the return relates. It is considered that if the rules are amended so as to make it obligatory on the assessee to send to the assessing officer so as to reach him not later than the 25th day of a month the return for the preceding month together with a cheque for the tax due in respect of the month to which the return relates, the tax will be realised earlier and the amount of outstanding arrears at any time will be reduced. Rules 13 (2), 15 (2) and 18 (3) of the Turnover and Assessment Rules are proposed to be amended accordingly.

"*Amendments Nos. 6 and 7.*—These relate to amendments to Forms B, B-1 and C and are consequential to the amendments to rule 13 of the Turnover and Assessment Rules providing for provisional assessment.

"*Amendment 8.*—Amendment in clause (i) is of a routine nature. It seeks to make provision in the notices of demand in Forms A-2, B, B-1 and B-2 for noting the assessment and registration number, etc., at the top of the forms to facilitate easy reference.

"*Amendments in clauses (ii) to (iv).*—These amendments relate to notices of demand in Forms A-2, B, B-1 and B-2. The insertion of the word 'or' between each method of payment prescribed in these Forms is made so as to make the intention that dealers have a free choice to choose anyone of the several methods according to their convenience, clear. Further, while there is provision for the payment of the tax by dealers by money order and by cheque, there is no provision at present for the payment of tax in cash to the assessing authority. It is considered desirable to make provision for the payment of the tax due in cash to the assessing authority. At present, only two methods of payment are provided for in Form B-1. It is considered that the demand notices in Forms A-2, B, B-1 and B-2 should uniformly contain all methods of payment, and the amendments now proposed achieve these objects.

[Sri Gópala Reddi] [14th February 1951]

"These are all small facilities afforded to the assessee and there is no principle involved in them except in the first amendment. There again it is a little concession. We have reduced the percentage to be taxed from 70 to 50."

The motion was put and carried.

## (2) YARN SCARCITY—cont.

**SRI M. KANNIAPPAN** :—“கனம் தலைவர் அவர்களே ! இன்றைய தினம் நம்முடைய மாகாணத்தில் சில ஊர்களில் கிடைத்திருக்கக் கூடிய நூல், விவரத்தை நான் இங்கு சொல்லப் பிரியப்படுகிறேன். 1950-ம் ஆண்டு ஜூலை 22-ல் 11 பந்துகள் காஞ்சிபுரத்தில் கொடுக்கப்பட்டிருக்கின்றன. 1950-ம் ஆண்டு ஆகஸ்டு 21-ல் 6 பந்து கொடுக்கப்பட்டிருக்கிறது. 1950-ம் ஆண்டு நவம்பர் 18-ல் 6½ பந்து கொடுக்கப்பட்டிருக்கிறது. 1950-ம் ஆண்டு டிசம்பர் 5-ல் 4 பந்து கொடுக்கப்பட்டிருக்கிறது. இதைப் போலவே சேலம், காஞ்சிபுரம், திருக்கழுக்குன்றம், திருமழிசை, சைதாப்பேட்டை இன்னும் மற்ற இடங்களில், குறிப்பாக எல்லா இடங்களிலும், இந்த முறையில்தான் கொடுக்கப்பட்டிருக்கிறது என்பதை நான் மிகவும் கவலையோடு தெரிவித்துக் கொள்ளுகிறேன். இந்த நிலைமை மாறினாலொழிய நெசவாளர்களுக்கு நாம் நன்மை செய்ததாகச் சொல்ல முடியாது முடியாது. இந்த முறையை மாற்றியமைக்க வேண்டிய பொறுப்பு நம்மைச் சார்ந்தது. அடிக்கடி நாம் தெரிவிக்கின்றோம் நூல் வந்து கொண்டிருக்கிறதென்று. மில்லில் கட்டுக் கட்டாமல் அப்படியே வைத்திருக்கிறார்கள். மில்காரர்கள் எல்லாம் அதிகம் தெரிந்து கொண்டு விட்டார்கள். அவர்கள் நூல்களுக்கு அதிகப் பணம் வேண்டுமென்று கேட்டார்கள். அதையும் நாம் சரிப்படுத்திவிட்டோம்.

“இன்னும் பஞ்ச இல்லையென்று சொல்லப்படுகிறது. சமீபத்தில் பம்பாய் நகரத்தில் மில் முதலாளிகள் ஒன்று கூடி ‘நாங்கள் கொடுக்க முரட்டோம், அதிகப் பணம் கொடுக்கவேண்டு’ மென்று கேட்டார்கள். அதற்குத் தாராளம் பஞ்சின் விலை அதிகரித்திருக்கிறதென்று சொல்லப்படுகிறது. இதைப் பார்க்கின்றபோது மில் முதலாளிகள் வேண்டுமென்றே ஒரு சமயத்தில் அதிகமான பேல்கள் உற்பத்தி செய்து நாட்டில் கொண்டுவந்து தேங்கவைத்துவிட்டு வைப்பதும், ஒரு சமயத்தில் நூல் உற்பத்தியே செய்யாமல் நாட்டில் நூல் பஞ்சத்தை உண்டாக்கி **Blackmarket** வளர்த்தவருக்கு மில் முதலாளிகள் அவ்வாறு செய்யாமல் இருக்கும்பொருட்டு நம்முடைய அரசாங்கம் உடனடியாக ஒரு சட்டத்தின் மூலமாக அதைத் தடுக்கவேண்டும். அப்படிச் செய்யாவிட்டால் சேலத்தில் இருக்கின்ற நெசவுத் தொழிலாளர்கள் மத்தியிலும் சரி, நம்முடைய மாகாண நெசவுத் தொழிலாளர்கள் மத்தியிலும் சரி, “நாங்கள் மில் முதலாளிகளுக்குப் போதுமான பாதுகாப்பு கொடுக்காமல் நிறுத்தி விடுகிறோம், உங்களுடைய புரட்சிகளைச் செய்யலாம்” என்று நாம் ஒவ்வொருவருக்கும் தெரிவித்து விட்டால் உடனடியாக இந் நாட்டில் புரட்சி ஏற்பட்டு அவர்கள் சம்பாதித்த தொகை அனைத்தும் குறைபாட்படுமென்று நான் இந்த சந்தர்ப்பத்தில் சொல்லப் பிரியப்படுகிறேன். ஏன் இதைத் தெரிவிக்கின்றேன் என்றால் நாட்டில் எங்கு பார்த்தாலும் நெசவுத் தொழிலாளர்களில் பல் செத்துக் கொண்டிருக்கிறார்கள் என்பதை நான் வருத்தத்துடன் தெரிவிக்கவேண்டியிருக்கிறது.

“குறிப்பாக இம் மாதம் 2-ம் தேதி அருப்புக்கோட்டையில் ஒரு நெசவாளர் உயிர் துருக்க நேரிட்டது. அப்படி உயிர் துறந்தபோது அவனை மற்ற நெசவுத் தொழிலாளர்கள் எல்லோரும் ஊர்வலமாக எடுத்துச் சென்றார்கள். ஆயிரக் கணக்கான நெசவாளர்கள் அதைக் கண்டு கண்ணீர் விட்டுக் கதறினார்கள்.

“இம் மாதம் 5-ம் தேதி சங்கரநயனர்கோவிலில் கூட இந்தவிதமான ஒரு சாவு ஏற்பட்டிருக்கிறது. இதையெல்லாம் பார்க்கின்றபோது நாம் உடனடியாக நெசவாளர்களுக்கு வேண்டிய பணியை அவசியமாகவும் அவசரமாகவும் செய்து தந்தாக வேண்டும்.

[14th February 1951] [Sri M. Kanniappan]

“சேலத்தில் எத்தனையோ பேர்களுக்கு ஒரு வாரத்திற்கு ஒரு குடும்பத்திற்கு ரூ. 2-8-0 வீதம் கொடுக்கிறார்கள். சேலத்தில் மாதிரம் கொடுத்தால் போதாது. மதுரையிலும் கொடுக்கப்படவேண்டும். அதைப் போலவே எல்லா இடங்களிலும் நெசவாளர்கள் எங்கெங்கே கஷ்டப்படுகிறார்களோ அந்த இடங்களிலெல்லாம் கொடுக்கவேண்டும். குறிப்பாக சென்னையில் ரூ. 2-8-0 வீதம் கொடுத்தால் போதாது. ரூ. 5-0-0 வீதம் கொடுக்கவேண்டும். இங்கிருக்கிற 8,000 தொழிலாளருக்கும் கொடுக்கவேண்டும். இந்த நிலைமையில் நம்முடைய அரசாங்கத்தார் உடனடியாகச் செய்ய வேண்டிய பொறுப்புடன் இனையும் ஒருவாறு கவனிக்க வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.

“நூல் ஒவ்வொரு இடத்திற்கும் அனுப்புகிறதைப் பார்க்கும்போது ஒரு இடத்தில் 26-ம் நெம்பர் நூல் கொடுக்கிறார்கள். ஆனால், அங்கு அது தேவையே இல்லை. அங்கிருக்கின்ற அவர்கள் அந்த நூலை விற்பது விரும்புகிறார்கள். அந்த நூல் காஞ்சிபுரத்திற்குக் கொண்டு வரப்படுகிறது. பிறகு தங்கள் தறிக்கு ஏற்ற நூலை வாங்குகிறார்கள். இதற்கு என்ன காரணமென்று புரியவில்லை. அடிக்கடி அதிகாரிகளிடம் பேசி இதைப் பற்றி சொன்னாலும்கூட அவர்கள் சம்மா இருக்கிறார்கள். இந்த நிலைமையை உடனடியாக மாற்றியமைக்கவேண்டும். எந்தெந்த ஊர்களில் எந்தெந்த ரக நூல் தேவையோ, அந்த ரக நூல்தான் அவசியம் போடவேண்டும். வேறு விதமான ரக நூலை அங்கு போடாமல் இருப்போமேயானால், ஒருவாறு **Blackmarket** ஒழித்து விடலாம்.

“ஒரு 2 தினங்களுக்கு முன்பு, காஞ்சிபுரத்தில் ஒரு சம்பவம் நடந்திருக்கிறது. ரூ. 22-11-0 அசல் விலையான நூலை ரூ. 95-க்கு **Blackmarket** விற்பார்கள். அங்கு இருக்கின்ற ஜனங்கள் ஒன்றுகூடி எவர் அம்மாதிரி விற்பாரோ அவருடைய நூலைப்பிடுங்கி தீ வைத்துக் கொடுத்தினார்கள் என்பதை இந்த சந்தர்ப்பத்தில் தெரிவிக்கப் பிரியப்படுகிறேன். இதை ஏன் சொல்கின்றேன் என்றால் இந்த மாதிரியான சம்பவங்கள் அனைத்தும் நாட்டின் பல பக்கங்களில் ஏற்பட்டுக் கொண்டுவருகிறது. இதை நாம் உடனடியாகக் கவனிக்க வேண்டும். ஏதோ இந்த மாதத்தில் நூல் வந்துவிடும். நூல் வந்தவுடன் போதுமான நூலை நெசவாளருக்குக் கொடுத்துவிடலாமென்று சொல்கிறார்கள். 60-ம் நெம்பர் நூல் 22-7-50ல் 11 பந்து காஞ்சிபுரத்தில் கொடுக்கப்பட்டதென்று நான் தெரிவித்தேன். அப்படி இல்லாமல் ஒரு தறிக்காரனுக்கு ஒரு பொட்டி 60-ம் நெம்பர் நூலும், 1½ பொட்டி 40-ம் நெம்பர் நூலும் கொடுத்தால் அவனுக்குப் போதுமான வேலைக்குத் தகுந்த நூலாகும். நம்முடைய இந்திய சர்க்கார் மந்திரி கனம் ராஜாஜி அவர்கள் கூட தமிழ் நாட்டில் சுற்றிவிட்டுப் போன பிறகு நம்முடைய மாகாணத்தில் மூன்று தினங்கள்தான் நெசவாளர்கள் இன்றைய தினம் வேலை செய்கிறார்கள். அவர்கள் மிகவும் கஷ்டப்பட்டுக்கொண்டு இருக்கிறார்கள் என்று ராஜாஜி அவர்கள் டெல்லி சென்றவுடன் தெரிவித்திருக்கிறார். இதையெல்லாம் நாம் பார்க்கின்றபோது இதைத்திருத்தி அமைக்கவேண்டியது மிக மிக அவசியம், என்பதைத் தெரிவித்துக்கொண்டு இந்த விஷயங்களில் சர்க்கார் கண்ணும் கருத்துமாக இருந்து நம்முடைய மாகாணத்தின் எந்த மூலையிலும் நெசவுத் தொழிலாளர்கள் கிளர்ச்சி செய்யாதவாறு, பட்டினி சிக்காத வகையில், அவர்களுக்குப் போதுமான நூல் விநியோகிப்பதற்கு வேண்டிய மார்க்கத்தை செய்ய வேண்டுமென்று கனம் ப் பெருமாள்சாமி ரெட்டியார் அவர்களைக் கேட்டுக்கொள்ளுகிறேன்.

**SRI T. VISWANATHAM** :—“Mr. Speaker, Sir, it is good that the Government of Madras have realized the seriousness of the situation some three or four months ago and the Hon. Minister made very serious representations to the Central Government for the allotment of more yarn to this State. Somehow, it has been our misfortune that along with food, our position in regard to cloth has become very bad. Just as the land under paddy cultivation has progressively deteriorated from what it was in 1945-46, i.e., from

3-15  
p.m.



[Sri T. Viswanatham] [14th February 1951]

110 lakhs of acres to 103 lakhs of acres or so, our position with regard to the yarn allotment has also deteriorated. According to the statement furnished by the Hon. Minister, we find that in 1945, the All-India yarn distribution scheme was introduced under which the quota of Madras was fixed at 21,305 bales and our State got about 23,000 bales in that year. Now, what are we getting per month? Mr. Speaker, you know that this question has been raised on the floor of the House a good number of times. We were told on every occasion that the State was allotted 16,000, 18,000 or 19,000 bales but as pointed out by an hon. Member, all this was only on paper. I would like to invite the attention of the Hon. Minister to a letter published in yesterday's Andhra Patrika. The writer says that 289 pounds were allotted to the district of Guntur last month. I want to know whether it is a fact. It is stated therein that they do not get even one pound per loom. The correspondent says that they have 40,000 looms and I do not know the exact figures. The figure given in Dr. B. V. Narayanaswami Naidu's report as 10,000 is wrong and I know that, as a matter of fact, Guntur has at least three times more than that. This is the plight in which the handloom weavers are finding themselves placed.

"There is another matter on which I would like to dwell upon. So far as our relations with the Central Government are concerned, I should say that we are in an unfortunate position. Especially after the attainment of independence, the State has been reduced as mentioned by an hon. Member yesterday—to the position of a 'glorified panchayat board'. With regard to the two essentials of life, viz., food and clothing, we are entirely at the mercy of the Government at Delhi. I do not know how this has resulted after the attainment of independence. But the fact is there and is staring us in the face. Like birds in a cage, we are beating our wings and are unable to escape. As the hon. Member Sri Muthiah Chettiyar said the other day, it is necessary that this Government must be either feared or respected. I do not know what steps will have to be taken and what equipment this Government and this Legislature should possess in order to be either respected or feared by Delhi. At any rate, I can say that this Government are fully backed up by the Legislature in their demand for more yarn. We know that the Hon. Minister has been making repeated demands on the Central Government. I wish the Hon. Minister had attended a conference which I had the honour of attending. In that conference, it was stated that the distribution of yarn was not done properly and the little quota that was now available was not equitably distributed. In the conference, reference was made to a particular mill which was given permission to sell yarn through its own depot. When they made speeches, I asked them to put their complaints in writing. People who came from the Rayalaseema area put their complaints in writing, in respect of a particular mill and gave it to me, which I am now passing on to the Hon. Minister for such action as he may take, according to the necessities of the case. These complaints refer to a particular mill. The same complaints must exist in respect of so many

14th February 1951] [Sri T. Viswanatham]

other mills which were given the option of distribution through their own depots. The particular complaint relates to the Rayalaseema Mill which opened its depots at Tadpatri and Uravakonda in Anantapur district in the month of August 1950. I understand that now it is withdrawn. But the mistake was committed and the difficulty was there. Several mistakes were made by the Central Government and a lot of our yarn was exported on wrong statistics. They went on exporting our yarn with the result that we are placed in a position of acute scarcity. Consequently, about 30 lakhs of people who are depending on the handloom industry are put to severe hardship. Notwithstanding the bitter experience of the past five or six years, the Central Government and their Textile Department have been practically monkeying with this problem and the lives of so many families. The controls that they have, miserably failed to help the poor weavers—God knows whom they are benefiting—and there was no equitable distribution at all. This question was discussed at length at the conference mentioned by me just now, and they passed this resolution—

'This Conference is of opinion that the present yarn control has not only failed in its objective of ensuring equitable distribution of yarn and supplies at controlled prices but brought considerable difficulties to the yarn dealers and handloom weavers and has led to corrupt and unhealthy practices and therefore urges the Government to immediately remove all controls over distribution and price of yarn.'

Such is the state of affairs. We have seen reports in the Press that from Srikakulam right up to Ramanathapuram there have been hunger-marches. In Srikakulam, where there are a large number of looms, there is trouble and difficulty.

"The Hon. Minister in his statement said that the Government had pressed for 29,000 bales on the ground that handlooms have increased. It may be 29,000 bales according to the Hon. Minister. But according to me, we want more than 30,000 bales to meet our requirements. We want one pound per loom per day. But, what are we having to-day? If our limit is to be only 14,000, 15,000 or 16,000 bales, many people will not have any work. I should also say that the present system of distribution is not equitable. Once the Government gave monopoly of distribution to co-operative societies. Afterwards this work was entrusted to the handloom societies which cover only about 30 per cent of the weavers in the State and they were given permission to distribute about 50 per cent of the quotas. I think this system has also been changed. The method of distribution has been changing from time to time and there have been monopolies and semi-monopolies. The whole thing has been mishandled in such a way that the helpless actual weaver who is not attached to a master-weaver or who is not attached to any important person in a particular mill does not get anything and is put to a lot of suffering and difficulty. It is only in that connexion; I wanted to draw the attention of the Hon. Minister to the conditions obtaining in the Rayalaseema Mills. It is alleged in the memorandum definitely that that mill has been permitted to sell its yarn through its own depot and the management were compelling the weavers to become share-holders of the mill. Consequently,

[Sri T. Viswanatham] [14th February 1951]

the families of most of them are practically starving. It seems the Managing Director of the mill is saying that yarn will be given only to those who purchase the shares of the mills. Mr. Speaker, you might remember that sometime ago, it was said on the floor of the House, when Sri Prakasam's resolution was discussed, that the share capital of this mill was raised by popular support. I may say that this is one of the many methods adopted by the management of the mills to collect share capital. When the matter was brought to the notice of the Collector, it seems he passed an order directing the distribution of yarn to all the weavers at the rate of one bundle per loom on presentation of identification cards. Do you know what happened to this order? It is alleged in the written complaint that on the intervention of the brother-in-law of the Hon. Sitarama Reddi, this order was withdrawn. Again the old position was restored and the management began saying that they will sell their yarn only to those who purchase their shares and refused to sell their yarn to others. Mr. Speaker, you, as well as the hon. Members of this House, may perhaps be interested to know that this is the same mill about which we had considerable discussion on the floor of the House when Sri Prakasam moved his resolution. This is the same Rayalaseema Mills, in which the undivided brother of the Hon. Sitarama Reddi is one of the partners and the Hon. Minister's brother-in-law is the Chairman of the Board of Directors. As I said, this mill has been given permission to sell its yarn through its own depot, and the management have been compelling the weavers to become shareholders of the mill. That is the position, Sir.

2-30  
p.m.

"Our family may die and our children may crawl in the streets for food. What I say is not mere gossip. I am placing all these facts before the Hon. the Minister for Industries so that he may take such action as he considers necessary under the existing law against those persons who are responsible for this state of affairs. This is not the only case. There are several other cases like this. But this alone has come to my notice. I think the Government have given such permission to many others also. But what has happened now? The previous bunglings of the Government must serve as an eye-opener. These arrangements always produce an artificial scarcity. Sir, we have already been suffering from natural scarcity of yarn. Added to that is this artificial scarcity created by the Central Government taking away all the yarn produced in this State. They take it away in the name of All-India Pool and in the name of All-India Planning. This pool has led to the starvation of nearly thirty lakhs of persons whose living depends on weaving. It has led to the non-employment of nearly forty thousand weavers, handloom weavers in this State. They go without work for nearly twenty-five days in a month. I submit, Sir, this All-India Planning is a humbug. It is not intended to serve the people of this country. I cannot understand this principle of earning dollars by starving to death thirty lakhs of people. Why do the Government of India want to earn dollars by this method? Why should we be a party to that when it is intended to starve us and to feed the northern Indians? These dollars will

[14th February 1951] [Sri T. Viswanatham]

not bring anything to these poor families that starve to-day. I submit, Sir, that this All-India Planning should be resisted by this Government fully and completely so long as they take away our bread from our mouths. This does not serve our people. The Government must resist this with all the strength they possess. Sir, I am passing on a copy of another resolution passed by the Third Provincial Yarn Merchants Conference. It says—

'This Conference resolves that the Government should set themselves to the objective of satisfying in full the demands of the local handloom industry before they consider other requirements or exports to other States in India or outside the country.'

If we look at the export list, we will find that this State has been experiencing acute scarcity owing to export alone. Nearly 19 million pounds of yarn have been exported in the year 1949 from this State. Our Government must put up a stiff fight with the Government of India in this matter and see that this export business is given up. We must be entitled to the fruits of our labour. The present political and economic philosophy is based on the very sound proposition that we are entitled to the fruits of our labour. The yarn we produce here is quite adequate for our purposes. Whatever we produce is necessary for our own use. It is wrong on the part of the Government of India to take away this yarn talking shibboleths. What did they do when we said that we wanted rice? Did they not encourage the Government of Uttar Pradesh to sell us rice at blackmarket prices? That is the All-India Planning. I submit, Sir, that this Government, this Legislature and the entire people of this State should resist the Central Government's attempts to take away our yarn. We must put up a stiff fight, if need be, for the removal of controls altogether and see that the yarn we produce is retained here."

SRI R. V. SWAMINATHAN :—"Mr. Speaker, Sir, I am glad that the Hon. the Minister for Industries in his statement has admitted that the situation is very grave. Weavers in Salem, Madurai, Ramanathapuram and even at the taluk headquarters of Srivilliputtur in Ramanathapuram are resorting to Satyagraha in order to get their grievances redressed. The weavers of Madurai have put forth certain demands. Some of them may be unimportant but their main grievance is that they are not getting sufficient yarn to make a living out of it. As I have already said, the Hon. the Minister has realized the situation but only the allotment made by the Central Government is not sufficient. I understand that our State is producing about 43,000 bales of yarn per month and that the maximum requirements of our State are 30,000 bales. It is said that our requirements are 28,000. But that does not matter. This is quite enough for us. The Union Minister has said that our requirements are only 15,000 and that he cannot allot anything more than this quantity to this State. He says that even this 15,000 is too high a figure and that our requirements are something less. My hon. Friend, Sri Viswanatham referred to the All-India Pool and said that that was responsible for all our sufferings. I agree with him and I would very much like our Minister for Industries to put up a stiff fight with

[Sri R. V. Swaminathan] [14th February 1951]

the Government of India in the matter. With regard to food, are they supplying us with enough food from the All-India Pool? For instance, Sir, in the Central Provinces, which is a surplus area in the matter of food, the Government first set apart their own requirements and allowed only the rest to be exported to other deficit areas. So far as yarn is concerned, Madras is a surplus area. Why not we be permitted to do the same thing here in regard to yarn, i.e., keeping sufficient yarn for our own purposes and then exporting the rest? I cannot understand the policy of the Government of India in having such pools. Sir, there is the F.A.O. which first took upon itself the responsibility for supplying food to the entire world. It is functioning at Washington. It organized an International Pool for the purpose of supplying food to the countries all over the world. But that system failed after some time and it has been given up. Now the countries of the world are permitted to buy food from the free market. So also, we must be left to ourselves in the matter of yarn.

"Then, Sir, the mill-owners say that they are not able to get proper prices for the yarn. They put up the price of yarn at a very high level saying that they purchased cotton at increased rates. The Central Government, of course, pointed out to the mill-owners that though they had purchased cotton at higher rates, the yarn made out of that cotton would come out for sale only in April and so they should not increase the prices of yarn now available. Yet they go on increasing the price. The poor weavers are not able to get sufficient supply. I am glad, however, that the Hon. the Minister for Industries is taking all steps to increase supplies and I hope he will succeed, though, unfortunately, he has not been able to do anything so far. As Sri Viswanatham has said, the whole Legislature and the people of this State should stand behind the Hon. the Minister in whatever steps he takes. He must put up a fight with the Government of India and ensure more supplies."

