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MADRAS LEGISLATIVE COUNCIL
DEBATES

OFFICIAL REPORT

FRIDAY, 24TH JULY 1953

VOLUME V—No. 5

CONTENTS

	PAGES
I Questions and Answers	271-295
II Government Bill—The Andhra State Bill, 1953—cont.	296-320

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THE MADRAS LEGISLATIVE COUNCIL.

Friday, 24th July 1953.

The House met in the Council Chamber, Fort St. George, at four of the clock. Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Reorganization of the administrative machinery.

* 189 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Chief Minister be pleased to state—

(a) the steps taken or proposed to be taken by the Government to reorganize the administrative machinery in the State with regard to the development and establishment of a Welfare State; and

(b) whether the Central Government have made any proposals in this connexion for the consideration of the State Government?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) The Government have no proposal under consideration to change the present structure of the administrative machinery of the State. Changes to suit the welfare aims of the State will be made as and when experience indicates such changes as necessary. Otherwise serious errors and wastage in rectifying those errors are likely.

“(b) No, Sir, although many consultants have expressed various ideas on the subject.”

SRI V. CHAKKARAI CHETTY:—“When all the States are expected to look after the welfare of their people, what does the term ‘Welfare state’ exactly mean?”

THE HON. SRI C. RAJAGOPALACHARI:—“It is not a phrase invented by me in particular. It is very much in vogue, and a phrase that is in vogue has something behind it and we use it in that sense. It is not a phrase for which I can give any authoritative explanation. I agree with the hon. Member that all States are for the welfare of the people. Probably there is some indication of a difference in emphasis.”

SRI T. PURUSHOTHAMA MUDALIAR:—“May I respectfully remind the Hon. Chief Minister that the Planning Commission in their recommendations strongly pleaded for a reform in Public Administration, and may I request him to consider those recommendations and see what best can be done to improve the ~~tone~~ of the administration to suit the present set-up?”

[24th July 1953]

THE HON. SRI C. RAJAGOPALACHARI :—“ Yes, Sir, many good ideas have been suggested by the Planning Commission about the administration, especially much is said there about aims. The difficulty is about methods to reach those aims. I accept the hon. Member's suggestion that we should do everything in our power to attain those aims but probably much cannot be done in our State at this stage.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ Cannot something be done to revise the present official procedure in all Government Departments and make it more flexible and less rigid with a view to enlist the confidence and co-operation of the public? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ For my own part, I think, already there is a great deal of flexibility on account of laxity as well as the general atmosphere of disobedience.”

Maintenance of the Christian cemeteries.

* 190 Q.—SRI M. K. M. ABDUL SALAM: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Christian cemeteries which were maintained by the late British Government are continued to be maintained by the present Government;

(b) if so, whether they are doing it at the same cost; and

(c) whether it is a fact that the chief Christian Cemetery in Kilpauk is in a state of disrepair and if so, whether the Government have any proposal to repair it in the near future?

THE HON. SRI A. B. SHETTY :—“ (a) The answer is in the negative.

“ (b) Does not arise.

“ (c) The Cemetery referred to by the member is maintained by the High Commissioner for the United Kingdom in India. It is stated that the cemetery requires some repairs and that necessary arrangements are being made by the concerned authority for carrying out the repairs.”

SRI V. CHAKKARAI CHETTY :—“ Is not the Hon. Minister aware of the fact that churches are maintaining their own cemeteries? They are contributing money towards the repair of these cemeteries and the Municipality is also exercising some control over them? ”

THE HON. SRI A. B. SHETTY :—“ That is only an information given by the hon. Member. There is no question asked by the hon. gentleman.”

24th July 1953]

G.O. Ms. No. 3503, Health, dated 13th October 1951, not given effect to by the Cuddalore Municipality.

* 191 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government are aware that the orders issued in G.O. Ms. No. 3503, Health, dated 13th October 1951, have been deferred for one and a half years by the Cuddalore Municipality;

(b) whether the municipality is right in doing so; and

(c) if not, what action the Government propose to take in the matter?

THE HON. SRI A. B. SHETTY :—“ (a) Yes.

“ (b) & (c) The Municipal Council requested in July, 1952 for a reconsideration of the orders and after a re-examination of the case, the Government have since ordered on 17th June 1953 the cancellation of the permission granted by the Municipal Council for the installation of a 7.5 h.p. electric motor for working a flour mill, disintegrator and chilly grinder in the site at Tiruppapuliyur.”

SRI M. ETHIRAJULU :—“ May I know whether the Government have received any representation from the people, stating that the Mill is causing inconvenience to the public? ”

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

SRI T. PURUSHOTHAMA MUDALIAR :—“ May I know the circumstances in which there has been a delay of nearly two years in giving effect to the directions of the Government, vide Government Order, dated 13th October 1951 and why the Government did not take prompt action under the District Municipalities Act, against the Municipality for disobeying the orders of the Government? ”

THE HON. SRI A. B. SHETTY :—“ There was some delay in giving a decision in this matter because the site had to be inspected again by the Health authorities. After all this was done, necessary orders have been passed and directions given to the Municipal Council.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ May I request the Hon. Minister to see that at least now immediate action is taken to enforce the Government Order under Section 42 of the Madras District Municipalities Act? ”

THE HON. SRI A. B. SHETTY :—“ The matter will be considered.”

[24th July 1953]

(d) what steps the Government propose to take to make good (i) the deficit in the supply of milk for Madras City; and (ii) the further deficit by the closure of the Government Milk Factory, Madras?

THE HON. SRI C. SUBRAMANIAM :—“(a) The Government have constituted an Expert Committee with Dr. A. Lakshmanaswamy Mudaliar as Chairman, and Mrs. M. N. Chubwala, Sri S. Anantaramakrishnan, Dr. D. Subba Rao, Assistant Director of Public Health and Sri T. Murari, Deputy Director of Animal Husbandry (Livestock) as members, to examine the working of the Government Milk Factory, Madras, and to report on the following matters:—

(i) whether the Government should continue to run the Factory;

(ii) whether the machinery at the Factory can be used for any other useful purpose in case the Government decide not to run the Factory; and

(iii) whether the milk being manufactured in the Factory may be constituted differently so as to be useful to the general public and serve a good purpose and if so whether the Committee has any recommendations to make about the distribution of the milk. The Committee has also been requested to examine the system of ‘toned milk’ supply obtaining in Bombay and make its recommendations after such examination.

“(b) The daily production of milk at the Factory varies from 5,000 to 8,000 lb. according to demand. The price at which the milk is sold is Re. 0-4-0 per lb. or Re. 1 per Madras measure.

“(c) The City's daily requirements of milk have been estimated at 60,000 Madras measures. The total quantity of natural fresh milk available for supply to the City is 28,000 Madras measures.

“(d) (i) The Government are taking steps to make good the deficit in the supply of milk to the Madras City by expanding the activities of the Madras Milk Supply Union and its affiliated societies around the Madras City through the agencies of the Co-operative and Animal Husbandry Departments. Sanction of supervisory staff, grant of loans for purchase of milch animals and lorries and provision of veterinary aid are the main features of the scheme. A standing sanction for an expenditure of Rs. 12.5 lakhs per year has been accorded for this purpose.

(ii) Does not arise at present, in view of the answer to clause (a) above.”

SRI T. PURUSHOTHAMA MUDALIAR :—“Sir, may I request the Hon. the Finance Minister, to take particular notice

[24th July 1953]

of the point that I have raised in clause (d) of the question and see that it is examined and taken into consideration before any decision is taken as to the closure of the factory?”

THE HON. SRI C. SUBRAMANIAM :—“Sir, I am sure the Committee will take into consideration this factor as suggested by the hon. Member.”

SRI K. BALASUBRAMANYA AYYAR :—“Sir, may I know whether milk powder is being used in this factory?”

THE HON. SRI C. SUBRAMANIAM :—“Yes, in the manufacture of reconstituted milk powder is used.”

Abolition of dearness allowances granted to officers.

* 194 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Finance be pleased to state—

(a) the rates of dearness allowances granted to State officers drawing salary exceeding Rs. 1,000 a month; and

(b) whether the Government have considered the abolition of dearness allowance to high officials of the State on the lines of the Central Government's recent orders; and if so, the date from which the orders will be given effect to in respect of State officials?

THE HON. SRI C. SUBRAMANIAM :—“(a) The following are the rates of dearness allowance granted to State Officers drawing salary exceeding Rs. 1,000 per month:—

Married Officers:		Unmarried Officers:	
Pay limit.	Amount of dearness allowance Rupees per mensem.	Pay limit.	Amount of dearness allowance Rupees per mensem.
(1)	(2)	(3)	(4)
Officers on pay exceeding Rs. 1,000 but not exceeding Rs. 2,000.	10 per cent of pay subject to a maximum of Rs. 150.	Officers on pay exceeding Rs. 1,000 but not exceeding Rs. 1,075.	The amount by which the pay falls short of Rs. 1,075.
Officers on pay exceeding Rs. 2,000 but not exceeding Rs. 2,150.	The amount by which the pay falls short of Rs. 2,150.		

“(b) This Government have already issued orders withdrawing dearness allowance from all officers of this State drawing salary exceeding Rs. 1,000 per month with effect from the 1st June 1953, on the lines of the Central Government's recent orders.”

SRI T. PURUSHOTHAMA MUDALIAR :—“Sir, will the Hon. the Minister for Finance, kindly enlighten us as to the saving to Government by the abolition of the Dearness Allowance just now detailed?”

THE HON. SRI C. SUBRAMANIAM :—“Sir, I have not got the exact figures here. It may be just about a lakh of rupees.”

[24th July 1953]

Installation of a brass tablet containing the names of Ministers, Chairman and Speaker.

* 195 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Public Works be pleased to state whether the Government have any proposal to instal a brass tablet giving the names of the members of the present Cabinet and the Chairman and the Speaker in the front vestibule of the Chamber before the separation of the Andhra State?

THE HON. SRI N. RANGA REDDI:—“There has been no such proposal and there seems to be no need for such a memorial tablet.”

SRI T. M. DAIVASIKHAMANI ACHARIAR:—“Sir, I understand that there is a proposal to take a group photograph of the combined House. Will it not be advisable to put the names of the Members of the present Cabinet in a prominent place in this Hall to remind the generations to come of the able administration under the regime of the Nestor of our country and of all ages?”

THE HON. SRI C. SUBRAMANIAM:—“If at all the future generations should remember this Cabinet, it should be by the service rendered by it and not by memorial tablets.”

SRI T. PURUSHOTHAMA MUDALIAR:—“Sir, as the intention of my hon. Friend, the Member for Art and Architecture, is to perpetuate the memory of the last composite Ministry in this State before the historic partition, may I plead for further consideration of the proposal?”

THE HON. SRI C. RAJAGOPALACHARI:—“I presume the reference is to the present Cabinet. Generally, Sir, if my opinion is of any value, we should wait before putting up such tablets when the gentlemen pass out. It is only after that there can be a good appraisal. In the Roman Catholic community for canonization they wait and wait for many years after death. They do not permit it immediately after death when live passions and differences of opinion are still there. We must wait for a long time before we judge them.” (Cheers.)

SRI T. M. DAIVASIKHAMANI ACHARIAR:—“Then, Sir, may I know why these photographs have been put up in this hall?”

THE HON. SRI C. SUBRAMANIAM:—“Some persons painted them and they thought that they should be exhibited and that is why they are there.”

Planting of trees on public roads.

* 196 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of trees planted on the public roads (1) in Chingleput district, and (2) in North Arcot district during Vana Mahotsava Week in 1952;

[24th July 1953]

(b) the number of trees on the public roads in the two districts cut and removed by unauthorized persons in the year 1952; and

(c) the steps taken and staff employed for prevention and check of illicit cutting of avenue trees in the States?

THE HON. SRI N. RANGA REDDI:—“(a) (1) 11,509. (2) 19,698.

“(b) 59 in the North Arcot district and 4 in the Chingleput district.

“(c) The Government have issued instructions to the Officers of the Revenue and the Highways Departments to take effective steps to prevent illicit cutting of trees on public roads. No special staff has, however, been employed for the purpose.”

SRI T. PURUSHOTHAMA MUDALIAR:—“May I know from the Hon. Minister how much the ‘Vana Mahotsava’ plantings, etc., cost the Government during the year 1952?” 4-20 p.m.

THE HON. SRI N. RANGA REDDI:—“I do not have the figures with me now. If my hon. Friend puts a separate question, I will give him the information.”

SRI T. PURUSHOTHAMA MUDALIAR:—“May I know from the Hon. Minister, who is in charge of the maintenance and protection of these avenue trees and whether it is the Highways Department, the Revenue Department or the Public Works Department? Now that the highways have been transferred from the administration of the district boards to the management of the Highways Department, may I know whether avenue coolies are employed now to protect the trees as was being done when the highways were under the control of the district boards?”

THE HON. SRI N. RANGA REDDI:—“The Chief Engineer (Highways), I think, is in charge of these things.”

SRI T. PURUSHOTHAMA MUDALIAR:—“May I know whether the Government have investigated into the causes for the increase in wilful cutting of avenue trees and whether it is due to a sort of feeling among the public that all public property can be used freely by the public and what steps Government would take to check such tendencies?”

THE HON. SRI N. RANGA REDDI:—“The reason assigned by the hon. Member may be one of the causes for the vandalism caused.”

SRI T. PURUSHOTHAMA MUDALIAR:—“May I suggest for the consideration of the Government whether they would be pleased to introduce a special legislation by which the responsibility for the safeguarding of these trees will be laid on the people of the adjacent villages and punitive fines will be levied in case of default?”

[24th July 1953]

THE HON. SRI N. RANGA REDDI :—" The Government have been thinking that the responsibility for the maintenance of these trees may be laid on the neighbouring landowners. They do not just like the levying of penalty as suggested by the hon. Member. On the other hand they are trying to give the adjacent landowners good rewards for keeping the avenues in good condition."

DR. C. NATHAMUNI NAIDU :—" May I know what effective steps the Government propose to take to prevent the unlawful cutting of trees? "

THE HON. SRI N. RANGA REDDI :—" They want to encourage vigilance on the part of village officers. They also want to give rewards to those people who help the Government in the detection of offences relating to cutting of trees illicitly and prosecution of offenders."

SRI M. P. GOVINDA MENON :—" To avoid all the complexities, may I request the Hon. Minister in charge of 'Vana Mahotsava' to consider seriously not to have 'Vana Mahotsava' hereafter? "

THE HON. SRI C. RAJAGOPALACHARI :—" That alone will not save the trees, Sir. Merely not performing the function will not save the trees although we may save ourselves from a certain amount of criticism informed or uninformed in certain quarters. But I may take into confidence hon. Members who have many suggestions to make, and I would like them also to give suggestions, as to how to save these trees in a proper manner. It is very necessary. It is easy to find fault with our people. They are poor and they cut the branches of trees. It is an indication of poverty. Many of them feel that the avenue trees which are tall and attractive are all part of public property and therefore they are every man's property. I myself have an idea, which I might share with hon. Members so that they may build upon it, that the neighbouring land-owners must be given the right to enjoy the usufruct of the trees including even the leaves and the branches which are annually lopped off in order to clear the roads. If that is given, I think the position may improve. I am seriously considering this idea. But others also may consider and give better suggestions if they have any."

DR. C. NATHAMUNI NAIDU :—" May I suggest, Sir, the levy of collective fine on the neighbouring villagers? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I have arrived at a stage in life when I find punishment is of no use especially when it is indiscriminate."

[24th July 1953]

Letting out rooms in the Legislators' Hostel for rent to non-legislators.

* 197 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Public Works be pleased to state whether the Legislators' Hostel and dwelling rooms in Government Estate, Mount Road, are given to non-legislators when the Legislature is not in session and if so, under what conditions and what rent is charged for such occupation?

THE HON. SRI N. RANGA REDDI :—" The Legislators' Hostel is used primarily to accommodate Members and to accommodate guests either of the Government or of the Legislators. Non-Legislators will be allowed accommodation in the Hostels only when the Legislature is not in session. They will have to pay rent at Rs. 3 per head per day in the Old Hostel and at Rs. 4 per head per day in the New Hostel. Guests of Legislators can be accommodated only with the consent of the other inmates of the room, and after giving intimation to the Warden. No furniture will be specially supplied to the guests of the Legislators, nor can they stay in the Hostel after their hosts have vacated the rooms."

SRI M. P. GOVINDA MENON :—" The Old Legislators' Hostel buildings since they came into the Government's possession have considerably deteriorated and many of the rooms are very leaky. May I know from the Government whether steps will be taken to repair the buildings? May I also request the Hon. Minister for Public Works to inspect the buildings in this connexion? "

THE HON. SRI N. RANGA REDDI :—" Recently I have not visited the buildings. But I have lived in that building for a long time. To some extent the deterioration in the buildings has been brought about by the Members themselves not properly utilizing the buildings. I have known people, who are not Members of the Legislature at all, staying in the buildings. Friends and relatives of Members come and stay in the Hostel. I have tried to prevent it but I could not do it. If the hon. Member gives any suggestion, I will gladly consider it."

Appeals from the elementary school teachers.

* 198 Q.—SRI G. KRISHNAMURTHI: Will the Hon. the Minister for Education be pleased to state—

(a) whether there is any time-limit for the disposal of appeals from the elementary school teachers by Divisional Inspectors of Schools; and

(b) if not, whether the Government have any proposal to lay down the time-limit?

THE HON. DR. M. V. KRISHNA RAO :—" (a) Yes. It has been made obligatory on the part of the Divisional Inspectors

[24th July 1953]

to pass orders on appeals within three months from the date of their receipt. Any delay beyond three months will have to be explained to the higher authority.

"(b) Does not arise."