**SRIMATHI V. LAKSHMI AMMAL :—**"கனம் அக்ரோசுதிபதி அவர்களே! நெசவாளர்களின் கஷ்டத்தைவிளக்கி அவர்களுக்கு நூல் கொடுப்பது சம்பந்தமான விஷயத்தில் நான் பேசுவது என்ன இருக்கிற தென்று நீங்கள் கேட்கலாம். எனக்கு ஜனப் மஜீத் அவர்களைப் போல இந்த விஷயம் மிகவும் நன்றாகத் தெரியாது. இருந்தும் நடமுறையிலும் நான் அந்த விஷயத்தை நன்றாக ஆராய்ச்சி செய்யவில்லை. ஆனால் இப்போது ஒவ்வொருவரும் கண்கூடாகப் பார்க்கும் நிலைமையில் உணவும், உடையும் பெரிய பிரச்சனையாகி விட்டது. என்னுடைய தொகுதியில் மிகவும் அதிகமான பேர்கள் நெசவாளர்கள். அவர்கள் ஒவ்வொரு தடவையும் நான் இங்கு கூட்டம் கலைந்து ஊர் போனவுடன் என்னிடம் வந்து, 'எங்களுக்கு நூலை கிடைக்க வில்லையே. ஒரு பொட்டி, அரைப் பொட்டி நூல்தானே கிடைக்கிறது. ஒரு பொட்டி நூலை நெசவு செய்தால் 8 ரூபாய், 10 ரூபாய் தானே கிடைக்கிறது. நாங்கள் அதை வைத்துக் கொண்டு எப்படி காலசேஷம் செய்கிறது. நீங்கள் இதைப் போய் மந்திரிமார்களிடம் எடுத்துச் சொல்லுங்கள்,' என்று கூட்டம் கூட்டமாக வந்து எடுத்துச் சொல்லுகிறார்கள். என்னுடைய தொகுதியில் மாத்திரம் 16 ஆயிரம் பேர்கள் நெசவாளிகள் இருக்கிறார்கள். 20-ம் நம்பர் துணுக்கும், 40-ம் நம்பர் வேஷ்டிக்கும் கல்லடைக்குரிச்சி பெயர் போன ஊர். வீரவநல்லூர் சேரமநல்லூர், அம்பாசமுத்திரம், கடயமாநல்லூர், கடயம் இவைகளும் நெசவுத் தொழிலுக்குப் பெயர்போன இடங்கள்

[14th February 1951] [Srimathi V. Lakshmi Ammal]

தான். இங்கே உள்ளவர்கள் நெசவுத் தொழிலைத் தவிர வேறு ஒன்றும் தெரியாதவர்களாக இருக்கிறார்கள். அதனாலேயே இப்போது வேறு ஒரு தொழிலிலும் புகுந்து கொள்ள முடியாதவர்களாக இருக்கிறார்கள். 1946-47-ல் ஒரு பொட்டி நூலுக்குக் கூலி 30 ரூபாயாக இருந்த காலத்தில் அனேகம் பேர்கள் தங்கள் தொழில்களை விட்டு விட்டு நெசவுத் தொழிலைக் கத்துக்கொண்டு அநேகம் தறிகளை ஏற்படுத்திக் கொண்டிருந்தார்கள். பரம்பரை பரம்பரையாக இந்த நெசவுத் தொழில் ஒன்றே கதியென்று இருந்து வந்தவர்கள்தான் இப்போது ரொம்பவும் கஷ்டப்படுகிறார்கள். இப்போது நம் முன்பு கனம் மந்திரியார் அவர்களால் சமர்ப்பிக்கப்பட்டிருக்கும் அறிக்கையில் இந்த நெசவாளர்கள் தங்கள் நெசவுத் தொழிலை வேறு ஒரு தொழிலையும் கற்றுக் கொண்டால், அதை உப தொழிலாக நடத்தி வரலாம். அதனால் அவர்களுக்கு நல்லது என்பதாக குறிப்பிட்டு இருக்கிறார்கள். நெசவாளர்கள் உப தொழில் ஒன்று ஏதாவது கற்றுக் கொள்ள வேண்டியது அவசியம் தான். ஆனால் இன்று ஒவ்வொரு நெசவாளர்களையும் போய் பார்த்தால் அம்மாதிரி வேறு ஒரு தொழிலும் தெரியாததாலேயே மிகவும் கஷ்டப்படுகிறார்கள். எங்கள் ஊரையே எடுத்துக் கொண்டாலும் ஒரு பொட்டிக்கு 30 ரூபாயாக இருந்த காலத்தில் ஒவ்வொரு தறிக்காரர்களும் அதிகமான தறியை தங்கள் வீட்டில் போட்டு விட்டார்கள். ஒவ்வொரு குழந்தைக்கும் கூட ஒரு தறியாக விஸ்தரித்துக்கொண்டு விட்டார்கள். ஆனால் இப்போது ஒரு பொட்டி நூல் கூட ஒரு குடும்பத்திற்கு கிடைக்கவில்லையென்றவுடன் அக்குடும்பங்கள் எல்லாம் தவிக்கின்றன. அவர்கள் பரும கஷ்டம் எடுத்துச் சொல்ல முடியாது. மாதத்தில் 25 நாட்கள் அவர்கள் பட்டினிதான் கிடக்கிறார்கள். இந்த நிலைமையில் அவர்களுடைய நன்மையைப் பாதுகாக்க வேண்டியது சர்க்காரின் கடமை. நமது சர்க்கார் இப்போது ஒன்றும் கவனிக்கவில்லை யென்று நான் சொல்லவில்லை. நமது சர்க்காரும், நமது மந்திரி கனம் பெருமாள்சாமி ரெட்டியார் அவர்களும் எவ்வளவோ அவர்களிடம் அனுதாபம் உள்ளவர்களாகத் தான் வேலை செய்து வருகிறார்கள். ஆனால் நமது அரசாங்கத்தார் இதில் ஒன்றும் செய்ய முடியாத நிலைமையில் மத்திய கவர்ன்மென்டார் இதில் தலையிட்டு வருகிறார்கள். நமது சென்னை மாகாணத்தைப் போல் மற்ற மாகாணம் எதிலும் அதிகமான நெசவாளர்கள் கிடையாது. வடக்கே உள்ளவர்கள் பணம் அதிகமாகச் சம்பாதிப்பதற்காக ஏராளமான மில்களை ஏற்படுத்திக் கொண்டிருக்கிறார்கள். ஆனால் இங்கேயுள்ளவர்களோ தங்கள் ஜீவனத்திற்காக கைத்தறித் தொழிலை மிகக் கஷ்டமான காலங்களிலும் கூட விடமுடியாதவர்களாக மிகவும் கஷ்டத்துடன் நடத்தி வருகிறார்கள். நம்முடைய மாகாணத்திலும் மில்கள் குறைவு. இப்போது இருக்கின்ற 15 லக்ஷத்துக்கு மேற்பட்ட நெசவாளர்களுக்கு போதுமான நூல் சப்ளை செய்யாவிட்டால் அவர்களுடைய கதி என்ன ஆகுமென்று தெரியவில்லை. எனக்கு முன் பேசிய கனம் கண்ணியப்பன் அவர்கள் என்ன ஆகுமென்பதை உங்களுக்கு வெகு நன்றாக எடுத்துச் சொன்னார்கள். அந்தமாதிரியாகக் கடவுள் கிருபையால் ஒன்றும் நடக்காமல் இருக்க வேண்டும். அதற்கு வேண்டிய பரிகாரங்களை இன்றே நாம் கையாள வேண்டும். நம்முடைய தேவைக்கு 22,000 பேல்கள் நூல் வந்தால் இங்குள்ளவர்களுக்கு 12 நாட்களுக்கு தான் வேலை இருக்குமென்று சொல்லப் பட்டிருக்கிறது. 1950-ம் வருஷம் பூராவுக்கும் நம் மாகாணத்திற்கு-சராசரி மாதம் 16,957 பேல்கள் தான் சப்ளையாக இருக்கிறது. இந்தமாதிரி இருக்காமல் வருஷ காலத்தில் 30,000 பேலுக்குக் குறையாமல் வந்து ஒவ்வொருவருக்கும் குறைந்தது 2 பெட்டி நூலாவது கிடைக்கும்படியாக கனம் மந்திரி அவர்கள் மத்திய அரசாங்கத்தை வற்புறுத்தவேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்."

**JANAB M. MUHAMMAD ISMAIL :—**"Mr. Speaker, Sir, after a long time of neglect, I am very glad the Government, under the present Minister for Industries, are taking real interest in this important cottage industry, I mean the handloom industry. You know, Sir, the policy of this Government as well as that of the

[Janab M. Muhammad Ismail] [14th February 1951]

Central Government is to see that cottage industries are developed to their fullest extent. They say that this is very important from the point of view of the prosperity and well-being of the country. That being so, I do not understand the step-motherly attitude taken up by the Government all these years towards this industry. This industry has been established thousands of years ago in our State and country. When the Government talk of developing cottage industries, the first item of their programme in that direction should be to protect and maintain the existing industries. This handloom industry has been well-established and it has been proved to the world not only to-day but during the past hundreds of years that it is a well-established industry and that it is very very beneficial to the people of this country. That being so, the Government before thinking of any new cottage industries must take care of the existing industry, particularly the handloom industry.

"Sir, in the interest of the weavers engaged in this industry the Hon. Minister has advised them to take to supplementary occupations so that when they are not able to get on with their weaving, they may have something to fall back upon. It is a very good advice. But at the same time I want to ask the Hon. Minister whether it would not impair the cottage industry. Will those people who have taken up to other avocations go back to the handloom industry? They may not. Then what will the Government do to develop this industry after sending away the skilled workers, the men with the skill obtained as a result of years of hard work to other avocations? Therefore, I think it is not well-advised to say to these people that they should take to some other walk of life rather than to stick to the handloom industry. The Government should therefore see that these weavers get sufficient quantity of yarn to get on with their own work. This is a thing on which the Government ought to concentrate upon. In the amendment proposed to the motion moved by the Hon. Minister, 29,000 bales are asked. I do not think that is too much. The Government of Madras and the Government of India should see to it that this quantity is allotted to this State and distributed to the weavers. Five lakhs of looms are engaged in this industry. That means, on a very modest computation and calculation, about 3 million people, at the rate of 5 to 6 per loom, are employed in this industry and earn their living from this industry. This industry, therefore, feeds at least 3 million people. This is really a cottage industry that is worth troubling about. The Hon. Minister must pay every attention to this industry and see that it is put on its legs firmly once again. To do this I want to make one or two suggestions.

"The Hon. Minister for Industries and Supplies to the Government of India has put forward a proposal that the Government must buy all the available cotton and distribute it among the various units. As a permanent measure, I cannot support it. But under the present difficult conditions some such step may be taken and in purchasing the cotton the Government must see to it that they purchase it in time. They should not do it in the way they

14th February 1951] [Janab M. Muhammad Ismail]

are doing in the matter of food. When the pinch is upon us, when the difficulty is upon us, they want to see whether they could get some food from somewhere. It should not be the case in this matter. The Government should go into the market and buy all the cotton required in time so that they could buy the quality and quantity of cotton they want and at proper prices. Then they must distribute it among the various units. In the matter of distribution, they must first distribute to those mills which are spinning and spinning particularly yarn suitable for the handloom industry. This will enable the textile mills to work and also keep the handloom industry going. There are certain composite mills which are spinning as well as weaving. If the Government want to give any cotton to them, they must impress the fact on those mills that the Government want to encourage the spinning side. If at all the Government want to give cotton for the weaving section also then they must confine themselves to the 1947 level of allotment. That would be doing some justice to the handloom industry which is in very bad need of yarn. Then again there is another tendency on the part of the mills to change over to finer counts irrespective of the average counts for which their spindles are suited. Because of this tendency what happens is the efficiency of spindles is impaired. These spindles which are suitable for spinning the lower counts are being driven to spin higher counts. The efficiency is thus impaired and their efficiency in the matter of output is also affected in course of time. Then again the quality is affected. Lastly, the quantity of yarn that will otherwise be available for the handloom is reduced. Government must therefore curb this tendency on the part of the mills in the interest of the handloom industry.

"Another important point I want to mention is this. This industry has been catering to the needs of not only the internal trade but also to the export trade. No one need be afraid that the quantity of cloth for internal consumption will be affected if export is allowed. As a result of experience gained through generations these weavers are producing cloth of the desired quality and quantity to meet the internal consumption and the demands of export trade. This trade of theirs, that is the export trade, is going on, not to-day, but for the past many years. Now the Government of India is having an export drive. They want to export as much as possible. That being the case I want to ask the Government of India whether it is not desirable to protect and maintain this export trade which this industry has built up over a period of years of hard work. Is it not advisable to have those markets established by this trade rather than try to create new markets for new products? Therefore it is not only reasonable but just that we must press upon the Government of India to see that this handloom industry does not lose the export market which it has established in the Middle-East, in the Near-East and other countries. For that purpose the Hon. the Minister for Industries has mentioned in his statement that the question of establishing emporiums by the Co-operative department in foreign countries is under consideration.

[Janab M. Muhammad Ismail] [14th February 1951]

To entrust the Co-operative department with the work of establishing emporiums in foreign countries is not a practical proposition. The department has been in existence for the past so many years. They have not been able to do anything and if they were now asked to do it, they will fail and find themselves unequal to rise to the situation. They will have to gather knowledge about these markets, get experience about them only hereafter and then go about the thing. By this they will lose much precious time. In these matters we should not lose any more time as we have already lost much time and much ground. Government should, therefore, encourage private parties to establish these emporiums and trade connexions in these countries. They should send trade delegations to these countries as they do in regard to other industries. This is one of the most important industries, one of the basic industries of this country and I do not know why the Government have not thought of it so far. At least now they should come forward and send a representative delegation to foreign countries to re-establish our trade in those foreign markets. This delegation should be sent at the cost of the Government. When there was a suggestion that such a delegation should be sent it was said that the cost should be met by the people. Why should the Government adopt such a step-motherly attitude in respect of the delegation connected with this industry alone? This industry is a source of employment for millions of people of this State and the Government must send a delegation at their own cost and that too as early as possible."

4 p.m. JANAB MUHAMMAD RAZA KHAN :—" Mr. Speaker, Sir, no problem has aroused so much sympathy as the problem of distribution of yarn in this State. No less a person than Sri C. Rajagopalachariar at a meeting somewhere in North India described the sad conditions of the poor handloom weavers as very miserable. Not a day passes when we don't have half-a-dozen news items in the local papers as to what the M.L.As. or the M.L.Cs. do in the different districts, in the form of representations to the District Collector or to the concerned departmental heads, or to the Hon. the Minister for Industries direct. In spite of all the representations of the handloom weaves and the promise which the Hon. Minister has given—I am sure he has given a promise—the poor handloom weaver will be thinking, 'What is that I am getting in spite of all the sympathy and the support from my own representatives and my own Government.'"

"Sir, after all the problem of yarn is very simple and is not so complicated as the food problem. Some hon. Members like Mr. Majid on this side and some hon. Members on the other side have stated that the whole difficulty is that we require 29,000 bales per month, according to the statement of the Hon. the Minister for Industries. But, we are not getting it. Therefore the Hon. Minister should take a definite stand with the Government of India and say that this is another problem, besides food problem, involving not merely 5 or 6 lakhs of handloom weavers, but also their families,

14th February 1951] [Janab Muhammad Raza Khan]

their dependents and other people dependent on industries allied to handloom industry, involving about 30 lakhs of people. According to the statement of the Hon. Minister, the production of yarn in this State is about 40,000 bales. Then it should be brought to the notice of the Government of India that we would allow the balance only, after deducting 29,000 bales for our State, to be distributed by them as in the case of food. Incidentally I would like to say that some mill-owners in this State are against this industry and they feel that this should be killed. That is why they are not helpful to these poor handloom weavers to the extent they ought to be. Therefore these poor people are thinking that it is their misfortune that they should have entered this trade. I request the Hon. Minister to take a definite stand with the Government of India that we require 29,000 bales or otherwise, it is very difficult to carry on the administration. After all there is a limit even to suffering. In fact I do not think that any self-respecting handloom weaver would like to receive cash does whatever may be their present difficulty. They want yarn and could we not find a way out? I think the Hon. the Minister for Industries can do it because he alone is competent to press the Government of India.

"Then, Sir, there is the question of distribution. As my hon. friend Mr. Majid pointed out, when we are getting 15,000 or 16,000 bales, deducting 500 bales we are giving to the co-operative societies which are the props of the Government, what about the balance? According to this calculation, every handloom weaver should get 10 or 12 lb. of yarn. Can the Hon. Minister say that the weavers were getting this quota for the last 5 or 6 months? There is something wrong either at the administrative level or at the distribution level. The Government should have seen whether they were getting the correct quota. Even according to the calculation of the Government of Madras, they were getting only  $\frac{1}{2}$  lb. or 1 lb. It is the duty of the Government to see that there is a proper and equitable distribution. I know, human nature being what it is, that there are people, unscrupulous people, who get 50 or 60 lb. I do not know how and by whom that is being given. Unless the distribution is properly done, the yarn problem cannot be solved.

"Sir, there may be some people, scrupulous people, who sympathise with the sufferings of the handloom weavers. But it is the duty of the Government to see that the yarn that is distributed reaches the hands of the weavers. I think it does not reach them. If it reaches them, all that we see in the press, the meetings, etc., would not have come to surface.

"Sir, my hon. Friend Mr. Majid has also drawn pointed attention to another factor. Whatever we get, a good part of it goes to the co-operative societies. I understand from the statement of the Hon. Minister and also from the Annual Report of the Co-operative Societies which by chance I happened to go through, that the handloom weavers have got 4,20,000 looms whereas the co-operative societies have got 80,000 looms. But what is the quota that is allotted to the co-operative societies? Subject to correction by the Hon. Minister, I think the co-operative societies are allotted one-third. You can see the proportion when the co-operative



[Janab Muhammad Raza Khan] [14th February 1951]

societies with 80,000 looms are given one-third and the weavers with 4,20,000 looms are given two-thirds. What is more? The Government have recently passed orders that a part from this quota the co-operative societies should be allotted an additional 20 per cent quota. Therefore, when so much quantity is given to the co-operative societies, the balance that is given to the weavers is not much and this should be gone into by the Hon. Minister.

"There is another aspect which is worth examination. Nowadays there are many co-operative societies which are the props of the Government. These co-operative societies are formed with the intention of making profits and not for the common good of the people. They are not serving the purposes for which they were intended. Usually the actual sale price of handloom cloth should be far less than the market rate. Instead they are competing with small industries in making profits. I may give an illustration here, Sir. One co-operative society, with a capital of Rs. 4 lakhs has made a profit of Rs. 1.25 lakhs in one year, which is more than 25 per cent. Therefore, these co-operative societies are intended purely for making profits and the very purpose for which they are encouraged, is lost.

"Sir, I know that the Hon. the Minister for Industries is a very honest gentleman and he may have sympathy for the handloom weavers. He knows the yarn problem well. So, when he gives his reply to the debate, instead of saying that everything is being done and that vehement representations are being made to the Government of India, he should have the courage to say, 'I am in charge of this department and I promise that I would arrange to give so many lbs. of yarn to each handloom weaver from the 1st March 1951'. If he gives that promise and arranges to supply yarn accordingly, the poor handloom weavers will be certainly grateful to him and they will pray for his long life and prosperity."

SRI K. RAJARAM NAYUDU :—"Mr. Speaker, Sir, I would not have taken part in this debate had I not received a letter from the Yarn Advisory Committee of my constituency and I want to say a few words in that connexion. I understand that a certain quantity of yarn is being allotted for the dyeing factories in this State and from the yarn that is allotted to them, about 550 bales are being exclusively allotted for Madurai district and the Madurai dyers are allowed to sell this yarn to anybody they like. They are not selling this yarn to the local Madurai weavers. A complaint was lodged with the Textile Control Officer and the Collector and it is understood that the Textile Control Officer insisted that the colour yarn merchants should sell certain quantity in Madurai district and sell the balance in any other district. These merchants refused to do it. Afterwards the Textile Control Officer himself gave a written order that the colour yarn merchants should sell 100 or 200 bales in Madurai district. They refused to obey the orders, came to Madras and got a cancellation order from the Director of Controlled Commodities that such restrictions should not be imposed on these colour yarn merchants. It did not stop there. The Textile Control Officer was transferred from this work and was given some revenue work. Sir, I think that it is not proper to do this. These colour yarn

14th February 1951] [Sri K. Rajaram Nayudu]

merchants should not be allowed to sell the yarn wherever they like. Sir, I think I shall better read a few lines from the letter I received so that the Hon. Minister may take necessary action.

‘மதுரையிலுள்ள கலர் நூல் மொத்த வியாபாரிகளுக்கு மாதம் ஒன்றுக்கு 554 பேல் அளவு கிடைக்கிறது. அதை அவர்கள் வாங்கிக் கொண்டு போட்டு பூரா நூலையும் மதுரை ஜில்லாவுக்கு கொடுக்காமல் அதிக விலை கிடைப்பதன் காரணமாக வெளி ஜில்லாவுக்கு விற்று வருகிறார்கள். அவர்கள் எந்த ஜில்லாவுக்கு வேண்டுமானாலும் விற்றுக் கொள்ளலாமென்ற ஆர்டரை’

THE HON. SRI C. PERUMALSAMI REDDI :—"Sir, my friend Mr. Rajaram Nayudu is misinformed. The 550 bales are not for Madurai district. That allotment is for the dyeing factories of all districts."

SRI K. RAJARAM NAYUDU :—"I stand corrected, Sir. Anyhow, these colour yarn merchants are selling yarn to other districts at exorbitant prices. I request the Government to take suitable steps to see that the yarn is sold to Madurai dealers also."

SRI V. C. PALANISWAMI GOUNDER :—"Mr. Speaker, Sir, 4-15 p.m.  
for speaking on the question of yarn, I may not be quite a competent person or a proper authority but my responsibility to the handloom weavers of the Coimbatore district has goaded me to say a few words on their behalf. This industry has been in existence in India for many centuries now, and its prosperity began to fall only after the advent of the British and after the industrial revolution. Anyhow, it is up to any Government, and especially the present Government, to protect this century-old industry. As has been already stated, nearly 27 lakhs of people are employed in this industry, i.e., about five per cent of the population of this State. From that point of view alone, Government should take all necessary steps to see that no competition arises to put down this industry. Nowadays, we find that power looms and knitting factories and hosiery industries are springing up everywhere in order to put down or even to kill this industry. In the matter of the distribution of yarn as between the handloom and knitting and power loom industries, there seems to be keen competition. This handloom industry is admittedly a cottage industry and this Government have practically undertaken to save this industry. But at the same time, if they go on allowing an increase in the number of power looms, knitting factories, etc., I am afraid a day will soon come when this industry will be made to suffer. It is therefore up to this Government to see that no sort of competition is allowed to arise in this country against this handloom industry. I have made a comparative study of the yarn supplied to the power looms and knitting factories, worked both by power and by manipulation of hand and I have found that a lion's share of the yarn is being supplied to the power looms and mechanised industries. Government are now thinking of controlling big mills with a view to safeguard the handloom industry; Government must at the same time look to the proper control of the knitting factories and power looms, which stand, as I have said, as great competitors to the handloom. It is well known, Sir, that with the present supply of yarn, the handloom weavers are not able to have work even for five days in the month. Their condition can more be imagined than described. No doubt,



[Sri V. C. Palaniswami Goundar] [14th February 1951]

the handloom weavers who are concentrated in big cities like Salem, Madurai and other places, are able to organize themselves and see that their voice is effectively felt by the Government; but others who are scattered about in small villages in small numbers here and there, are not in a position to organize themselves and raise their voice effectively and make it reach the doors of the Madras Government. Their present plight is really very pitiable. While Salem and even Madurai are able to get some cash doles, I cannot understand why the poor handloom weavers scattered about in the villages are not able to get them, although they have no subsidiary occupations. Government say that they are able to get subsidiary occupations, but as a matter of fact, it is well-known that a weaver in the village and his family are not competent to work out of their own place. They are so much used to traditional methods, they are able to do work only in their own homes, with their own looms. If the Government want to give some cash doles to Salem, Madurai and other places, why not they make some cash doles—or I would even prefer to say grain doles—to these people in the villages? The Collectors have been authorized to give ration cards to these people—that is alright; but where is the wherewithal for them to buy grain? They have not got the necessary money to buy their grains. Therefore, Sir, I appeal to the Government to look into the cases of these rural handloom weavers with a sympathetic heart and see that their quota of yarn is proportionately increased, so that they can work for a greater number of days in the month, earn more money and get more food and thus help themselves. With these words, Sir, I once again appeal to the Hon. the Minister for Industries to see that their lot is very soon improved."

**SRI A. J. ARUNACHALAM:**—கனம் சபாநாயகர் அவர்களே! முதலில் நான் உங்களை ஒன்று கேட்டுக் கொள்ளுகிறேன். வட ஆற்காடு ஜில்லாவிலே தறிகள் அதிகம். அதுவும் கைத்தறிகள் அதிகமாகவுள்ள குடியாத்தம் நகரத் தொகுதியின் சார்பாக நான் இங்கு வந்திருக்கிறேன். இந்த நகரத்தில் மாத்திரம் சுமார் 9 ஆயிரம் தறிகள் இருக்கின்றன. நான் ஒரு நெசவாளி. ஆகையால் எனக்குக் கொஞ்சம் அதிக நேரம் கொடுக்க வேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்.

**MR. SPEAKER:**—"நல்லது பேசுங்கள்."

**SRI A. J. ARUNACHALAM:**—"தலைவர் அவர்களே! கனம் மந்திரியார் அவர்கள் கொடுத்திருக்கும் ஸ்டேட்மென்டில் இன்று இந்த மாகாணத்தில் நெசவாளர்கள் படும் கஷ்டங்களையும், அவர்களுக்கு இருக்கின்ற பல நெருக்கடிகளையும் குறிப்பிட்டிருப்பது அவர் அதை உண்மையாக உணர்ந்தே இவ்விதமான அறிக்கையை கொடுத்திருக்கிறார்கள் என்பதை நன்கு விளக்குகின்றன. அதற்காக நான் சந்தோஷப்படுகிறேன். அந்த அறிக்கையை சந்தோஷமாகவும் நான் வரவேற்கிறேன். நம்முடைய மாகாணத்தில் இன்று நடைபெற்று வருகின்ற நெசவுத் தொழில் நேற்றே அல்லது 5 அல்லது 10 வருஷத்திற்கு முன்போ நடைபெற ஆரம்பித்த தொழில் அல்ல. அது நீண்ட நாளாக நடைபெற்று வந்த நம் நாட்டு குடிசைத் தொழில். உங்கள் எல்லோருக்கும் தெரியும். பல்லாயிர வருடங்களுக்குமுன்பு வாழ்ந்த அழியாப் புகழ் பெற்று, தமிழ் மறை தந்த வள்ளுவரை கையாண்ட தொழில் நெசவுத் தொழில்தான் என்று சொல்லப்படுகிறது. அப்படி ஆயிரமாயிரமானோருளாகவே நம் நாட்டில் இருந்து வந்திருக்கிறது. இந்த நெசவுத் தொழில். மற்ற மாகாணங்களை விட நம்முடைய

[14th February 1951] [Sri A. J. Arunachalam]

மாகாணத்தில் 5 லக்ஷம் தறிகள் 1945-ம் வருஷம் கணக்குப்படி இருந்திருக்கிறது. அப்போது அப்படி இருந்தாலும் இன்று எவ்வளவோ கஷ்டங்களுக்கிடையில் அது அபிவிருத்தி அடைந்து வந்திருக்கும் ஒரு தொழிலாகும். இது நாளுக்கு நாள் விருத்தியடைந்தும் வருகிறது. மேலும் விருத்தி அடையக்கூடிய ஒரு நிலையில் இருக்கின்றது என்பதை நான் சொல்லப் பிரியப்படுகிறேன். ஆனால் என்ன காரணத்தினாலோ தெரியவில்லை. ஒரு காலத்தில் ஏராளமாக கைத்தறிகளில் உற்பத்தி செய்யப்பட்ட துணிகளுக்கு கிராக்கி இல்லாமல் மார்க்கட்டுகளில் கைத்தறித் துணிகள் தேக்கமுற்றுக் கிடந்தன. அப்போது ஏராளமாக நூல்கள் கிடைத்தன. இருந்தும் கைத்தறி துணிகளுக்கு சரியான வியாபாரம் இல்லாமல் கைத்தறியாளர்கள் அப்போது கஷ்டப்பட்டார்கள். ஆனால் இன்றே கைத்தறி துணிகளுக்கு நல்ல கிராக்கியிருக்கிறது. நல்ல மார்க்கெட்டும் இருக்கிறது. எங்கு பார்த்தாலும் கைத்தறி துணிகளுக்கு நல்ல டிமாண்டு நாளுக்கு நாள் அதிகரித்துக் கொண்டிருக்கிறது. ஆனால் இந்த சமயத்தில் கைத்தறிகளுக்கு போதுமான நூல் கிடைக்காமல் அவர்கள் உற்பத்தியை அதிகமாக்கமுடியாமல் மிகவும் கஷ்டப்படுகிறார்கள். இது நெசவாளர்களின் சாபத்தோடோ என்னவோ எனக்குத் தெரியவில்லை. நல்ல கிராக்கியும், அமோக ஆதரவும் கைத்தறித் துணிக்கு இருக்கக் கூடிய இந்தக்காலத்தில் தறிகளுக்கு ஒரு வாரத்திற்கு 2, 3, 4, 5 நாளைக்கு மேல் வேலை செய்வதற்கு வேண்டிய நூலை அவர்களுக்குக் கிடைக்கவில்லை. நமக்கு கனம் மந்திரியார் அவர்களே கொடுக்கப்பட்டிருந்த அறிக்கையிலிருந்து சென்ற வருஷம் நம் மாகாணத்திற்கு சராசரி மாதம் ஒன்றுக்கு 16,957 பேல்கள் தான் கொடுக்கப்பட்டிருப்பதாகத் தெரிகிறது. ஆனால் பேல்கள் என்னவோ நம்முடைய மாகாணத்திற்கு வந்திருக்கும். ஆனால் நம் மாகாணத்திலுள்ள நெசவாளர்களுக்கு அவைகள் சரியாக விநியோகம் செய்யப்படவில்லையென்பதை நான் கனம் மந்திரி பெருமாள்சாமி ரெட்டியார் அவர்களுடைய கவனத்திற்கு இந்தச் சந்தர்ப்பத்தில் கொண்டுவராமல் இருக்க முடியவில்லை. இப்போது நம் சென்னை அரசாங்கத்தார் நம் மாகாண கைத்தறிகள் அதிகரித்திருப்பதால் நமக்கு 29,000 பேல்கள் ஒதுக்கித் தரவேண்டுமென்று மத்திய அரசாங்கத்தை வற்புறுத்திக் கேட்டிருக்கிறார்கள். சென்ற வருஷத்திலே நம் மாகாணத்திற்கு சராசரி மாதம் 16,957 பேல்கள், அதாவது கிட்டத்தட்ட 17,000 பேல்கள் சப்ளை செய்யப்பட்டிருக்கிறது. இப்படி 17,000 பேல்கள் நம் மாகாணத்திற்கு சப்ளை செய்யப்பட்டிருந்தால் உண்மையில் ஏன் நெசவாளர்கள் நூல் கிடைக்கவில்லையென்று கதறுகிறார்கள். கஷ்டம் படுகிறார்கள். அவர்களுக்கு ஒரு நாள் தேவை ஆயிரம் பேல்தானே 17,000 பேல் கிடைத்திருப்பதால் மாதத்திற்கு 17 நாளாவது வேலை கிடைத்திருக்குமே? நான் இப்போது உங்களைத் தலைச் சொல்லுகிறேன் நமக்குக் கிடைத்த நூலும் சரியாக நெசவாளர்களிடம் பகிர்ந்து கொடுக்கப்படவில்லை. ஒரு சிலரிடத்திலேயே அவைகள் பதுக்கப்பட்டுவிட்டது. எது எப்படியிருந்தபோதிலும் கனம் மந்திரி பெருமாள்சாமி ரெட்டியார் அவர்களை இப்போது வற்புறுத்திக் கேட்டுக் கொள்வது என்னவென்றால், முன்பு போனது போகட்டும், அதைப்பற்றி நாம் இப்போது குறிப்பிட்ட பேசிக் கொண்டிருப்பதில் பயன் இல்லை. உடனடியாக உச்ச நிலையாக, மிக பரிதாபகமான நிலையை அடைந்துள்ள நெசவாளர்களின் கஷ்டத்தைப் போக்க பரிசாரம் தேடவேண்டும். நம்முடைய மாகாணத்திற்காக அலாட் செய்யப்படுகிற நூலை சரியாகப் பகிர்ந்து ஜில்லா வாரியாக, தறிகள் வாரியாக ஒதுக்கவேண்டும். ஒரு ஜில்லாவில் ஒரு தறிக்கு ஒரு பொட்டி ஒதுக்கப்பட்டது என்றால் இந்த மாகாணத்தில் உள்ள ஜில்லாக்களிலுமுள்ள ஒவ்வொரு தறிகளுக்கும் ஒரு பொட்டி கிடைத்தது என்று இருக்க வேண்டும். ஒரு தறிக்கு 10 ராத்தத்தான் என்றால், 10 ராத்தல் மாகாணம் முழுவிலுமுள்ள தறிகள் எல்லாவற்றிற்கும் கிடைத்திருக்க வேண்டும். இதற்குத் தக்க ஏற்பாட்டை கனம் அமைச்சர் அவர்கள் செய்ய வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். கிடைக்கிற பேல் எல்லாம் நம் மாகாணம் முழுவதும் சரியாக விநியோகிக்கப்பட வேண்டுமென்பதே என் வேண்டுகோள்.

"சென்ற வருஷத்திலே நூல் விநியோகம் ஒவ்வொரு ஜில்லாவிற்கும் செய்யப்பட்டிருக்கிறது. தறிகள் அதிகமுள்ள ஜில்லாவிற்கு குறைவு"

[Sri A. J. Arunachalam] [14th February 1951]

வும், தறிகள் குறைவாகவுள்ள சில ஜில்லாக்களுக்கு நூல் சப்ளை அதிகமாகவும் கொடுக்கப்பட்டிருக்கிறதை நான் உதாரணமாக இரண்டு ஜில்லாக்களை மாத்திரம் சுட்டிக்காட்டி குறிப்பிட்ட விரும்புகிறேன். இம்மாதிரி இனி வருங்காலத்தில் நடக்காமல் ஒவ்வொரு ஜில்லாவிலும் தறிகள் எவ்வளவு இருக்கின்றன என்பதை கணக்கெடுத்து அதற்குத் தக்கபடி ஒதுக்க வேண்டுமென்று கணம் அமைச்சர் அவர்களுடைய கவனத்திற்குக் கொண்டு வர விரும்புகிறேன். சென்ற மாதம் சேலத்தில் கிளர்ச்சி செய்யப்பட்டது. சேலம் ஜில்லாவிற்கு 1,483 பேல்கள் கொடுக்கப்பட்டதாக நான் தெரிந்து கொண்டேன்."

**THE HON. SRI C. PERUMALSAMI REDDI :—**"I think for Salem, the actual figure is 1,109 bales and not 1,483."

**SRI A. J. ARUNACHALAM :—**"Is it including the handloom weavers and Co-operative Societies? If so, it will come to 1,483 bales"

**THE HON. SRI C. PERUMALSAMI REDDI :—**"My figure is correct, Sir."

**SRI A. J. ARUNACHALAM :—**"அங்கே 1945-ம் வருஷ கணக்குப்படி பார்த்தால் 65,737 தறிகள்தான் அங்கே இருந்து இருக்கிறது. ஆனால் இப்போது 7 வருஷங்கள் ஆயிவிருக்கிறது. இப்போது அங்கே லக்ஷத்து 4 ஆயிரம் தறிகள் இருக்கிறது. இந்த மாதிரி பார்க்கப்போனால் ஒவ்வொரு ஜில்லாவிலும் 1945-ம் வருஷத்திற்குப் பிறகு தறிகள் கூடுதலாயிருக்கின்றன. அன்று 6 லக்ஷம் என்றால் இன்று 6 லக்ஷம் அதிகமாயிருக்கிறது. இப்போது பார்க்கப்போனால் ஒரு தறி இருந்தால் அதற்குக் குறைந்தது 5 பேர் அல்லது 6 பேர் களாவது இருக்க வேண்டும். ஒருவன் நெசவு செய்தால் அவனுக்கு உதவியாக ஒருவன் பசை தடவ வேண்டும். ஒருவன் பாவு விட வேண்டும். ஆக இப்படி 5, 6 பேர்களுடைய உதவியில்லாமல் ஒரு தறி ஓட முடியாது. ஆகவே இன்று நம் மாகாணத்தில் 6 லக்ஷம் தறிகள் இருக்கின்றன என்றால் அந்த தறிகளுக்கு உதவியாக வேலை செய்யக் கூடியவர்கள், தறிக்காரர்கள். இந்த கைத்தறித் துணிகளையே விற்பனை செய்வார்கள், வாங்கி உடுத்துக்கொள்ளும் அனுதாபிகள் ஆக எல்லாம் சேர்ந்து நம் முடைய மாகாணத்தில் 50 லக்ஷம் பேர், அதாவது 1 கோடி மக்களுடைய ஜீவனத் தொழிலாக இது அமைந்து இருக்கிறது என்பதை நான் இந்த சமயத்தில் கணம் மந்திரியார் அவர்களுடைய ரூபகத்திற்குக் கொண்டு வர விரும்புகிறேன். சேலம் ஜில்லாவில் சென்ற மாதத்தில் 14 பேல் கொடுக்கப்பட்டிருக்கிறது. அதே நேரத்தில் வட ஆற்காடு ஜில்லாவை எடுத்துக்கொள்ளுங்கள். அங்கே 38,856 தறிகள் இருக்கிற ஒரு இடத்திற்கு 609 பேல்கள் கொடுக்கப்பட்டிருக்கிறது. அதே நேரத்தில் 25,447 தறிகள் இருக்கிற குண்டூர் ஜில்லாவுக்கு 549 பேல்கள் கொடுக்கப்பட்டிருக்கிறது. மற்ற ஜில்லாக்களைப்பற்றி நான் சொல்லவில்லை. தறிகள் அதிகமாகவுள்ள ஜில்லாக்களுக்கு சப்ளை குறைவாக இருக்கிறது. ஆகையால் நான் சொல்வது என்னவென்றால் ஜில்லாவாரியாக, தறிகளை கணக்கு எடுத்து ஒரு ஜில்லாவிற்கும் சரிசமமாக நூலைப் பகிர்ந்து கொடுத்தால் இப்போது ஏற்பட்டிருக்கிற கஷ்டம் ஒரு நாளும் ஏற்படாது. அதை உடனடியாக கவனிக்க வேண்டுமென்று கேட்டுக் கொள்ளுகிறேன். வரப்போகிற பிப்ரவரி, மார்ச்சு மாதத்திலிருந்தாவது இந்த விதமான குறைபாடுகள் நிவர்த்திக்கப்படுமென்று நான் நம்புகிறேன்."

"நம்முடைய மாகாணத்திலே நெசவுத் தொழிலாளர்கள் படும கஷ்டத்தை ஜனப் மஜீத் அவர்கள் நன்றாக எடுத்துச் சொன்னார்கள். அதையே நான் திருப்பிச் சொல்லிக் கொண்டிருக்க ஆசைப்படவில்லை. ஆனால் நம் மாகாணத்தில் இந்த விதமான நிலைமை ஏற்பட்டிருக்க வேண்டிய அவசியமே யில்லையென்றுதான் எனக்குத் தோன்றுகிறது. நம்முடைய மாகாணத்தில் சராசரி உற்பத்தி 48 ஆயிரம் பேல் என்று தெரிகிறது. நம்முடைய தேவையே 29,000 பேல்கள்தான் என்று சொல்லுகிறார்கள்."

[14th February 1951] [Sri A. J. Arunachalam]

தேவை உற்பத்தியை விட குறைவாக இருக்கும்போது நம் மாகாண நெசவாளர்கள் ஏன் கஷ்டப்பட வேண்டுமென்று தெரியவில்லை. இந்தக் கேவலம்தான் நிலைமையை நீக்க நாம் உடனடியாக முயற்சி செய்தாலொழிய இந்த நிலைமை எப்படிப் போகுமென்று சொல்ல முடியாது. இப்போது பேப்பரில் பார்த்தால் சுமார் 12 இடங்களில் இன்று நெசவாளர்கள் சத்தியாக்ரகமும் செய்து வருகிறார்கள். சில அரசியல் க்களிகள் தங்களுடைய அதிகார ஆசையின் காரணமாக மக்களிடையே அவர்களுக்கு நூல் வாங்கித் தருவதாகப் பொய் ஆசை காட்டி மறியல் செய்யும்படி தூண்டி வருகிறார்கள். ஆனால் பாமர எழை நெசவாளர்கள் தங்களுக்கு நிச்சயமாக நூல் கிடைக்குமென்று நம்பிக்கையினால் அவர்கள் அவர்களுடைய பேச்சைக் கேட்டுக்கொண்டு சத்தியாக்ரகத்தில் இறங்குகிறார்கள். மேலும் இம்மாதிரி இரா க்களிகள் தங்களுக்குச் சாதகமாக இந்த நூல் நெருக்கடி தருவதை பயன் படுத்திக்கொள்வதை அனுமதிக்கக் கூடாது. இதை அனுமதித்தால் அவர்கள் என்ன சொல்லி வருகிறார்கள் என்றால், அதிகாரிகள் ஆபீஸ் வாயிலிலும், அரசாங்க கட்டிட முன்பும், பெரிய பெரிய மில்களின் முன்பும் மறியல் ஆரம்பிக்க வேண்டுமென்று பிரசாரம் செய்கிறார்கள். இந்த மாதிரியான ஒரு துஷ்பிரசாரத்தை அனுமதிக்காமல் அதற்குத் தக்க நடவடிக்கை எடுத்து சீக்கிரமாக இதை தீர்க்க வேண்டும். இல்லாவிட்டால் என்ன நேருமென்று யாராலும் ஊகித்துக்கொள்ள முடியாது. உத்தியோகஸ்தர்களின் ஸ்டீடு வாசல்களிலும், மில்களின் வாசல்களிலும், மில் ஸ்டேட் நாமனிகள் முன்பும் மறியல்கள் நடத்த முற்படுபவர்களைத் தடுத்து அந்த பெரிய நாசகார வேலையை தண்ட செய்ய வேண்டுமென்று நான் கணம் மந்திரியார் அவர்களைக் கேட்டுக் கொள்ளுகிறேன்."

"அடுத்தபடியாக நூல் விநியோக விஷயமாக ஏற்படும் கஷ்டத்தை இப்பொழுது நான் சொல்லப் பிரியப்படுகிறேன். மில்களிலிருந்து வரும் பேல்களை விநியோகிக்கும் முறையில் ஒவ்வொரு ஜில்லாவிற்கும் ஒவ்வொரு வருக்கு 3, 4 என்று கணக்கு வைத்து பேல்களைக் கொடுக்கும்படி ஏற்பாடு செய்திருக்கிறார்கள். மில்களில் முதல் வாரத்தில் ஒரு மாதத்திய உற்பத்தி செய்யப்படுகிறது. அதன்படி பேல்களுக்கு புள்ளி விவரங்கள் கொடுத்து விடுகிறார்கள். அதை வைத்துக்கொண்டு Director of Controlled-Commodities ஒவ்வொரு ஜில்லாவிற்கும் எவ்வளவு பேல்கள் என்று நிர்ணயம் செய்து ஸ்டேட் நாமினிகளுக்கு மில்களிலிருந்து பேல்களை அனுப்பவேண்டுமென்று தகவல் கொடுக்கிறார்கள். இதனால் நூல் விநியோகம் செய்யும் விஷயத்தில் மில்காரர் மீதும் குறை இருக்கிறது. அவர்கள் இந்த நெருக்கடியை உண்டுபண்ணி விடுகிறார்கள். அதனால் மில்காரர்களை யெல்லாம் ஒன்று சேர்த்து சங்கம் அமைத்து அதன் மூலமாக உடனடியாக நூல் விநியோகம் செய்யும்படி ஏற்பாடு செய்ய வேண்டும். இப்பொழுது மாகாணத்தில் நெசவுக்காரர்கள் மிகவும் கஷ்டமடைந்து வருகிறார்கள். இந்தக் கஷ்டத்தை போக்கடிக்க அவர்கள் அரசாங்கத்தோடு ஒத்துழைக்கவேண்டும். உடனடியாக பேல்களை delivery கொடுக்க ஏற்பாடு செய்ய வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். ஆனால் மில் முதலாளிகள் தங்களுக்கு பஞ்ச கிடைக்கவில்லை என்று சொல்லுகிறார்கள். அதை நிவர்த்தி செய்ய நான் ஒன்று சொல்லுகிறேன். நம்முடைய அரசாங்கம் மத்ய அரசாங்கத்தை வற்புறுத்தி உடனடியாக தாராளமாக பஞ்ச வாங்கிக் கொடுக்கும்படி ஏற்பாடு செய்து விந்தால் அதன் மேல் மில்கள் நூல்களை உற்பத்தி செய்து நெசவாளர்களுக்கு பேல்களை சப்ளை செய்து கொடுக்க முடியும். ஆகவே முதலில் அவர்களுக்கு பஞ்ச சப்ளை செய்யவேண்டும்."

"இரண்டாவதாக அவர்கள் நமக்குச் செய்யவேண்டியது என்ன என்பதை இப்பொழுது நான் சொல்லுகிறேன். ஸ்டேட் நாமினிகளுக்கு அனுப்பும் பொழுது 25-ம் தேதி பேல்களை அனுப்புவதற்கு 14, 15 தேதிகளில் பணத்தை அனுப்பும்படி சொல்லுகிறார்கள். அதாவது 30-ம் தேதி உற்பத்தி செய்கிறபோதும் பேல்களுக்கு அவர்கள் இவ்விதம் ஏராளமான பணத்தை வாங்குவதில் லாபசேனை இல்லை. அவர்கள் பணத்தை வாங்குவதன் பேல்களை தூரீதமாக அவர்களுக்கு அந்தந்த ஜில்லாவிற்கு அனுப்பி

4-30  
p.m.

[Sri A. J. Arunachalam] [14th February 1951]

வைக்கவேண்டும் மென்றுதான் கேட்டுக்கொள்ளுகிறேன். 30-ம் தேதி உற்பத்தியாகப்போகிற பேல்களுக்கு இப்பொழுது பணம் மொத்தமாக வந்து விடுகிறது என்று இருந்து விடுவார்கள்; ஆகவே 30-ம் தேதி மொத்தமாக சேர்த்து அனுப்புவது என்றில்லாமல் 10-ம் தேதிக்கு மேலும், 15-ம் தேதிக்கு மேலும் ஒவ்வொருவருக்கும் அனுப்புவதை உற்பத்தியாக ஆக அனுப்பிக்கொண்டேயிருக்கும் படியாக ஏற்பாடு செய்ய வேண்டும்; பணம் முன்னமேயே போகாமல் பேல்கள் ரெடியானவுடன் பணத்தை அனுப்பும் பட்சத்தில் தறிகாரர்களுக்கு சௌகரியமாக இருக்கும்; அவ்விதம் செய்தால் மில்காரர்கள் அவ்வப்பொழுது பேல்களை அனுப்பி வைப்பார்கள். அவ்விதம் செய்யும்படியாக கனம் மந்திரியவர்கள் மில்காரர்களுக்கு உத்தரவு செய்யவேண்டுமென்று நான் கேட்டுக்கொள்ளுகிறேன்.

“சில சமயங்களில் ஒரு மாதம், ஒன்றரைமாதம். இரண்டு மாதங்களுக்கு பேல்களை வேண்டியது அனுப்பிவைப்பதில்லை. ஜனவரி மாதத்திற்கு 1,156 பேல்கள்தான் allot செய்திருக்கிறது என்று சொன்னார்கள். இந்த சப்ளை ஒரு மாதம் பூராவும் வேலை செய்வதற்கு போதவே இல்லை; மத்திய அரசாங்கத்தின் தொழில் மந்திரி கனம் ஹரி கிருஷ்ண மேதாப் இங்கு வந்த காலத்தில் பல ஸ்தாபனங்களின் தொழிலாளர்கள் தங்களுடைய கஷ்டங்களை எடுத்துச் சொன்னார்கள்; சட்டசபை சார்பாகவும் ஒரு துது கோஷ்டி சென்றது; அதில் நானும் ஒருவன். அவர் இங்கிருக்கும் கஷ்டத்தை உணர்ந்து, ‘உங்களுடைய கஷ்டத்தை நான் அறிந்து கொண்டேன், அதனால் ரொம்பவும் வருத்தப்படுகிறேன்’ என்று சொல்லி உடனடியாக சென்னை மாகாணத்திற்கு ஜனவரி மாதத்திற்கு 17,450 பேல்களும், பிப்ரவரி மாதத்திற்கு 18,800 பேல்களும், மார்ச்சு மாதத்திற்கு 19,037 பேல்களும் கொடுக்கிறேன் என்றும் சொன்னார்; இன்னும் எப்ரல் மாதத்திற்கு மழயபடி 22,500 பேல்கள் கிடைக்கும்படி ஏற்பாடு செய்கிறேன் என்றும் சொன்னார். அப்பொழுது நான் கேட்டேன் கனம் மந்திரி அவர்களும் இருந்தார், நான் சொல்லுகிறபடி 17,451 பேல்கள் ஜனவரி மாதத்திற்கு கொடுத்து உதவி செய்தால் மாகாணத்திலுள்ள தறிகாரர்கள் பட்டுக்கொண்டிருக்கும் கஷ்டத்தில் முக்கால்வாசி தீர்ந்து விடும் என்று சொன்னேன். அவர்கள் கொடுப்பார்களா வென்றும் கேட்டேன். நீங்கள் செல்லுவது போல் கொடுப்பது என்பது பெரியதானிருக்கும், நீண்ட முறையிலிருக்கும் வென்று கேட்டேன். நடை முறையில் இருக்கும் என்றும் சொன்னார்கள். ஆனால் சற்றேறக்குறைய 17,000 பேல்களுக்கு 15,143 பேல்கள்தான் allotment செய்யப்பட்டது; மேற்கொண்டு கிடைக்கவில்லை; இன்று 10,000 பேல்கள் தறிகாரர்களுக்கு கொடுத்திருக்கிறார்கள்; அதில் வட ஆற்காடு ஜில்லாவிற்கு 510 பேல்கள் allotment செய்தார்கள்; அதில் 280 பேல்கள்தான் இதுவரையில் வந்திருக்கிறது. மீதி வரவில்லை டிசம்பர் கடைசி வரையிலும் வரவில்லை. ஆனால் பொங்கலுக்கென்று ஒரு ஸ்பெஷல் அலாட்மெண்ட் போட்டுக்கொடுத்தார்கள் அவ்விதம் போடப்பட்டதெயொழிய அது இன்னும் வரவில்லை. ஆகையால் இந்த நெருக்கடியை உடனடியாக பகிர்ந்து கொள்வதற்காக மில்காரர்கள் ஒத்தாசை செய்ய வேண்டும் என்றும் மில்காரர்கள் கனம் மந்திரி அவர்கள் மூலமாகக்கேட்டுக் கொள்ளுகிறேன். அவ்விதம் ஒத்துழைத்தால் ரொம்பவும் சௌகரியமாக இருக்கும். சமீபத்தில் அவர்களுக்கு விலையை உயர்த்திக்கொடுக்க வேண்டுமென்று கேட்டதற்கும் விலையை உயர்த்திக் கொடுத்திருக்கிறார்கள். அவ்விதம் விலையை உயர்த்தி கொடுத்ததில் கூட எங்களுக்கு ஆட்சேபணை இல்லை. ஸ்டேட் நாமினேஷன் கமிட்டியை வந்து கேட்டார்கள். கண்கியில் விலையை உயர்த்துவதற்கு ஒப்புக்கொண்டோம். நான் நெசவு தொழிலாளர்களுடைய சங்கத்தின் வைஸ்-பிரசிடெண்ட் ஆக 1939-ம் வருஷத்திலிருந்து இருக்கிறேன். இப்பொழுது அந்த சங்கத்தின் பொக்கிஷதராக இருந்து வருகிறேன். நெசவாளர்களுடைய கஷ்டங்கள் எனக்கு நன்றாகத் தெரியும். இந்தக் கஷ்டத்தை உடனடியாக போக்குவதற்கு நூல்தான் தேவை. இப்பொழுது ஆயிரம் பேல்கள் ஒதுக்கப்பட்டிருப்பதால் ஒரு பிரயோஜனமும் படாது. (At this stage Mr. Speaker told the Hon. Member that his time was over.) மில்களிலிருந்து பேல்கள் உடனடியாக வருவதற்கு கனம் மந்திரி அவர்கள் ஏற்பாடு செய்யவேண்டும். அவ்விதம் செய்வதோடு, இப்பொழுது மில்கள் நமக்கு

[14th February 1951] [Sri A. J. Arunachalam]

வேண்டப்படாத நம்பர் நூல்களை உற்பத்தி செய்கிறார்கள். இதைப்பற்றி இதற்குமுன் நான் கனம் மந்திரி அவர்களை ஒருசேரவே கேட்டதற்கு 36-ம் நம்பர் நூல்கள்தான் உற்பத்தி செய்கிறார்கள் என்றும் 50-ம் நம்பரை நிறுத்திவிட்டார்கள் என்றும் பதில் சொல்லி இருக்கிறார்; இதைப்பற்றி நான் சென்ற மாதம் கேட்டதற்கு இவ்விதம் பதில் சொல்லியிருக்கிறார். பிறகு 50-ம் நம்பர் நூலை அலாட்மெண்ட் செய்யும்படி தகவல் கொடுத்திருக்கிறார்கள். 50-ம் நம்பர் நூலை வைத்துக் கொண்டு என்ன செய்வது? நமக்குத் தேவை 60-ம் நம்பர் நூலும், 40-ம் நம்பர் நூலும்தான். 60-ம் நம்பரும் 40-ம் நம்பரும் தேவையாக இருக்கும் பொழுது 50-ம் நம்பர் நூலைக் கட்டிவிடுகிறார்கள். இவ்விதம் செய்வதால் தறிகாரர்கள் அதற்கு வேண்டிய appliances அதாவது சாமான்களுக்கு எங்கே போவார்கள்? சாமான்களைத் தயார் செய்ய முடியாது. 30-ம் நம்பர் பாவுக்கு 50-ம் நம்பர் நூலைக் கொடுத்தால் நெசவிற்கு பிரயோசனப்படாது. அதேமாதிரி 30-ம் நம்பர் நெசவு செய்யக்கூடிய தறிகாரர்களுக்கு 26-ம் நம்பர் நூலைக்கொடுத்து நெசவு செய்யச் சொன்னால் அவர்கள் ரொம்பவும் கஷ்டப்பட்டு வருகிறார்கள். 30-ம் நம்பர் நூலுக்கு பதிலாக 26-ம் நம்பர் நூலைக்கொடுத்தாலும் வேண்டுமானால் கொஞ்சம் கஷ்டப்பட்டு பாவு போடலாம். அதிக வித்தியாசமுள்ள நம்பர் நூலைக்கொடுத்தால் அவர்களால் இரவில் வேலை செய்யவே முடியாது. கண்பார்வைக்கு கஷ்டம் ஏற்படும். ஆகவே கொடுக்கிற நூல் கொஞ்சம் நூலாக இருந்தாலும் தறிகாரர்களுக்கு எந்த நம்பர் நூல் பழக்கமாக இருக்கிறதோ அதை உற்பத்தி செய்து கொடுக்கும்படி ஏற்பாடு செய்யவேண்டும். அந்தப் பொறுப்பெல்லாம் நம்முடைய சென்னை அரசாங்கத்தினிடமிருந்து என்று சொல்லப்படுகிறது. இந்த நெருக்கடியான சமயத்தில் சில பொறுப்பு களை மில்களுக்கு விடக்கூடாது. ஆனால் அவ்விதம் சொல்வதற்கு நம்முடைய அரசாங்கத்திற்கு அதிகாரம் இல்லாமலிருக்கிறது. இந்தக் கஷ்ட நிலைமையில் இந்த அதிகாரத்தை தற்காலிகமாக மத்திய அரசாங்கத்தினிடமிருந்து நம்முடைய அரசாங்கம் பெற்றால் இந்த மாதிரியான கஷ்டம் ஏற்படாது. இந்த அதிகாரத்தை உடனடியாக நாம் எடுத்துக்கொள்ள வேண்டுமென்று தெரிவித்துக்கொள்ளுகிறேன். நமக்கு 50-ம் நூல் தேவையிலலை. 30-ம் நம்பர் நூல் தேவை இல்லை. நமக்கு வேண்டப்படாத நூலை உற்பத்தி செய்யாமல் நமக்கு வேண்டிய நம்பர் நூலை உற்பத்தி செய்யும்படியாக ஏற்பாடு செய்யவேண்டுமென்று கனம் அமைச்சர் அவர்களை கேட்டுக்கொள்ளுகிறேன்.