SRI G. KRISHNAMURTHI :—" May I know whether the Government are aware of the fact that in most of the cases, the time taken for the disposal of appeals from the elementary school teachers is more than three months? "

THE HON. DR. M. V. KRISHNA RAO :—" Definite instructions have been issued that the Deputy Inspectors of Schools should be given the maximum time of six weeks to forward the appeals to the District Educational Officers, and that the appeals should be disposed of within the prescribed period of three months."

SRI G. KRISHNAMURTHI :—" May I know whether the teachers whose services have been terminated and who have filed appeals will be given subsistence allowance? "

THE HON. DR. M. V. KRISHNA RAO :—" Government have issued instructions that notice and previous consultation with the Deputy Inspector of Schools should be made obligatory in all cases other than those under Rule 154, Madras Educational Rules and Rule 14 of the Rules for Recognition and Aid to Elementary Schools."

SRI G. KRISHNAMURTHI :—" I submit, Sir, that when a teacher is thrown out of employment, he has to appeal. I should like to know from the Government whether this teacher has to keep quiet without any job for three months and whether he has got a claim for pay for the period he is without a job if he is reinstated by the Divisional Inspector? "

THE HON. DR. M. V. KRISHNA RAO :—" No person can be dismissed without the approval of the Education Department."

SRI S. RAMAKRISHNAIAH :—" May I know, Sir, whether the Government will institute a Tribunal for dealing with all these appeals? "

THE HON. DR. M. V. KRISHNA RAO :—" It is not possible and it will cause more delay."

SRI V. GURUNANDAN ROW :—" May I know from the Government whether any appeal to the Government against the orders of the Divisional Inspector of Schools is allowed? "

THE HON. DR. M. V. KRISHNA RAO :—" Yes, Sir."

SRI V. GURUNANDAN ROW :—" Is there any time-limit for appeals to be disposed of by the Government? "

THE HON. DR. M. V. KRISHNA RAO :—" There is no time-limit. Generally appeals are disposed of quickly."

[24th July 1953]

Purchase of lead metal by the Superintendent, Government Press, Madras.

* 199 Q.—**SRI T. PURUSHOTHAMA MUDALIAR** : Will the Hon. the Minister for Education be pleased to state—

(a) the quantity of lead metal purchased by the Superintendent, Government Press, Madras, during the year 1952-53, for lino-mono casting and the rate at which it was purchased;

(b) the percentage of loss incurred due to melting and recasting of lead metal;

(c) whether the stock book balance and actual quantity of lead found in the Government Press have been reconciled and whether there have been any discrepancies in figures and, if so, the reasons therefor; and

(d) whether there was any stoppage of productive machines for want of lead metal during the year 1952-53 and, if so, the total number of productive hours lost thereby?

THE HON. DR. M. V. KRISHNA RAO :—" (a), (b), (c) & (d) A statement* containing the information is laid on the table of the House."

SRI T. PURUSHOTHAMA MUDALIAR :—" Sir, with reference to answer to (a), may I know if tenders were invited and the lowest tenderer was given the supply order? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, the requirements of the Press are purchased from firms at the most favourable rates after calling for competitive quotations."

SRI T. PURUSHOTHAMA MUDALIAR :—" Sir, with reference to answer to (b), what is the normal annual requirement of lead for lino-mono casting and why 40 tons were purchased during 1952-53, when the percentage of normal loss every year is stated to be 1.5 per cent? "

THE HON. DR. M. V. KRISHNA RAO :—" I require notice for this question, Sir."

SRI T. PURUSHOTHAMA MUDALIAR :—" Sir, may I know what is the present stock of lead metal in the Press? "

THE HON. DR. M. V. KRISHNA RAO :—" I require notice for this also, Sir."

SRI T. PURUSHOTHAMA MUDALIAR :—" Sir, will the Hon. Minister kindly enlighten us whether there was a case of theft of lead in the Press and what action was taken thereon and will the Government take stringent steps to tighten up security arrangements in the Press? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, I am not aware of any case of theft. However, the matter will be looked into."

[24th July 1953]

SRI T. PURUSHOTHAMA MUDALIAR :—“ Sir, recently a store-keeper has been posted in the Government Press. Will very strict orders be issued enjoining on the new store-keeper to check the stock registers with reference to the loss reported on account of melting, etc., and the replacement made every year? ”

THE HON. DR. M. V. KRISHNA RAO :—“ Sir, every care will be taken and instructions issued in the matter.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ Sir, with reference to answer to (d), is it not the rule that after striking the required number of copies the printed matter should be broken up then and there in accordance with the instructions of the departments concerned on the Press slips issued by them? If so, why should there be such stoppage of productive machines and huge loss? Will the Government kindly issue instructions to the new I.A.S. Officer who has been posted to the Press to investigate and see that these things are rectified in the Press? ”

THE HON. DR. M. V. KRISHNA RAO :—“ Sir, this stoppage was due to the enormously increased output and setting work on the machines after the revision of scales of pay of Lino and Mono operators in 1951 and the inability of the departments in handling the subsequent stages of production to keep pace with the setting. This bottleneck has been met to some extent by the purchase of additional quantities of metal, but the real solution is the starting of a second shift in all the departments of the Press, regarding which proposals are under consideration separately. Every care will be taken to see that any stoppage is avoided.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ Sir, will the Government kindly investigate as to who is responsible for the loss of Rs. 78,200? The deficiency is considered normal after a long interval of eleven years. If 1.5 per cent is the normal loss per year apart from replacement a sum of Rs. 80,000 may perhaps be allowed whereas the loss of 39 tons, working out to about Rs. 78,200 is inexplicable. Will Government please investigate further into the matter? ”

THE HON. DR. M. V. KRISHNA RAO :—“ Yes, Sir; it will be investigated. But it is over a period of eleven years.”

Adoption of common leave rules for all teachers.

* 200 Q.—**SRI E. H. PARAMESWARAN :** Will the Hon. the Minister for Education be pleased to state—

(a) whether any representations have been received from teachers' associations and the South Indian Teachers' Union regarding the need for adopting common leave rules for teachers serving in schools under different agencies;

(b) if so, the action taken by the Government on those representations; and

[24th July 1953]

(c) whether the Government have considered the desirability of extending the leave rules for teachers in Government Educational institutions to teachers employed under local bodies and private managements?

THE HON. DR. M. V. KRISHNA RAO :—“ (a), (b) & (c) Teachers employed in educational institutions under local bodies are entitled to the leave privileges allowed to teachers employed in Government schools. Grant of leave to teachers in aided secondary schools is governed by the agreement which they have entered into with the management. Teachers employed in aided elementary schools are granted leave with reference to rules for the grant of aid to elementary schools. Representations have been received from the various teachers' organizations for the adoption of uniform leave rules for teachers employed in schools under all managements. The Government have not considered it necessary to revise the existing procedure.”

SRI E. H. PARAMESWARAN :—“ Sir, in view of the fact that Government are having uniform leave rules for their teachers, what is the difficulty in extending the leave rules to teachers under private management also? ”

THE HON. DR. M. V. KRISHNA RAO :—“ Sir, in the case of teachers under private managements, the conditions of service and the emoluments, as well as other conditions are subject to a contract.”

SRI G. KRISHNAMURTHI :—“ Sir, are Government aware that according to the contract no leave rules are there in any school and the question of grant of leave is left purely to the whims and fancies of the managements? May I ask the Government, since they have introduced uniform leave rules even for aided elementary schools, why they should not be extended to aided high schools also? ”

THE HON. DR. M. V. KRISHNA RAO :—“ That will be considered, Sir.”

Educational concessions to the children of peons in aided institutions.

* 201 Q.—**SRI G. KRISHNAMURTHI :** Will the Hon. the Minister for Education be pleased to state whether there is any proposal to extend the educational concessions granted to children of clerks in aided institutions to the children of peons in aided institutions?

THE HON. DR. M. V. KRISHNA RAO :—“ No, Sir.”

SRI G. KRISHNAMURTHI :—“ May I request the Government on behalf of these poor peons that the same concessions that have been granted to permanent clerks in aided institutions be extended to them, at least in the case of permanent peons? May I also point out that the cost would be well within a lakh of rupees for the peons of these institutions, as no elementary school is permitted to have a peon? ”

[24th July 1953]

THE HON. DR. M. V. KRISHNA RAO :—" Sir, the matter will be considered with improvement in the financial conditions."

Age of retirement of teachers.

* 202 Q.—SRI S. RAMAKRISHNAIAH : Will the Hon. the Minister for Education be pleased to state—

(a) the age of retirement of teachers in the various institutions, i.e., Government, local boards and aided;

(b) whether the Government have issued any rules governing the grant of extension of service to the teachers in the above institutions and, if so, whether the Government will be pleased to lay on the table of the House a copy of the same; and

(c) whether the Government propose to raise the age of retirement of teachers working in Government and local boards to 60 years?

THE HON. DR. M. V. KRISHNA RAO :—" (a) Fifty-five years.

" (b) No rules regarding the grant of extension of service to the teachers have been issued by the Government. Copies of the orders permitting the re-employment of teachers are laid on the table of the House for information.

" (c) No."

Formation of teachers' unions.

* 203 Q.—SRI S. RAMAKRISHNAIAH : Will the Hon. the Minister for Education be pleased to state—

(a) whether any orders have been passed by the Director of Public Instruction, Madras, regarding the formation of teachers' unions in the State after G.O. No. 2775, dated 24th October 1951, has been cancelled and, if so, whether the Government will be pleased to lay a copy of the same on the table of the House; and

(b) whether the Government propose to cancel all Government Orders and proceedings now in force regarding the formation of teachers' unions that are contrary to the provisions of the Indian Constitution?

THE HON. DR. M. V. KRISHNA RAO :—" (a) Yes. A copy of the Proceedings of the Director of Public Instruction No. 192-B-I/(2) of 1952, dated 10th October 1952, is placed on the table of the House.

" (b) There are no Government Orders at present in force regarding the formation of teachers' unions which are contrary to the provisions in the Constitution."

* Printed as Appendix II on pages 312-326 infra.

* Printed as Appendix III on page 327 infra.

[24th July 1953]

SRI S. RAMAKRISHNAIAH :—" Sir, may I know why certain conditions are laid down for the teachers working in the Secondary Schools becoming Members of the South Indian Teachers' Association, when there are no such restrictions on elementary school teachers forming their own Unions? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, I am not aware of any restrictions in the way of teachers joining the South Indian Teachers' Association."

SRI S. RAMAKRISHNAIAH :—" Sir, there are some four or five conditions restricting secondary school teachers from participating in the unions, namely that they should not criticise the policy of the Government, that they should not become office bearers without obtaining the permission of the management and so on. Why should there be these restrictions, Sir? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, there is no bar to any teacher being a member of any organization; but there are certain Government Servants' Conduct Rules which cannot be contravened, even by members of such Associations."

DR. C. NATHAMUNI NAIDU :—" May I know, Sir, whether any of the teachers requested to join the Trade Unions? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, the teachers have got their own organization."

Hydrogenation Factory, Kozhikode.

* 204 Q.—SRI M. K. M. ABDUL SALAM : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the amount spent so far on the Hydrogenation Factory, Kozhikode,

(b) when it is expected to go into production, and

(c) whether any committee or special officer was recently deputed by the Government to make a report on the working of the factory, and if so, what the findings are?

THE HON. DR. U. KRISHNA RAO :—" (a) The amount spent up to 31st March 1953 on the Government Hydrogenation Factory, Kozhikode, is Rs. 20,70,204.

" (b) The factory is now in a position to commence production as soon as additional power supply to the extent of 140 K.W. is made available and the necessary supplies of raw groundnut oil are procured.

" (c) Yes, Sir. A Committee consisting of the Minister for Industries and Labour as Chairman, the Minister for Law and the Minister for Agriculture as Members and the Director of Industries and Commerce as Secretary, was constituted by Government to examine the question of the future of the Government Hydro-generation Factory, Kozhikode. The Committee's recommendations have been considered by the Government and suitable action taken."

[24th July 1953]

SRI M. K. M. ABDUL SALAM :—" Sir, may I know what the capacity of that plant is? "

THE HON. DR. U. KRISHNA RAO :—" Sir, the total production capacity is 300 tons Vanaspathi and 1,500 tons of oil per year."

Rat-pests in the paddy fields.

* 205 Q.—SRI M. K. M. ABDUL SALAM : Will the Hon. the Minister for Industries and Labour be pleased to state whether the Government are aware that owing to the export of a large number of snake-skins, there has been considerable increase in the rat-pests particularly in the paddy fields; and if so, the steps taken or proposed to be taken by the Government to reduce the rat-pests?

THE HON. DR. U. KRISHNA RAO :—" The customs figures do not indicate an increase in the export of snake skins. The Director of Agriculture has reported that there has been an increase in rat menace all over the State but that this cannot be attributed to the export of a large number of snake skins. In order to reduce the rat menace the Agricultural Department is advocating the use of " Zinc phosphide " a very effective rat poison, as bait, for the last three years, which is in great demand and is available in all Taluk Agricultural Depots."

4-40 p.m. SRI G. KRISHNAMURTHI :—" May I know, Sir, whether the poison will not affect the food crops? "

THE HON. DR. U. KRISHNA RAO :—" I am afraid, Sir, I cannot speak with authority on this. I would like the hon. Member to put a question to my Hon. Colleague, the Minister for Agriculture."

SRI S. NARASAPAYA :—" Are the Government aware, Sir, that there are a regular set of people who have made it their profession to go to the villages and then catch these rat snakes whether it is for export or internal consumption, and will the Government take any action to prevent such catching of these rat snakes? "

THE HON. DR. U. KRISHNA RAO :—" Sir, I have no idea of the rat snake skin that is exported. We have no statistics on that. But I can tell the hon. Member that an enormous quantity of snake skins are exported. In 1949-50 2,454,310 skins were exported and in 1951 there was a reduction in the export, the number of skins exported being 1,762,000. The total value of the skins exported during 1949-50 was Rupees 59,92,000 and Rs. 36,63,375 for the next year. Of this, sixty per cent may be taken to represent snake skins and the rest crocodile skins and others. We have no separate statistics as to the number of python skins, cobra skins and rat snake skins, etc."

24th July 1953]

Sanction of the post of the Refrigeration Engineer.

* 206 Q.—DR. C. NATHAMUNI NAIDU : Will the Hon. the Minister for Agriculture be pleased to state with reference to Legislative Council starred question No. 31 answered on 14th March 1953—

(a) when the post of the Refrigeration Engineer was sanctioned by the Government;

(b) whether the post was advertised in the local dailies, if so, the names and dates of the dailies;

(c) the number of applications received for the abovesaid post; and

(d) the qualification prescribed for the post and the qualifications of the present candidate?

THE HON. DR. R. NAGAN GOUDA :—" (a) The post of Refrigeration Engineer was sanctioned in April 1946.

" (b) The post was not advertised in the papers as the appointment was proposed to be made only temporarily.

" (c) The application of Sri V. L. N. Chari, the present incumbent of the post, was the only one received.

" (d) (1) A degree in Science of a University in the State of Madras or any other recognized University.

(2) A degree or diploma in refrigeration course of a University in the State or any other recognized University.

(3) Practical experience in erection of cold storage plants.

NOTE.—Preference will be given to candidates with experience in fish refrigeration or training in refrigeration in the United Kingdom or in the United States of America.

Sri V. L. N. Chari, the present incumbent, possesses the following qualifications :—

(1) B.Sc., Madras University (Geology), III Class, 1946.

(2) Diploma in refrigeration and air conditioning of the Industrial Training Institute, Chicago, United States of America, 1948."

DR. C. NATHAMUNI NAIDU :—" May I know, Sir, why this post was not advertised in the dailies? "

THE HON. DR. R. NAGAN GOUDA :—" Sir, in answer to sub-clause (b), I said the post was not advertised in the papers as the appointment was proposed to be made only temporarily in the first instance in 1950. Later on in 1951, when the Madras Public Service Commission took up this question of selecting a candidate for the post they called for applications. Only two applications were received; one was from Mr. Chari. The other candidate who applied for the post did not turn up for the interview."

[24th July 1953]

DR. C. NATHAMUNI NAIDU :—" Has this candidate received the stamp of the Commission, Sir? "

THE HON. DR. R. NAGAN GOUDA :—" Yes, Sir, he was selected by the Public Service Commission."

DR. C. NATHAMUNI NAIDU :—" Is this post to be continued in the Residuary State after the formation of the Andhra State? "

THE HON. DR. R. NAGAN GOUDA :—" Yes, Sir. We have got two of these plants on the West Coast. We are likely to get some more. Therefore, I think, we require the services of these engineers."

DR. C. NATHAMUNI NAIDU :—" Under the partition scheme will posts similar to these be created for the Andhra State also, Sir? "

THE HON. DR. R. NAGAN GOUDA :—" Well, Sir, right now there are no plants in Andhra area. There is a proposal to have some plants on the East Coast, when there will be need for such appointments. Right now, I do not think there will be need."

Selection of candidates as Executive Officers of Panchayats.

* 207 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that about 126 candidates selected and trained as Executive Officers of Panchayats have been removed from the waiting list and asked to seek employment elsewhere; if so, the reasons therefor;

(b) whether the candidates so removed received special training at various centres at their own cost; and

(c) whether it is a fact that the Government are since calling for applications and interviewing the applicants to fill up such posts by direct recruitment?

THE HON. SRI N. SANKARA REDDI :—" (a) Yes; as it was not possible to provide all the candidates in the waiting list with appointments.

" (b) Yes; only such of them as were not employees of local bodies had undergone the training.

" (c) Yes; it is in respect of vacancies of Executive Officers, I grade, already reserved for being filled by graduates by direct recruitment."

SRI T. M. DAIVASIKHAMANI ACHARIAR :—" May I know, Sir, among the 126 unfortunates, how many belong to the Backward classes and how many to the Harijan class? "

THE HON. SRI N. SANKARA REDDI :—" I require notice, Sir. Only some good people were selected and the rest deleted."

24th July 1953]

SRI T. M. DAIVASIKHAMANI ACHARIAR :—" Will the Government consider the desirability of giving appointments to a few of the selected Backward class candidates as well as Harijans? "

THE HON. SRI N. SANKARA REDDI :—" We are at present keeping a panel of three for every district and among them there may be Harijans also."

SRI T. PURUSHOTHAMA MUDALIAR :—" Is it not a matter of mere justice, Sir, that men who have been trained at their own cost and that at the instance of Government and are already on the waiting list should be employed before taking any action for further recruitment? "

THE HON. SRI N. SANKARA REDDI :—" Too many were kept on the list from a few districts. Many other districts were not represented. So at present we are keeping a panel of three for every district. As vacancies arise they are taken."

Recruitment of Executive Officers for Panchayats.

* 208 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) the scale of pay fixed for different grades of Executive Officers of Panchayat Boards;

(b) the qualifications prescribed for the Panchayat Executive Officers; and

(c) the method of recruitment and the channels of further promotion for those Executive Officers?

THE HON. SRI N. SANKARA REDDI :—" (a) The scales of pay of the Executive Officers of Panchayats are as follows :—

III grade	..	..	..	50—1½—65.
II grade	..	..	..	65—1½—80.
I grade	..	..	..	80—2½—100.

" (b) The qualifications prescribed are :—

(1) The candidate should be the holder of a completed S.S.L.C. issued under the authority of the Government of Madras, declared eligible for college courses of study, if he belongs to communities other than the Scheduled Castes and Backward Classes; and

(2) he should be the holder of a completed S.S.L.C. issued under the authority of the Government of Madras, if he belongs to the Scheduled Castes and Backward Classes.

" (c) The selection of candidates is made by Government as well as by the Inspector of Municipal Councils and Local Boards. The promotion of Executive Officers from lower to higher grades and of I Grade Executive Officers as Deputy Panchayat Officers is made by Government on the recommendation of the Inspector."

[24th July 1953]

SRI T. PURUSHOTHAMA MUDALIAR :—“ Have all Class I Panchayats been provided with Executive Officers? ”

THE HON. SRI N. SANKARA REDDI :—“ As far as my knowledge goes all Class I Panchayats are provided with Executive Officers.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ May I know, Sir, how many minor Panchayats have been so notified for the appointment of Executive Officers? ”

THE HON. SRI N. SANKARA REDDI :—“ Some of the Class II Panchayats where there is mismanagement in the administration have also been notified. I am not able to give the number just now.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ Will the Hon. Minister please enlighten us as to the principle followed or the basis on which such Panchayats are notified for appointment of Executive Officers? ”

THE HON. SRI N. SANKARA REDDI :—“ They must be big enough, must have good income and the management there must be bad.”

SRI R. VENKATASUBBARAO CHOUDARY :—“ May I know, Sir, whether there has been any improvement in the administration of the Panchayats after the appointment of these Executive Officers? ”

THE HON. SRI N. SANKARA REDDI :—“ The work in panchayats under the new Act, I think, is increasing. A number of taxes have to be assessed and then collected. Hence I think for the big panchayats Executive Officers are necessary. No Panchayat President can be a whole-time servant.”

Seniority list of Municipal Commissioners.

4-50
p.m.

* 209 Q.—DR. C. NATHAMUNI NAIDU : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether a seniority list of Municipal Commissioners is maintained by the Government according to G.O. No. 2382, Local Administration, dated 4th December 1952;

(b) whether the date of the first appointment of a Municipal Commissioner has been taken into account while fixing his rank in the seniority list; and

(c) if not, the reasons therefor?

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

“ (b) & (c) The date of first regular appointment to a grade is taken as the basis for fixing the rank of Municipal Commissioners in the seniority list in that grade. Promotions to higher grades are made on grounds of merit, seniority being

[24th July 1953]

considered only where merit is approximately equal and such promotees are arranged in the order of preference according to merit and this order is followed in the seniority list in the higher grade. In cases where seniors could not join duty earlier than juniors and a junior is appointed earlier than his senior due to administrative convenience like language difficulties, the original seniority of such persons is retained by issuing a suitable order.”

Repairs to the supply channels of Periankuppam tank.

* 210 Q.—DR. C. NATHAMUNI NAIDU : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received any proposals for repairs to the supply channels of Periankuppam tank in Vellore taluk, North Arcot; and

(b) whether any estimates have been prepared and sanctioned; if so, at what stage the matter stands?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) Yes.

“ (b) An estimate has been prepared for carrying out repairs to the tank for Rs. 41,500 for works or Rs. 53,861 inclusive of direct and indirect charges and the question of sanction of the estimate is under the consideration of the Government in consultation with the Collector.”

DR. C. NATHAMUNI NAIDU :—“ May I know whether the North Arcot District Food Committee has unanimously sent a Resolution requesting the Government to expedite the repairs of the Periankuppam tank? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—

“ Unfortunately, Sir, the recommendation of the Superintending Engineer is not as unanimous as the Food Committee's. The Superintending Engineer thinks that only about 60 more acres can be brought under the ayacut and it is not a worthy proposal. Subsequently he reported that if 50 per cent of the cost was borne by the ryots, he would recommend the proposal.”

DR. C. NATHAMUNI NAIDU :—“ What is the total number of acres which can be brought under cultivation after the repair of the tank and also the present acreage of lands under cultivation? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The increased acreage will be 60 acres. I do not know the existing acreage under the tank.”

[24th July 1953]

Refusal of remissions for the wet land in Garimenapenta.

* 211 Q.—SRI S. RAMAKRISHNAIAH: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether any remissions were refused for faslis 1357 to 1359 by the Government for the wet land of Garimenapenta, Udayagiri taluk, Nellore district; if so, the amount refused and why;

(b) whether the necessity for the remissions was brought to the notice of the District Collector and if so, with what result; and

(c) whether the Government propose to refund the excess collected from the ryots for these faslis?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) &

(b) Remission for the wet lands of the village was proposed in the three faslis, the amounts proposed for remission being Rs. 2,041-6-2 for fasli 1357, Rs. 580-9-9 for fasli 1358 and Rs. 541-9-11 for fasli 1359. As the remission had to be granted by the landholder of the village, he was addressed. He replied that there was no ground for granting remission for fasli 1357 and said nothing about remission for faslis 1358 and 1359. The ryots were then informed that the landholder had refused to grant any remission, as the Government cannot act otherwise than as the agent of the landholder under the Rent Reduction Act.

“(c) There is no such proposal.”

Reconstitution of the Bench Court, Karaikudi.

* 212 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Law be pleased to state—

(a) when the Bench Court, Karaikudi, was last reconstituted and when the term of the Honorary Magistrates of the Court expired;

(b) why there is delay in reconstituting the Court and how the Court work is being conducted now; and

(c) whether there is any proposal to abolish the Bench Court, Karaikudi, and all other Bench Courts in this State; and if so, the reasons therefor?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“(a) The Bench Court at Karaikudi was last reconstituted in December 1950 and the term of the members of the Bench Court expired in December 1952.

“(b) & (c) Cases which would have been filed in the Bench Court, Karaikudi, are now being laid before the Second-class Magistrate, Karaikudi.

“There is no proposal to abolish all the Bench Courts in this State. The question whether the Bench Courts in the Ramnathapuram district may not be abolished is under the

[24th July 1953]

“consideration of the Government mainly for the reason that the file in most of these Bench Courts is not heavy and the respective Sub-Magistrates can have no difficulty in trying those cases.”

SRI T. PURUSHOTHAMA MUDALIAR:—“May I presume from the answer of the Hon. Minister that the Bench Court at Karaikudi will not be abolished and may I know when Honorary Magistrates for the Bench Court will be appointed?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“I have already answered that the question of abolishing the Bench Court at Karaikudi was under the consideration of the Government. The matter is pending with the High Court and unless it is finalized, no Magistrate will be appointed.”

SRI T. PURUSHOTHAMA MUDALIAR:—“As it is already one year since the vacancies arose, may I request the Government to see that the vacancies of Honorary Magistrates at Karaikudi are filled up without further delay?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“But the cases are tackled by the Second-class Magistrate of Karaikudi.”

Report of the Madras Jail Reforms Committee.

* 213 Q.—SRI ALEXANDER GNANAMUTTU: Will the Hon. the Minister for Law be pleased to state—

(a) when the report of the Madras Jail Reforms Committee was published; and

(b) whether the Government have passed any orders on the recommendations of the Madras Jail Reforms Committee, and if not, why?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“(a) The report was released to the Press in September 1952.

“(b) The Government have not yet passed any orders on the recommendations of the Committee as the Committee's recommendations which are large in number, extensive in scope and many with financial implications, are still under careful examination by the heads of departments concerned and of the Government.”

SRI ALEXANDER GNANAMUTTU:—“May I know, how long it will take for the Government to consider this report and pass orders?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“It may take a few months because there are 279 recommendations contained in the report.”

MR. CHAIRMAN:—“Questions are over. We will now continue the discussion on the Andhra State Bill.”

[24th July 1953]

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

II.—GOVERNMENT BILL.

THE ANDHRA STATE BILL, 1953—cont.

Clause 7.

MR. CHAIRMAN :—“ The hon. Member Mr. Gurunandan Row has given notice of an amendment under Clause 7. I rule it out of order. Article 4 (2) of the Constitution definitely provides for such an amendment to the Constitution. The amendment cannot be brought under Article 368 of the Constitution.”

* SRI S. B. ADITYAN :—“ Sir, I rise on a point of order

MR. CHAIRMAN :—“ I will not allow any discussion on my ruling.”

* SRI S. B. ADITYAN :—“ The point of order which I wish to raise is that amendments cannot be ruled out of order after they are put in the Agenda. Sir, firstly, an amendment once put before the House for discussion and which is in the Agenda can be withdrawn only with the leave of the House given without a dissentient voice. Secondly, before a decision is given on a point of order, it has always been the principle and practice to give an opportunity to the Member who raised the point of order to state his case. Particularly when a decision is going to be given against him, he must be heard. After all, Sir, the Chairman is in the position of a Judge and he must hear both sides, at least the side against which a decision is going to be given. Therefore, I say that the hon. Member Mr. Gurunandan Row should be heard before his proposition is ruled out of order.”

MR. CHAIRMAN :—“ These are amendments which have been sent to my office and they can either be stopped there without coming on to the Agenda or can be stopped here. I am perfectly within my rights in disallowing the amendment here. I have given the reasons for that. There should be no further discussion on that.”

Clause 7 was put and carried.

Clauses 8 and 9.

Clauses 8 and 9 were put and carried.

Clause 10.

6 p.m. * SRI K. BALASUBRAMANYA AYYAR :—“ Mr. Chairman, Sir, I beg to move that—

‘ In sub-clause (3), for the words “ by lot drawn in such manner as the Chairman of the Council of States may direct ”, substitute the following words: “ by the order in which their names have been notified as elected by the Election Commission in the Official Gazette.” ’

24th July 1953]

DR. V. K. JOHN :—“ Mr. Chairman, Sir, I suggest that this amendment may be discussed after the amendment which I have given notice of, to clause 19. If my amendment is accepted, Sri K. Balasubramanya Ayyar's amendment may not be required at all.”

MR. CHAIRMAN :—“ We must follow a regular order for dealing with the Clauses and amendments.”

* SRI K. BALASUBRAMANYA AYYAR :—“ Sir, sub-clause (3) of clause 10 reads as follows :—

‘ The member whose term of office is to be increased under clause (a) of sub-section (2) and the member whose term of office is to be reduced under clause (b) of that sub-section shall be determined as soon as may be after the appointed day by lot drawn in such manner as the Chairman of the Council of States may direct.’

My amendment is to substitute for the words ‘ by lot drawn in such manner as the Chairman of the Council of States may direct ’ the words ‘ by the order in which their names have been notified as elected by the Election Commission in the Official Gazette.’ Here in this House when lots were drawn the principle of giving effect to the order in which the names have been notified by the Election Commission when the persons were elected was observed in respect of the Graduates Constituencies. After determining the third part of the House which has to retire after two years by the casting of lots, the 6-and 4-year terms were determined according to the order in which the Election Commission had notified the names. I suppose the same thing would have been followed by the Chairman of the Council of States. My point before this House is that the order in which the Election Commission has notified the names should be taken into consideration for the purpose of fixing the number of years, namely, 6, 4 and 2 years. It is better that this principle is adhered to instead of the period being determined by lot. The Council of States might have determined the periods already by lot and this procedure need not be gone into again for the purpose as a person whose period might have been fixed by lot as 4 years may now find that his period is reduced to two years if the period is again determined by another lot. My submission to this House is that the principle of considering the names according to the order in which they have been published by the Election Commissioner and giving preference for the 6-and 4-year periods to those who have been declared elected on the first and second counts should be adhered to instead of drawing lots.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, will the hon. Member kindly enlighten me as to whether there is any principle in the order in which the names are notified by the Election Commissioner except the alphabetical order.”

* SRI K. BALASUBRAMANYA AYYAR :—“ Sir, these elections are based on the single transferable vote system and the results are notified in the order in which the candidates have come out successful by the number of first votes they have received.

[Sri K. Balasubramanya Ayyar] [24th July 1953]

On this principle in regard to the Graduates' Constituency the name of hon. Member, Dr. A. Lakshmanaswami Mudaliyar was ranked first and the name of the Hon. Chairman who got the next largest number of votes was given the second place, myself coming third and Sri K. Bhashyam being the fourth. The same rules applied to the election of the State's representatives to the Council of States and their names were also notified in the same order. By drawing lots the hon. Dr. M. V. Krishna Rao has to continue to be a Member of this House only for a period of two years."

THE HON. SRI C. SUBRAMANIAM :—" Sir, as far as the Council of States is concerned the periods were determined by lots for all the groups. There is therefore no purpose to be served by recommending now the principle which was adopted here and which the Council of States did not adopt in the beginning itself."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, once it is determined by lot which persons are to retire at the end of two years, so far as persons who retire at the end of 6 and 4 years respectively are concerned, their period of office is determined by the order in which their elections were notified by the Election Commissioner."

THE HON. SRI C. SUBRAMANIAM :—" Sir, I am instructed to say that in the Council of States the term of office of all groups is fixed only by casting lots."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, even if it is so, there must be a uniform policy for all the Legislative Councils in our country. So far as we are concerned, lots were drawn for the purpose of fixing only the third of the portion of the House which should retire at the end of two years and as regards those whose terms are 6 and 4 years the order in which their names were notified was taken into account."

THE HON. SRI C. SUBRAMANIAM :—" But this Clause relates to the Council of States."

* SRI K. BALASUBRAMANYA AYYAR :—" But, that does not prevent my amendment being proposed as I think this is a much better principle than the one of casting lots even though the Council of States might not have adhered to it. Election by the single transferable vote is determined by the first preference votes and therefore the man who gets the largest number of first preference votes should be given preference in fixing the term of office. Why should he be sent out in two years as a result of casting lots? It is not fair and it is not just to the man who has been elected by the largest number of first preference votes. In this case it so happens that the people who got the largest number of votes have got a 6-year term of office. Our Chairman has got the second largest number of first votes. I would indeed be very sorry for him if his period of office is limited to two years only by casting lots. It is quite all right now that

[24th July 1953] [Sri K. Balasubramanya Ayyar]

he has got six years. I am putting forward my arguments only in respect of those elected by the single transferable vote and to determine their term of office by casting of lots is not fair."

SRI MOHAMMAD RAZA KHAN :—" Sir, I support the amendment moved by my hon. Friend, Sri K. Balasubramanya Ayyar with reference to the Council of States and this Council."

THE HON. SRI C. SUBRAMANIAM :—" This clause relates only to the Council of States. We are already adopting this method so far as our Council is concerned."

SRI MOHAMMAD RAZA KHAN :—" Sir, I thank the Hon. the Minister for his intervention. Sir, human nature being what it is, if out of five Members who are to sit for four years one gets a promotion to a 6-year term of office, all the five will be happy but if one of them has to be sent out after two years he will naturally feel very sorry, when it so happens by casting lots. After having heard the views put forward, I think we can accept the principle that one who has secured the maximum number of votes should get the longer term of office and only the term of those who have secured lesser number of votes should be cut down. I do admit that there will be some difficulty with reference to the Council of States because, if I have understood correctly the previous speakers, all the Members who have been elected from the various States have had their term of six, four or two years fixed according to their luck in the casting of lots. As far as this Legislative Council is concerned the terms of six and four years have been fixed according to the number of first votes and, for example, in the case of those 24 Members who have been recently elected by the Assembly, the top-most have got six years. The position is similar in regard to the Graduates' Constituency though a different procedure is adopted for the Local Authorities Constituencies. After all it is a good suggestion from my hon. Friend, Sri K. Balasubramanya Ayyar, that instead of casting lots, it will be better to fix the terms according to the number of votes obtained."

* SRI G. KRISHNAMURTHI :—" I beg to oppose the amendment moved by my hon. Friend Sri K. Balasubramanya Ayyar, as the principle underlying the Bill does not seem to be sound. When once a Member gets elected and takes his seat in the Council, the number of votes obtained by him should not be taken into account, and he should be treated on a par with all others. There may be so many causes for the difference of votes. The difference in the number of votes should not be made a ground for deciding the terms of office of the Members. The spirit of the Constitution has not been taken into account in the framing of the amendment. According to the Constitution lots are to be drawn and as nearly as one-third of the Members should retire on the expiration of every second year. The decision arrived at by drawing lots gives some sort of emotional satisfaction to everybody that he is destined to be a Member for such and such a period. On the other hand, if the question of votes is to be taken

5-10
p.m.

[Sri G. Krishnamurthi] [24th July 1953]

into account, every Member who has been elected with less number of votes than others and who, as a consequence, has to retire earlier than others will always be reminded of this fact of getting less number of votes that has resulted in his getting out earlier than others. I want, Sir, that destiny alone should be the deciding factor and not any human factor. I, therefore, oppose the amendment moved by Sri K. Balasubramanya Ayyar."