“அடுத்தாற்போல் colour-yarn-ஐப்பற்றி கொஞ்சம் சொல்லவேண்டியதாக இருக்கிறது. இதைப்பற்றி முன்னமேயே நான் கனம் அமைச்சரிடம் சொல்லியிருக்கிறேன். அவர்களும் செய்திருக்கிறார்கள். இப்பொழுது நான் ஒன்றை மட்டும் தெரிவித்துக் கொள்ளுகிறேன். அவர்கள் ஒரு பெட்டிக்கு ரூ. 27 என்று சாய ரேட் போட்டார்கள். ரூபாய் 27 ரேட் சாயம் போட்டு அந்தப் பேல்களை சில ஜில்லாக்களுக்கு கொடுக்கிறார்கள். Dyers' Association-க்கு 560 பேல் கொடுப்பதைப்பற்றி ஆட்சேபணை கிடையாது. அவர்களும் சாயப் பட்டரை வைத்திருக்கிறார்கள்.”

MR. SPEAKER :—“ உங்களுக்குள்ள நேரமாகிவிட்டது. ஏற்கனவே நீங்கள் 25 நிமிஷங்கள் பேசிவிட்டீர்கள். இத்துடன் நீங்கள் நிறுத்திக் கொள்ளுங்கள்.”

SRI A. J. ARUNACHALAM :—“ நான் ஒரு நெசவாளி, நெசவுத் தொழிலில் ரொம்பவும் உழைத்து வருகிறேன். இன்னும் கொஞ்சம் கூட நேரம் கொடுக்கவேண்டும். ஒரு விஷயத்தை மட்டும் சொல்லி முடித்துவிடுகிறேன்.

“இப்பொழுது சேலம் ஜில்லாவில் நெசவாளர்களுக்கு ரூபாய் 2 அணா 8 வீதம் கொடுத்து வருகிறார்கள். நான் ஒரு நெசவாளி என்ற முறையில் இவ்விதம் ரூபாய் 2 அணா 8 கொடுப்பதை நான் விரும்ப வில்லை. கொடுப்பது என்று ஆரம்பித்தால், கஷ்டம் என்பது சேலம் ஜில்லாவில் மாதிரியும் இல்லை. மாகாணத்தில் எல்லா இடங்களிலும் இருக்கின்றன. அப்பொழுது எல்லா ஜில்லாக்களுக்கும் தான் கொடுக்க வேண்டும். அவ்வி

[Sri A. J. Arunachalam] [14th February 1951]

தம் கொடுப்பதைவிட நாம் மத்திய அரசாங்கத்தை வற்புறுத்தி நூல் போல்களை அதிகமாக வாங்கிக்கொண்டு வந்து தறிகாரர்களுக்கு நூல் கொடுத்தால் அவர்கள் திருப்தியடைவார்கள் என்பதை தெரிவித்துக் கொண்டு இத்துடன் முடித்துக்கொள்ளுகிறேன்.”

4-45 P.M. SRI K. KOTI REDDI:—“ Mr. Speaker, Sir, the condition of the weavers in the State to-day, is very bad. I do not think that there had ever been a time when the distress among the weavers was so acute as it is to-day. I do not want to take up the time of the House in elaborating the great distress that exists amongst them, except to tell the Government that something must be done in order to give some help to them. In answer to a supplementary question that I put to the Hon. Minister for Industries the other day whether a cash dole should not be given to the weavers, he was good enough to say that if the Collectors . . . ”

SRI T. VISWANATHAM:—“ Is it not necessary to have a quorum, Sir? ”

MR. SPEAKER:—“ The Members are sitting just outside the Chamber and if the hon. Member desires, I have no objection to ring the bell, so that they may come in and form the quorum. The hon. Member Mr. Koti Reddi may continue.”

SRI K. KOTI REDDI:—“ The Hon. Minister was good enough to say that if the Collectors recommend to the Government that cash doles might be given, it will be considered. I know there was a time—it may be 30 or 40 years ago—when some of the weavers in the villages were accustomed to agricultural work, but the position of the weavers in the villages to-day is quite different. That is because for some years past they have been getting enough yarn from the mills and they had therefore practically very little to do with hand-spun yarn. So much so, that since the weavers in villages had full weaving work, the whole family has practically forgotten to do any work except weaving. It is also a well-known fact that in a family of weavers, not only the weaver but also his wife and children, are engaged in weaving and in fact the whole family forms a unit by itself and no member of the family is accustomed to do any other work even outside the home. That is the difficulty to-day. No doubt, the Hon. Revenue Minister said the other day that the Government were not in favour of giving cash doles; nor am I in favour of cash doles and not even the weavers are in favour of it. But, the difficulty to-day is, we are not in a position to supply enough yarn to the weavers for the whole of the month. To-day, as every one knows, the weaver has got work for only 5 or 6 days in a month; at any rate, for not more than a week. So, what has he to do for the rest of the month? Moreover, he has not put by anything; and he has no other means of earning his livelihood either. And, the dole of Rs. 2-8-0 he gets is not enough. So, when he has no other help, what is his position? The position of the ordinary agricultural worker is slightly different from that of the weaver. The agricultural labourer can depend upon his agriculture, and he can depend upon his landowner to help him in times of need and he can get loans from him; whereas in the case of most of the weavers, who are practically independent

[14th February 1951] [Sri K. Koti Reddi]

in the villages, no such help is available. So far as my district is concerned, there are really very few weavers in the villages, because most of them have flocked to the towns. Towns like Prodduttur and Cuddapah contain more than 10,000 weaver families. Even in villages, which cannot be considered as big towns, the weavers do not know of any other profession, except weaving, because what little they knew about agriculture, they had forgotten. It may not be the fault of the Government that they have not been able to supply adequate quantity of yarn to the weavers. But so long as they are not in a position to supply them with adequate yarn, they must somehow or other help them and the only way by which they can be helped is by means of doles, though the Hon. Minister does not like to do it. Even one rupee per family for a day is not sufficient; they will certainly go and get some work if they can but till then, we must give them something more, not Rs. 2-8-0 or something like that which they are giving but one rupee per day at least and even that is not sufficient.”

SRI S. NAGAPPA:—“ Mr. Speaker, Sir, the position of weavers and their present situation have been explained by hon. Members who have preceded me. In the Rayalaseema, there are a good number of weaver families who have been starving for want of work and you might have seen reports in the newspapers about their hunger marches to the Collectors to express their difficulties. But unfortunately, they could not solve their problem of the supply of the required quantity of yarn. The Government have been compelled in some districts to give them doles. I must submit, Sir, that the distress is prevalent everywhere and why should the Government give cash doles in certain districts and refuse it in certain other districts or leave it to the discretion of the Collectors? The yarn position in all the districts is the same as it is allotted on the loom basis but to those who are conscious of their rights and agitate for it, doles are given and those who are silent sufferers have been made to suffer without any kind of relief being afforded to them. I think, Sir, on this question the Government have committed a great injustice so far as these people are concerned. When the system of doles is adopted, it is also necessary that they should be made to work. I am glad the Hon. Minister said that they should have to take to some other avocation to supplement their income. I should suggest to the Government that each family may be supplied with one or two charkas and some slivers and they may be asked to learn how to spin and I am sure within a few weeks they will become master spinners and they need not wait for the yarn supplied by the Government for weaving purposes and they can try to weave the hand-spun yarn.

“ I would request the Government to take a census of the looms in the State. It has been stated that we have only about 5 lakhs of looms in the State. I think, Sir, many of the looms have not been accounted for because some of the weavers who had not been conscious of their rights, did not come forward to register their looms and so many have therefore not been registered. I would, therefore, request the Government to take a correct census of the looms, power looms and other rope-making and tape-making machines.

[Sri S. Nagappa] [14th February 1951]

"I am glad that the Government are going to exempt handloom cloth from fifty per cent of sales tax. Some time previously, it was difficult for the handloom cloth to find a market and at that time there was glut of yarn but now there is a market for handloom cloth but there is no yarn. I submit, Sir, that the Government must encourage the production of handloom cloth and they should completely exempt handloom cloth from sales tax altogether.

"The distribution has been entrusted to three channels, co-operative societies, mills and lastly there are the handloom weavers. I would request the Government to see that there is uniform distribution of yarn so that each weaver who is having a loom will get an equal share with any other. As it is, there is unequal distribution and some people who get direct from mills get more than others and there should not be this unequal system of distribution. There have been instances where people have not been able to get yarn for two or three weeks. I hope the Government will see that there is equal distribution of yarn.

"I am glad, Sir, the State Government has been able to persuade the Union Government to ban the export of yarn completely and it remains to be seen how far that will benefit our State.

"Area Committees have been formed in order to distribute the yarn. But the dealers who are appointed either by the Collector or the mill-owners do not respect the recommendations made by this Committee and I, therefore, request the Government to see that as far as possible these Committees are formed by the weavers themselves.

"One more thing I have to state. Now, Sir, all these troubles arise on account of shortage of yarn and therefore the production of yarn should be increased. We know that there is an application from the Guntakal Mills for Rs. 10 lakhs. If that is started, I think it will increase production. I think the Government will also take into consideration the requests made by the handloom weavers co-operative societies and make the grant of Rs. 10 lakhs which they have asked for. That will to a great extent solve the problem."

**SRI R. SUBBA IYER:**—"Mr. Speaker, Sir, both with regard to the question of food and of yarn, from the discussions that have taken place on the floor of the House, it seems to me that this Government have not been able to persuade the Union Government and press upon them the urgent need for meeting the full demands of the State. I am aware that when the Union Minister, the Hon. Sri Harekrushna Mahatab was here in the City some time ago, he assured us that nothing was wanting from our Hon. Minister for Industries in bringing as much pressure as possible upon the Union Government to meet the demands of the State, at any rate in respect of yarn. So far so good.

"During the debate, reference has been made to the Central Pool. While on this problem, many hon. Members have drawn pointed attention to the fact that this State is producing double the quantity of yarn required for our handlooms and in spite of that position, our handloom weavers are made to starve and the plight

[14th February 1951] [Sri R. Subba Iyer]

of the handloom industry is really pitiable. When we think of it and the proposal for having a Central Pool I am reminded of a **Tamil proverb**: 'நான் உயி கொண்டு வருகிறேன் நீ அவுல் கொண்டுவா. நாம் கலந்து, ஊதி, ஊதி தின்னலாம்.' Some children were playing and one child suggested to the other to bring some grain and as for itself it would bring some chaff and they were to mix it and share equally and eat blowing off the chaff. The Central Pool is something like that and it will be formed mostly by the contribution in yarn of this State. That being so, I feel it is up to our Government to press upon the Union Government to see that the demands of this State are met in full.

"Hon. Members who spoke before me have referred to the fact that a disproportionately large quantity of yarn is being given to dyers for being dyed and after the yarn is distributed to dyers it is no longer under the control except for purposes of fixing of prices and dyers are free to sell it in the open market. When it is a question of life and death for the weaver, there seems to be no point in diverting a large quantity of yarn to dyers so as to keep the dyeing industry alive. I have been told by some officers that it is very necessary to keep the dyeing industry going so as to preserve this dyeing art. Very responsible officers told me that dyeing is not an easy thing and you cannot allow anybody to dye and it is only those who are well-versed in it that can be entrusted with it. But to feed the dyeing industry, are the weavers to die? It is the lot of all to die, the producers, the weavers and the ryots but when it is the lot of the poor weavers to die, newspapers come with broad headlines saying that the death was due to starvation and it is that aspect of the matter with which we are concerned. When it is a question of life and death for the weaver, there is no meaning in saying that the dyeing industry should be kept alive. Let it be kept in cold storage for some time until we reach normalcy.

"It has been mentioned in many places and it has been brought to my notice also that quite a lot of unwanted counts of yarn are being distributed to places where they are not required. I do not know what that is due to and I hope that will be rectified by the Hon. Minister taking note of it.

"To ensure proper distribution of yarn, the Government have been well advised in forming advisory committees. It has come to my notice and many hon. Members must be aware of it that in a good number of places the weavers have formed themselves into groups so as to effect proper and normal distribution. I hope the Hon. Minister has taken note of it and would try to remedy the defects in distribution."

**SRI V. RAGHAVAYYA:**—"Mr. Speaker, Sir, I entirely endorse hon. Member Mr. Subba Ayyar's suggestions about dyeing. It has been a boon to this province all along. There was a time when dyers were making huge profits. If a man were to dye ten bales of yarn, he would be making a profit of nearly Rs. 500. The maximum fixed by the Government of India for a man to dye is five hundred bales a year. Then, Sir, of late there is a lot of difficulty in securing yarn for consumers. The Hon. Minister for



[Sri V. Raghavayya] [14th February 1951]

Industries has been very kind in the distribution of yarn; and of all the departments the yarn department seems to be the only department that has come out unscathed. If any criticism is to be levelled against, regarding this matter, it is not the Hon. Minister that is to be blamed; it is the Government of India that is to be blamed. Nellore district seems to have been treated justly. Its looms number 22,000 to-day. I feel there seems to be a lot of inflation in this. For, according to Dr. B. V. Narayana-swami's report, the number of looms in Nellore is 13,000, while as per the yarn committee's estimate it is 22,000; and perhaps the correct figure, we may put somewhere between 13,000 and 22,000. Now, in the statement, the Hon. Minister has stated that he has been able to secure an allocation of 17,451 bales for January and 18,801 bales for February. I request the Hon. Minister to be good enough to allot some more bales for Nellore. In this connection, in the matter of distribution of yarn, I cannot but repeat what I said with regard to food distribution by the Food Department. The whole trouble with regard to distribution is due to the officers of the department. The whole department is like the Trojan horse. We have read of the Trojan horse in our younger days; how the Greeks entered Troy in the belly of the wooden horse and at dead of night came out of the belly of the horse and sacked Troy. And like that,—here I may be a little harsh with regard to the departments, but I cannot help saying it—through this department of yarn a lot of licence is issued to undesirable persons, who are simply doing havoc. The Secretariat officialdom have never seen the villages. They have never gone out of this city. When the question of distribution of food or yarn is raised, immediately commences theoretical calculation, as to what is the stock available, to how many heads it has to be distributed, what the actual need of the particular time is and so on; the file takes six months to proceed from one room to another in the Secretariat. It is because of these calculations, all our trouble arises. When a food cargo arrives, immediately the Hon. Food Minister begins to calculate; the officials of the department begin to write about the data on which the quantity available should be calculated; there is a lot of noting, discussion, and the file moves very very slowly from one room to another room in the Secretariat; the result is there is delay, and inordinate delay and there is consequent suffering in the districts. So I am tempted to declare that if we dispense with all this officialdom, lock, stock and barrel, most of our difficulty will be over. For this sort of work, what is needed is quickness of decision and quick despatch of goods. If at all we want staff for this, it is not persons who can write good English, or those who know what dramas Shakespeare has written and all that knowledge of English literature that is wanted. I think people with a little bit of commonsense can do this work. The yarn licensees, like the Greek soldiers in the belly of the Trojan horse, who ultimately sacked the city of Troy, are the cause of all our trouble. I shall quote one instance. Sir, in Nellore, before the First-class Magistrate, a certain licence-holder, I shall not mention his name, was convicted on the charge of unreasonable hoarding of yarn with a fine of Rs. 300. Now that same gentleman has been favoured by the

[14th February 1951] [Sri V. Raghavayya]

Government—not by the Hon. Minister—but by the Collector of the district to supply mill cloth to Nellore district from the South Indian Mill Owners' Association. I think there are several such cases, and I only want such a thing should not be done; for persons who have been convicted by courts for offences stand self-condemned."

\* THE HON. SRI C. PERUMALSAMI REDDI :—" Mr. Speaker, Sir, I have heard the hon. Members on the yarn supply position. Before coming to the present scarcity and the measures taken to overcome it, I would like to trace the yarn position from the Second World War onwards as it will enable us to understand the problem in its proper background.

"In 1941 there was a growing demand for Indian yarn from countries overseas and there was great speculation and profiteering in yarn resulting in short supplies of yarn for internal consumption and consequent unemployment and unrest among the handloom weavers. This Government therefore urged upon the Government of India to stop exports of yarn, and control forward contracts and movements of yarn. The upward tendency of the prices of yarn was accentuated with the outbreak of the Second World War. The reduction in imports and increase in exports and consequent speculative activities of the dealers and middlemen further contributed to the shortage of yarn and higher prices. Various measures were taken by this Government in consultation with the Government of India to control the prices and the production and distribution of yarn by mills and the Madras Yarn (Dealers) Control Order, 1943, was issued by this Government.

"In 1945 the All-India Distribution Scheme was introduced under which quotas were fixed to the provinces, Madras getting 26.05 per cent out of the total quantity of yarn available for distribution in the country, i.e., 21,305 bales.

"In January 1948, the Government of India announced their decision to relax considerably the controls on cotton textiles. To keep in level with this policy, the Madras Government also decided to remove most of the restrictions imposed by them within the State and abolished the rationing of yarn. The Government expected that these measures of decontrol would not be abused by abnormal rise in prices, unequal distribution and hoarding, etc., and warned that the control be reimposed if found necessary.

"In March 1948, this Government decided to lift the control over internal distribution of yarn and to abolish the system of licensing of dealers in the State and the Madras Yarn Dealers (Control) Order was repealed. Price control over yarn was completely removed. Controls over movements of yarn within the Indian Union and over export of yarn had also been removed. The All-India Distribution Scheme was abolished on 23rd April 1948.

"The hopes of yarn becoming available to consumers at reasonable rates after the lifting of the controls however were not realized and the prices rose to fantastic heights. There was



[Sri C. Perumalsami Reddi] [14th February 1951]

growing dissatisfaction among the public on account of the high prices ruling in the market which showed no signs of improvement. At the end of July 1948, the Government of India therefore promulgated the New Cotton Textiles (Control) Order, 1948, reimposing control over cloth and yarn from 1st August 1948. The stocks of yarn with the mills were freed by the Textile Commissioner, Bombay, and defreezed from the third week of August 1948. The Madras Yarn (Dealers) Control Order, 1948, was promulgated on 16th September 1948 and arrangements were made for distribution of yarn, licensing of dealers, etc.

"Consequent on the ban of exports for the handloom goods during the war, there was stagnation with dealers. The glut in the handloom markets was attributable to the plentiful supply of mill cloth and the preference of the public for mill cloth which is comparatively cheaper than the handloom cloth. The handloom industry lost its markets abroad and after the partition of India, the markets in Pakistan were also lost. Consequently there was glut in yarn and to clear the accumulated stocks with dealers in the Province, distribution orders were relaxed removing quantitative restriction. Inter-district movements were allowed. Similarly to help mills in clearing their accumulations, the Textile Commissioner, Bombay, permitted the mills to sell all their stocks bearing December tax and earlier months to their own nominees approved by Government. Restrictions on export were also relaxed and there was a steady increase in the export of yarn from about 25,000 bales in January to about 81,000 bales in May 1950. The large exports were also attributable to the comparatively higher prices fetched by exports.

"Then came the beginning of the present scarcity. Owing to the non-availability of adequate supplies of the required types of cotton for spinning the particular counts of yarn, the mills have not been able to spin the required counts and quantities. As already stated, due to the disparity in the prices between yarn for local consumption and the yarn for exports, the tendency of the mills was more for switching over to remunerative and exportable varieties. The Hon'ble Union Minister has in his recent visit to Madras stated that the reason for the fall in yarn production was that the uneconomic units which worked and earned profit during the war had now to close down. Another reason for the fall was the textile strike in Bombay. The cut in power supply for some months in 1950 due to the failure of monsoon also contributed to the shortage in yarn production. The unrestricted exports were gradually on the increase with the consequent decrease in the quantity available for internal distribution.

"Restrictions on export of handloom cloth to all countries had since been removed and this has naturally led to greater consumption of yarn. The short supply of mill cloth in the State is also partly responsible to the increased consumption of handloom cloth resulting in greater consumption by handloom weavers.

"To overcome the shortage of yarn, this Government had done all that was possible under the existing circumstances. As a result of the repeated representations made by this Government,

[14th February 1951] [Sri C. Perumalsami Reddi]

the Government of India have recently withdrawn the concession from mills of free sale of yarn to dealers of their own choice and also banned export of all kinds of yarn by mills. Starting of new powerlooms had been stopped. Composite mills were prohibited from extending the weaving sections. They have also arranged to import 80s and 100s yarn required by the handloom weavers and have allotted a quota of twelve lakhs of rupees to this State for the purpose. The Director of Controlled Commodities has already placed orders with the established importers. The Union Minister had announced at Madras that he would grant licences to private parties to import yarn from Pondicherry and other soft currency areas.

"In order to give an incentive to increase cotton production, the prices of cotton have been raised at the rate of one hundred rupees per candy and the new prices will apply to the new crop coming into the market from January 1951.

"During his recent visit to Madras, the Hon'ble Sri Harekrishna Mahtab, Minister for Industry and Commerce, has announced that 17,451 bales of yarn will be made available to Madras in January 1951 and that the allotments would be increased progressively to 18,801 bales, 19,037 bales and 22,500 bales respectively in February, March and April 1951. The Textile Commissioner, Bombay, has issued running and *ad hoc* release orders to cover these quantities. Up to end of January 1951, only 15,164 bales have been received and the balance is expected to be made good in February 1951. The Textile Commissioner, Bombay, has also stated that he would be making allocations for February and March 1951 as promised by the Union Minister.

"Prices of certain counts of yarn were revised by the Textile Commissioner, Bombay, in January 1951, but the mills were not satisfied with the revised prices and they had been holding up packing and agitating for higher prices. As a result of the representations to Government of India that over 80 per cent of this State's requirements are in counts 20s to 40s, the Textile Commissioner, Bombay, has further revised the prices. In this revision, the prices of counts 20s to 40s have been substantially increased. With the increase in the prices, banning of exports, import of cotton and yarn, it is expected that the supply position will gradually improve and by April 1951, the requirements of this State will be adequately met.

"Among the suggestions for the improvement in the yarn supplies to this State, one relates to the reduction of yarn quota to composite mills. The average monthly production of yarn in the Indian Union in the first quarter of 1950 was 2,51,621 bales and the monthly consumption of yarn in the weaving sections of composite mills was 1,87,965 bales. Assuming that the cotton supply will not be worse than that in the corresponding period of 1950, the free monthly yarn available in the first quarter of 1951 may be about 68,656 or 64,000 bales. Deducting 5,000 bales for Government and other essential purposes, the quantity available for free distribution to handlooms and powerlooms may be about 58,656 or 59,000 bales for all-India.