* SRI M. P. GOVINDA MENON :—" Mr. Chairman, Sir, this clause applies to the Council of States. Just as we have adopted our own methods for the retirement of one-third of the Members on the expiration of every second year, the Council of States also have got their own method for the retirement of one-third of the Members on the expiration of every second year. I understand the term of office is determined by the drawing of lots in the Council of States. We cannot now interfere with a system which the Council of States has adopted for itself, and say that as regards the Members elected to the Council of States from the Andhra and the Residuary Madras States a different method should be followed. So, I oppose the amendment moved by Sri K. Balasubramanya Ayyar."

* THE HON. SRI C. SUBRAMANIAM :—" There is nothing important in the argument put forward in support of the amendment. I do not think we should attach any importance to the fact whether the terms of Members are fixed on the basis of lots drawn or on the basis of votes obtained. As a matter of fact, in the list, the names of Members elected within the same count are arranged only alphabetically, and not according to the number of votes obtained. After all, this is a matter affecting the Council of States and there is no use in pressing them to adopt a different method with regard to our State alone."

The amendment of Sri K. Balasubramanya Ayyar was put and lost.

Clause 10 was put and carried.

Clauses 11 to 18 were put and carried.

Clauses 19 to 21.

* SRI V. GURUNANDAN ROW :—" I beg to move the following amendment (No. 22) standing in my name :—

'This House recommends that Clauses 19, 20 and 21 be deleted and suitable amendments be made for the abolition of the Legislative Council in both the Madras and Andhra States.'"

MR. CHAIRMAN :—" The House has already taken a decision unanimously recommending a Legislative Council for the Andhra State. For the abolition of the Madras Legislative Council the initiative must be taken by the Legislative Assembly as provided for under Article 169 of the Constitution. The amendment of the hon. Member is, therefore, out of order."

24th July 1953]

* SRI V. GURUNANDAN ROW :—" I would like to say a few words on my amendment."

MR. CHAIRMAN :—" There is no use of further discussion when I have ruled the amendment out of order."

* SRI V. GURUNANDAN ROW :—" The procedure that is being followed here looks as if the views of this House are not required. Clauses are being passed without any discussion. Though there may be no amendments to any particular clause, any Member who wishes to speak on that clause should be given an opportunity to do so. According to Article 3 of the Constitution, our views have to be given to Parliament. I, therefore, submit that under each clause anybody who wants to make any suggestion must not be prevented merely because the amendment or amendments suggested to that clause are out of order."

* THE HON. SRI C. SUBRAMANIAM :—" If we do not propose to make any change in any clause, we do not forward any recommendation to Parliament. It is not as if, Sir, our speeches on every clause should be sent to Parliament for the purpose of passing or not passing the Andhra State Bill. We are expected to forward some sort of recommendations to Parliament. If the hon. Member wants to make changes to any clause in the Bill, he will have to make a formal recommendation for amending that clause and then the House will have an opportunity to debate on that."

* THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Gurunandan Row should consider the whole thing from the legal point of view apart from the question of speaking and all that. I am not going into the question of opportunities for speaking on the resolutions and amendments themselves. So far as the Andhra Council is concerned, it is a new Council and this Bill will cover the formation of a new Council and opinions may be expressed thereon."

"As regards the Legislative Council which is left behind for the Residuary State, it is an old Council and any resolution to abolish that is a resolution to change the Constitution. Constitutionally, to abolish the existing Council of the Residuary State, they should follow a different procedure."

"I understand, the Chairman's ruling was that in respect of the Andhra State Legislative Council we have already discussed it and come to some conclusion, and with respect to the Residuary State Legislative Council it is out of order to make a proposal to abolish it in this back-door way because we cannot pass a resolution on the Andhra State Bill that the Residuary State's Legislative Council must be abolished."

* SRI V. GURUNANDAN ROW :—" Parliament is supreme and there is nothing to prevent Parliament from abolishing the Legislative Council of the Madras State. No doubt, the Constitution lays down, as mentioned by the Hon. the Chief Minister, that Parliament may by law abolish the Council only on a resolution

[Sri V. Gurunandan Row] [24th July 1953]

by a two-thirds majority of the Assembly recommending that abolition. But if Parliament decides to amend the Constitution and abolish the Council, there is nothing to prevent it."

5-20 P.M. * THE HON. SRI C. RAJAGOPALACHARI:—"Surely, the lawyer members may instruct him rather than my arguing the thing. It is quite true that Parliament has power. What we are going to do here is, we are sending our views on the Bill which has been sent to us. That cannot include the abolition of this Council."

DR. V. K. JOHN:—"When the Chairman has ruled the amendment out of order there is no possibility of discussing that."

* SRI S. B. ADITYAN:—"Sir, apart from the printed list which you are having before you, there are also amendments in the typed list. [The Chairman rose to speak.] There is an amendment by Sri Syed Mahboob . . ."

- MR. CHAIRMAN:—"The hon. Member should know that he cannot speak when the Chairman is standing. I cannot go on repeating this."

* SRI S. B. ADITYAN:—"Sir, we have got our Rules. According to rule 69, when a Member wants to raise a point of order, he can raise it at any stage. Will you please look into the rule, Sir?"

MR. CHAIRMAN:—"I have already ruled the amendment out of order."

* SRI S. B. ADITYAN:—"Will you kindly see rule 69, Sir? It says that a point of order can be raised at any stage. When a point of order is not raised, as soon as the Chairman begins to speak, every Member has to sit down. But a point of order can be raised at any stage. It is the right of every Member. That is my submission, Sir."

MR. CHAIRMAN:—"No, the hon. Member is wrong. . ."

* SRI S. B. ADITYAN:—"One minute, Sir, I will explain. You ruled out of order the amendment of Sri V. G. Row a little while ago. But there is another amendment which you did not rule out. It is, I submit, in order. That is amendment No. 94 of Sri Syed Mahaboob. The other one was ruled out because it referred to the Andhra Upper House. We have taken a decision on that. This amendment (No. 94) refers only to Madras, and we have not taken a decision with regard to Madras."

THE HON. SRI C. RAJAGOPALACHARI:—"We cannot discuss about the Madras Council in this Bill."

* DR. V. K. JOHN:—"Sir, after the decision of the Chairman, there is no room for discussion. There is no argument or a point of order against a decision of the Chair. That is clear from rule 69 (2)."

24th July 1953]

MR. CHAIRMAN:—"This amendment will serve no useful purpose. The Constitution definitely provides for a Legislative Council for Madras State in Article 168. It can only be abolished according to the conditions laid down in Article 169 and not by an amendment to the Andhra State Bill."

Clause 19.

* DR. V. K. JOHN:—"Sir, I submit that this is an important matter. My amendment is as follows:—

'Clause 19 shall be so amended as to provide that this House should have 57 seats instead of 45; and consequent amendments be made in other portions of the Bill.'

I invite the kind attention of the House to this. Clause 19 reduces the number of members in this House from 72 to 45. Sir, under Article 171 of the Constitution, the number of members in the Council should not be less than 40 and not more than one-fourth of the number of members of the Assembly. Now, Sir, in Bihar, Bombay, Madras, East Punjab, Uttar Pradesh, West Bengal and Mysore, we have got Councils. Section 10 of the Representation of People Act, 1950, and the Third Schedule provide 72 seats for four major States, viz., Bihar, Bombay, Madras and Uttar Pradesh.

"Sir, you will find that Bihar has 330 members in the Assembly; Bombay has 315, Madras has 375 and the Uttar Pradesh 430; the number in the Council is not one-fourth, but it is much less. Therefore, it is right that a maximum should be fixed, but the maximum was fixed at 72 for Madras. In West Bengal, for 238 in the Assembly the number in the Council is 51 and in Mysore for 99, the number is 40 and in Punjab for 126, it is 40. Now, Sir, somebody who made some calculation reduced the figure for Madras from 72 to 45. Actually, if Article 171 of the Constitution is followed, this Council can have 57 members. Though I have proposed 57 in my amendment, I might agree to 51. Fifty-one is a very convenient number; for, Article 171 provides that one-third of the members shall retire every two years. Now if it is 51, as in West Bengal—our number is 230 and that of Bengal is 238 in the Assembly—what happens is, it is easy to divide the figure. Fifteen members could be elected by the Assembly and that is divisible by 3; 15 members could be elected by Local Authorities; 6 members by the Graduates' Constituency and 6 by the Teachers' Constituency and there may be a nomination of 9 by the Governor. If that is done, then one-third of the members can easily retire every second year. Now, the figure which is given in this Bill is 14: fourteen is a very odd figure. If my figure of 51 is accepted then, all these difficulties of reducing the number and sending somebody out which is provided for in the schedule need not happen at all. At page 25 of the Bill, i.e., Fourth Schedule, there are 14 members in the Local Authorities' Constituency. You can add one more and make it fifteen. In the Graduates' Constituency, there are 4 and it is suggested that the term of Mr. K. Balasubramania Ayyar and

[Dr. V. K. John]

[24th July 1953]

Sri K. Bhashyam may be settled by lot for one of them to retire in 1954. What I suggest is that Dr. Lakshmanaswami Mudaliar and your good self will, as provided, go up to 21st April 1958 and Sri Balasubramania Ayyar and Sri Bhashyam up to 21st April 1956. If you can have two more members and if every year two can go out, you need not reduce the term of either Balasubramania Ayyar or Bhashyam to 1954. Then, if you take the Teachers' Constituency, there are only 4 and you find nobody goes out in 1958. If you can have two more members, Sri Ranganathan and Sri Alexander Gnanamuttu can go up to 1958 and Sri Krishnamurthi and Parameswaran can go up to 1956. All the numbers I have suggested are divisible by 3. There will be 9 members to be nominated by the Governor. While it is suggested in the Bill that one of them, i.e., Sri Muhammad Usman, Dr. Muthulakshmi Reddi, Sri Marthandam Pillai or Mrs. Clubwala must go out on the appointed day, according to my suggestion they need not go out till 1954.

5-30
p.m.

"Therefore, Sir, if the number of Members for this House is fixed at 51 there will be some dignity for this House. When we were a big State we had 72 as the States of Bihar, Bombay and Uttar Pradesh had. In Bombay, Sir, the Upper House has 72 Members in spite of the fact that there are only 315 Members for the Lower House while in the Uttar Pradesh they have 430. We were considered a big State and the number of Members for this House has been fixed at 72. After the separation of the Andhra State we are very nearly reduced to the position of Mysore and Punjab. I say the dignity and the importance of a Chamber like this depends also on the number of Members, and when the Constitution allows that the number of Members for this House might be one-fourth of the number of Members of the Lower House which is 230 in our case, why should we not have more members? The number of the Members of the Lower House is going to be increased to 215 later on. It can easily be fixed at more than 40. Some clerk in the Secretariat might have worked out the figures. We had 72 members for this House when we had 375 for the Lower House. For 230 Members in the Lower House he might have arrived at 45 Members for the Upper House—a proportionate reduction. When Bengal can be given 51 for almost the same number of Members in the Lower House why should we be reduced to 45 because of some mistake committed by somebody? Forty-five is not one-fourth of 230. What is the idea in fixing the number at 45 and reducing us to the status of Mysore, Punjab and other small States? How can one-third of the Members go out in rotation? All these difficulties arise due to reducing the number to 45. The term of hon. Member Sri Balasubramania Ayyar or hon. Member Bhashyam is to be reduced and one of them asked to go in April 1954. I say it will cause great inconvenience, and it will not also be in keeping with the dignity of this House if the number is reduced to 45. If the number is reduced to 51 instead of 45 it will be most convenient and it will save all the injustice that is proposed to be done because of some clerical error and it will be in keeping with the principle laid down in the Representation of

24th July 1953]

[Dr. V. K. John]

the People Act. I submit that it is better to increase the number of years of some members. After all my suggestion requires the election of two members by the Graduates' Constituency, two members by the Teachers' Constituency and one from Local Bodies Constituency. This election might wait till October. There is nothing wrong in it. Therefore, Sir, I feel the number of Members for this House should be fixed at 51 and not at 45 as is proposed to be done in this Bill. I therefore submit that this House must recommend to the Government of India that the strength of this House should be fixed at 51 if not at 57."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"I should like to support this motion and also congratulate hon. Member Dr. John on the mathematical accuracy of the figures he has collected. I am glad he has reduced the number from 57 to 51 in his amendment. In the first place as the hon. Member has said correctly the principle should be followed in fixing the number of seats for the Legislative Council. This has not been done in the present case. Our Legislative Assembly is not less in numbers than the Assembly in Bengal or in Assam. I think there is perfect reason for saying that the number of seats in this Council must be increased. The second point which I heartily support is that owing to the changes that have been brought about, not with the concurrence of the Members who have been elected or nominated, there should not be a feeling of injustice that consequent upon the creation of the new States some people who had a definite and reasonable hope of performing their legislative duties for some time should have their term cut short. On the other hand the principle should be, if at all, that their term should be extended reasonably so that there may be no feeling of injustice in the mind of anybody. Now we are going to have the Andhra and the Residuary States and not even a few of the legislators should feel that they have been knocked out and have a resentment against the formation of these States. It is for that very reason that yesterday I strongly supported the move, though not by a speech, that a Council should also be functioning in the Andhra State. There are a number of eminent persons who have been here representatives of the Andhra districts, elected to the Council. If there is to be no Council for the Andhra State then a grave injustice would be done for a set of people who for no fault of theirs fought the Council elections rather than the Assembly elections and came in by the right royal method of election. So from that point of view also I support it. I feel that it must not be felt by any Member that he is being jettisoned out with no prospect of getting into the Council for some years.

"Now the mathematical accuracy on which I complimented the hon. Member Dr. John shows itself in the additions he has made to the various constituencies. From 14 the local authorities will have one more giving the reasonable prospect of a third of them, five being retired by rotation. Likewise in the Graduates' Constituency which is increasing by leaps and bounds as you know, Sir, and as I know and all of us know to our cost how

[Dr. A. Lakshmanaswami Mudaliyar] [24th July 1953]

difficult it is, to a constituency of such large numbers and such wide range in its sphere, I do not think there will be anything lost by giving two more. To the teachers' constituency likewise—in the teachers' constituency I believe the number of high schools has increased from something like 900 to 1,600 schools,—two more is added and I do not think that that constituency can be overburdened by adding two more. As far as the local authorities are concerned, he has proposed the addition of one more member. The Legislative Assembly need not be troubled. We will be throwing an apple of discord if we ask them to elect one more. There are already 15 good and worthy representatives of the Legislative Assembly here. Likewise the nominated Members need not be troubled because His Excellency can nominate nine"

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I think the hon. Member is making a mistake and he is not aware of certain facts. I therefore wish to explain the position. As it is, only 46 Members appear on the list appended to the Bill. A complaint has been made that four have been left out from the list. Including these four the number of Members for the Council would be 50. Of these four, three are elected Members and one is a nominated Member. If we now begin to distribute the increased strength among the Teachers' Constituency, Graduates' Constituency and the Local Authorities Constituency these people will have to be necessarily sent out and hon. Member's purpose of having all the persons elected to the Council will not be served. Therefore, that distribution will be useless."

* THE HON. SRI C. RAJAGOPALACHARI :—" The hon. Member, I think, is aware of the fact that the numbers given in the Bill are arrived at on the basis of the people who have actual domicile in the residuary area. So on that basis these Members have been taken without disturbing the results of previous elections, etc. As a matter of fact, I think four Members originally proposed to be left out claim that they have a domicile in the residuary State and therefore they should be continued as Members of the Council in the residuary State. On facts their claims appear to be correct and they have to be kept on. We have asked the Government of India to take them in. That leaves an excess in the proposal of one and the question arises to which group he could be allotted. That is the trouble."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" On the ground of principle, Sir, I have stated that no Member who has been elected should be removed. Therefore I suggested that the number should be fixed at 51. In order that a third of the Members may retire by rotation it may be necessary to fix it at 57 as the hon. Member Dr. John suggested. (An hon. Member : 'He has suggested 51.') Well, I have already given the laurels to hon. Member Dr. John so far as the mathematical accuracy is concerned. If 51 or 54 will satisfy all interests on the principle I have already stated that no Member elected already to this Council

24th July 1953] [Dr. A. Lakshmanaswami Mudaliyar]

should, by virtue of the separation of the State lose his seat, that may be adopted. Secondly no Member should be put into a worse position by a reallocation of the seats. I suggest that the number should be increased sufficiently. I leave it to the Government to decide the number. On the general principles I have enunciated; I support the amendment of the hon. Member Dr. John."

SRI D. VENKATA RAO :—" Mr. Chairman, Sir, I would like to make a suggestion. It should be either 54 or 48 and not 51 because it should not contravene Article 171 of the Constitution of India. Under that Article, the proportion must be one-third, one-third, and one-third, that is, one-third of the Members elected by Local Authorities, one-third by the Assembly and the remaining one-third elected by the Graduates and Teachers and nominated by the Governor. If it is 51, it will be disproportionate."

MR. CHAIRMAN :—" As far as possible, the one-third proportion should be maintained."

SRI D. VENKATA RAO :—" Yes, Sir, as far as possible one-third should be maintained. If it is 51, it will be far away from the proportion. You may consider any one of the two, 54 or 48."