[Sri C. Perumalsami Reddi] [14th February 1951]

"In 1948, the composite mills consumed 85 per cent of their production of yarn whereas the consumption in the first quarter of 1950 was about 93 per cent of their production or 8 per cent more. A uniform cut of 10 per cent on the yarn produced by composite mills may give about 20,000 bales, but as the composite mills are already offering about 14,000 bales to the free yarn pool, the extra offer from the composite mills may be about 6,000 bales. Out of this 6,000 bales, our State will get only about 1,600 bales. Government of India are not agreeable to this suggestion, as it will throw up a serious labour problem and the result obtained by the cut will not be worth inviting another serious trouble.

"Another suggestion is the reduction of quota for consumer quota holders, powerloom and handloom factories, etc. In the beginning of the present control, powerlooms were allowed 200 lb. of yarn per loom per month. This was raised to 400 lb. during later months of 1949 and reduced to 150 lb. now. If the supply to powerlooms which have been enjoying quota of yarn for several years is further reduced, there will be agitation again. In fact there are many powerlooms which are idle for want of yarn. In respect of master weavers, instructions have been issued that their quota should not exceed the ratio quantity that is available to other weavers. A cut for handloom factories, consumer quota holders and hosiery factories will naturally bring widespread agitation from fresh quarters and will not help the handloom weavers to any appreciable extent.

"There is also a suggestion in some quarters that the total quantity required for this State must be first met before allowing any yarn to go into the all-India pool. This is impracticable for obvious reasons. We have to look to the Centre for many other vital things and we cannot afford to follow a policy of isolation.

"Regarding the suggestion to increase the quota of yarn to this State, I would like to point out that this Government had already urged on the Government of India several times that the basic quota of this State should be raised to about 29,780 for handlooms only, besides 3,100 bales for miscellaneous consumers.

"Regarding sanctioning of cash doles to weavers till the yarn supply improves, I may say that cash doles were already sanctioned in Krishna and Salem and is being sanctioned for West Godavari."

SRI T. VISWANATHAM :—"Visakhapatnam?"

THE HON. SRI C. PERUMALSAMI REDDI :—"Government have issued instructions to all Collectors that relief works must be started for weavers. This will enable the weavers to earn some money and not merely depend on free cash doles. Whenever such works cannot be started and where Collectors recommend cash doles with reference to local conditions, it will be considered by Government.

"There is a complaint that there is no proper distribution of yarn resulting in blackmarketing. The Director of Controlled Commodities allots yarn to the districts on the basis of the number

[14th February 1951] [Sri C. Perumalsami Reddi]

of looms and the counts required in various localities. This distribution is done on the above formula through Advisory Committees and under the direct supervision of textile authorities. No dealer is allowed to sell yarn to weavers of his own choice and there is no possibility for blackmarketing unless the weaver himself connives at it. Steps have also been taken to ascertain the total number of active looms in the State with a view to urge on the Government of India for increased supplies.

"There is a suggestion to protect the handloom industry on a permanent basis and to secure foreign markets. There is already the All-India Handloom Committee which advises the Government of India on its textile policy with reference to handloom industry. Besides this, there is our State Handloom Committee. It is represented by all interests including some of the hon. Members of this House and functions for the same object. The State Handloom Committee has recommended the constitution of Handloom Boards in the districts to safeguard and stabilize the handloom industry. As I have already indicated, this Government will take all necessary steps for the standardization of handloom products and for stabilization of the handloom industry on the whole. At the instance of this Government, the Central Government have instructed their Trade Commissioners and Embassies in foreign countries to take positive steps to explore, build up and establish trade connexions between the handloom co-operatives and other approved organizations dealing with handloom cloth in India and their counterparts in foreign countries. As regards giving priority to the supply of yarn for manufacture of exportable varieties, it is not possible to supply yarn for exportable varieties starving the needs of looms producing varieties for internal consumption. Varieties for internal consumption and the exportable varieties should both be allowed to be produced and a judicious and an equitable distribution of yarn for the production of these varieties arranged.

"Regarding the suggestion for a research school, the Government Textile Institute and the expert designers employed by the Provincial Co-operative Society seem to be sufficient to attend to this matter and there appears to be no need for the present to open more research schools.

"In the end, I would like to assure the House that the Government are fully aware of the interests of the handloom industry for which we have done our best so far and will continue to do so in the future.

"I request the hon. Member to withdraw his amendment."

JANAB M. S. ABDUL MAJID :—"Mr. Speaker, Sir, the Hon. Minister has out-Heroded Herod. In my amendment I wanted only 29,000 bales of yarn. But he has gone a step further and requested the Government of India to allot twenty-nine thousand and odd bales for the handloom industry and three thousand odd bales for the miscellaneous consumers in this State. Besides, he has also met several of the points which I raised in the operative part of my speech. I make an earnest request to the Hon.

[Janab M. S. Abdul Majid] [14th February 1951]

Minister to see that his request for yarn does not remain idle in the archives of the Government and pursue it and see that the quantity which he has asked for is got for our State and the sufferings of the handloom weavers are put an end to as early as possible. With these words, I have great pleasure to withdraw my amendment."

The amendment was, by leave, withdrawn.

MR. SPEAKER:—"The question is—

That the yarn scarcity in the State be taken into consideration."

The motion was carried.

The House then adjourned to meet again at 11 a.m. on Monday, the 26th February 1951.

14th February 1951]

#### APPENDIX I.

[Vide answer to starred question No. 770 asked by Sri D. V. Ramaswami (on behalf of Sri G. Sanyasi Rao), at the meeting of the Legislative Assembly held on 14th February 1951, page 734 supra.]

It is presumed that the hon. Member refers to the acquisition of house-sites in high-level areas for the Harijan and other poor residents of Pedaramabhadrapuram village, whose houses were damaged by the floods of October 1949. It is reported that for the first few months after the floods all the Taluk officers of the affected areas were engaged in the distribution of relief in the shape of cash and building materials. In January 1950, the Collector asked the Taluk officers concerned to submit proposals, through their Revenue Divisional Officers, for the acquisition of sites for the affected persons. The cost of the acquisition was proposed to be met from the funds collected by the District Cyclone Relief Fund Committee. The proposals called for from the Taluk officers were not received in the first instance in complete shape or in the prescribed form. The proposals also later needed revision as some of the persons for whom house-sites were proposed, being well-to-do, had subsequently shifted themselves to safer places. According to a report submitted by the Collector on 12th December 1950, the Collector had asked the Revenue Divisional Officer concerned to re-examine the proposals and submit revised proposals, if necessary. The Collector expected to get the report of the Revenue Divisional Officer in complete form before the end of December 1950. The Collector has already been asked to see that the acquisition proposals are pushed through quickly.

[14th February 1951]

## APPENDIX-II.

[Vide item III (3) on page 765 supra.]

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY,  
MADRAS.

The Select Committee appointed to consider the Madras General Sales Tax (Amendment) Bill, 1950 (L.A. Bill No. 39 of 1950), has the honour to make the following report.

2. The Bill was published in English in an Extraordinary issue of the *Fort St. George Gazette*, dated 1st December 1950.

3. The Select Committee was appointed on the 19th December 1950.

4. The Select Committee met in the Council Chamber, Fort St. George, on 17th January 1951 and in the Hon. the Finance Minister's room on 18th January 1951 and concluded the consideration of the provisions of the Bill.

5. The more important among the changes made by the Select Committee are—

(i) The Appellate Tribunal was given discretion in the case of appeals made to it, either to insist on the payment of the whole tax assessed or allow the payment to be made in instalments or give any other relief in the matter of payment before appeal was heard.

(ii) It has been provided that the Government and the assessee should each have only one chance of review by the Appellate Tribunal and that within one year.

(iii) The High Court has also been given the same discretion as was decided in the case of the Tribunal regarding the payment of tax assessed before appeal was heard.

(iv) The Committee fixed Rs. 100 as the maximum fee in the case of appeals to the Appellate Tribunal and fixed fee of Rs. 100 in the case of petitions for revision and appeals to the High Court.

(v) A time-limit of three years in case of orders passed *suo motu* by the Commercial Tax Officer and four years in the case of such orders by the Deputy Commissioner and the Board of Revenue has been placed.

6. The other changes made in the Bill are all shown in the Bill as amended. It was not considered necessary to refer to them in detail.

7. In view of the minor changes effected, the Committee decided not to republish the Bill.

8. A copy of the Bill as amended by the Select Committee is annexed.

FORT ST. GEORGE,  
18th January 1951.

B. GOPALA REDDI,  
Chairman.

[14th February 1951]

## ANNEXURE.

(Note.—The changes made in the Bill are shown in clarendon type and the portions omitted are indicated by dots.)

L.A. BILL No. 39 OF 1950.

*A Bill further to amend the Madras General Sales Tax Act, 1939.*

WHEREAS it is expedient further to amend the Madras General Sales Tax Act, 1939, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Madras General Sales Tax (Amendment) Act, 1951.

(2) Section 6 shall be deemed to have come into force on the 1st day of April 1949; and the rest of this Act shall come into force on such date (hereinafter referred to as "the appointed day") as the State Government may, by notification in the *Fort St. George Gazette*, appoint.

2. In section 2 of the Madras General Sales Tax Act, 1939 (hereinafter referred to as the said Act)—

(i) clause (a-1) shall be relettered as clause (a-2) and before the clause as so relettered, the following clause shall be inserted, namely:—

"(a-1) 'appellate Tribunal' means the Tribunal appointed under section 2-A;

(ii) after clause (a-2) as so relettered, the following clause shall be inserted, namely:—

"(a-3) 'Commercial Tax Officer' means any person appointed to be a Commercial Tax Officer under section 2-B;

(iii) after clause (b), the following clause shall be inserted, namely:—

"(b-1) 'Deputy Commissioner' means any person appointed to be a Deputy Commissioner of Commercial Taxes under section 2-B;

3. After section 2 of the said Act, the following sections shall be inserted, namely:—

"2-A. (1) The State Government shall appoint an Appellate Tribunal consisting of a chairman and two other members to exercise the functions conferred on the Appellate Tribunal by or under this Act. The Chairman shall be a judicial officer not below the rank of District Judge, and the other two members shall possess such qualifications as may be prescribed.

[14th February 1951]

(2) Any vacancy in the membership of the Appellate Tribunal shall be filled up by the State Government.

(3) The Appellate Tribunal shall, with the previous sanction of the State Government, make regulations consistent with the provisions of this Act and the rules made thereunder, for regulating its procedure and the disposal of its business.

(4) The regulations made under sub-section (3) shall be published in the *Fort St. George Gazette*.

2-B. The State Government may appoint as many Deputy Commissioners of Commercial Taxes and Commercial Tax Officers as they think fit, for the purpose of performing the functions respectively conferred on them by or under this Act. Such officers shall perform the said functions within such local limits as the State Government or any authority or officer empowered by them in this behalf may assign to them.

4. In section 3 of the said Act, in sub-section (2)—

(i) for item (ii), the following item shall be substituted, namely:—

“(ii) Refrigerators, air-conditioning plants; component parts of refrigerators or air-conditioning plants } Six pies.”;

(ii) in item (iii) (b), after the words “Radio gramophones”, the word; “component parts of radio gramophones” shall be added.

5. In section 4 of the said Act—

(i) the words and figure “of section 3” shall be omitted;

(ii) after the words and figures “the Madras Abkari Act, 1886,” the words and figures “the Madras Prohibition Act, 1937” shall be inserted.

6. In section 8 of the said Act, in the second proviso, the word “legitimate” and the words “actually incurred by him and specified in the accounts” shall be omitted; and the words, “which are specified in the accounts and which the assessing authority considers legitimate” shall be added at the end.

7. After section 8-B of the said Act, the following section shall be inserted, namely:—

“8-C. Notwithstanding anything contained in this Act, the State Government shall, in respect of any sale of goods effected by them, be entitled to collect by way of tax any amount which a registered dealer effecting such sale would have been entitled to collect by way of tax under this Act.”

[14th February 1951]

8. In section 11 of the said Act—

(i) in sub-section (1)—

(a) after the words “assessment made on him”, the words, figures and brackets “under section 9, sub-section (2)” shall be inserted;

(b) in the proviso, after the word “Provided”, the word “further” shall be inserted;

(c) before the proviso, the following proviso shall be inserted, namely:—

“Provided that the appellate authority may admit an appeal preferred after the period of thirty days aforesaid, if the authority is satisfied that the assessee had sufficient cause for not preferring the appeal within that period.”;

(ii) in sub-section (4), for the words and figures “subject to the powers of revision conferred by section 12”, the words, figures and letter “subject to the provisions of sections 12 to 12-C” shall be substituted.

9. For section 12 of the said Act, the following sections shall be substituted, namely:—

“12. (1) The Commercial Tax Officer may—

(i) *suo motu*, . . . or

(ii) in case in which an appeal does not lie to him under section 11, on application,

call for and examine the record of any order passed or proceeding recorded under the provisions of this Act by any officer subordinate to him, for the purpose of satisfying himself as to the legality or propriety of such order, or as to the regularity of such proceeding, and may pass such order with respect thereto as he thinks fit.

(2) The Deputy Commissioner may—

(i) *suo motu*, . . . or

(ii) in respect of any order passed or proceeding recorded by the Commercial Tax Officer under sub-section (1) or any other provision of this Act and against which no appeal has been preferred to the Appellate Tribunal under section 12-A, on application,

call for and examine the record of any order passed or proceeding recorded under the provisions of this Act by any officer subordinate to him, for the purpose of satisfying himself as to the legality or propriety of such order, or as to the regularity of such proceeding, and may pass such order with respect thereto as he thinks fit.

(3) Board of Revenue may—

(i) *suo motu*, . . . or

Amendment of section 1 Madras Act IX of 1939

Substitution of new sections for section 12 Madras Act IX of 1939

Authorities competent to pass orders in revision.

Appointment of Deputy Commissioners of Commercial Taxes and Commercial Tax Officers.

Amendment of section 3, Madras Act IX of 1939.

Amendment of section 4, Madras Act IX of 1939.

Amendment of section 8, Madras Act IX of 1939.

Insertion of new section 8-C in Madras Act IX of 1939.

State Government entitled to collect tax on registered dealers.

[14th February 1951]

(ii) in respect of any order passed or proceeding recorded by the Deputy Commissioner under sub-section (2) or any other provision of this Act and against which no appeal has been preferred to the Appellate Tribunal under section 12-A, on application,

call for and examine the record of any order passed or proceeding recorded under the provisions of this Act by any officer subordinate to it, for the purpose of satisfying itself as to the legality or propriety of such order, or as to the regularity of such proceeding, and may pass such order with respect thereto as it thinks fit.

(4) In relation to an order of assessment passed under this Act—

(a) the power of the Commercial Tax Officer under clause (1) of sub-section (1) shall be exercisable only within a period of three years from the date on which the order was communicated to the assessee ;

(b) the power of the Deputy Commissioner under clause (1) of sub-section (2) and that of the Board of Revenue under clause (1) of sub-section (3) shall be exercisable only within a period of four years from the date on which the order was communicated to the assessee.

(5) Every application under sub-section (1) (ii), (2) (ii) or (3) (ii) shall be preferred within sixty days from the date on which the order or proceeding to which the application relates was communicated to the applicant :

Provided that the authority concerned may admit an application preferred after the period of sixty days aforesaid, if the authority is satisfied that the applicant had sufficient cause for not preferring the application within that period.

(6) No order shall be passed under sub-section (1), (2) or (3) enhancing any assessment, unless an opportunity has been given to the assessee to show cause against the proposed enhancement.

Appeal to the Appellate Tribunal. 12-A. (1) Any assessee objecting to an order relating to assessment passed—

(i) by the Commercial Tax Officer whether on appeal under section 11 or *suo motu* under section 12, sub-section (1), or

(ii) by the Deputy Commissioner *suo motu* under section 12, sub-section (2),

may, if the assessee has not preferred an application for revision of the order under section 12, sub-section (2), or under sub-section (3) of that section, as the case may be, appeal to the Appellate Tribunal within sixty days from the date on which the order was communicated to the assessee.

[14th February 1951]

(2) The Appellate Tribunal may admit an appeal preferred after the period of sixty days referred to in sub-section (1) if it is satisfied that the assessee had sufficient cause for not preferring the appeal within that period.

(3) The appeal shall be in the prescribed form, shall be verified in the prescribed manner, and shall be accompanied by such fee not exceeding one hundred rupees as may be prescribed.

(4) The Appellate Tribunal shall, after giving both parties to the appeal a reasonable opportunity of being heard, pass such order thereon as it thinks fit.

(5) Notwithstanding that an appeal has been preferred under sub-section (1), tax shall be paid in accordance with the assessment made in the case ;

Provided that the Appellate Tribunal may, in its discretion, permit the appellant to pay the tax in such number of instalments, or give such other direction in regard to the payment of the tax, as it thinks fit :

Provided further that if as a result of the appeal any change becomes necessary in such assessment, the Appellate Tribunal may authorize the assessing authority to amend the assessment, and on such amendment being made, the amount overpaid by the assessee shall be refunded to him without interest, or the further amount of tax due from him shall be collected in accordance with the provisions of this Act, as the case may be.

(6) (a) The Appellate Tribunal may, on the application either of the assessee or of the Deputy Commissioner, review any order passed by it under sub-section (4) on the basis of facts which were not before it when it passed the order.

Provided that no such application shall be preferred more than once in respect of the same order.

(b) The application for review shall be preferred in the prescribed manner and within one year from the date on which the order to which the application relates was communicated to the applicant ; and where the application is preferred by the assessee, it shall be accompanied by such fee not exceeding one hundred rupees as may be prescribed.

(7) Except as provided in the rules made under this Act, the Appellate Tribunal shall not have power to award costs to either of the parties to the appeal or review.

(8) Every order passed by the Appellate Tribunal under sub-section (4) or (6) shall be communicated by it to the assessee, the authority from whose order the appeal was preferred, the Deputy Commissioner, if he is not such authority and the Board of Revenue.



[14th February 1951]

(9) Every order passed by the Appellate Tribunal under sub-section (4) shall, subject to the provisions of sub-section (6) and section 12-B, be final; and every order passed by it under sub-section (6) shall, subject to the provisions of section 12-B, be final.

Revision by High Court. 12-B. (1) Within sixty days from the date on which an order under section 12-A, sub-section (4) or (6), was communicated to him, the assessee or the Deputy Commissioner may prefer a petition to the High Court against the order on the ground that the Appellate Tribunal has either decided erroneously, or failed to decide, any question of law:

Provided that the High Court may admit a petition preferred after the period of sixty days aforesaid if it is satisfied that the petitioner had sufficient cause for not preferring the petition within that period.

(2) The petition shall be in the prescribed form, shall be verified in the prescribed manner, and shall where it is preferred by the assessee, be accompanied by a fee of one hundred rupees.

(3) If the High Court, on perusing the petition, considers that there is no sufficient ground for interfering, it may dismiss the petition summarily.

Provided that no petition shall be dismissed unless the petitioner has had a reasonable opportunity of being heard in support thereof.

(4) (a) If the High Court does not dismiss the petition summarily, it shall, after giving both parties to the petition a reasonable opportunity of being heard, determine the question or questions of law raised and either reverse, affirm or amend the order against which the petition was preferred, or remit the matter to the Appellate Tribunal with the opinion of the High Court on the question or questions of law raised or pass such other order in relation to the matter as the High Court thinks fit.

(b) Where the High Court remits the matter to the Appellate Tribunal under clause (a) with its opinion on the question or questions of law raised, the latter shall amend the order passed by it in conformity with such opinion.

(5) Before passing an order under sub-section (4), the High Court may, if it considers it necessary so to do, remit the petition to the Appellate Tribunal and direct it to return the petition with its finding on any specified question or issue.

(6) Notwithstanding that a petition has been preferred under sub-section (1), tax shall be paid in accordance with the assessment made in the case:

Provided that the High Court may, in its discretion, permit the petitioner to pay the tax in such number of instalments, or give such other direction in regard to the payment of the tax, as it thinks fit:

[14th February 1951]

Provided further that if as a result of the petition any change becomes necessary in such assessment, the High Court may authorize the assessing authority to amend the assessment, and on such amendment being made, the amount overpaid by the assessee shall be refunded to him without interest, or the further amount of tax due from him shall be collected in accordance with the provisions of this Act as the case may be.

(7) (a) The High Court may, on the application either of the assessee or of the Deputy Commissioner, review any order passed by it under sub-section (4) on the basis of facts which were not before it when it passed the order.

(b) The application for review shall be preferred within such time, and in such manner, and shall, where it is preferred by the assessee, be accompanied by a fee of one hundred rupees.

(8) In respect of every petition or application preferred under sub-section (1) or (7), the costs shall be in the discretion of the High Court.

12-C. (1) Any assessee objecting to an order relating to assessment passed by the Board of Revenue *suo motu* under section 12, sub-section (3), may appeal to the High Court within sixty days from the date on which the order was communicated to him:

Provided that the High Court may admit an appeal preferred after the period of sixty days aforesaid if it is satisfied that the assessee had sufficient cause for not preferring the appeal within that period.

(2) The appeal shall be in the prescribed form, shall be verified in the prescribed manner, and shall be accompanied by a fee of one hundred rupees.

(3) The High Court shall, after giving both parties to the appeal a reasonable opportunity of being heard, pass such order thereon as it thinks fit.

(4) The provisions of section 12-B, sub-sections (6) to (8), shall apply in relation to appeals preferred under sub-section (1) as they apply in relation to petitions preferred under section 12-B, sub-section (1).

12-D. Every petition, application or appeal preferred to the High Court under sections 12-B and 12-C shall be heard by a Bench of not less than two Judges, and in respect of such petition, application or appeal, the provisions of section 98 of the Code of Civil Procedure, 1908, shall, so far as may be, apply."

and shall be heard by a Bench of not less than two Judges.

[14th February 1951]

Insertion of new section 18-A in Madras Act IX of 1939.

10. After section 18 of the said Act, the following section shall be inserted, namely :—

Courts not to set aside or modify assessments except as provided in this Act.

“18-A. No suit or other proceeding shall, except as expressly provided in this Act, be instituted in any Court to set aside or modify any assessment made under this Act.”

Amendment of section 19, clause (j), the following clauses shall be inserted, namely :—

Madras Act IX of 1939.

“(j-1) the term of office, and the conditions of service, of the members of the Appellate Tribunal;

“(j-2) the circumstances in which and the extent to which, fees paid in pursuance of section 12-A . . . . . may be refunded;”.

Disposal of certain applications pending with the Board of Revenue or the Deputy Commissioner on the appointed day.

12. Notwithstanding anything contained in the said Act or in this Act, any application preferred under section 12 of the said Act against an order of the appellate authority under section 11 of that Act, and pending before the Board of Revenue or the Deputy Commissioner on the appointed day, shall, on the expiration of thirty days from that day, stand transferred to the Appellate Tribunal for disposal as if it were an appeal preferred under, and in accordance with, the provisions of section 12-A of the said Act as amended by this Act:

Provided that, if within the thirty days aforesaid, the applicant intimates in writing to the Board of Revenue or the Deputy Commissioner, as the case may be, that he does not desire the application to be disposed of by the Appellate Tribunal, the application shall be disposed of by the Deputy Commissioner as if it had been preferred to him under, and in accordance with, the provisions of section 12, sub-section (2), of the said Act as amended by this Act.

Validation of collection of certain taxes by the State Government before the appointed day.

13. The collection of any tax before the appointed day by the State Government in respect of sales effected by them shall not be called in question in any Court on the ground that the said Act did not authorize such collection.

## INDEX TO MADRAS LEGISLATIVE ASSEMBLY DEBATES.

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

5th to 10th and 12th to 14th February 1951.

#### Volume VIII (Nos. 1 to 9).

PAGES

| A                                                               |                           |
|-----------------------------------------------------------------|---------------------------|
| Abdul Hameed Khan, Janab—                                       |                           |
| Bills—                                                          |                           |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950. | 56, 120-124, 231-234, 238 |
| General Sales Tax (Amendment) Bill, 1950 ..                     | 768-769                   |
| Prohibition (Amendment) Bill, 1951 ..                           | 760-761                   |
| Condolence Resolution re Janab M. Ebrahim Coomhase, death of .. | 1                         |
| Motion re Famine and Food ..                                    | 582, 600                  |
| Privilege of the House, breach of ..                            | 605-608, 636, 696         |
| See Questions and Answers.                                      | 27, 28                    |
| Abdul Khader Jamali, Janab—                                     |                           |
| Motion re Famine and Food ..                                    | 670-671                   |
| Abdul Majid, Janab M. S.—                                       |                           |
| Bills—                                                          |                           |
| Buildings (Lease and Rent Control) Second Amendment Bill 1950.  | 127-128, 182, 168-169     |
| General Sales Tax (Amendment) Bill, 1950 ..                     | 766                       |
| Motion re —                                                     |                           |
| Famine and Food ..                                              | 581, 620-623, 695         |
| Yarn scarcity ..                                                | 698-705, 815-816          |
| Adjournment Motion re—                                          |                           |
| Food situation ..                                               | 116-117                   |
| Relief to drought-affected areas, inadequacy of ..              | 23-24                     |
| Yarn scarcity ..                                                | 22-23                     |
| Agricultural implements—                                        |                           |
| Question re distribution of —, agency for ..                    | 21-22                     |
| Ahobilam Co-operative Agricultural Colony—                      |                           |
| Question re details regarding the working of — ..               | 208-209                   |
| Amaravathi Reservoir Project—                                   |                           |
| Question re completion of and the benefit derived from — ..     | 11-12                     |
| American Consulate General at Madras—                           |                           |
| See Papers laid on the table of the House.                      |                           |

## A—cont.

## PAGES

|                                                                                                  |                |
|--------------------------------------------------------------------------------------------------|----------------|
| Amiruddin, Begum Sultan Mir—                                                                     |                |
| Bill—General Sales Tax (Amendment) Bill, 1950 .. .. .                                            | 766-767        |
| Condolence Resolution <i>re</i> Janab M. Ebrahim Coonhee, death of ..                            | 2              |
| Half-hour debate <i>re</i> College of Indigenous Medicine, Madras, students' strike in — .. .. . | 720-721<br>723 |
| Motion <i>re</i> Famine and Food .. .. .                                                         | 661-663        |
| <i>See</i> Questions and Answers.                                                                |                |
| Ammanna Raja, Srimathi C.—                                                                       |                |
| Motion <i>re</i> Famine and Food .. .. .                                                         | 598-599        |
| Anantachar, Sri B.—                                                                              |                |
| Bills—                                                                                           |                |
| Merged Territories (Nomination to District Boards) Bill, 1951 ..                                 | 747            |
| Prohibition (Amendment) Bill, 1951 .. .. .                                                       | 764-765        |
| Annamalai Pillai, Sri N.—                                                                        |                |
| Bills—                                                                                           |                |
| Merged Territories (Nomination to District Boards) Bill, 1951 ..                                 | 751-752        |
| Prohibition (Amendment) Bill, 1951 .. .. .                                                       | 758-759        |
| Annamalai University—                                                                            |                |
| Question <i>re</i> Overseer course in — information <i>re</i> .. .. .                            | 472            |
| Appa Rao, Sri M. R.—                                                                             |                |
| <i>See</i> Questions and Answers.                                                                |                |
| Arecanuts.                                                                                       |                |
| Question <i>re</i> marketing of — .. .. .                                                        | 15-16          |
| Arunachalam, Sri A. J.                                                                           |                |
| Motion <i>re</i> yarn scarcity .. .. .                                                           | 800-806        |
| <i>See</i> Questions and Answers.                                                                |                |
| Ataullah, Janab M. S.—                                                                           |                |
| Bill—Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. .                      | 163-164        |
| Awards.                                                                                          |                |
| <i>See</i> Industrial Tribunal.                                                                  |                |

## B

|                                                                             |                                                                                                                                    |
|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Backward communities—                                                       |                                                                                                                                    |
| Question <i>re</i> pupil-teachers from — concessions given to — .. ..       | 115                                                                                                                                |
| Banganapalle—                                                               |                                                                                                                                    |
| Question <i>re</i> inam enquiry in — .. .. .                                | 555, 556                                                                                                                           |
| Bantumukkuva Scheme—                                                        |                                                                                                                                    |
| Question <i>re</i> execution of — .. .. .                                   | 210                                                                                                                                |
| Basic education—                                                            |                                                                                                                                    |
| Question <i>re</i> —                                                        |                                                                                                                                    |
| Teachers trained in — employment of .. .. .                                 | 188-189<br>488-489                                                                                                                 |
| Training course in South Kanara, number applied and selected ..             | 193                                                                                                                                |
| Basic Training Schools—                                                     |                                                                                                                                    |
| Question <i>re</i> number of — .. .. .                                      | 488-489                                                                                                                            |
| Beggar homes—                                                               |                                                                                                                                    |
| Question <i>re</i> number of — in the State .. .. .                         | 107-109                                                                                                                            |
| Bellary District Board—                                                     |                                                                                                                                    |
| <i>See</i> Papers laid on the table of the House.                           |                                                                                                                                    |
| Bhashyam, Sri K.—                                                           |                                                                                                                                    |
| Bill—Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. . | 30, 31, 34<br>40-41, 48, 56, 57, 58-59, 60<br>64, 70, 72-73, 78-79, 82<br>134-135, 137, 142, 145-146<br>148, 152, 155-156, 158-159 |

## B—cont.

## PAGES

|                                                                                                                                                     |                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| Bhashyam, Sri K.—cont.                                                                                                                              |                                      |
| Privilege of the House, breach of .. .. .                                                                                                           | 26, 27                               |
| Bills—                                                                                                                                              |                                      |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950 (L.A. Bill No. 18 of 1950)—                                                          |                                      |
| Considered .. .. .                                                                                                                                  | 30-86<br>117-173, 212-227, 237-238   |
| Passed into law .. .. .                                                                                                                             | 227-250                              |
| Estates Land (Reduction of Rent) Amendment Bill, 1950 (L.A. Bill No. 38 of 1950), message from the Council <i>re</i> .. .. .                        | 24                                   |
| General Sales Tax (Amendment) Bill, 1950—                                                                                                           |                                      |
| Considered .. .. .                                                                                                                                  | 765-776                              |
| Passed into law .. .. .                                                                                                                             | 776-779                              |
| Hindu Religious and Charitable Endowments Bill, 1949 (L.A. Bill No. 10 of 1949), message from the Council <i>re</i> .. .. .                         | 24                                   |
| Malabar Tenancy (Amendment) Bill, 1950 (L.A. Bill No. 30 of 1950)—                                                                                  |                                      |
| Considered .. .. .                                                                                                                                  | 250-268<br>330 377, 408-458, 490-542 |
| Passed into law .. .. .                                                                                                                             | 542-552                              |
| Merged Territories (Nomination to District Boards) Bill, 1951—                                                                                      |                                      |
| Considered .. .. .                                                                                                                                  | 741-756                              |
| Passed into law .. .. .                                                                                                                             | 756                                  |
| Prohibition (Amendment) Bill, 1951—                                                                                                                 |                                      |
| Considered .. .. .                                                                                                                                  | 756-764                              |
| Passed into law .. .. .                                                                                                                             | 764-765                              |
| Tungabhadra Project (Prevention of Speculation in land) Amendment—Bill, 1950 (L.A. Bill No. 36 of 1950), message from the Council <i>re</i> .. .. . | 24                                   |
| Warehouses Bill, 1949 (L.A. Bill No. 11 of 1949), — message from the Council <i>re</i> — .. .. .                                                    | 24                                   |
| Brahmanandam Reddi, Sri K.—                                                                                                                         |                                      |
| Bills—                                                                                                                                              |                                      |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. .                                                                              | 222                                  |
| Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                                                                                      | 442                                  |
| Merged Territories (Nomination to District Boards) Bill, 1951 ..                                                                                    | 749-750                              |
| Bridges—                                                                                                                                            |                                      |
| Question <i>re</i> road — over the Cauvery, Coleroon, Pennar, Krishna and Godavari, number and location of .. .. .                                  | 472-475                              |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950—                                                                                     |                                      |
| <i>See</i> Bills.                                                                                                                                   |                                      |
| Buses—                                                                                                                                              |                                      |
| Question <i>re</i> permits for running — in Krishna district, grant of ..                                                                           | 17                                   |
| Bus routes—                                                                                                                                         |                                      |
| Question <i>re</i> — opened in Rayalaseema since 1946, number of ..                                                                                 | 205                                  |
| Business of the House—                                                                                                                              |                                      |
| Motion <i>re</i> change of non-official into official day (Rule 24 of Assembly Rules) .. .. .                                                       | 329-330                              |
| C                                                                                                                                                   |                                      |
| Cattle trespass—                                                                                                                                    |                                      |
| Question <i>re</i> legislation for prevention of — .. .. .                                                                                          | 399-400                              |
| Causeway—                                                                                                                                           |                                      |
| <i>See</i> Pennar River.                                                                                                                            |                                      |
| Cauvery River—                                                                                                                                      |                                      |
| Question <i>re</i> road bridges over the — number and location of ..                                                                                | 472-475                              |

## C—cont.

|                                                                                       |                              |
|---------------------------------------------------------------------------------------|------------------------------|
| Census—                                                                               |                              |
| Question re 1951 census, arrangements for efficient conduct of ..                     | 113-114                      |
| Central College of Carnatic Music—                                                    |                              |
| See Colleges.                                                                         |                              |
| Chandramouli, the Hon. Sri K.—                                                        |                              |
| Bill—Merged Territories (Nomination to District Boards) Bill, 1951 ..                 | 741, 752-754, 756            |
| Chemical manures—                                                                     |                              |
| Question re supply of — ..                                                            | 210-211                      |
| Chidambaram Ayyar, Sri S.—                                                            |                              |
| Bill—Buildings (Lease and Rent Control) Second Amendment Bill, 1950 ..                | 37, 46-47                    |
|                                                                                       | 51, 54, 55, 57-58, 62, 71-72 |
|                                                                                       | 74, 85-86, 213-214, 215      |
|                                                                                       | 216, 218, 221, 223, 224, 226 |
| Chillies—                                                                             |                              |
| Question re ban on export of — ..                                                     | 390                          |
| Chintapalle-Gudem Road—                                                               |                              |
| Question re delay in the metalling of — ..                                            | 19-20                        |
| Circle Inspector of Police—                                                           |                              |
| Question re — shot by Communists near Bapatla, grant of compensation to his family .. | 317-318                      |
| Civil and Criminal Jurisdiction—                                                      |                              |
| Question re bifurcation of — of Munsif-Magistrates ..                                 | 84                           |
| Civil Disabilities Act—                                                               |                              |
| Question re enquiry under — against the Village Munsif, Pillicode, Kasaragod taluk .. | 476-477                      |
| Coconuts—                                                                             |                              |
| Question re marketing of — ..                                                         | 15-16                        |
| Coleroon River—                                                                       |                              |
| Question re road bridges over the —, number and location of ..                        | 472-475                      |
| Colleges—                                                                             |                              |
| Half-hour debate re students' strike in College of Indigenous Medicine, Madras ..     | 717                          |
| Questions re—                                                                         |                              |
| Central College of Carnatic Music, expenditure on and strength of ..                  | 435-436                      |
| College of Indigenous Medicine, Madras, students' strike in ..                        | 649-650                      |
| Number of, and Schools maintained by the Zamindars ..                                 | 13-15                        |
| Number of, in Rayalaseema ..                                                          | 322                          |
| Rural —, at Arcot, Badagara and Pentapadu, expenditure on and strength of ..          | 435-436                      |
| Commercial Pilots—                                                                    |                              |
| Question re — training, Government aid for ..                                         | 482                          |
| Communal G.O.—                                                                        |                              |
| Question re correspondence with the Union Government re — ..                          | 475-476                      |
| Communists—                                                                           |                              |
| Questions re—                                                                         |                              |
| Ban on —, removal of ..                                                               | 2-3                          |
| Control of Communist menace in Andhra districts ..                                    | 433-434                      |
| Murder of Circle Inspector of Police by —, near Bapatla ..                            | 317-318                      |
| Raid by —, in Nandigama taluk ..                                                      | 181-182                      |
| Raid by —, in Tadipatri taluk ..                                                      | 187-188                      |
| Condolence Resolution re—                                                             |                              |
| Ebrahim Coomhee, Janab M., death of ..                                                | 1-2                          |
| Constables (Police)—                                                                  |                              |
| Question re number of — recruited in 1950, community war, etc. ..                     | 436-439                      |

## C—cont.

|                                                                                                              |                                 |
|--------------------------------------------------------------------------------------------------------------|---------------------------------|
| Constitution of India—                                                                                       |                                 |
| Question re Article 46, implementation of ..                                                                 | 652-653                         |
| Co-operation—                                                                                                |                                 |
| Question re Advisory Committee on, — recommendations of ..                                                   | 92-93                           |
| Cottage Industries Co-operative Societies—                                                                   |                                 |
| Question re grant of loans to ..                                                                             | 397-399                         |
| Crime—                                                                                                       |                                 |
| Question re murders and suicides in the Madras State, number of ..                                           | 208                             |
| Crops—                                                                                                       |                                 |
| Question re damage to crops in Ciroars, extent of ..                                                         | 561                             |
| Cyclone—                                                                                                     |                                 |
| Question re — relief works in West Godavari district, provision for ..                                       | 402                             |
| D                                                                                                            |                                 |
| Damodaram, Sri M. P.—                                                                                        |                                 |
| Bill—Malabar Tenancy (Amendment) Bill, 1950 ..                                                               | 430-431                         |
|                                                                                                              | 445-447, 498, 500, 502, 504-507 |
| Deputy Collectors—                                                                                           |                                 |
| Question re Scheduled Caste candidates promoted as — in Andhra districts, number of ..                       | 17-18                           |
| Development Board—                                                                                           |                                 |
| Question re Setting up of a — for Visakhapatnam district ..                                                  | 95                              |
| District Boards—                                                                                             |                                 |
| Question re scheme for reorganization of ..                                                                  | 733, 734                        |
| District Food Production Committee—                                                                          |                                 |
| See Papers laid on the table of the House.                                                                   |                                 |
| Doraikkannu, Sri M.—                                                                                         |                                 |
| See Questions and Answers.                                                                                   |                                 |
| Doralraja Pandian, Sri D.—                                                                                   |                                 |
| See Questions and Answers.                                                                                   |                                 |
| Drainage and Water Works Scheme—                                                                             |                                 |
| Question re Vijayavada —, execution of ..                                                                    | 184                             |
| E                                                                                                            |                                 |
| Easwaran, Sri M. A.—                                                                                         |                                 |
| Motion re Famine and Food ..                                                                                 | 581, 583, 634-635, 695          |
| Education—                                                                                                   |                                 |
| Question re free — to teachers' children ..                                                                  | 16-17                           |
| Electricity—                                                                                                 |                                 |
| Question re supply of — to Nandigama taluk ..                                                                | 407                             |
| Employee's State Insurance Act—                                                                              |                                 |
| Question re Pilot scheme under the — introduction of ..                                                      | 318                             |
| Estates (Abolition and Conversion into Ryotwari, Act, 1948—                                                  |                                 |
| See Papers laid on the table of the House.                                                                   |                                 |
| Estates land (Reduction of Rent) Amendment Bill, 1950—                                                       |                                 |
| See Bills.                                                                                                   |                                 |
| F                                                                                                            |                                 |
| Famine—                                                                                                      |                                 |
| Question re Srikakulam district, declaration as a famine area ..                                             | 5-7                             |
| Famine and Food—                                                                                             |                                 |
| Motion re— ..                                                                                                | 567-635                         |
| Food—                                                                                                        |                                 |
| Question re—                                                                                                 |                                 |
| Cut in rations from January 1951 ..                                                                          | 395-397                         |
| Memorandum of the Madras Government to the Deputy Minister for Food, Government of India, presentation of .. | 561-562                         |
| Food Debate—                                                                                                 |                                 |
| Allotment of a day for ..                                                                                    | 28-29                           |
| Foodgrains—                                                                                                  |                                 |
| Question re—                                                                                                 |                                 |
| Quantity of allotted by the Union Government ..                                                              | 198-204                         |
| Quantity of exported from Krishna district ..                                                                | 197-198                         |

| F—cont.                                                                      | PAGES                                                     |
|------------------------------------------------------------------------------|-----------------------------------------------------------|
| Food situation—                                                              |                                                           |
| Adjournment motion <i>re</i> —                                               | 116-117                                                   |
| Question <i>re</i> —                                                         |                                                           |
| — in Tambaram, deputation <i>re</i> ..                                       | 321                                                       |
| Statement <i>re</i> — in the State ..                                        | 182-183                                                   |
| G                                                                            |                                                           |
| Gandikota Reservoir Scheme—                                                  |                                                           |
| Question <i>re</i> investigation of ..                                       | 3-5                                                       |
| General Sales Tax (Amendment) Bill, 1950 —                                   |                                                           |
| See 'Bills.                                                                  |                                                           |
| General Sales Tax (Turnover and Assessment) Rules, 1939 —                    |                                                           |
| Draft amendments to ..                                                       | 780-786                                                   |
| Godavari river—                                                              |                                                           |
| Question <i>re</i> Road bridges over the —, number of ..                     | 472-475                                                   |
| Gopala Reddi, the Hon. Sri R.—                                               |                                                           |
| Adjournment motion <i>re</i> —                                               |                                                           |
| Food situation ..                                                            | 116                                                       |
| Relief to drought-affected areas ..                                          | 23                                                        |
| Bill—General Sales Tax (Amendment) Bill, 1950 ..                             | 765-766, 771-774, 776-779                                 |
| Condolence resolution <i>re</i> Janab M. Ebrahim Coonhee, death of ..        | 1                                                         |
| Food Debat, Allotment of a day for ..                                        | 29                                                        |
| General Sales Tax (Turnover and Assessment) Rules, 1939, draft               |                                                           |
| amendments to ..                                                             | 780-786                                                   |
| Half-hour debate <i>re</i> College of Indigenous Medicine, Madras,           |                                                           |
| Students' strike in ..                                                       | 717, 722-725                                              |
| Information <i>re</i> sittings of the House ..                               | 407-408                                                   |
| Motion <i>re</i> Business of the House, change of non-official into official |                                                           |
| day (Rule 24) ..                                                             | 329                                                       |
| Statement <i>re</i> Grow More Food grants from the Government of India,      |                                                           |
| lapse of ..                                                                  | 739-741                                                   |
| Gopalaswami, Sri L. N.—                                                      |                                                           |
| Bills—                                                                       |                                                           |
| Buildings (Lease and Rent Control) Second Amendment Bill                     |                                                           |
| 1950 ..                                                                      | 31-32, 37-39, 136, 138, 139, 140, 141, 154, 155, 157, 162 |
| Merged Territories (Nomination to District Boards) Bill 1951 ..              | 744-746, 754                                              |
| Motion <i>re</i> Famine and Food ..                                          | 583, 627-631, 696                                         |
| Government Press—                                                            |                                                           |
| Question <i>re</i>                                                           |                                                           |
| Compositors in — trained in line-type operation, absorption of ..            | 185-187                                                   |
| Line-operators in — number retired and resigned ..                           | 20                                                        |
| Govinda Menon, Sri M. P.—                                                    |                                                           |
| Bill—Malabar Tenancy (Amendment) Bill, 1950 ..                               | 261-265, 362, 419-420                                     |
|                                                                              | 497-498, 515-517, 548-550                                 |
| Govindaswami Naidu, Sri N.—                                                  |                                                           |
| See Questions and Answers                                                    |                                                           |
| Grow More Food Grants—                                                       |                                                           |
| Statement <i>re</i> Lapse of ..                                              | 739-741                                                   |
| Guntupalle Pumping Project—                                                  |                                                           |
| Question <i>re</i> taking over of the — by the Government..                  | 389                                                       |
| H                                                                            |                                                           |
| Half-hour debate <i>re</i> —                                                 |                                                           |
| College of Indigenous Medicine, Madras, students' strike in ..               | 717-725                                                   |
| Harijans—                                                                    |                                                           |
| Question <i>re</i> —                                                         |                                                           |
| Grants to Harijan hostels ..                                                 | 103-107                                                   |
| Harijan hostel in Virudunagar, opening of ..                                 | 650-651                                                   |
| Harijan hostels in Kurnool district, application for recognition of ..       | 18                                                        |
| Pupil-teachers from — concession given to ..                                 | 115                                                       |
| Restraint on temple-entry by — of Polleru ..                                 | 7-9                                                       |
| Harikesavaperi tank—                                                         |                                                           |
| Question <i>re</i> restoration of ..                                         | 471                                                       |

|                                                                              | PAGES                                         |
|------------------------------------------------------------------------------|-----------------------------------------------|
| High Schools—                                                                |                                               |
| Question Managements of — in Rayalaseema, particulars <i>re</i> ..           | 206                                           |
| Hindi—                                                                       |                                               |
| Question <i>re</i> Teaching of — in Guntur District Board school ..          | 319-320                                       |
| Hindi Pandits—                                                               |                                               |
| Question <i>re</i> —                                                         |                                               |
| Appointment of — in high school ..                                           | 112-113                                       |
| Pay of — in district Board, Guntur ..                                        | 319                                           |
| Hindi teachers.                                                              |                                               |
| Question <i>re</i> Scales of pay of — ..                                     | 92                                            |
| Hindu Religious and charitable Endowments Bill, 1949—                        |                                               |
| See Bills.                                                                   |                                               |
| Hospital—                                                                    |                                               |
| Question <i>re</i> Local Fund — at Melur, Conversion into Government         |                                               |
| Hospital ..                                                                  | 401-402                                       |
| Hostel—                                                                      |                                               |
| Question <i>re</i> Grants to Girls' — at Kottur ..                           | 110                                           |
| House-sites—                                                                 |                                               |
| Question <i>re</i> —                                                         |                                               |
| Acquisition of — in Padaramabhadrapuram, delay in ..                         | 734-735                                       |
| Provision of — to Harijans in Srivilliputtur Taluk ..                        | 317                                           |
| Hussain, Janab H. S.—                                                        |                                               |
| Bills—                                                                       |                                               |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950.              | 85, 147                                       |
| Malabar Tenancy (Amendment) Bill, 1950 ..                                    | 148, 238, 239-241                             |
|                                                                              | 353-354                                       |
|                                                                              | 539-541                                       |
| Hydros, Janab M. V.—                                                         |                                               |
| Bill—Malabar Tenancy (Amendment) Bill, 1950 ..                               | 258-261                                       |
|                                                                              | 412-413, 429, 447-448, 453, 457, 494-495, 496 |
| I                                                                            |                                               |
| Immoral Traffic Act—                                                         |                                               |
| Question <i>re</i> amendment of ..                                           | 478-481                                       |
| Inams—                                                                       |                                               |
| Question <i>re</i> enquiry regarding — in Bhanganapalle ..                   | 555-556                                       |
| Industrial Tribunals—                                                        |                                               |
| Question <i>re</i> implementation of awards of ..                            | 556-561                                       |
| Iron and steel—                                                              |                                               |
| Question <i>re</i> Stock yards for — in Tamil districts ..                   | 319                                           |
| Ishwara, Sri K.—                                                             |                                               |
| See Questions and Answers.                                                   |                                               |
| J                                                                            |                                               |
| Jagga Raju, Sri V.—                                                          |                                               |
| Motion <i>re</i> Famine and Food ..                                          | 693                                           |
| Sworn in ..                                                                  | 2                                             |
| Jute—                                                                        |                                               |
| Question <i>re</i> Facilities for — cultivation ..                           | 735-738                                       |
| K                                                                            |                                               |
| Kakkan, Sri P.—                                                              |                                               |
| Bills—                                                                       |                                               |
| Malabar Tenancy (Amendment) Bill, 1950 ..                                    | 351-353                                       |
| Merged Territories (Nomination to District Boards) Bill, 1951 ..             | 747-748                                       |
|                                                                              | 755                                           |
| Motion <i>re</i> —                                                           |                                               |
| Famine and Food ..                                                           | 583, 596                                      |
| Yarn Scarcity ..                                                             | 710-712                                       |
| See Questions and Answers.                                                   |                                               |
| Kaleswara Rao, Sri A.—                                                       |                                               |
| Motion <i>re</i> Business of the House, change of official into non-official |                                               |
| day (Rule 24) ..                                                             | 330                                           |
| See Questions and Answers.                                                   |                                               |

|                                                                                                   |              |
|---------------------------------------------------------------------------------------------------|--------------|
| <b>Kameswara Rao, Sri A.—</b>                                                                     |              |
| Bills—                                                                                            |              |
| Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                                    | 359-360      |
| Merged Territories (Nomination to District Boards) Bill, 1951 ..                                  | 755          |
| Motion <i>re</i> Famine and Food .. .. .                                                          | 671-672      |
| <b>Kandaswami Pillai, Sri P.—</b>                                                                 |              |
| Bills—Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. .                      | 36-37, 213   |
| Motion <i>re</i> —                                                                                |              |
| Famine and Food .. .. .                                                                           | 694          |
| Yarn Scarcity .. .. .                                                                             | 707-710      |
| <b>Kanniyappan, Sri M.—</b>                                                                       |              |
| Motion <i>re</i> Yarn Scarcity .. .. .                                                            | 716-717      |
|                                                                                                   | 786-787      |
| See Questions and Answers.                                                                        |              |
| <b>Karanth, Sri K. R.—</b>                                                                        |              |
| Bills—Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                              | 498-501      |
|                                                                                                   | 516, 531-536 |
| Half-hour debate <i>re</i> Students' strike in the College of Indigenous Medicine, Madras .. .. . | 717-720,     |
|                                                                                                   | 724          |
| Motion <i>re</i> Famine and Food .. .. .                                                          | 583, 664-666 |
| <b>Karayalar, Sri L. S.—</b>                                                                      |              |
| See Questions and Answers.                                                                        |              |
| <b>Kist.—</b>                                                                                     |              |
| Question <i>re</i> collection of — in Visakhapatnam district—postponement of .. .. .              | 390-391      |
| <b>Korthikanuma Canal.—</b>                                                                       |              |
| Question <i>re</i> scheme for — inclusion in Krishna-Pennar Project ..                            | 400-401      |
| <b>Kosalram, Sri K. T.—</b>                                                                       |              |
| Adjournment motion <i>re</i> —                                                                    |              |
| Yarn scarcity .. .. .                                                                             | 23           |
| Relief to drought-affected areas .. .. .                                                          | 24           |
| See Questions and Answers.                                                                        |              |
| <b>Koti Reddi, Sri K.—</b>                                                                        |              |
| Motion <i>re</i> —                                                                                |              |
| Famine and Food .. .. .                                                                           | 580-582,     |
|                                                                                                   | 623-627, 895 |
| Yarn scarcity .. .. .                                                                             | 806-807      |
| <b>Krishna—Pennar Project.—</b>                                                                   |              |
| Question <i>re</i> South Channel of — extension of .. .. .                                        | 20-21        |
| <b>Krishna river.—</b>                                                                            |              |
| Question <i>re</i> road bridges over the — number and location of ..                              | 472-475      |
| <b>Kunhikammaran Nambiar, Sri K. T.—</b>                                                          |              |
| Bill—Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                               | 414          |
| <b>Kuppuswamy, Sri R.—</b>                                                                        |              |
| See Questions and Answers.                                                                        |              |
| <b>Kurnool Municipality.—</b>                                                                     |              |
| Question <i>re</i> provision of increased water-supply in .. .. .                                 | 386-389      |
| <b>L</b>                                                                                          |              |
| <b>Lakshmi Ammal, Srimathi, V.—</b>                                                               |              |
| Motion <i>re</i> yarn scarcity .. .. .                                                            | 792-793      |
| See Questions and Answers.                                                                        |              |
| <b>Leads.—</b>                                                                                    |              |
| Question <i>re</i> —                                                                              |              |
| Assignment of — to political sufferers .. .. .                                                    | 112          |
| Assignment of — to political sufferers in Coimbatore district ..                                  | 401          |
| Assignment of — to political sufferers in East Godavari district ..                               | 109-110      |
| Assignment of — to Political sufferers in South Kanara district ..                                | 405-406      |

|                                                                                       |                                                                  |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>Latchanna, Sri G.—</b>                                                             |                                                                  |
| See Questions and Answers.                                                            |                                                                  |
| <b>Lav Secretaries.—</b>                                                              |                                                                  |
| Question <i>re</i> Appointment of — in hospitals .. .. .                              | 403-404                                                          |
| <b>Leprosy.—</b>                                                                      |                                                                  |
| Question <i>re</i> —                                                                  |                                                                  |
| Control of .. .. .                                                                    | 179-180                                                          |
| Incidence of — in Davanoor village (South Arcot district) ..                          | 320                                                              |
| <b>Leprosy clinics.—</b>                                                              |                                                                  |
| Question <i>re</i> Administration of Promacetin in — .. .. .                          | 383-384                                                          |
| <b>Local Administration.—</b>                                                         |                                                                  |
| Question <i>re</i> offices under — Department, delay in disposal of papers in .. .. . | 650                                                              |
| <b>M</b>                                                                              |                                                                  |
| <b>Madhava Menon, the Hon'ble Sri K.—</b>                                             |                                                                  |
| Bill—                                                                                 |                                                                  |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950 ..                     | 219, 220                                                         |
|                                                                                       | 222                                                              |
| The Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                    | 250-258                                                          |
|                                                                                       | 332, 336, 338, 344, 347                                          |
|                                                                                       | 351, 365-367, 368-377                                            |
|                                                                                       | 410-414, 416-418, 421-431                                        |
|                                                                                       | 434-436, 438-441, 443-445                                        |
|                                                                                       | 447-455, 457, 491-496                                            |
|                                                                                       | 501-504, 506, 507-510                                            |
|                                                                                       | 512-514, 516-519, 522-523                                        |
|                                                                                       | 525-528, 535-539, 544                                            |
|                                                                                       | 550-552                                                          |
| Privilege of the House, Breach of .. .. .                                             | 27                                                               |
| <b>Magistrates.—</b>                                                                  |                                                                  |
| Question <i>re</i> Honorary Presidency —, appointment of .. .. .                      | 305-308                                                          |
| <b>Mahboob Ali Baig, Janab.—</b>                                                      |                                                                  |
| Bills—Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. .          | 34-35,                                                           |
|                                                                                       | 41-42, 48-49, 61-62, 74-75, 119-120                              |
| Motion <i>re</i> Famine and Food .. .. .                                              | 583                                                              |
| <b>Mahin Schammad, Janab.—</b>                                                        |                                                                  |
| Bill—Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                   | 601-604                                                          |
|                                                                                       | 349-351                                                          |
|                                                                                       | 368, 428, 429, 430-431, 440, 537                                 |
| <b>Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947—</b>            |                                                                  |
| See Papers laid on the table of the House.                                            |                                                                  |
| <b>Malabar Tenancy (Amendment) Bill, 1950—</b>                                        |                                                                  |
| See Bills.                                                                            |                                                                  |
| <b>Manickam, Sri R. S.—</b>                                                           |                                                                  |
| See Questions and Answers.                                                            |                                                                  |
| <b>Medical Practitioners.—</b>                                                        |                                                                  |
| Question <i>re</i> Rural — availability of .. .. .                                    | 324                                                              |
| <b>Medicine.—</b>                                                                     |                                                                  |
| Question <i>re</i> Indigenous — working of Research departments of ..                 | 189-190                                                          |
| <b>Merged Territories (Nomination to District Boards) Bill, 1951—</b>                 |                                                                  |
| See Bills.                                                                            |                                                                  |
| <b>Message from the Council—</b>                                                      |                                                                  |
| See Speaker—announcement.                                                             |                                                                  |
| <b>Mettur Project—</b>                                                                |                                                                  |
| See Water-cess.                                                                       |                                                                  |
| <b>Mica.—</b>                                                                         |                                                                  |
| Question <i>re</i> production of — in the State, quantity of .. .. .                  | 195-197                                                          |
| Bills—                                                                                |                                                                  |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950 ..                     | 43, 73                                                           |
|                                                                                       | 122-124, 141-142, 150-151, 153, 159, 160, 164, 233, 234-237, 239 |