* SRI M. P. GOVINDA MENON :—" Mr. Chairman, there is one point on which I would like to support the amendment of Dr. John. There are three persons known to me who are domiciled in the Residuary Madras State and who are now Members of this House and we are depriving them of their Membership as per the Fourth Schedule annexed to this Bill. For example, Mr. B. V. Subramanyam is a resident of Madras. He is a voter of the Madras City. He is carrying on his profession here. So also my hon. Friend Mr. Raza Khan is in the same boat. I understand Mr. Srinivasa Rao is also in the same boat. These three persons are not citizens of the new Andhra State. They are citizens of the Residuary Madras State. All those persons who are citizens of the Residuary Madras State should not lose their membership on account of the passing of this Bill by Parliament. We should not discriminate between persons, whether they are Andhras, Kannadigas or Malayalees. So long as they are citizens and voters of the Madras State, they are entitled to be Members of this House. It will be convenient if we increase the number to 54. Therefore, I support the amendment of Dr. John."

* SRI S. B. ADITYAN :—" I oppose the amendment, Sir. I submit, far from the number of seats being increased, the seats must in fact and ought to be reduced and the extent of reduction should be 100 per cent. I propose to canvass arguments for the proposition that the reduction should be to the fullest extent so that the number of seats will be reduced to zero. When I put forward that argument, I will probably be encroaching on the other amendment of the hon. Member Sri Syed Mahboob that 'this House recommends that there shall not be a Legislative Council'"

[24th July 1953]

MR. CHAIRMAN:—"Let the hon. Member speak on Dr. John's amendment."

* SRI S. B. ADITYAN:—"I submit that there ought to be no increase and, in fact, there ought to be a reduction to zero. May I know whether I can speak later and put forward my arguments?"

MR. CHAIRMAN:—"If the hon. Member wants to speak on reducing the number to zero, then it is out of order."

* SRI S. B. ADITYAN:—"There is another recommendation that there shall not be a Legislative Council for the Residuary Madras State."

MR. CHAIRMAN:—"Let the hon. Member speak on Dr. John's amendment."

* SRI S. B. ADITYAN:—"I will speak when Sri Syed Mahboob's amendment comes up for discussion here."

* THE HON. SRI C. SUBRAMANIAM:—"I just mentioned my difficulties so that Dr. John may try to solve this problem. Mathematically it is quite correct. Now if we accept 57, one-third will be 19. Let us take the Local Authorities Constituency. There are only 14 now and 5 will have to be added to it according to Dr. John's amendment. Then comes the Graduates' Constituency. It would be one-twelfth, that is, it should be 5. One will have to be added. So also with regard to the Teachers' Constituency one will have to be added. Then coming to the Assembly Constituency, it would be somewhere near 19. Then the Nominated Members, it would be one-sixth exactly, that is 9. Sir, there is one difficulty in increasing the numbers. For instance, take the Local Authorities' Constituencies. These constituencies have already been constituted and people have been elected from those constituencies. Wherefrom will you elect these 5 more people? So, it is not as if we fix a definite number and it automatically adjusts itself. It is not as if some clerk put it at 45 in the Draft Bill. It is after very careful consideration that this figure of 15 was arrived at. That is 14 for the Local Authorities' Constituencies, 4 for the Graduates' Constituencies, 4 for the Teachers' Constituencies, 15 for the Assembly Constituencies and 9 in the Nominated List—one to be removed by casting lots. That was how 45 was arrived at. It is not merely that a clerk put it. If he was a clerk, he must have been a genius in his own way in fixing this number. Therefore, I am afraid, by simply increasing the numbers, we are not solving the difficulty. Nor can it be got over by a fresh election or reallocation of constituencies. Also, it is not as if we can change the constitution of the House as it is by amending this Bill. It will have to be done under Article 172 and this constitution is provisional. Therefore, I suggest that all members who are entitled to continue here, whether they are nominated or elected by the Local Authorities'

[Sri C. Subramaniam]

Constituency or the Graduates' Constituency or the Teachers' Constituency, shall continue to be Members of this Council. The Parliament should validate the constitution of the House as it is. After two years that is in April 1954 some Members' term of office would expire and then the number could be reduced to 45 or to any other number. Then the whole thing will be all right. So, that seems to be the only reasonable proposition. This is the suggestion that I could make after hearing what Dr. Lakshmanaswami Mudaliyar and Dr. John have said."

* THE HON. SRI C. RAJAGOPALACHARI:—"Sir, I will read the draft which I have made and which may perhaps receive the acceptance of those who have expressed their opinions. It reads: 5-50 P.m.

"In view of the fact that some mistakes have occurred in eliminating the sitting Members on the ground of domicile and the Council of the residuary State will have 50 sitting Members in all, the Council is of the opinion that the strength of the Legislative Council of the residuary State may be a convenient number above 50 so as to provide for a third of each group retiring periodically. This will ensure that no sitting Member who has a right to sit on the ground of domicile will be disturbed."

Parliament can decide whether it should be 54 or 57."

* SRI K. BALASUBRAMANYA AYYAR:—"Then, Sir, there is the further question of reducing the term of office of one and increasing that of another."

THE HON. SRI C. SUBRAMANIAM:—"That will have to be done in any event to a greater degree perhaps."

* SRI K. BALASUBRAMANYA AYYAR:—"We have to determine it now. All the 50 Members will be there. In regard to those who have to retire in each group, the difficulty has arisen of pulling one down and pushing one up."

THE HON. SRI C. SUBRAMANIAM:—"I do not know how it is going to be worked out when we have all the Members. We will leave it as it is to be worked out by them. The only principle is that no Member will be sent out, and I am glad that the lady Member, Mrs. M. N. Clubwala, is happy about it."

THE HON. SRI C. RAJAGOPALACHARI:—"Never mind the period, we will have all the Members sitting."

* DR. V. K. JOHN:—"Sir, so far as no sitting Member will go out, it is all right but regarding the raising of the strength of the Council of the residuary State, I would humbly request the Hon. the Chief Minister whether we cannot suggest that we need not be put down to the position of a very small State with a strength of only 45 Members for its Legislative Council but we can be put at least in the same position as West Bengal or above because we can have—I do not know whether my mathematics is correct—a strength of 57, that is, a fourth of 230, the strength of the Legislative Assembly of the residuary State. We might therefore suggest the maximum possible. If the Hon. the Chief Minister agrees, at the same time as suggesting that no sitting

[Dr. V. K. John]

[24th July 1953]

Member should go out, we may also suggest that the maximum possible should be fixed as the strength of this Council. The maximum can only be 57, and there is no need to say that it should not be more than this number. There is another danger in their fixing it at 50 because it will present a difficulty when we will have to allot an extra Member when a third of the House has to retire at the end of two years. The question cannot be solved easily. We will therefore leave it to them and if they are pleased to make it 54 or 57 or not, what we want is that it should be above 51. I suggest it may be 57 but I think we could have 51."

THE HON. SRI C. RAJAGOPALACHARI:—"It strikes me that asking for 57 when Sri S. B. Adityan wants the whole Council to be abolished may look to be rather too wide a demand!"

* SRI K. BALASUBRAMANYA AYYAR:—"It is exactly for that very reason that I want to have the figure put at 57. We have already passed an amendment that the Andhra State also should have a Legislative Council."

THE HON. SRI C. SUBRAMANIAM:—"I will now put forward a revised draft:

"In view of the fact that some mistakes have occurred in eliminating the sitting Members on the ground of domicile and the Council of the residuary State will have 50 sitting Members in all, the Council is of the opinion that the strength of the Legislative Council of the residuary State may be 51 or some convenient number above 51 so as to provide for a third of each group retiring periodically. This will ensure that no sitting Member who has a right to sit on the ground of domicile will now be eliminated."

* DR. V. K. JOHN:—"I accept it, Sir, and in this connexion may I make another submission. I have given notice of an amendment to the Fourth Schedule that the name of Sri Mohammad Raza Khan be included in this schedule. (Amendment No. 66.) I do not know whether the Government are recommending his name and, if so, I would like to withdraw that amendment."

THE HON. SRI C. SUBRAMANIAM:—"We do not want to shut out anybody who is entitled to sit in this Council."

DR. V. K. JOHN:—"My amendment (No. 66) can be considered as withdrawn."

SRI B. V. SUBRAHMANYAM:—"Sir, I also withdraw the amendment I have given notice of in regard to the Fourth Schedule (No. 65) standing in my name."

SRI V. GURUNANDAN ROW:—"Mr. Chairman, Sir, may I suggest that there are other amendments to clauses 19 to 21. They may be either ruled out of order or taken up for consideration before this amendment is put to the vote because they also relate to the Legislative Council."

[24th July 1953]

* SRI S. B. ADITYAN:—"Sir, I submit that when there are a number of amendments and one of them is that the clause be deleted in toto and the others suggest verbal changes, the practice is to put the amendment for deletion of the clause in toto to the vote first and, if it is rejected, the other amendments are taken up afterwards."

MR. CHAIRMAN:—"I am following a certain procedure and I do not want to be taught my work."

* SRI S. B. ADITYAN:—"Sir, our only fear is that discussion should not be shut out for any reason because this amendment must be put to the vote of the House. If the ordinary practice is followed, namely, of taking up the amendment for the deletion in toto first and putting it before the House it will certainly affect the voting of the House."

THE HON. SRI C. SUBRAMANIAM:—"Sir, I think, Sri S. B. Adityan is talking about Clause 20. He is refusing to recognize that it is out of order and that is the trouble."

MR. CHAIRMAN:—"The hon Member, Sri Syed Mahaboob has given notice of the following amendment (No. 94):—

"This House recommends that there shall not be any Legislative Council for the residuary State of Madras from 1st October 1953."

"I rule it out of order as being outside the scope of the Bill."

* SRI S. B. ADITYAN:—"When the Andhra State Bill was 6 p.m. discussed in a general way, the question of abolition of the Upper House was mentioned by me. If you will kindly look into the proceedings you will find, Sir, that you promised that details may be gone into when we take up clause by clause consideration of the Bill. Article 3 of the Constitution provides that the views of this House should be ascertained. We, on this side of the House, feel that Article 3 of the Constitution gives freedom to Members to say that a Second Chamber is not necessary, and that is the plain meaning of the article referred to. We must be allowed to express our views that the Second Chamber is not necessary. In view of your ruling that it is not open to the House to canvas arguments in support of the abolition of the Second Chamber, we do not wish to take part in the further proceedings of the House for the day. We the Members of the United Democratic Front had decided that the amendment of Sri Syed Mahaboob recommending that there shall not be any Legislative Council for the residuary State should be pressed to a division. That opportunity is not given to us and therefore we propose to walk out and keep out of the House for the day."

(Then Sri S. B. Adityan and four other Members walked out of the House.)

* DR. V. K. JOHN:—"Under rule 69 (2), any Member may at any time submit a point of order for the decision of the Chairman. But no point of order can be raised against the decision of the Chair. When the Chair gives a decision, no Member of the House has a right to question the ruling given."

[24th July 1953]

* THE HON. SRI C. RAJAGOPALACHARI :—“ On a careful analysis of the draft resolution, it has been found that some errors have crept in about the number of Members to be included on the ground of ‘domicile’. The total strength of the Council may remain at 51 with no sitting Members of the House going out. The total strength of 51 is all right by all calculations.”

* DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Now, the policy that no sitting Member should lose his seat in the Council for the Residuary State and that the total strength of the Council should be 51 has been accepted. As one-third of the Members of each constituency will have to retire at the expiration of two years, I wish to know how the Government propose to fix the terms of Members belonging to the Madras (Graduates) Constituency and the Madras (Teachers) Constituency? ”

THE HON. SRI C. SUBRAMANIAM :—“ Only one-third of the total strength will have to retire.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ I move the following amendment :—

‘ In view of the fact that some mistakes have occurred in eliminating the sitting Members on the ground of domicile and the Council of the Residuary State will have 51 sitting Members in all, the Council is of the opinion that the strength of the Legislative Council of the Residuary State may be 51 or some convenient number above 51 so as to provide for a third of each group retiring periodically. This will ensure that no sitting Member who has a right to sit on the ground of domicile will now be eliminated.’ ”

MR. CHAIRMAN :—“ There is an amendment standing in the name of Sri S. B. Adityan which states that there shall be no Legislative Council for the Andhra or Madras State. The Council had already resolved yesterday that the Andhra State will have a Legislative Council. So I rule it out of order.”

DR. V. K. JOHN :—“ I accept the amendment of the Hon. the Chief Minister which is a very excellent one. I am withdrawing my amendment.”

The amendment of Dr. V. K. John was, by leave of the House, withdrawn.

MR. CHAIRMAN :—“ I shall now put the Government amendment to the vote of the House. The question is—

‘ In view of the fact that some mistakes have occurred in eliminating the sitting members on the ground of domicile and the Council of the Residuary State will have 51 sitting Members in all, the Council is of the opinion that the strength of the Legislative Council of the Residuary State may be 51 or some convenient number above 51 so as to provide for a third of each group retiring periodically. This will ensure that no sitting Member who has a right to sit on the ground of domicile will now be eliminated.’ ”

The amendment was put and carried.

Clause 19 and the amendment were put and carried.

24th July 1953]

Clause 20.

MR. CHAIRMAN :—“ There is an amendment to omit this clause, standing in the name of Sri S. B. Adityan. As it is a negative amendment I am ruling it out of order.”

Clause 20 was put and carried.

Clause 21.

MR. CHAIRMAN :—“ There is an amendment to omit this clause standing in the name of Sri S. B. Adityan. As it is a negative amendment I am ruling it out of order.”

SRI G. KRISHNAMURTHI :—“ I beg to move the following amendment standing in my name :—

‘ 23. Add at the end of sub-clause (1) the following :—

“ Each such member shall be paid a lump sum equivalent to his salary as a member from the appointed date to the expiry of his term of membership as previously fixed.” ’

‘ 24. Add at the end of sub-clause (2) the following :—

“ Such member shall be paid a lump sum equivalent to his salary as a member from the appointed day to the expiry of his term of membership as previously fixed.” ’

THE HON. SRI C. SUBRAMANIAM :—“ We have made a general suggestion that there shall be a Legislative Council for the Andhra State. Details regarding the composition of the Andhra Legislative Council, strength of the Council, etc., will all be filled up by Parliament, when the Andhra State Bill is taken up for discussion there. Provision has also been made for increasing the strength of the Council of the Residuary State.”

SRI G. KRISHNAMURTHI :—“ I am withdrawing the amendments moved by me, in view of the fact that there is going to be a Council for the Andhra State also and that provision has been made for increasing the strength of the Council of the Residuary State.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ I am also not moving the amendment (No. 25) standing in my name.”

The amendments of Sri G. Krishnamurthi (Nos. 23 and 24) were, by leave, withdrawn.

SRI K. BHASHYAM :—“ In view of the fact that no Member need go out, I think the amendment given notice of by me is not necessary. I am therefore not moving it.”

THE HON. SRI C. SUBRAMANIAM :—“ In view of the amendment that we have passed already, we will have to delete sub-clause (2). I move—

‘ That this House recommends that sub-clause (2) of clause 21 be omitted.’ ”

[24th July 1953]

MR. CHAIRMAN :—" The question is—

' That this House recommends that sub-clause (2) of clause 21 be omitted.' "

The amendment was put and carried.

Clause 21 as amended above was put and carried.

Clauses 22 to 27.

Clauses 22 to 27 were put and carried.

PART IV—HIGH COURTS.

Clauses 28 to 41.

6-10 P.M. * DR. V. K. JOHN :—" Sir, I move the following amendment :—

' This House recommends that the provisions regarding the High Courts contained in Part IV, clauses 28 to 41, be omitted and provisions should be made in the Bill based on the acceptance of the recommendations contained in paragraphs 15, 16 and 17 of the report of Mr. Justice K. N. Wanchoo on the formation of Andhra State.'

" Sir, what is proposed in the Bill is that an Andhra High Court should be established as soon as the Andhra Assembly passes a resolution to that effect and it must be located in the Andhra State. I submit, Sir, that it will be a very great hardship to litigants and there will be a great delay in the disposal of the cases, if immediately the High Court is to be shifted from Madras to some other place. Mr. Justice Wanchoo in a considered report, giving very cogent reasons, suggested that this High Court may function for the Andhra State for 5 to 10 years. He pointed out the example of Orissa being constituted in 1937 and the High Court at Patna for Bihar functioning for Orissa also for 10 years till 1947. That is possible under Article 230 of the Constitution of India. If, by some emotional resolution that may be passed in the Assembly, the High Court is taken away from Madras, apart from the fact that the litigants will suffer and there will be a great delay in the disposal of cases, the advocates, their clerks, etc., also will be put to a great hardship; for, they will have to shift from here to a place in Andhra; there are no buildings suitable for the purpose. That is also Mr. Justice Wanchoo's finding in his report that there are no buildings suitable for the High Court in any place in the Andhra area. Apart from the reasons given by Mr. Justice Wanchoo in his report, I have a feeling that when the Government of India see the difficulties of forming these linguistic States, it may be that the Commission would suggest some other arrangement. I am hoping that the Madras High Court will remain as big as it is to-day, because the Madras State in my view will be constituted not only with the future Residuary State, but also with Travancore-Cochin and Mysore, all integrated into one and then it will be a big High Court functioning here. The Andhra High Court will also be as big as that; it will not be only

24th July 1953]

[Dr. V. K. John]

Andhra High Court; it will be integrated with Hyderabad and then it will be a big State with Hyderabad as the centre and that High Court will function for the whole State. What we now propose will be only to avoid a temporary dislocation for four or five years. A redistribution of this country on a rational basis—not on this linguistic basis—will come and it will be better not to disturb the High Court now. There is a provision in Article 230 of the Constitution and there is a general feeling, as far as I can gather in the High Court and elsewhere among the litigants, lawyers, etc., that there will be terrible dislocation if the High Court is immediately shifted from Madras. If as Mr. Justice Wanchoo has pointed out we can establish conventions, there may be a wing for the Andhras, i.e., an Andhra Wing in the High Court, certain judges may hear the cases from Andhra, certain halls may be given to them, the Chief Justice will be common, as pointed out by him. There can be such a convention established. In the course of a few years, you will find a part of the High Court at Madras functioning for the Andhra State. It will be convenient, it will be prudent for us and for everybody to make no change now. Litigants will not suffer, the lawyers and their clerks and others will not suffer. I suppose the judges will also not suffer and more than anything else, there will be convenience for everybody and probably at the end there will be a redistribution of the States by the Government of India. I therefore suggest that we can state our recommendations on the lines of Mr. Justice Wanchoo's well-thought-out and considered recommendations that the High Court of Madras will function for the Andhra State for a period of 5 to 10 years, under Article 230 of the Constitution. There should not be any sentiment in the matter and no emotional approach to the problem. If only the Andhras had a temporary capital in Madras City, they would develop a quarrel with the Tamilians and others and not develop their capital; but to have a common High Court is quite a different matter. I therefore suggest that this House takes a dispassionate view of the matter and expresses its view that the recommendations of Mr. Justice Wanchoo be accepted as far as the High Court is concerned."