## M—cont.

## PAGE#

|                                                                                                                           |                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Mohamed Abdul Salam, Janab—<br>Motion re Famine and Food .. .. .                                                          | 582,<br>631-633, 690, 695                                                        |
| See Questions and Answers.                                                                                                |                                                                                  |
| Mohammed Rafeuddin Ahmed Ansari, Janab—<br>Bill—Buildings (Lease and Rent Control) Second Amendment Bill,<br>1950 .. .. . | 64-65,<br>129-131, 147, 151, 172, 173, 219, 220, 245-247                         |
| Moldeen Kuttty, Janab P. K.—<br>Bill — Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                     | 345-349<br>418, 427-430, 444-445<br>447-450, 490, 501, 514-<br>515, 519, 526-527 |
| Motion re —<br>Business of the House, change of non-official into official day (Rule 24<br>of the Assembly Rules) .. .. . | 329-330                                                                          |
| Famine and Food. . . . .                                                                                                  | 567-635                                                                          |
| Yarn scarcity .. .. .                                                                                                     | 698-725<br>786-816                                                               |
| Motor Vehicles Rules, 1940—<br>See Papers laid on the table of the House.                                                 |                                                                                  |
| Motor vehicles tax—<br>See Papers laid on the table of the House.                                                         |                                                                                  |
| Muhammad Anwar, Janab N.—<br>Bills—<br>General Sales Tax (Amendment) Bill, 1950 .. .. .                                   | 771<br>755<br>759-760                                                            |
| Muhammed Ibrahim, Janab M. A.—<br>Bill—Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                     | 443                                                                              |
| Muhammed Ismail, Janab M.—<br>Bill—General Sales Tax (Amendment) Bill, 1950 .. .. .                                       | 767-768                                                                          |
| Business of the House .. .. .                                                                                             | 524                                                                              |
| Motion re —<br>Famine and Food .. .. .                                                                                    | 600                                                                              |
| Yarn scarcity .. .. .                                                                                                     | 672-678, 681, 683, 685<br>793-796                                                |
| Muhammad Raza Khan, Janab—<br>Bill—<br>Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. .             | 74<br>83-84, 134<br>241-243                                                      |
| General Sales Tax (Amendment) Bill, 1950 .. .. .                                                                          | 769-770                                                                          |
| Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                                                            | 360-364                                                                          |
| Motion re —<br>Famine and Food .. .. .                                                                                    | 612-616                                                                          |
| Yarn scarcity .. .. .                                                                                                     | 796-798                                                                          |
| See Questions and Answers.                                                                                                |                                                                                  |
| Muniswami Pillay, Sri V. I.—<br>Bills—<br>Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. .          | 125-126<br>364-365,<br>377, 420, 446, 545-546                                    |
| Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                                                            | 751                                                                              |
| Merged Territories (Nomination to District Boards) Bill, 1951 .. .. .                                                     |                                                                                  |
| See Questions and Answers.                                                                                                |                                                                                  |
| Munsif Magistrates—<br>Question re bifurcation of civil and criminal jurisdiction of — .. .. .                            | 94                                                                               |

## M—cont.

## PAGE#

|                                                                                                                                                                            |                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| Murthy, Sri B. S.—<br>Adjournment motion re relief to drought-affected areas .. .. .                                                                                       | 24                                             |
| Food debate, allotment of a day for .. .. .                                                                                                                                | 29                                             |
| Half-hour debate re students' strike in the College of Indigenous<br>Medicine, Madras .. .. .                                                                              | 721-722,<br>724-725                            |
| See Questions and Answers.                                                                                                                                                 |                                                |
| Muthiah Chettiar of Chettinad, Raja—<br>Adjournment motion re Food situation .. .. .                                                                                       | 116-117                                        |
| Food debate, allotment of a day for .. .. .                                                                                                                                | 28-29                                          |
| Motion re Famine and Food .. .. .                                                                                                                                          | 584-595                                        |
| Privilege of the House, breach of .. .. .                                                                                                                                  | 601<br>25, 26, 28                              |
| N                                                                                                                                                                          |                                                |
| Nagappa, Sri S.—<br>Bills — Merged Territories (Nomination to District Boards) Bill,<br>1951 .. .. .                                                                       | 750-751                                        |
| Motion re Yarn scarcity .. .. .                                                                                                                                            | 807-808                                        |
| See Questions and Answers.                                                                                                                                                 |                                                |
| Nagaraja Manigar, Sri S.—<br>See Questions and Answers.                                                                                                                    |                                                |
| Nandigama taluk—<br>Question re supply of electricity to — .. .. .                                                                                                         | 407                                            |
| Natesan, Sri P.—<br>Bills—<br>Buildings (Lease and Rent Control) Second Amendment Bill, 1950. .. .. .                                                                      | 124-125                                        |
| Prohibition (Amendment) Bill, 1951 .. .. .                                                                                                                                 | 757-759                                        |
| Motion re Famine and Food .. .. .                                                                                                                                          | 599-601, 654-657                               |
| Natesan, Sri R.—<br>Bills—Merged Territories (Nomination to District Boards) Bill, 1951. .. .. .                                                                           | 744, 754                                       |
| See Questions and Answers.                                                                                                                                                 |                                                |
| O                                                                                                                                                                          |                                                |
| Oath of Office—<br>See Swearing in of members.                                                                                                                             |                                                |
| Overseer Course—<br>Question re institution of — in Annamalai University .. .. .                                                                                           | 472                                            |
| P                                                                                                                                                                          |                                                |
| Padramabhadrapuram—<br>Question re delay in acquisition of house-sites in — .. .. .                                                                                        | 734, 786                                       |
| Pais, Sri L.C.—<br>Bills—<br>Buildings (Lease and Rent Control) Second Amendment Bill, 1950. .. .. .                                                                       | 33, 47-<br>48, 49-50, 159<br>344, 345, 528-530 |
| Malabar Tenancy (Amendment) Bill, 1950 .. .. .                                                                                                                             |                                                |
| Palaniawami Gounder, Sri V. C.—<br>Motion re—<br>Famine and Food .. .. .                                                                                                   | 584, 686-688, 689, 697                         |
| Yarn scarcity .. .. .                                                                                                                                                      | 799-800                                        |
| See Questions and Answers.                                                                                                                                                 |                                                |
| Panchayats—<br>Question re superseded—between 1st January 1949 and 30th October<br>1950. number of .. .. .                                                                 | 207-208                                        |
| Papers laid on the table of the House—<br>(1) American Consulate-General at Madras, exemption of Mobile<br>Motion Pictures Truck from payment of tax, notification .. .. . | 86                                             |
| (2) Bellary District Board, inclusion of Sandur State within the<br>limits of, notification .. .. .                                                                        | 86                                             |
| (3) District Food Production Committee, inclusion of certain<br>officials as members, Government Order .. .. .                                                             | 86                                             |
| (4) Estates (Abolition and Conversion into Ryotwari) Act, 1948,<br>rules framed under. .. .. .                                                                             | 86                                             |

## P—cont.

## PAGES.

## Papers laid on the table of the House—cont.

|                                                                                                                                                                   |                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| (5) Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947, rules framed under .. .. .                                                                | 635            |
| (6) Motor vehicles Rules, 1940, amendments .. .. .                                                                                                                | 89             |
| (7) Motor vehicle tax in respect of lorry No. MDM 1303, notification for collection of .. .. .                                                                    | 86             |
| (8) Pothanur Panchayat (Salem), stay of elections, Government Order .. .. .                                                                                       | 86             |
| (9) Rayalaseema, statement showing particulars of land assigned to landless poor persons and Harijans in .. .. .                                                  | 174            |
| (10) Srikakulam district, directions for publication of list of valid nominations for election to Salur, Arikithota and Mukkura circles, Government Order .. .. . | 86             |
| Paramananda Rayar, Sri S.—<br>See Questions and Answers,                                                                                                          |                |
| “Paramanandiah Sishyulu”—<br>Question re objection to the exhibition of the film — .. .. .                                                                        | 103-104        |
| Pare, I.C.S., Mr. J.—<br>Question re resignation of — .. .. .                                                                                                     | 93-94          |
| Pattabhiraman, Sri T.S.—<br>Bills—Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. .                                                          | 132, 167, 172  |
| Pennar River—<br>Question re—<br>Construction of a causeway across — .. .. .                                                                                      | 477, 478       |
| Road bridges over the —, number and location of .. .. .                                                                                                           | 472-475        |
| Perumalswami Reddi, the Hon. Sri C.—<br>Motion re Yarn scarcity .. .. .                                                                                           | 698, 811-815   |
| Pilots—<br>Question re training of commercial —, Government aid for .. .. .                                                                                       | 482            |
| Police—<br>Question re—<br>Armed — deputed to Hyderabad, provision of ambulance cars to .. .. .                                                                   | 18-19          |
| Number of — constables recruited in 1950 .. .. .                                                                                                                  | 486-488        |
| Number of — officials discharged from service in 1950 .. .. .                                                                                                     | 482            |
| Number of — Sub-Inspectors of—recruited in 1950, communitywar .. .. .                                                                                             | 314-316        |
| Recruitment to the — department .. .. .                                                                                                                           | 10             |
| Special Armed — deputed to Hyderabad, information re .. .. .                                                                                                      | 467-469        |
| Police officials—<br>Question re—<br>Houses for — in Melur, Mathurai district, provision of .. .. .                                                               | 191            |
| Muslim — transferred to the mufassal, number of .. .. .                                                                                                           | 183-184        |
| Political sufferers—<br>Question re—<br>Assignment of lands to — in Coimbatore district .. .. .                                                                   | 401            |
| Assignment of lands to — in East Godavari district .. .. .                                                                                                        | 109-110        |
| Assignment of lands to — in South Kanara district .. .. .                                                                                                         | 405, 406       |
| Polytechnics—<br>Question re Central Polytechnic, Madras, courses of studies in— .. .. .                                                                          | 191            |
| Pothanur-Panchayat—<br>See Papers laid on the table of the House.                                                                                                 |                |
| Privilege of the House—<br>Breach of — .. .. .                                                                                                                    | 24-28, 377-378 |
| Procurement—<br>Question re—<br>Levy system in — abandonment of .. .. .                                                                                           | 308-314        |
| Surcharge from procuring agents, refund of .. .. .                                                                                                                | 322-323        |
| Prohibition—<br>Question re Propaganda Officers, appointment of .. .. .                                                                                           | 325            |

## P—cont.

## PAGES

|                                                                                                                                               |          |
|-----------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Prohibition Act—<br>Question re working of — in Salem district, information re .. .. .                                                        | 96-101   |
| Prohibition (Amendment) Bill, 1951—<br>See Bills.                                                                                             |          |
| Promacetin—<br>Question re administration of — in leprosy clinics in the State .. .. .                                                        | 883-384  |
| Protected water-supply—<br>Question re provision of — to major villages in Kurnool district .. .. .                                           | 391-393  |
| Public Services —<br>Question re Posts in — filled under emergency provisions, number and duration of .. .. .                                 | 212      |
| Pudukkottai State—<br>Question re amount taken over by Madras Government from the — treasury at the time of merger .. .. .                    | 101-102  |
| Pupil-teachers—<br>See Backward communities.<br>See Harijans.                                                                                 |          |
| Q                                                                                                                                             |          |
| Questions and Answers—<br>Abdul Hameed Khan, Janab—<br>Question re—<br>Muslim police officials transferred to the mufassal, number of .. .. . | 183-184  |
| Pare (Mr. J.) I.C.S., resignation of .. .. .                                                                                                  | 93-94    |
| Secretariat Superintendents, Promotion to the Assistant .. .. .                                                                               | 91-92    |
| Students' strike in the College of Indigenous Medicine, Madras. .. .. .                                                                       | 649, 650 |
| Amiruddin, Begum Sultan Mir—<br>Question re—<br>Constitution of India, implementation of Article 46 .. .. .                                   | 652, 653 |
| Food situation in the State, statement on .. .. .                                                                                             | 182-183  |
| Food situation in Tambaram, deputation re .. .. .                                                                                             | 321      |
| Magistrates (Honorary Presidency), appointment of .. .. .                                                                                     | 305-308  |
| Medicine (Indigenous), working of research departments of .. .. .                                                                             | 189-190  |
| Appa Rao, Sri M. R.—<br>Question re income from estates under the Rent Reduction Act. .. .. .                                                 | 192-193  |
| Arunachalam, Sri A. J.—<br>Question re—<br>Education of teachers' children .. .. .                                                            | 16-17    |
| Price control of imported yarn .. .. .                                                                                                        | 733      |
| Sale of yarn by the mills .. .. .                                                                                                             | 208-209  |
| Yarn exported by mills in October 1950, quantity of .. .. .                                                                                   | 209      |
| Doraikannu, Sri M.—<br>Question re Overseer Course in Annamalai University, institution of .. .. .                                            | 472      |
| Durairaja Pandian, Sri D.—<br>Question re—<br>Chillies, ban on the export of— .. .. .                                                         | 390      |
| Teachers, recruitment to the Inspectorate .. .. .                                                                                             | 9        |
| Govindasami Naidu, Sri N.—<br>Question re Tirumalai-Tirupati Devasthanam estate, qualifications of revenue officials in .. .. .               | 12-13    |
| Ishwara, Sri K.—<br>Question re—<br>Assignment of land to Political sufferers in South Kanara district .. .. .                                | 405-406  |
| Basic Training Course in South Kanara, number applied and selected .. .. .                                                                    | 193      |
| Girls' hostel at Kottur, grant to .. .. .                                                                                                     | 110      |
| Kannada S.S.L.C. Text, mistakes in .. .. .                                                                                                    | 21       |
| Opening of a new railway line from Mangalore to Hassan .. .. .                                                                                | 394      |
| Kakkan, Sri P.—<br>Question re—<br>Local Fund Hospital, Melur, Conversion into Government Hospital .. .. .                                    | 401, 402 |
| Police officers in Melur, provision of houses for .. .. .                                                                                     | 191      |

## Questions and Answers—cont.

Kaleswara Rao, Sri A.—

## Question re—

|                                                                                           |         |
|-------------------------------------------------------------------------------------------|---------|
| Circle Inspector of Police shot down by communists, compensation to the family of .. .. . | 317-318 |
| Communist raids in Nandigama taluk .. .. .                                                | 181-182 |
| Foodgrains export from Krishna district from December 1949 to September 1950 .. .. .      | 197-198 |
| Pumping Project at Guntupalle, Taking over by the Government .. .. .                      | 389     |
| Rajaji Hall, use for public functions .. .. .                                             | 384-386 |
| Supply of electricity to Nandigama taluk .. .. .                                          | 407     |
| Vijayavada drainage and water-works improvement schemes, execution of .. .. .             | 184     |

Kanniappan, Sri M.—

|                                                         |         |
|---------------------------------------------------------|---------|
| Question re well subsidy Scheme for Madras City .. .. . | 114-115 |
|---------------------------------------------------------|---------|

Karayalar, Sri L. S.—

|                                                              |         |
|--------------------------------------------------------------|---------|
| Question re Yarn, quantity allotted by the Union Government. | 325-329 |
|--------------------------------------------------------------|---------|

Kosalram, Sri K. T.—

|                                                             |     |
|-------------------------------------------------------------|-----|
| Question re water-supply scheme for Sankarankoil Panchayat. | 305 |
|-------------------------------------------------------------|-----|

Kuppuswamy, Sri R.—

|                                                                 |         |
|-----------------------------------------------------------------|---------|
| Question re—                                                    |         |
| Textiles, Counter signature of identification cards .. .. .     | 193-194 |
| Yarn allotment to Coimbatore district for July to October 1950. | 198     |

Lakshmi Ammal, Srimathi V.—

|                                                                                |     |
|--------------------------------------------------------------------------------|-----|
| Question re Harikesavaperi tank (Tirunelveli district), Restoration of .. .. . | 471 |
|--------------------------------------------------------------------------------|-----|

Lat. Anna, Sri G.—

|                                                                                 |    |
|---------------------------------------------------------------------------------|----|
| Question re Development Board for Visakhapatnam district, setting up of .. .. . | 95 |
|---------------------------------------------------------------------------------|----|

Manickam, Sri R. S.—

|                                                            |          |
|------------------------------------------------------------|----------|
| Question re—                                               |          |
| Harijan hostel in Sattur taluk, opening of .. .. .         | 650, 651 |
| Harijan hostels in the State, grants to .. .. .            | 105-107  |
| Ration shops in Ramanathapuram district, number of .. .. . | 209-210  |

Mohamed Abdul Salam, Janab—

|                                                                                         |         |
|-----------------------------------------------------------------------------------------|---------|
| Question re—                                                                            |         |
| Central College of Carnatic Music, expenditure and strength of .. .. .                  | 485-486 |
| Colleges and schools maintained by the zamindars .. .. .                                | 13-15   |
| Communists, removal of ban on .. .. .                                                   | 2-3     |
| Hindi Pandits in District Board, Guntur, pay of .. .. .                                 | 319     |
| Hindi teachers, scales of pay of .. .. .                                                | 92      |
| Hindi teaching in Guntur District Board Schools .. .. .                                 | 319-320 |
| Rural colleges at Arcot, Badagara and Pentapadu, expenditure on and strength of .. .. . | 485-486 |

Muhammad Razauchan, Janab—

|                                                               |          |
|---------------------------------------------------------------|----------|
| Question re—                                                  |          |
| Foodgrains allotment by the Union Government for 1951 .. .. . | 198-204  |
| Lay Secretaries in hospitals, Appointment of .. .. .          | 403, 404 |

Muniswami Pillay, Sri V. I.—

|                                               |         |
|-----------------------------------------------|---------|
| Question re—                                  |         |
| Leprosy, control of .. .. .                   | 179-180 |
| Leprosy incidence in Davanoor village .. .. . | 320     |

Murthy, Sri B. S.—

|                                                      |       |
|------------------------------------------------------|-------|
| Question re—                                         |       |
| Amaravathi Reservoir Project, information re .. .. . | 11-12 |

## Questions and Answers—cont.

Murthy, Sri B. S.—cont.

## Question re—cont.

|                                                                                                      |         |
|------------------------------------------------------------------------------------------------------|---------|
| Beggar homes in the State, number of .. .. .                                                         | 107-104 |
| Census (1951), arrangements for efficient conduct of .. .. .                                         | 113-119 |
| Communal G.O. correspondence with the Union Government re .. .. .                                    | 475-476 |
| Cut in rations from January 1951 .. .. .                                                             | 395-397 |
| Damage to crops in the districts, extent of .. .. .                                                  | 561     |
| Enquiry under Civil Disabilities Act against the village munsif of Pillcode, Kasaragod taluk .. .. . | 4-6-477 |
| Facilities for jute cultivation .. .. .                                                              | 735-738 |
| Lino operators in Government Press, number retired and resigned .. .. .                              | 20      |
| Panchayats, superseded between 1st January 1949 and 30th October 1950, number of .. .. .             | 207-208 |
| Police constables recruited in 1950, total and communitywar number of .. .. .                        | 486-488 |
| Police officials discharged from service in 1950, number of .. .. .                                  | 482     |
| Police Sub-Inspectors recruited in 1950, community war, number of .. .. .                            | 314-316 |
| Political sufferers in East Godavari District, assignment of lands to .. .. .                        | 109-110 |
| Prohibition propaganda officers, appointment of .. .. .                                              | 325     |
| Prozacetin, administration of, in leprosy clinics .. .. .                                            | 383-384 |
| Teachers of Polavaram taluk, Representation from .. .. .                                             | 180     |
| Typewriting Examination in Andhra Districts, centres for .. .. .                                     | 391     |
| Untrained teachers working in Andhra District, Scheme for absorption of .. .. .                      | 469-471 |

Nagappa, Sri S.—

## Question re—

|                                                                                    |         |
|------------------------------------------------------------------------------------|---------|
| Advisory committee on co-operation, recommendations of— .. .. .                    | 92-93   |
| Bus routes opened in Rayalaseema since 1946, number of .. .. .                     | 205     |
| Central Polytechnic, Madras, courses of studies in .. .. .                         | 191     |
| Coconuts and Arecanuts, Marketing of .. .. .                                       | 15-16   |
| Colleges in Rayalaseema, number of .. .. .                                         | 323     |
| Commercial Pilot's training, Government aid for .. .. .                            | 482     |
| Employees' State Insurance Act, Pilot scheme, introduction of .. .. .              | 318     |
| Grants to Cottage Industries Co-operative Societies .. .. .                        | 397-399 |
| Harijans of Potturu, restraint on temple entry .. .. .                             | 7-9     |
| Harijans of Srivilliputtur taluk, provision of house sites for .. .. .             | 317     |
| High Schools in Rayalaseema, particulars re managements of .. .. .                 | 206     |
| Inams enquiry in Banganapalle .. .. .                                              | 555-556 |
| Korthikanuma canal scheme, inclusion in Krishna-Pennar Project .. .. .             | 400-401 |
| Kurnool Municipality, provision of increased water supply in .. .. .               | 386-389 |
| Mica Production in the state, quantity of .. .. .                                  | 195-197 |
| Mettur Project area, revision of water cess rate in .. .. .                        | 102-103 |
| Murders in the State, number of .. .. .                                            | 206     |
| Paramanandiah Sishyulu film, objection to the exhibition of .. .. .                | 103-104 |
| Police department, recruitment to .. .. .                                          | 20      |
| Public services, appointments under emergency provisions .. .. .                   | 212     |
| Pupil-teachers of Harijans and backward communities, concessions to .. .. .        | 114     |
| Protected water-supply to major villages in Kurnool district, provision of .. .. . | 391-393 |
| Road bridges over the Coleroon, construction of .. .. .                            | 472-475 |
| Scheduled castes, number of voters among the .. .. .                               | 205-206 |
| Srikakulam district, declaration as a famine area .. .. .                          | 5-7     |
| Suicides in the State, number of .. .. .                                           | 208     |
| Tank improvement scheme, information re .. .. .                                    | 402-403 |
| Well subsidy scheme in Rayalaseema, working of .. .. .                             | 562-564 |

## Q—cont.

## PAGES

## Questions and Answers—cont.

Nagaraja Manigar, Sri S.—

## Question re—

|                                                                                       |         |
|---------------------------------------------------------------------------------------|---------|
| Offices under Local Administration Department, delay in disposal of papers in .. .. . | 650     |
| Rural medical practitioners availability of .. .. .                                   | 324     |
| Yarn to Salem weavers, supply of .. .. .                                              | 320-321 |

Natesan, Sri R.—

## Question re—

|                                                                                                    |         |
|----------------------------------------------------------------------------------------------------|---------|
| Pudukottai treasury, amount taken over by the Madras Government from—at the time of merger .. .. . | 101-102 |
| Well subsidy scheme, amount spent in Pudukkottai Division, under the .. .. .                       | 564-566 |

Palaniswami Gownder, Sri V. C.—

## Question re: assignment of lands to political sufferers in Coimbatore district .. .. .

401

Paramananda Royar, Sri S.—

## Question re Krishna-Pennar Project, Extension of South Channel, .. .. .

20-21

Raghavayya, Sri V.—

## Question re—

|                                                                                    |         |
|------------------------------------------------------------------------------------|---------|
| Agricultural implements, disposal of applications for .. .. .                      | 21-22   |
| Communist menace in Andhra districts, control of .. .. .                           | 482-484 |
| District boards, scheme for reorganization of .. .. .                              | 733-34  |
| Government Press, compositors trained in line-operation, absorption in .. .. .     | 185-187 |
| Prohibition Act in the Salem district, working of .. .. .                          | 96-101  |
| Rice ration in Venkatagiri town, quota allotted to adults .. .. .                  | 180-181 |
| Special armed police deputed to Hyderabad, information re .. .. .                  | 467-469 |
| Special armed police deputed to Hyderabad, provision of Ambulance Cars for .. .. . | 18-19   |
| Venkatachalam, Mr. Taluk Supply Officer, Nellore, allegations against .. .. .      | 324     |

Ramaswami, Sri D. V.—

## Question re—

|                                                                       |         |
|-----------------------------------------------------------------------|---------|
| Collection of kist in Visakhapatnam district, postponement of .. .. . | 390-391 |
| House-sites in Padaramabladrapuram, delay in acquisition of .. .. .   | 734-735 |
| Industrial Tribunals, implementation of awards of .. .. .             | 556-561 |

Ramaswamy Mudaliyar, Sri V. M.—

## Question re stockyards for Iron and steel in Tamil districts .. .. .

319

Rayappa, Sri A.—

## Question re Communist raid in Tadpatri taluk .. .. .

187-188

Sahajananda, Sri A. S.—

## Question re attender's post in the Chief Secretariat, filling up of .. .. .

211-212

Samuel, Dr. M. J.—

## Question re Ahobilam Co-operative Agricultural Colony, subsidies given to .. .. .

206-207

Sanyasi Rao, Sri G.—

## Question re rationing, abolition in rural areas .. .. .

325

Sitharamaswami, Sri G.—

## Question re—

|                                           |         |
|-------------------------------------------|---------|
| Bantumukkuva Scheme, Execution of .. .. . | 210     |
| Chemical manures, supply of— .. .. .      | 210-211 |

Surayya, Sri K.—

## Question re Bus permits in Krishna district, grant of .. .. .

17

Varadaachari, Sri N. S.—

## Question re Rubber (raw), price fixation for .. .. .

323

## Q—cont.

## PAGES

## Questions and answers—cont.

Vedaratnam Pillai, Sri A.—

## Question re—

|                                                                      |         |
|----------------------------------------------------------------------|---------|
| Basic trained teachers, employment of .. .. .                        | 188-189 |
| Basic training schools, number of .. .. .                            | 488-489 |
| Cattle trespass, legislation for prevention of .. .. .               | 488-489 |
| Hindi Pandits, appointment in High Schools .. .. .                   | 399-400 |
| Immoral Traffic Act, amendment of .. .. .                            | 112-113 |
| Juvenile smoking, Prevention of .. .. .                              | 478-481 |
| Political sufferers, assignment of land to .. .. .                   | 194-195 |
| Procurement, abandonment of levy system .. .. .                      | 112     |
| Procurement, abandonment of levy system .. .. .                      | 308-314 |
| Procuring agents, refund of special surcharge collected from .. .. . | 322-323 |

Veeranna Padal, Sri K.—

## Question re—

|                                                                                                 |       |
|-------------------------------------------------------------------------------------------------|-------|
| Chintapalli-Gudem Road, delay in the metalling of .. .. .                                       | 19-20 |
| Cyclone relief works in West Godavari district, Provision for .. .. .                           | 402   |
| Scheduled Caste candidates promoted as Deputy Collectors in Andhra districts, number of .. .. . | 17-18 |

Venkatasubbiah, Sri P.—

## Question re—

|                                                                             |         |
|-----------------------------------------------------------------------------|---------|
| Banganapalle, inam enquiry in .. .. .                                       | 555-556 |
| Causeway across the river Pennar, construction of .. .. .                   | 477-478 |
| Gandikota Reservoir Scheme, Investigation of .. .. .                        | 3-5     |
| Harijan Hostels in Kurnool district, recognition of .. .. .                 | 18      |
| Munsif Magistrates, Civil and Criminal jurisdiction, bifurcation of .. .. . | 94      |
| Refugee Rehabilitation .. .. .                                              | 111-112 |

Viswanatham, Sri T.—

## Question re memorandum of the Madras Government to the Deputy Minister for Food, Government of India Presentation of .. .. .

561-562

## R

Raghava Menon, Sri R.—

## Bills—

|                                                                        |         |
|------------------------------------------------------------------------|---------|
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. . | 128-129 |
| Malabar Tenancy (Amendment) Bill, 1950 .. .. .                         | 265-268 |
| 330-331, 332-336, 410-416, 417 .. .. .                                 |         |
| 423-427, 431-433, 436-439, 441-444 .. .. .                             |         |
| 447, 450-451, 490, 508-514, 519-520 .. .. .                            |         |
| 523-524, 543-545 .. .. .                                               |         |

Raghavayya, Sri V.—

## Adjournment motion re Food situation .. .. .

116

## Bills—

|                                                                        |         |
|------------------------------------------------------------------------|---------|
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. . | 65-67   |
| 164-166, 224 .. .. .                                                   |         |
| General Sales Tax (Amendment) Bill, 1950 .. .. .                       | 777-778 |
| Food debate, allotment of a day for— .. .. .                           | 29      |

## Motion re—

|                         |         |
|-------------------------|---------|
| Famine and Food .. .. . | 668-670 |
| Yarn scarcity .. .. .   | 809-811 |

See Questions and Answers.

## R—cont.

## PAGES

|                                                                |         |
|----------------------------------------------------------------|---------|
| Railway line—                                                  |         |
| Question re Opening of a new — from Mangalore to Hassan. ..    | 394     |
| Rajaji Hall—                                                   |         |
| Question re use of—for Public functions .. .. .                | 384-386 |
| Rajaram Nayudu, Sri K.—                                        |         |
| Motion re yarn scarcity. .. .. .                               | 798-799 |
| Ramaswami, Sri D. V.—                                          |         |
| Bills—                                                         |         |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950 | 62, 79  |
| 142-143, 152, 156; 222, 243-244                                |         |
| General Sales Tax (Amendment) Bill, 1950 .. .. .               | 769     |
| Motion re Famine and Food .. .. .                              | 694     |
| See Questions and Answers.                                     |         |
| Ramaswami Mudaliyar, Sri V. M.—                                |         |
| Adjournment motion re relief to drought-affected areas ..      | 23      |
| Bills —                                                        |         |
| Buildings (Lease and Rent Control) Second Amendment Bill,      | 33-34   |
| 1950. 42-43, 52, 53, 75-77, 80, 137, 145, 147                  |         |
| 151-152, 169-170, 212-213, 221-222                             |         |
| General Sales Tax (Amendment) Bill, 1950. .. .. .              | 770-771 |
| Motion re Famine and Food. .. .. .                             | 608-612 |
| See Questions and Answers.                                     |         |
| Rations—                                                       |         |
| Questions re—                                                  |         |
| Cut in — from January 1951 .. .. .                             | 395-397 |
| Rice — in Venkatagiri town .. .. .                             | 180-181 |
| Rationing—                                                     |         |
| Question re abolition of — in rural areas .. .. .              | 325     |
| Ration shops—                                                  |         |
| Question re number of — in Ramanathapuram district .. ..       | 209-210 |
| Rayalaseema—                                                   |         |
| See Paper laid on the table of the House.                      |         |
| Rayappa, Sri A.—                                               |         |
| See Questions and Answers.                                     |         |
| Refugees—                                                      |         |
| Question re rehabilitation of— .. .. .                         | 111-112 |
| Relief to Drought-affected areas—                              |         |
| Adjournment motion re .. .. .                                  | 23-24   |
| Rent Reduction Act—                                            |         |
| Question re Income from estates under the— .. .. .             | 192-193 |
| Road bridges—                                                  |         |
| See Bridges.                                                   |         |
| Roshe Victoria, The Hon' Sri J. L. P.—                         |         |
| Motion re Famine and Food .. .. .                              | 575-580 |
|                                                                | 684-693 |

## R—cont.

## PAGES

|                                                                                                                                                                     |         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Rubber—                                                                                                                                                             |         |
| Question re prices for raw —; fixation of .. .. .                                                                                                                   | 323     |
| Rulings—                                                                                                                                                            |         |
| Bills—                                                                                                                                                              |         |
| Amendments.                                                                                                                                                         |         |
| Amendment to a clause passed already could be moved only if the House permits the re-opening of that clause. .. .. .                                                | 518     |
| Consideration—                                                                                                                                                      |         |
| Clause by clause consideration of a Bill is not the stage for speaking generally on the Bill as a whole .. .. .                                                     | 121     |
| Legislative Competency of the House—                                                                                                                                |         |
| Chair is quite competent to give a ruling when constitutional issues are raised, but the proper place to decide such questions would be the Courts .. .. .          | 233-234 |
| Constitutional issues are better raised in the law courts. The Chair does not decide them, though in some Dominions, they are decided by the whole House .. .. .    | 227-228 |
| Constitutional Questions—                                                                                                                                           |         |
| Federal Constitutions, unlike Unitary Constitutions, lend themselves to constitutional issues such as <i>ultra vires</i> or <i>intra vires</i> being raised .. .. . | 234     |
| Privileges of the House: Press comments—                                                                                                                            |         |
| Comments by the Press, which are likely to improperly influence the voting before a debate concludes, would amount to committing a breach of privilege .. .. .      | 26      |
|                                                                                                                                                                     | 377-378 |
| Parliamentary Practice—                                                                                                                                             |         |
| Speaker does not participate in the debates, but the Deputy Speaker can .. .. .                                                                                     | 595     |
| Point of Order—                                                                                                                                                     |         |
| Speaker's observation that the High Court had inadequate information in a particular case cannot be a matter for raising a point of order .. .. .                   | 97      |
| Procedure—                                                                                                                                                          |         |
| Amendment to an amendment can be moved and when one is so moved, the first amendment need not be withdrawn .. .. .                                                  | 133     |
| —Motion for a division should be seconded .. .. .                                                                                                                   | 517     |
| Question-Hour—                                                                                                                                                      |         |
| During ....., supplementaries may be asked. Speeches are not allowed .. .. .                                                                                        | 10, 198 |
| Questions—                                                                                                                                                          |         |
| Member in whose name a question stands on the Order Paper should himself put the question when he is present in the House .. .. .                                   | 409     |
| Rural Colleges—                                                                                                                                                     |         |
| See Colleges.                                                                                                                                                       |         |
| Sahajananda, Sri A. S.—                                                                                                                                             |         |
| Motion re Famine and Food .. .. .                                                                                                                                   | 582     |
| See Questions and Answers.                                                                                                                                          |         |

|                                                                          | PAGES                                                  |
|--------------------------------------------------------------------------|--------------------------------------------------------|
| <b>S—cont.</b>                                                           |                                                        |
| <b>Samuel, Dr. M. J.—</b>                                                |                                                        |
| Motion <i>re</i> Famine and Food.   ..   ..   ..   ..   ..   ..          | 581, 583                                               |
| <i>See Questions and Answers.</i>                                        |                                                        |
| <b>Sanjeeva Reddi, The Hon'ble Sri N.—</b>                               |                                                        |
| Bills—                                                                   |                                                        |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950.          | 37, 39                                                 |
|                                                                          | 44, 45, 46, 47, 49, 50, 52, 53, 54, 55, 57, 58, 59, 60 |
|                                                                          | 67, 69–70, 71, 73, 74, 79–80, 82–83, 132–134, 135, 137 |
|                                                                          | 138, 139, 140, 143–144, 146, 147, 148, 149–150, 152    |
|                                                                          | 153, 154, 156–157, 160–161, 166, 167, 170–171, 172     |
|                                                                          | 213, 214, 215, 216, 217, 218, 222, 224, 225, 226       |
|                                                                          | 227, 228, 237–238, 247–250.                            |
| Prohibition (Amendment) Bill, 1951   ..   ..   ..   ..                   | 756–757<br>762–765                                     |
| <b>Sankaran, Sri K —</b>                                                 |                                                        |
| Bill—Malabar Tenancy (Amendment) Bill, 1950   ..   ..   ..               | 358–359                                                |
| <b>Sanyasi Rao Sri G.—</b>                                               |                                                        |
| <i>See Questions and Answers.</i>                                        |                                                        |
| <b>Scheduled Castes—</b>                                                 |                                                        |
| Question <i>re</i> Voters among the — in Nellore district   ..   ..   .. | 205–206                                                |
| <b>Schools—</b>                                                          |                                                        |
| Question <i>re</i> Number of—and Colleges maintained by the Zamindars.   | 13–15                                                  |
| <b>Secretariat—</b>                                                      |                                                        |
| Question <i>re—</i>                                                      |                                                        |
| Attender's post in the Chief — filling up of   ..   ..   ..   ..         | 211–212                                                |
| Superintendents in the — Promoted as Assistant Secretaries,              |                                                        |
| number of   ..   ..   ..   ..   ..   ..   ..   ..                        | 91–92                                                  |
| <b>Seethi, Janab K. M. —</b>                                             |                                                        |
| Bills—                                                                   |                                                        |
| Buildings (Lease and Rent Control) Second Amendment                      |                                                        |
| Bill 1950   ..   ..   ..   ..   ..   ..                                  | 244–245                                                |
| Malabar Tenancy (Amendment) Bill, 1950   ..   ..   ..   ..               | 354–358                                                |
|                                                                          | 410, 447, 451–452, 456–457                             |
|                                                                          | 491–492, 494, 511                                      |
| <b>Sitarama Reddi, The Hon'ble Sri H.—</b>                               |                                                        |
| Motion <i>re</i> Famine and Food   ..   —   ..   ..   ..   ..            | 567–575<br>600–601, 611, 678–683                       |
| <b>Sitharamaswami, Sri G.—</b>                                           |                                                        |
| <i>See Questions and Answers.</i>                                        |                                                        |
| <b>Sittings of the House—</b>                                            |                                                        |
| Discussion <i>re—</i> ..   ..   ..   ..   —   ..   ..   ..   ..          | 407–408                                                |
| <b>Smoking—</b>                                                          |                                                        |
| Question <i>re—</i> juvenile —, Prevention of   ..   ..   ..   ..        | 194–195                                                |
| <b>Speaker, Mr.—</b>                                                     |                                                        |
| Adjournment Motion <i>re—</i>                                            |                                                        |
| Food situation   ..   ..   ..   ..   ..   ..   ..   ..                   | 116–117                                                |
| Relief to drought-affected areas   ..   ..   ..   ..   ..   ..           | 23–24                                                  |
| Yarn scarcity   ..   ..   ..   ..   ..   ..   ..   ..                    | 22–23                                                  |
| Announcement—                                                            |                                                        |
| Message from the Council <i>re—</i>                                      |                                                        |
| Estates Land (Reduction of Rent) Amendment Bill, 1950   ..   ..          | 24                                                     |
| Hindu Religious and Charitable Endowments Bill, 1949 (L.A.               |                                                        |
| Bill No. 10 of 1949)   ..   ..   ..   ..   ..   ..                       | 24                                                     |
| Tungabhadra Project (Prevention of Speculation in Land)                  |                                                        |
| Amendment Bill, 1950 (L.A. Bill No. 36 of 1950)   ..   ..                | 24                                                     |
| Warehouse, Bill, 1949 (L.A. Bill No. 11 of 1949)   ..   ..               | 24                                                     |

| S—cont.                                                                                           |                                      | PAGES |
|---------------------------------------------------------------------------------------------------|--------------------------------------|-------|
| Speaker, Mr.—cont.                                                                                |                                      |       |
| Bills—                                                                                            |                                      |       |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950.                                   | 30, 31                               |       |
|                                                                                                   | 39, 40, 46, 49, 73, 74, 75, 117, 119 |       |
|                                                                                                   | 121, 122, 123, 129, 131, 132, 134    |       |
|                                                                                                   | 135, 161, 162, 171, 228, 233, 234    |       |
|                                                                                                   | 237, 242.                            |       |
| Malabar Tenancy (Amendment) Bill, 1950                                                            | 258, 336                             |       |
| Condolence Resolution re Janab M. Ebrahim Coonhee                                                 | 2                                    |       |
| Food Debate, allotment of a day for                                                               | 29                                   |       |
| Motion re — Business of the House, Transaction of official business on non-official day (Rule 24) | 329-330                              |       |
| Privilege of the House, breach of                                                                 | 24-25                                |       |
|                                                                                                   | 26, 27, 28, 377-378                  |       |
| Special Armed Police—                                                                             |                                      |       |
| See Police.                                                                                       |                                      |       |
| Srikakulam district—                                                                              |                                      |       |
| See Papers laid on the table of the House.                                                        |                                      |       |
| S.S.L.C. Text-book—                                                                               |                                      |       |
| Question re Kannada —, mistakes in, etc.                                                          | 21                                   |       |
| Strike—                                                                                           |                                      |       |
| See Colleges—                                                                                     |                                      |       |
| Subba Ayyar, Sri R.—                                                                              |                                      |       |
| Bill—Buildings (Lease and Rent Control) Second Amendment Bill, 1950                               | 126-127                              |       |
| Motion re yarn scarcity                                                                           | 803-809                              |       |
| Subbaraman, Sri N. M. R.—                                                                         |                                      |       |
| Bill—Buildings (Lease and Rent Control) Second Amendment Bill, 1950                               | 35-36                                |       |
| Motion re yarn scarcity                                                                           | 705-707                              |       |
| Surayya, Sri K.—                                                                                  |                                      |       |
| See Questions and Answers.                                                                        |                                      |       |
| Swaminathan, Sri R. V.—                                                                           |                                      |       |
| Bill—Merged Territories (Nomination to District Boards) Bill, 1951                                | 742-744                              |       |
|                                                                                                   | 755                                  |       |
| Motion re—                                                                                        |                                      |       |
| Famine and Food                                                                                   | 580, 582                             |       |
|                                                                                                   | 600, 616-619, 694, 695               |       |
| Yarn scarcity                                                                                     | 791-792                              |       |
| Swearing in of Member—                                                                            |                                      |       |
| Jaggaraju, Sri V.                                                                                 | 2                                    |       |
| T                                                                                                 |                                      |       |
| Tanks—                                                                                            |                                      |       |
| Question re Tank Improvement Scheme, information re—                                              | 402, 403                             |       |
| Teachers—                                                                                         |                                      |       |
| Question re—                                                                                      |                                      |       |
| Recruitment of — to the Inspectorate, etc.                                                        | 9                                    |       |
| Representation from — of Polavaram taluk                                                          | 180                                  |       |
| See Basic education.                                                                              |                                      |       |
| Temple entry—                                                                                     |                                      |       |
| Question re Harijans, Entry into Gangamma temple, Palleru                                         | 7-9                                  |       |



## T—cont.

|                                                                                          |                |
|------------------------------------------------------------------------------------------|----------------|
| Textiles—                                                                                |                |
| Question re Identification cards, countersignature by Textile Revenue Inspectors .. .. . | 193-194        |
| Thangaswami Nadar, Sri P. A.—                                                            |                |
| Bill—Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. .              | 157-158<br>161 |
| Tirupati Devasthanam Estate—                                                             |                |
| Question re Revenue officials in, — qualifications of .. .. .                            | 12-13          |
| Tungabhadra Project (Prevention of Speculation in Land) Amendment Bill, 1950 .. .. .     |                |
| See Bills.                                                                               |                |
| Typewriting Examination—                                                                 |                |
| Question re Centres for — in Andhra districts .. .. .                                    | 391            |

## U

|                                                                   |         |
|-------------------------------------------------------------------|---------|
| Untrained teachers—                                               |         |
| Question re absorption of—in Andhra districts, Scheme for .. .. . | 469-471 |

## V

|                                                     |                                                        |
|-----------------------------------------------------|--------------------------------------------------------|
| Vaidyanatha Ayyar, Sri A.—                          |                                                        |
| Bill—Malabar Tenancy (Amendment) Bill, 1950 .. .. . | 336-344<br>351, 365, 374, 376<br>415-417, 425, 433-434 |

|                         |                                   |
|-------------------------|-----------------------------------|
| Motion re—              |                                   |
| Famine and Food .. .. . | 584                               |
| Yarn Scarcity .. .. .   | 658-661, 689, 692, 697<br>712-716 |

|                                                                         |                    |
|-------------------------------------------------------------------------|--------------------|
| Varadachari, Sri N. S.—                                                 |                    |
| Bills—                                                                  |                    |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950. .. .. . | 32-33<br>43, 63-64 |
| Malabar Tenancy (Amendment) Bill, 1950 .. .. .                          | 420-421            |
| Privilege of the House, Breach of .. .. .                               | 27                 |
| See Questions and Answers.                                              |                    |

|                                                  |         |
|--------------------------------------------------|---------|
| Vedaratnam Pillai, Sri A.—                       |         |
| Bills—Prohibition (Amendment) Bill, 1951 .. .. . | 761-762 |
| Sittings of the House .. .. .                    | 407-408 |
| See Questions and Answers.                       |         |

|                            |  |
|----------------------------|--|
| Veeranna Padal, Sri K.—    |  |
| See Questions and Answers. |  |

|                            |  |
|----------------------------|--|
| Venkanna, Sri G.—          |  |
| See Questions and Answers. |  |

|                                                                          |     |
|--------------------------------------------------------------------------|-----|
| Venkatachalam, Mr.—                                                      |     |
| Question re allegations against —, Taluk Supply Officer, Nellore .. .. . | 324 |

|                                                                              |                 |
|------------------------------------------------------------------------------|-----------------|
| Venkatanarayana, Sri Pydah—                                                  |                 |
| Bills—Buildings (Lease and Rent Control) Second Amendment Bill, 1950 .. .. . | 131, 214<br>582 |
| Motion re Famine and Food .. .. .                                            | 619-620         |

|                                                                              |         |
|------------------------------------------------------------------------------|---------|
| Venkatasubbayya, Sri N.—                                                     |         |
| Bills—Merged Territories (Nomination to District Boards) Bill, 1951. .. .. . | 746-747 |

|                                                                             |         |
|-----------------------------------------------------------------------------|---------|
| Venkatasubbiah, Sri P.—                                                     |         |
| Bill—Merged Territories (Nomination to District Boards) Bill, 1951. .. .. . | 741-742 |

|                            |  |
|----------------------------|--|
| See Questions and Answers. |  |
|----------------------------|--|

## V—cont.

|                                                                         |                                                                                                                                                                                                                                                                        |
|-------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Viswanatham, Sri T.—                                                    |                                                                                                                                                                                                                                                                        |
| Bills—                                                                  |                                                                                                                                                                                                                                                                        |
| Buildings (Lease and Rent Control) Second Amendment Bill, 1950. .. .. . | 32, 40<br>44-46, 47, 51, 52, 53, 54, 55-56<br>59, 60-61, 67-69, 70, 71, 72, 77-78, 80-<br>82, 86, 117-119, 136, 138-139, 140, 141<br>144, 145, 149, 155, 160, 161, 162-163<br>166-167, 171, 172, 214, 215, 216-217<br>218-219, 220, 221, 222, 223, 226, 227<br>228-231 |
| General Sales Tax (Amendment) Bill, 1950 .. .. .                        | 774-776                                                                                                                                                                                                                                                                |
| Malabar Tenancy (Amendment) Bill, 1950 .. .. .                          | 408-410<br>512, 517-518, 520-522, 527-528<br>530-531, 539, 542, 546-548                                                                                                                                                                                                |
| Merged Territories (Nomination to District Boards) Bill, 1951 .. .. .   | 748-749                                                                                                                                                                                                                                                                |

|                                           |          |
|-------------------------------------------|----------|
| Motion re—                                |          |
| Famine and Food .. .. .                   | 680, 695 |
| Yarn scarcity .. .. .                     | 787-791  |
| Privilege of the House, breach of .. .. . | 26       |

See Questions and Answers.

|                        |  |
|------------------------|--|
| Warehouses Bill, 1949— |  |
| See Bills.             |  |

|                                                             |       |
|-------------------------------------------------------------|-------|
| Water—cess—                                                 |       |
| Question re rate in Mettur Project and remission of .. .. . | 2-103 |

|                                                                   |         |
|-------------------------------------------------------------------|---------|
| Water-supply—                                                     |         |
| Question re—                                                      |         |
| Drinking — scheme for Sankarankot Panchayat, provision of .. .. . | 305     |
| Provision of increased — In Kurnool Municipality .. .. .          | 386-389 |

|                                                              |         |
|--------------------------------------------------------------|---------|
| Well-subsidy—                                                |         |
| Question re—                                                 |         |
| Scheme of — in Pudukkottai division, amount spent on .. .. . | 564-566 |
| Scheme of — for Madras City .. .. .                          | 114-115 |
| Working of — Scheme in Rayalaseema .. .. .                   | 562-564 |

## Y

|                                                                          |         |
|--------------------------------------------------------------------------|---------|
| Yarn—                                                                    |         |
| Question re—                                                             |         |
| Allotment of — by the Union Government for January to April 1951 .. .. . | 325-329 |
| Allotment of — for Coimbatore district for July to October 1950. .. .. . | 198     |
| Export of — by mills .. .. .                                             | 209     |
| Price control of imported— .. .. .                                       | 733     |
| Sale of — by mills .. .. .                                               | 208-209 |
| Supply of — to Salem weavers .. .. .                                     | 320-321 |

|                               |                    |
|-------------------------------|--------------------|
| Yarn scarcity—                |                    |
| Adjournment Motion re .. .. . | 22-23              |
| Motion re .. .. .             | 698-725<br>786-816 |