* SR. A. M. ALLAPICHAJ :—" Mr. Chairman, Sir, I am opposing this amendment for many reasons. Mr. Justice Wanchoo also suggested that Madras City should continue to be the joint capital of both the States at least for some years to come and we Tamilians justly turned it down. Such being the case, if we now recommend to the Central Government that the High Court should be made to continue in the Madras City for 10 years to come, it will lead to heart-burning, bitterness and all sorts of confusion. When the Andhras can look after themselves as far as their own State Capital is concerned, it is very easy for them to look after their High Court also. There is another accusation from which I want to free the Tamilians. There is a rumour going round that the legal practitioners of the Madras State, particularly the Tamilian practitioners, want to have the Andhra High Court here in Madras for their own benefit. Let us not create any such impression in the minds of the Andhras. If we succeed somehow

[Sri A. M. Allapichai] [24th July 1953]

or other in having a resolution passed here that the Andhra High Court should continue in Madras for some years, it will lead to lot of bitterness, lot of confusion and it will also create a very bad impression against the Tamilians: whatever may be the benefits, and whatever the reasoning of the mover of the amendment, emotion plays a part in politics and those concerned have gained by it. When they can have their capital at Kurnool, why should they have their High Court here for some years to come? So, it does not lie in our mouth to say, 'Well, friends you continue to be here for some years, because the High Court must be here'. It is not fair to suggest any such thing to anybody."

* SRI K. BHASHYAM :—" Sir, in considering the resolution before the House, one most important thing that has to be considered is this: 'What is the wish of the Andhras themselves'. It is not for the hon. Member, Dr. John or me to say, when the Andhra High Court shall come into effect or where it should be located; it is a matter to be decided by the Andhras themselves. Further, motives will be attributed to us if once we say that it should continue in Madras for four or five years and afterwards, if they want, they can remove it to their own State. There is already a talk that if the High Court is taken away, a few cases from Andhra districts will go as well and therefore the lawyers want the continuance of the High Court in Madras as long as is possible. Therefore, I say neither Dr. John, nor myself nor even the Tamil country need say anything in the matter. I think the provision made in the Bill that the Andhra High Court be established as soon as a Resolution of the Legislative Assembly of the Andhra State is passed to that effect, is a very reasonable one and will be in accordance with the wishes of the Andhras themselves. I think it is better not to disturb the provision in the Bill and ask for the continuance of the Madras High Court to have jurisdiction over the Andhra districts as well."

6-20 * SRI M. P. SIVAGNANA GRAMANI :—" மதிப்பிற்குரிய தலைவர் அவர்களே, டாக்டர் ஜான் கொண்டு வந்திருக்கும் திருத்தத்தை நான் பல மாதங்களாகவே கவனித்துக்கொண்டிருக்கிறேன். அவருடைய திருத்தமும், அதைப்பற்றி அவர் கூறிய கருத்துக்களும் ஆந்திர நாட்டின் அபிப்பிராயத்தையும் எதிரொலி செய்யவில்லை; தமிழ் நாட்டின் அபிப்பிராயத்தையும் எதிரொலி செய்யவில்லை; ஆனால், சென்னையில் இருக்கும் சில வக்கீல்களின் அபிப்பிராயத்தை மட்டுமே எதிரொலிக்கிறது. ஆந்திரப் பிரதேச மனோதாஸை யாரோ சிலருடைய நலனுக்காக மட்டும் நாம் இங்கு ஆலோசிக்கவில்லை. இந்தியா முழுவதின் நலத்தையும், குறிப்பாக ஆந்திர நாட்டின் நலத்தையும், சிறப்பாக எஞ்சிய சென்னை ராஜ்யத்தின் நலத்தையும் கருத்திற்கொண்டு அம் மனோதாஸை நாம் இங்கு விதி விதியாக ஆலோசித்துக் கொண்டு வருகிறோம். எந்த நல்ல காரியத்தைச் செய்கிறபோதும் ஒரு சிலருடைய நலங்கள் பாதிக்கப்படுவது இயற்கையே. அடுத்தாந்திர ஆந்திரர்களுடைய ஹைகோர்ட்டு அவர்களுடைய பிராந்தியத்திற்கே போவதால் ஏற்கனவே அவர்களுடைய வழக்கையெல்லாம் எடுத்த வாதாடி வந்த சென்னையிலுள்ள சில வக்கீல்களுக்கு இது பாதகமாக இருக்கலாம். மறைத்துப் பயனில்லை. இதை மறுக்கவும் முடியாது, ஆனாலும் கூட இந்த சுயநலனை எண்ணி ஆந்திர மக்கள் தாங்களே தங்கள் சுய மரியாதையை முன்னிட்டு, தங்களுடைய நாட்டிலே தங்களுடைய ஹைகோர்ட்டு இருக்கவேண்டுமென்று நாம் கூப்பிட்டாலும் மாட்டேன் என்று

[24th July 1953] [Sri M. P. Sivagnana Gramani]

போகிறபோது, சென்னையிலேயே இரண்டு ஹைகோர்ட்டுகளும் இருக்க அனுமதிக்க வேண்டுமென்று ஒரு சிலர் சொல்வது சரியல்ல. ஆந்திர ஹைகோர்ட்டு சென்னையில் இருப்பதால் தமிழ்நாட்டு மக்களுக்கு ஒரு வித லாபமும் இல்லை; நஷ்டமும் இல்லை. ஆகவே, டாக்டர் ஜான் கொண்டு வந்திருக்கும் திருத்தத்திற்குச் சாதகமாக இந்தக் கவுன்சிலிலே யாராவது ஒரு வாக்கு போட்டாலும்கூட, அது நிச்சயமாக ஆந்திர ராஜ்யத்திற்கும் தமிழ் நாட்டிற்கும் எதிராகப் போடப்படும் வாக்கு ஆகும் என்பது என்னுடைய அழுத்தந்திருத்தமான அபிப்பிராயம். ஆகவே, டாக்டர் ஜான் அவர்களுடைய திருத்தத்தை நான் எதிரிக்குகிறேன்."

* SRI B. V. SUBRAHMANYAM :—" Mr. Chairman, Sir, with respect to the High Court the provision in the Bill, Clause 36, reads: 'The High Court of Andhra, and the judges and division courts thereof, shall sit at such place or places in the State of Andhra as the Chief Justice may, with the approval of the Governor of Andhra, appoint.' One of the amendments, tabled by the hon. Member, Sri Gurunandan Row, and which has not been moved by him as he is not here—I merely speak of it for the sake of information—suggests that the clause should be so amended as to provide that the High Court of Andhra and the Judges and Division Courts thereof shall sit at such place or places in the State of Andhra as the Legislative Assembly of that State may by resolution appoint. If I am not mistaken, a resolution was passed in the Assembly the other day on these lines. I may be wrong. I seek information from Government. In any event, there is only one point about which I want to make a submission here. That was referred to by the hon. Member, Sri Bhashyam and that is the wishes of the Andhras. These wishes can be of two categories. Lawyers who come from the areas of Andhra and practise in the High Court here might think in one direction. The wishes of the Andhras, otherwise represented by the Assembly which is to go into the question, might be in another direction. There seems to be a tendency as far as I can judge, among the legislators from the Andhra areas to decide to fix a date on which the High Court should shift and sit at some place inside the Andhra territory. Now, till they decide by a resolution of theirs in the Andhra Legislative Assembly, nothing can happen here. Therefore, why not leave it to them? Why should we of this Council bother about what is to happen to the High Court as far as Andhra is concerned? To-day, if we pass a resolution in this House that there should be a system of bifurcation as suggested by Justice Wanchoo in his report, that may be set at naught by a resolution of the Legislative Assembly in Andhra who have a right to decide. So, my suggestion is that we should let the clause remain as it stands. The power is there for the Andhra Assembly always to act as it chooses, and my suggestion is, therefore, in conformity with the general principles governing such powers."

* SRI A. GAJAPATHI NAYAGAR :—" Mr. Chairman, Sir, I rise to oppose the motion of my hon. Friend Dr. John. If the High Court for Andhra is allowed to continue in Madras, the Andhra State would only be a mere body without the head. Even on the grounds of convenience to clients, easy access, etc., it would be

[Sri A. Gajapathi Nayagar] [24th July 1953]

better to locate the Andhra High Court within that State itself. Therefore I submit that the Andhra State must have their High Court, the Legislature and other State offices within their territory and not as my hon. Friend suggests, in the Madras City."

* THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, the hon. Member Dr. John is opposed to the very idea of partition. Therefore I am not surprised that he has moved this resolution. 'If not the division of the State, let me at least see to it that the High Court is not divided' seems to be the attitude adopted by him. He wants to prevent this business of division as much as possible. A person like him who is opposed to this very idea of partition cannot really understand the mental attitude of people anxious for partition. When the State is formed they want to have it in a full-fledged form and not in a mutilated form. In the Constitution it is stated that every State shall have a High Court of its own. Therefore it is the legitimate ambition of the Andhra State to have its own High Court. Then, it is not for us to say or to make an offer to them that they can have their High Court here and that they can remain here. It is for them to decide whether they will have the High Court here and transact their business here. Again it will not be in our interest, dignity and self-respect to say: 'Let them have the High Court here'. In fact I may tell the hon. Member Dr. John that there is a strong feeling amongst Andhras that even from the appointed day the High Court should function from the Andhra State. Wherefrom it should function, it is not for us to say that. If they have got the confidence to have the High Court in their territory even from the appointed day, I do not see why we should stand in their way. Let them have it in big buildings or in huts or under trees. It is not our business. It is their look-out. Let us not think that we still continue to be their guardian to guide their destinies. It is for them to decide. That is why after the fullest consideration, after receiving representations from the Andhras that even from the appointed day the High Court should function from the Andhra State, they have made the very wise provision saying that the Andhra Assembly is given the choice to decide and if they decide to have a separate High Court, let them have it. I do not think we need interfere with the provision as it stands. Therefore I request my hon. Friend to withdraw his amendment."

* DR. V. K. JOHN :—"I can appreciate what hon. Members say but in my humble opinion they make one mistake. We forget the fact that we ought to express our views for the benefit of the Government of India and we must express our views whatever they are, frankly and boldly. It is not a question of offending a particular man or a group. We must express what in our opinion is right and what in our opinion is wrong. Therefore I maintain still, in spite of the very eloquent speeches made by hon. Members and the Hon. Minister that it is for the good of the Andhra litigants and lawyers and others concerned that the High Court should not be shifted immediately to the Andhra State."

24th July 1953]

THE HON. SRI C. SUBRAMANIAM :—"I do not want to deny him the liberty of holding to his own opinion but let us not put it to the vote of the House." 6-30 p.m.

MR. CHAIRMAN :—"The views of Dr. John are on record and he can withdraw his amendment now."

DR. V. K. JOHN :—"I beg leave to withdraw my amendment."

The amendment of Dr. V. K. John was, by leave, withdrawn.

SRI T. PURUSHOTHAMA MUDALIAR :—"Sir, I move—

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

"(2) The President shall, as soon as may be convenient, appoint by notification in the Official Gazette, a date for the purpose of sub-clause (1)."

Sub-clause (1) of Clause 28 definitely states that 'as from the date appointed under sub-section (2), there shall be a separate High Court for the State of Andhra'. So, there is no need for the Legislative Assembly of the Andhra State to pass any such Resolution as contemplated in sub-clause (2)".

* THE HON. SRI C. RAJAGOPALACHARI :—"It is a matter of advice only. It is quite clear that the Government of India have been dealing with a number of delicate matters connected with this Bill and they have thought it wise to consult the representatives of the people of Andhra in this matter. In view of the arguments against having a separate High Court, they have suggested this and, therefore, we need not interfere with a clause which the Government of India have put in for their own protection, so to say, when the President has to act."

SRI T. PURUSHOTHAMA MUDALIAR :—"I beg leave to withdraw the amendment."

The amendment of Sri T. Purushothama Mudaliar was, by leave, withdrawn.

MR. CHAIRMAN :—"What about the next amendment of the hon. Member?"

SRI T. PURUSHOTHAMA MUDALIAR :—"Sir, I move—

'Add the following as a proviso to sub-clause (3) :—

"Provided the prescribed day shall not be later than 1st July 1954."

I want that a date line should be fixed because it should not be that the Andhra Legislative Assembly could take their own time to pass the resolution as contemplated in sub-clause (2). Therefore, I propose 1st July 1954 as the date line."

* THE HON. SRI C. RAJAGOPALACHARI :—"Here again I have to advise Mr. Purushothama Mudaliar. The object of putting a date line is to prevent a lapse. Supposing we put a date line and the Government of India do not accept it, does it follow that the High Court remains here? Therefore, we will be creating difficulty

[Sri C. Rajagopalachari] [24th July 1953]

by providing a thing like that. Knowing the psychology of the vast majority of the Andhra gentlemen who want a separate High Court, why should we show an anxiety in the matter that they should have another High Court? I think, we had better leave things as they are."

SRI T. PURUSHOTHAMA MUDALIAR :—" In deference to the wishes expressed by the Hon. Chief Minister, I withdraw the amendment."

The amendment of Sri T. Purushothama Mudaliar was, by leave, withdrawn.

SRI B. V. SUBRAHMANYAM :—" On a point of information, Sir. I find only one resolution (No. 100) in Mr. Purushothama Mudaliar's name. There were two resolutions moved and withdrawn by him."

MR. CHAIRMAN :—" Let the hon. Member see amendment No. 99."

Clause 99 was put and carried.

Clauses 29 to 37 were put and carried.

MR. CHAIRMAN :—" The House will now adjourn and meet again at 4 p.m. to-morrow."

The House then adjourned.

24th July 1953]

APPENDIX I.

[Vide answer to starred question No. 199 asked by Sri T. Purushothama Mudaliar at the meeting of the Legislative Council held on 24th July 1953, page 283 supra.]

(a) Twenty-five tons of linotype metal and 15 tons of monotype metal were purchased during 1952-53 at the following rates :—

Linotype metal—

10 tons at Rs. 2,150 per ton.

1½ tons at Rs. 1,723 per ton.

3½ tons at Rs. 1,930 per ton.

10 tons at Rs. 1,500 per ton.

—
25 tons.

Monotype metal—

10 tons at Rs. 2,540 per ton.

5 tons at Rs. 1,950 per ton.

—
15 tons.

(b) The percentage of loss incurred in remitting during the period was about 1.5 per cent which is normal.

(c) The stock book balance and the actual stock of lead have been reconciled after the quinquennial stock-taking recently concluded by the Special Officer appointed for the purpose. The loss of lino and mono-metal found on actual weighment as compared with the book figures was of the value of Rs. 78,200 (Rs. 35,500 for lino and Rs. 42,700 for mono). This deficiency is considered normal considering the long interval of 11 years between the two valuations, and the systematic loss sustained in the course of several re-meltings.

(d) The lino machines were stopped for 573 hours and the mono machines for 308 hours during the year 1952-53. This works out to a loss of 10 per cent of the working hours in the mono and 0.6 per cent in lino. The stoppage was due to shortage of metal, which, in turn, is due to the enormously increased output in setting work on the machines.

[24th July 1953]

APPENDIX II.

[Vide answer to starred question No. 202 asked by Sri S. Ramakrishnaiah at the meeting of the Legislative Council held on 24th July 1953, page 286 supra.]

I

G.O. Ms. No. 2011, Education, dated 25th July 1951.

[Madras Educational Subordinate Service—Retired teachers—Re-employment—Powers delegated to the Director of Public Instruction—Orders passed.]

The Director of Public Instruction has brought to the notice of Government that there has been an all-round shortage of trained teachers for some years past which is becoming more and more acute with the opening of new schools and suggested that the re-employment of teachers retired from Government service would be of much help. The Government accepted the suggestion and hereby empower the Director to re-employ in the Madras Educational Subordinate Service, L.T. or B.T. or B. Ed. assistants, Urdu knowing secondary grade teachers, Commercial Instructors, Physical Training Instructors, etc., who have retired from the Government service and who are below sixty years of age, subject to the conditions below :—

(1) In no case should the total emoluments, i.e., the minimum in the particular scale of pay *plus* pension to be paid, exceed the pay the officer was drawing at the time of his retirement or the maximum of the time-scale of the post in which he is re-employed;

(2) the period of re-employment does not exceed *one* year in the aggregate ; and

(3) the re-employment should not prejudice the promotion of juniors.

2. The orders will be in force for a period of *three* years from 1951-52.

The Director is requested to submit to Government a *quarterly* return of the retired teachers re-employed in Government service under these orders.

II

Memorandum No. 32998-A/52-9, Education, dated 6th April 1953.

[Madras Educational Subordinate Service—Re-employed teachers—Fixation of pay—Orders modified. *Reference.*—G.O. No. 2011, Education, dated 25th July 1951.]

In partial modification of the orders in G.O. Ms. No. 2011, Education, dated 25th July 1951, the Government direct that the

24th July 1953]

re-employed teachers be allowed to draw their pension in full and in addition such pay as will bring their total emoluments up to the rate of pay drawn by them on the date of retirement. In the case however of a teacher re-employed in a lower post, his pay *plus* pension during re-employment should not exceed the pay drawn by him at the time of retirement or the maximum of the scale of pay of the post in which he is re-employed, whichever is less.

2. The Director of Public Instruction is informed that in the case of School Assistants and Deputy Inspectors, the minimum of the time scale of pay during re-employment may be taken as Rs. 100.

III

G.O. Ms. No. 2227, Education, dated 20th August 1951.

[Schools—Elementary—Local bodies—Re-employment of retired teachers up to the age of 60—Instructions issued.]

READ—the following papers :—

G.O. No. 22, Education, dated 7th January 1947.

G.O. Ms. No. 787, Education, dated 3rd April 1951.

There has been an all-round shortage of qualified and trained teachers for sometime past for appointment in elementary schools which is becoming more and more acute with the opening of new schools. In partial modification of the orders read above, the Government empower the Presidents of District Boards and the Executive Authorities of the Municipal Councils to re-employ the superannuated teachers up to the age of 60 in the elementary schools under their control, for a period of one year at a time without consulting the District Educational Officer, subject to the teachers being found physically fit. The teachers should be paid only the minimum of the time scale of pay admissible to them.

2. If any teacher feels that his claim for re-employment has not been duly considered by the appointing authority, he may appeal to the Director of Public Instruction.

3. The Inspector of Municipal Councils and Local Boards is also empowered to re-employ the superannuated teachers in panchayat schools on the same conditions as in paragraph 1 above.

4. The superannuated teachers should be re-employed only when qualified and trained teachers are not available for appointment.

5. This concession will be in force for a period of three years from the date of the order.

[24th July 1953]

IV

**Memorandum No. 39794-C/51, Education,
dated 10th November 1951.**

[Education—Elementary—Local bodies—Re-employment of retired teachers up to the age of 60—Further instructions. *Reference.*—From the Director of Public Instruction, Rc. No. 2482/51, dated 27th September 1951.]

In continuation of the orders in G.O. No. 2227, Education, dated 20th August 1951, the Presidents, District Boards and Executive Authorities of Municipal Councils are informed that they may re-employ the superannuated teachers retired from the service of other local bodies and seeking re-employment in elementary schools under their control, after ascertaining the opinion of the President, District Board or the Executive Authority of the Municipal Council concerned under whom the teachers were previously working, as to their suitability for re-employment.

V

**Memorandum No. 18561-C/52-8, Education,
dated 15th July 1952.**

[Elementary Education—Local bodies—Re-employment of the superannuated lower elementary grade trained teachers. *Reference.*—G.O. Ms. No. 2227, Education, dated 20th August 1951.]

The Government direct that the lower elementary grade trained teachers also be included within the scope of the concession granted in G.O. Ms. No. 2227, Education, dated 20th August 1951.

VI

G.O. No. 2631, Education, dated 2nd October 1951.

[Schools—Secondary—Re-employment of superannuated teachers—Instructions—Issued.]

In modification of the previous orders on the subject, the Government pass the following orders :—

(i) Headmasters of high schools under district boards and municipal councils may be re-employed after their retirement as headmasters in high schools under those bodies, if there are no probationers awaiting employment as headmasters and if there are no selected candidates with not less than 10 years of service on the panel.

(ii) Such re-employment of retired headmasters will be sanctioned by the Director up to the age of 60 years and by Government after the completion of 60 years of age, if proposed by the President, District Board, or the Executive Authority.

[24th July 1953]

(iii) The re-employment of teachers other than the headmasters of high schools and the re-employment of headmasters as assistants, will be approved by the appointing authorities up to the age of 60 years, subject to the following conditions, namely :—

- (a) there are no probationers awaiting appointment;
- (b) the dearth of qualified persons is established by efforts taken to secure qualified persons by advertisement or other means;
- (c) the person proposed to be re-employed possesses a satisfactory record of work and conduct; and
- (d) the person produces a certificate of physical fitness from a competent medical authority of the rank of a Civil Assistant Surgeon, Class I or II or Honorary Medical Officer or an Honorary Assistant Medical Officer attached to a Government medical institution.

(iv) The re-employment of Assistants, both Secondary and I.T. Assistants and retired headmasters as Assistants will be made, after the age of 60 with the sanction of the Director of Public Instruction, subject to the same conditions as mentioned above. The grant of pay to the re-employed Assistants will be governed by the orders in G.O. No. 1350, Education, dated 4th September 1945 and G.O. No. 2889, Education, dated 14th September 1949.

(v) The sanction of Government should be obtained for the re-employment of a teacher who has retired from Government service.

(vi) The re-employment of headmasters, Assistants, etc., under local bodies will be made for one year at a time, subject to the conditions laid down in this order.

2. In the case of aided schools, the managements will be permitted to re-employ headmasters and assistants of secondary schools for such period as may be necessary, up to the age of 60 years without any outside sanction and, after the age of 60, with the sanction of the Director of Public Instruction.

3. The Director of Public Instruction is requested to propose suitable draft amendments to rule 14 of the rules relating to the establishments of local bodies, to give effect to the suggestion in this order.

VII

**Memorandum No. 47698-B/51-2, Education, dated
8th January 1952.**

[Establishment—Secondary schools under local bodies—Re-employment of teachers up to the age of 60 after superannuation—Instructions. *Reference.*—G.O. Ms. 2631, Education, dated 3rd October 1951.]

The attention of the Presidents, District Boards and the Executive Authorities of Municipal Councils is invited to G.O. Ms. No. 2631, Education, dated 3rd October 1951, in regard to the

[24th July 1953]

re-employment of superannuated teachers and they are informed that in view of the dearth of trained teachers, all qualified teachers should as a rule be re-employed from year to year up to the age of 60 in accordance with the instructions in the Government Order and subject to the conditions specified therein.

VIII

G.O. Ms. No. 2887, Education, dated 23rd December 1952.

[Elementary Education—Aided—Assessment of teaching grant on behalf of secondary grade teachers who are retained in service beyond 60 years of age—Proposal approved.]

In view of the prevailing dearth of trained secondary grade teachers for appointment in elementary schools, the Government relax the provision of rule 5 (b) of the Rules for Aid to Elementary schools temporarily up to 31st May 1954, enabling the Director of Public Instruction to assess teaching grants on behalf of the secondary grade trained teachers in aided elementary schools, up to 62nd year of their age only.

2. In this connexion, it has been suggested that it may be necessary to indent on the services of retired and educated people to take on hand part-time or whole time work, in expanding elementary education in villages and towns. The Director of Public Instruction is requested to offer his remarks on his suggestion.

24th July 1953]

APPENDIX III.

[Vide answer to starred question No. 203 asked by Sri S. Ramakrishnaiah at the meeting of the Legislative Council held on 24th July 1953, page 286 supra.]

Copy of the Proceedings of the Director of Public Instruction, Madras, R.C. No. 192-B1 (2)/52, dated 10th October 1952.

[Teachers' unions—Elementary schools—Rules regarding recognition issued in G.O. No. 2775, Education, dated 24th October 1951—Cancelled. *Reference.*—Government Memorandum No. 41111-C/50-23, Education, dated 19th June 1952.]

The undermentioned officers are informed that orders issued in G.O. No. 2775, Education, dated 24th October 1951, regarding the rules relating to the recognition of the teachers' unions have been cancelled by Government in their memorandum read above.

2. In view of the above orders—

(i) there is no need in future to recognize any teachers' union;

(ii) the recognition already accorded to district or taluk teachers' unions will cease and there is no objection to their continuance without any departmental recognition;

(iii) even the district board or municipal elementary school teachers who are governed by certain conduct rules may join such unions;

(iv) regarding the South Indian Teachers' Union and the Andhra Rashtra Teachers' Federation the orders issued in G.O. Ms. No. 1793, Education, dated 15th June 1950, and G.O. No. 214, Education, dated 1st February 1952, as modified in Government Memorandum No. 6463-B/52-4, Education, dated 4th April 1952, may continue to be in force for the present.

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, 25th July 1953.

The House met in the Council Chamber, Fort St George, at four of the clock. Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

The Madras Provincial Backward Classes League.

* 213-A Q.—SRI K. SURYANARAYANA : Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have received any memorandum from the Madras Provincial Backward Classes League during the month of June 1952; and

(b) if so, the salient features of the memorandum and the action taken by the Government or proposed to be taken thereon?

THE HON. DR. M. V. KRISHNA RAO :—“(a) No memorandum from the Madras Provincial Backward Classes League was received during the month of June 1952. But the Honorary Secretary, Provincial Backward Classes League, forwarded to the Government in June 1952 a set of resolutions adopted by a meeting of the Legislators belonging to the Backward Classes.

“(b) The resolutions were—

- (1) to set up a separate Department for the welfare of the Backward Classes;
- (2) to constitute a Backward Classes Welfare Board with full powers in the distribution of funds allotted for educational advancement of Backward Classes and to suggest ways and means for improving their conditions;
- (3) to allot from the Annual Budget a sum of Rs. 3 crores for the educational advancement of the Backward Classes;
- (4) to amend the Government Order relating to admission to professional institutions and Colleges and recruitment to services so as to provide 60 per cent of representation to Backward Classes in proportion to their population; and
- (5) to appoint a separate Director for the welfare of the Backward Classes belonging to Backward Class.

“The Government examined the resolutions and considered that none of the requests made in the resolutions could be complied with. A detailed reply was also sent to the Honorary Secretary of the Backward Classes League in the matter.”

[25th July 1953]

Backward Classes Commission.

* 213-B Q.—SRI K. SURYANARAYANA: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Backward Classes Commission appointed by the President, Indian Republic, is touring Madras; and

(b) whether evidence will be taken from the members of the Backward Classes, both official and non-official?

THE HON. DR. M. V. KRISHNA RAO :—“(a) The Commission proposes to tour this State somewhere between 15th September 1953 and the end of March 1954 for about eight days.

“(b) The Backward Classes Commission has issued a comprehensive questionnaire dealing with the various problems relating to Backward Classes. The questionnaire is addressed to (a) all Governments, and (b) Institutions serving Backward Classes. (c) Organizations of the Backward Classes themselves. (d) All those individuals who are interested in the betterment of the Backward classes, for eliciting information on the various questions enumerated in the questionnaire. The Commission also propose to contact eminent social workers, etc., while they tour the State.”

SRI K. SURYANARAYANA :—“Sir, in view of the fact that there are only very few highly educated persons amongst the Backward Classes, especially in the Andhra area, will the Government be pleased to consider the desirability of permitting the Government servants belonging to the Backward Classes to give evidence before the Backward Classes Commission on behalf of the Backward Classes?”

THE HON. DR. M. V. KRISHNA RAO :—“Sir, the simple procedure would be to take their help in preparing memoranda which can be submitted to the Backward Classes Commission through organizations or other representatives.”

Posting of policemen in the City due to the closure of Tramways.

* 214 Q.—SRI V. GURUNANDAN ROW: Will the Hon. the Chief Minister be pleased to state—

(a) whether a large number of special armed policemen and other policemen were specially requisitioned and posted at various points in the City from the 11th April 1953 due to the closure of the Tramways in the City and if so, the number of such constables requisitioned and posted and for how many days;

(b) the expenditure incurred by the Government due to the stationing of such police constables;

[25th July 1953]

(c) whether the Government stationed these policemen at the request of the management of the Tramway Company, and if so, what amount was paid by the Trainway Company to the Government towards charges for police bandobast; and

(d) whether the Government or Police in Madras City have given any special instructions to the European Officers of the Tramway Company not to travel in their own cars but to use taxis and whether any special protection is being given to the European Officers of the company and if so, the amount spent by Government on giving police protection to the European Officers?

THE HON. SRI C. RAJAGOPALACHARI :—“(a) The Divisional Police and City Armed Reserve were mobilized and pickets posted against possible disorder arising out of the sudden disengagement of workmen and the situation created by the stopping of the tram service.

“(b) The question of incurring any additional expenditure on the police patrols and pickets does not arise as no additional staff was employed for the purpose.

“(c) So far as the mobilization of the Divisional Police and the City Armed Reserve was concerned it was to control the law and order situation arising out of the closure of the Tramways. In respect of police guards specifically provided to guard the properties at the Egmore and Royapettah Tram sheds, the cost is being recovered from the Receiver of the Company.

“(d) The answer is in the negative.”

SRI V. GURUNANDAN ROW :—“Sir, may I know whether the policemen who were engaged in protecting the law and order situation were paid any special batta for remaining there all through the night?”

THE HON. SRI C. RAJAGOPALACHARI :—“Sir, the policemen who were on duty in the various places in Madras were mobilized for the purpose of meeting the situation. There is no question of any special payment.”

SRI V. GURUNANDAN ROW :—“Sir, is the Hon. the Chief Minister aware of the fact that the meals in the hotels near the places where the policemen were stationed were commandeered by the police?”

THE HON. SRI C. RAJAGOPALACHARI :—“Sir, I do not think so. I do not think the gentlemen in charge of shops and property in Madras are so docile as all that.”

Medical concessions to Non-Gazetted Officers.

* 215 Q.—SRI E. H. PARAMESWARAN: Will the Hon. the Minister for Health be pleased to State—

(a) the nature of the medical concessions granted to Non-Gazetted Officers of the Government;

4 10
p.m.

[25th July 1953]

(b) whether these concessions are applicable to employees of local bodies;

(c) whether any representations have been received from Teachers' Associations and the South Indian Teachers' Union requesting the Government to extend the concessions to teachers employed in aided schools; and

(d) whether the Government have considered the desirability of extending the concessions to teachers employed under local bodies and aided agencies?

THE HON. SRI A. B. SHETTY :—“(a) The non-gazetted officers of the State and their families are eligible for free medical aid when admitted to Government Medical Institutions including free accommodation, nursing and medical advice, free X-ray examination and treatment and free surgical treatment. They and their family members admitted to State Medical Institutions are also exempted from the payment of diet charges and the entire cost of special and expensive drugs administered to them.

“(b) These concessions are applicable to the employees of local bodies drawing salaries not exceeding Rs. 300 per mensem and their families.

“(c) Yes, from the Tiruchendur Taluk Aided Elementary School Teachers' Union in the matter.

“(d) As members of the general public, the teachers employed in aided schools are eligible for free treatment in general wards of Government Medical Institutions including free diet if their salaries are below Rs. 100 per mensem. The Government have therefore decided that no further concession need be granted to them. The scheme of medical concessions applicable to employees of local bodies drawing salaries not exceeding Rs. 300 per mensem will apply to the teachers employed under local bodies.”

SRI G. KRISHNAMURTHI :—“In view of the fact that Rs. 100 received as salary is a pittance in these hard days, may I know from the Government whether they will extend the grant of medical concessions to teachers in aided institutions drawing salaries up to Rs. 300 as is being done in the case of employees of local bodies?”

THE HON. SRI A. B. SHETTY :—“There is no such proposal before the Government at present.”

Running of a flour mill in Tiruppapuliyur.

* 216 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Health be pleased to state whether any representation has been received from the residents of Sannadhi street, Tiruppapuliyur, South Arcot district, protesting against the running of a flour mill permitted by the Municipality; and if so, the action taken thereon?

25th July 1953]

THE HON. SRI A. B. SHETTY :—“Yes. Orders have been issued on 17th June 1953 cancelling the permission granted by the Municipal Council for the installation in question. The attention of the hon. Member is in this connection invited to the answer to his question No. 191 (388).”

SRI M. ETHIRAJULU :—“May I know, Sir, if the mill is reported to be functioning in spite of the Government order and what action the Government propose to take?”

THE HON. SRI A. B. SHETTY :—“I have already answered the question.”

SRI G. KRISHNAMURTHI :—“May I know whether the installation of 3 H.P. Engine for industrial purposes is banned in residential areas by the Government?”

THE HON. SRI A. B. SHETTY :—“The Deputy Director of Public Health has made an inspection of the site referred to in the question and has said in his report that it will definitely cause nuisance by reason of the noise and the highly irritant dust released when the hullers and grinders are in operation. Therefore Government have decided that there is no need to go back on their previous decision.”

DR. C. NATHAMUNI NAIDU :—“May I know whether this Sannadhi street comes under industrial or non-industrial area?”

THE HON. SRI A. B. SHETTY :—“I have no information, Sir.”

SRI T. PURUSHOTHAMA MUDALIAR :—“May I know whether it is a case of renewal of licence of an existing mill or licensing of a fresh mill? If it is the latter, may I know why the Municipal Health Officer permitted the running of a flour mill in an objectionable locality?”

THE HON. SRI A. B. SHETTY :—“The Municipal Council, Cuddalore, granted permission for the installation of this electric motor on 11th June 1951 for working a flour mill.”

SRI T. PURUSHOTHAMA MUDALIAR :—“Has the Director of Public Health acquiesced in the issue of a licence for this flour mill?”

THE HON. SRI A. B. SHETTY :—“I have no information.”

SRI T. PURUSHOTHAMA MUDALIAR :—“May I know if the Director of Town-Planning has acquiesced in the issue of a licence for this flour mill? If not, may I know whether the Government will consider taking suitable action against the Municipal Health Officer for allowing a mill to function in a residential area?”

THE HON. SRI A. B. SHETTY :—“The matter is under consideration.”

[25th July 1953]

DR. C. NATHAMUNI NAIDU :—" May I know whether the mill is located in an industrial area or in a residential area? "

THE HON. SRI A. B. SHETTY :—" It is in a residential area, I think."

Transfer of the control of communicable diseases to Health Department.

* 217 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Health be pleased to state whether the Government have considered any proposal to transfer the control of all communicable diseases such as Leprosy, Tuberculosis and Venereal diseases from the Medical to the Public Health Department, and if so, at what stage the matter stands?

THE HON. SRI A. B. SHETTY :—" The Government are examining the proposal in consultation with the Director of Medical Services and the Director of Public Health."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know what preventive measures are adopted by the Director of Public Health with regard to these diseases? "

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

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know if the Director of Public Health is provided with necessary facilities such as laboratory, etc., for carrying on research work on the incidence and control of these diseases and if not will the Government take effective steps to strengthen the preventive aspect of these diseases? "

THE HON. SRI A. B. SHETTY :—" No laboratory facilities are available. The matter is under consideration."

Visit of social workers to State hospitals.

* 218 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Health be pleased to state—

(a) the arrangements made in the State hospitals in the Madras City and in the districts for the visit of social workers to the in-patients;

(b) the hospitals in which welfare officers have been appointed; and

(c) whether the scheme of welfare officers will be extended to all State hospitals?

THE HON. SRI A. B. SHETTY :—" (a) No special arrangements are made for the visit of the Social Workers in the City and mufassal hospitals but all facilities are provided to them whenever they intimate their desire to visit the institutions.

25th July 1953]

" (b) There is a Welfare Assistant at the Government Mental Hospital, Madras and an Honorary Welfare Officer at the Lady Willingdon Leprosy Sanatorium, Tirumani.

" (c) There is no proposal at present for an extension of the scheme for the appointment of welfare officers in other hospitals."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know whether the Government will consider the desirability of introducing honorary welfare officers in all State hospitals as has been done in the case of Lady Willingdon Leprosy Sanatorium, Tirumani? "

THE HON. SRI A. B. SHETTY :—" Honorary Welfare Officers are appointed whenever they offer their services. But at present, Social Workers Organizations like the Red Cross, Members of the Women Welfare Associations, etc., visit the City hospitals and some of the district headquarters hospitals. They distribute books, magazines, etc., to the patients."

SRI T. PURUSHOTHAMA MUDALIAR :—" Will the Government be pleased to lay down a definite policy and issue a circular to the District Medical Officers to contact voluntary social workers in their areas and arrange for their visits to hospitals to look after the comfort and welfare of the patients? "

THE HON. SRI A. B. SHETTY :—" There is no necessity to issue a circular. Voluntary social workers will always be welcomed to visit the hospitals."

Location and construction of dhobikhanas in the districts.

* 219 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Health be pleased to state—

(a) the location and the number of dhobikhanas constructed and in use districtwar; and

(b) the location and the number of dhobikhanas for which sanction has already been granted but not yet constructed?

THE HON. SRI A. B. SHETTY :—" (a) & (b) A statement^a is placed on the table of the House."

SRI M. ETHIRAJULU :—" May I know, Sir, whether the construction of two dhobikhanas one at Saidapet and the other at Chetput near Aminjikarai for which sanction has already been given by the Corporation of Madras has been started and if not, may I know, when it will be actually started? "

THE HON. SRI A. B. SHETTY :—" As the provision of dhobikhanas is the responsibility of local bodies, Government have issued detailed instructions to the local bodies to see that adequate facilities are provided for washermen to carry on

[25th July 1953]

their trade and in particular to see that, before prohibiting in the interests of public health the washing of clothes in public washing places, other suitable places are set apart for that purpose. In the case of some municipalities it has been reported that the need for dhobikhanas has not been felt as dhobies are accustomed to wash clothes in the nearby tanks, wells and ponds. In the case of some others, lack of funds and scarcity of water stand in the way of dhobikhanas being constructed. In the case of a few municipalities, the question of construction of dhobikhanas is under consideration."

SRI T. PURUSHOTHAMA MUDALIAR :—" In view of the clear exposition made on the subject by the Hon. the Minister in charge of Public Health, may I know whether the Government will consider a scheme for encouraging municipalities to start such dhobikhanas by aiding them with subsidy and loans as for other public health purposes? "

THE HON. SRI A. B. SHETTY :—" There is no such proposal at present under consideration."

SRI M. ETHIRAJULU :—" May I request the Hon. Minister to take up the question of aiding municipalities with loans and grants for such important purposes? "

THE HON. SRI A. B. SHETTY :—" The hon. Member may send up his proposals."

SRI M. ETHIRAJULU :—" Is it a fact that the dhobikhana in Salem district which was constructed during the war period has been demolished in spite of the protests from the Salem Washermen's Association and if so what alternative arrangements have been made for the construction of a dhobikhana in that place? "

THE HON. SRI A. B. SHETTY :—" If it is a general question I can answer now, but with reference to particular places like Salem I cannot answer off-hand."

4-20 P.M. SRI M. ETHIRAJULU :—" Sir, may I know whether the construction of dhobikhanas in Municipal areas is provided for in the Five-Year Plan? "

THE HON. SRI A. B. SHETTY :—" I do not think that such matters can find a place in the Five-Year Plan, Sir."

The Government Headquarters Hospital, Cuddalore.

* 220 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government are aware that the number of beds in the Government Headquarters Hospital, Cuddalore, is insufficient; and

(b) if so, what action the Government propose to take in the matter?

26th July 1953]

THE HON. SRI A. B. SHETTY :—" (a) Yes.

" (b) Proposals for increasing the bed-strength and employing additional staff are under consideration."

SRI T. PURUSHOTHAMA MUDALIAR :—" Will the Government consider the possibility of opening a decidedly cheaper hospital of indigenous medicine in each of the district headquarters as a supplemental arrangement to relieve the congestion in the existing District Headquarters Hospitals? "

THE HON. SRI A. B. SHETTY :—" Sir, there is no such demand for starting indigenous institutions, so far as I know. The students in the College of Indigenous Medicine are very anxious to learn more of modern medicine; this indigenous medicine is thrust upon them."

AN HON. MEMBER :—" Sir, may I know whether there are sufficient doctors available to run the institutions closed down at present? "

THE HON. SRI A. B. SHETTY :—" Sir, even for the indigenous rural dispensaries, we find it difficult to get men."

DR. V. K. JOHN :—" Sir, in his reply, the Hon. Minister said that the matter is under consideration. May I know how long it has been under consideration and how long it will take for a decision, months or years? "

THE HON. SRI A. B. SHETTY :—" Sir, it depends on the circumstances of each case which differs from proposal to proposal."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, may I know on what basis the Hon. Minister said that the indigenous medicine was ' thrust upon them ' ? "

THE HON. SRI A. B. SHETTY :—" Sir, from personal knowledge of the representations made to me by the students."

Duties of the Deputy and Assistant Directors of Public Health.

* 221 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Health be pleased to state—

(a) the duties assigned to the Deputy Director of Public Health and each of the Assistant Directors of Public Health; and
(b) the number of days each of them has been on tour during the year 1952 and the travelling allowance drawn by each?

THE HON. SRI A. B. SHETTY :—" (a) & (b) A statement * is placed on the table of the House."

SRI T. PURUSHOTHAMA MUDALIAR :—" Sir, as the headquarters of the Assistant Directors of Public Health are located in Madras, will the Government consider the desirability

[25th July 1953]

of redistribution of their duties on a regional basis and fixation of headquarters of the Assistant Directors of Public Health within their respective jurisdictions? "

THE HON. SRI A. B. SHETTY :—" Sir, the present arrangement is found to work very satisfactorily."

SRI T. PURUSHOTHAMA MUDALIAR :—" Sir, would it not be economical and efficient too to have the headquarters of the Assistant Directors in convenient centres outside and will the Government be pleased to consider such a proposal? "

THE HON. SRI A. B. SHETTY :—" Sir, this matter has already been considered and the present arrangement has been found to be the best."

Supply of water to the tank in the village of Pothakanur.

* 222 Q.—SRI S. RAMAKRISHNAIAH : Will the Hon. the Minister for Public Works be pleased to state whether the Government have received any representation from the villagers of Pothakanur, Darsi taluk, Nellore district, to supply water to their tank by digging a supply channel from Dornapu vagu nearby and if so, the action taken thereon?

THE HON. SRI N. RANGA REDDI :—" Yes. The proposal is under consideration."

SRI S. RAMAKRISHNAIAH :—" Sir, may I know how much it will cost the Government to dig this supply channel? "

THE HON. SRI N. RANGA REDDI :—" Sir, such a proposal is under consideration. The scheme is estimated to cost approximately Rs. 39,000."

DR. V. K. JOHN :—" Sir, how long has it been under consideration? "

THE HON. SRI N. RANGA REDDI :—" Sir, it was originally in an estate. It was recently taken over and therefore it takes some time."

SRI S. RAMAKRISHNAIAH :—" Sir, in view of the fact that Darsi is a backward area and a dry area also, will the Government take steps to take up this digging of channel under the Grow More Food Campaign? "

THE HON. SRI N. RANGA REDDI :—" Sir, that will be decided after the estimate is received."

Appointment of First Grade Hindi Pandits in High Schools.

* 223 Q.—SRI S. RAMAKRISHNAIAH : Will the Hon. the Minister for Education be pleased to state—

(a) whether the Hindi Pandits and Pracharks' Association requested the Government to appoint First Grade Pandits in every High School regardless of the number of periods of work; if so, the action taken thereon;

[25th July 1953]

(b) whether the above Association brought to the notice of Government the irregular and partial procedure adopted by different district boards in the State in the matter of appointment of First Grade Pandits; and

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

THE HON. DR. M. V. KRISHNA RAO :—" (a) Representations were received from certain Hindi Pandits' Associations requesting the Government to appoint Grade I Hindi Pandits in High Schools regardless of the number of periods of work allotted to them. The question of reducing the periods of work in higher forms prescribed for eligibility to Grade I post is under consideration.

" (b) & (c) Certain Hindi Teachers' Associations brought to the notice of the Government that certain local bodies granted Grade I scale of pay to the Hindi Pandits employed in their Secondary Schools owing to misconception, though they were not eligible for pay in that Grade, and that as a consequence the excess payment made was ordered to be recovered from the teachers. The Government thereupon issued orders that no recoveries need be made from the Hindi Teachers with effect from 1st February 1952 so as to avoid hardship to them."

SRI S. RAMAKRISHNAIAH :—" Sir, in view of the fact that there were some irregular proceedings adopted by the District Boards in the appointments of these Hindi Pandits, will the Government order an enquiry into the matter and see the wrong done to the Hindi teachers is set right? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, this was with particular reference to one mistake which was corrected and the hardship caused was attended to."

SRI G. KRISHNAMURTHI :—" Sir, may I know whether it is a fact that while the Government Order on the question of salary is all right, an order was issued by the Department later on restricting that salary to those with a minimum of 26 periods of teaching, thus taking away by the left hand what was given by the right hand through the Government Order? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, only the Government Order seems to have been applied with retrospective effect to a case which was brought to notice and which caused hardship to some teachers and that was corrected."

SRI G. KRISHNAMURTHI :—" May I know, Sir, whether even now the rule regarding 26 periods minimum teaching is not insisted on in the case of First Grade Pandits and that too in the case of upper forms? "

[25th July 1953]

THE HON. DR. M. V. KRISHNA RAO :—" Sir, the question of modifying the insistence on a certain number of periods for First Grade Pandits is under consideration."

SRI G. KRISHNAMURTHI :—" May I know, Sir, why when an English teacher, a B.A., B.T., who for all purposes is an English Pandit is paid the B.T. Grade, whether he handles the I Form or VI Form, the same principle should not be applied to teachers in our own languages, Tamil, Sanskrit and Hindi, in Swaraj India, in Free India? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, the question of improving the emoluments of Hindi Pandits and language pandits is under consideration."

SRI S. RAMAKRISHNAIAH :—" Sir, has the Government received individual complaints from the Pandits regarding the wrong done to them in giving them first grade salaries? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, I do not know to which cases the hon. Member is referring. I am not aware of individual cases. I am not dealing with them here. I am dealing with this specific matter referred to in the question."

Revival of the Selection Examination in the S.S.L.C. class.

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

(a) what is the intention of the Government in issuing G.O. No. 2313, Education, dated 7th October 1952; and

(b) whether any representations have been made to the Government for revoking the above Government Order and if so, the action taken thereon?

THE HON. DR. M. V. KRISHNA RAO :—" (a) The abolition of selection examination in the S.S.L.C. class had bred in certain students an indifference to their studies. The Government reviewed the matter in consultation with the Director of Public Instruction and the Educational Associations and have decided that an examination in Form VI is necessary to assess the fitness of the candidates to take the examination.

" (b) Representations have been received. The Government do not consider it necessary to revise the orders reviving the selection examination in the S.S.L.C. class."

SRI S. RAMAKRISHNAIAH :—" May I know, Sir, how many students were detained in the S.S.L.C. class last year? "

THE HON. DR. M. V. KRISHNA RAO :—" I want notice, Sir."

25th July 1953]

SRI G. KRISHNAMURTHI :—" Sir, are Government not convinced that the selection examination is an unwanted and unnatural imposition on students just brought in to maintain discipline in schools? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, I cannot agree that it is unwanted. There has been a demand for its revival from all Educational organizations, all Teachers' Associations and the State Advisory Board of Education. The Director of Public Instruction in consultation with the Board of Secondary Education advised the Government and the Government decided accordingly."

SRI G. KRISHNAMURTHI :—" Is it a fact, Sir, that a recommendation has been made to the Secondary Education Commission that the Selection Examination should be abolished, vesting the power of issuing the S.S.L.C. certificate in the headmasters, so that there will be no difficulty in maintaining discipline? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, I am sure that that will create more difficulties than we can solve."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, are Government aware that sections of students do not want any examinations? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, it is very obvious."

SRI E. H. PARAMESWARAN :—" Sir, are Government aware that it was at the Special Conference of 700 headmasters that a resolution was passed requesting the Government to revive the selection examination and not to take away the power of selection from headmasters? "

THE HON. DR. M. V. KRISHNA RAO :—" Sir, it was on the unanimous wish of all educational authorities that this was revived."

SRI S. RAMAKRISHNAIAH :—" Does the detention of the students help in improving their standards? "

4-30
p.m.

THE HON. DR. M. V. KRISHNA RAO :—" Certainly, it is intended to improve the standard and induce students to pay more attention to their studies."

SRI S. RAMAKRISHNAIAH :—" Sir, in view of the fact that there are so many lapses on the part of the Government and managements will the Government reconsider their decision and see that there is no selection examination for S.S.L.C. students hereafter? "

THE HON. DR. M. V. KRISHNA RAO :—" The time is not yet come for us to dispense with examinations or tests like these, Sir."

DR. (MRS.) S. MUTHULAKSHMI REDDI :—" May I ask, the Hon. Minister why not abolish all examinations? The progress of the students will be seen in the class. These examinations are

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MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

SATURDAY, 25th JULY 1953

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CONTENTS

	PAGES
I Questions and Answers	329-356
II Formation of a New Party in the Council	357
III Government Bill—The Andhra State Bill, 1953—cont.	358-382

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[25th July 1953]

not a real test of the knowledge of the students. Will the Government therefore consider abolishing all the examinations?"

THE HON. DR. M. V. KRISHNA RAO :—" It will be a long time before we can dispense with examinations altogether. Unless we discover an alternative method to test the attainments of the students, we cannot achieve the object by abolishing examinations at present."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know, Sir, whether examinations have altogether been dispensed with in any country in the world?"

THE HON. DR. M. V. KRISHNA RAO :—" Not to my knowledge, Sir."

SRI A. GAJAPATHY NAYAGAR :—" May I know, Sir, when the selection examination is held, before the final examination?"

THE HON. DR. M. V. KRISHNA RAO :—" The selection examination is generally held in the month of December, Sir."

Selection of teachers for supervision work in the S.S.L.C. Public Examination.

* 225 Q.—SRI G. KRISHNAMURTHI : Will the Hon. the Minister for Education be pleased to state the qualifications prescribed for teachers selected for supervision work in the S.S.L.C. Public Examination?

THE HON. DR. M. V. KRISHNA RAO :—" The Government Officers of the Education Department, and persons who are employed as wholtime teachers preferably in higher forms including pandits and instructors in the recognized institutions under the control of local bodies and private managements, are eligible for appointment as Superintendents for the S.S.L.C. Public Examination. The qualifications of the staff are the same as those prescribed for the respective posts which they are holding, viz., B.A., L.T., Secondary grade T.S.L.C., etc."

SRI G. KRISHNAMURTHI :—" May I know, Sir, whether the Government are aware of the fact that Secondary grade teachers are not generally given a chance of supervising the S.S.L.C. examination?"

THE HON. DR. M. V. KRISHNA RAO :—" I have stated that preference is given to certain categories."

SRI G. KRISHNAMURTHI :—" Will the Government kindly issue orders that at least 25 per cent of the supervision work should go to those teachers who are working in High Schools and Middle Schools?"

THE HON. DR. M. V. KRISHNA RAO :—" Sir, with the increasing number of candidates and increasing number of centres we are bound to take the services of almost all the teachers, as many as possible in this connexion."

25th July 1953]

Educational concessions to the dependants of soldiers.

* 226 Q.—SRI G. KRISHNAMURTHI : Will the Hon. the Minister for Education be pleased to state—

(a) the time normally taken for the sanction of educational concessions to the dependants of soldiers from the Post-War Services Reconstruction Fund; and

(b) the steps taken or proposed to be taken by the Government to expedite the sanction of the above concessions and the payment of allowance for books required for the school year 1953-54?

THE HON. DR. M. V. KRISHNA RAO :—" (a) One month, if all the particulars required and the certificates necessary are correctly furnished.

" (b) The Director of Public Instruction has issued circulars to all the subordinate officers in the matter. Soon after the sanction of educational concessions, the book allowance will be drawn and disbursed."

SRI G. KRISHNAMURTHI :—" Sir, am I right in presuming that the persons concerned in the issue of the concession are the District Educational Officer, the Management of the school, the local Tahsildar and the Soldiers' Board?"

THE HON. DR. M. V. KRISHNA RAO :—" I require notice for that question, Sir. I have got a copy of the rules. The hon. Member may refer to it."

DR. C. NATHAMUNI NAIDU :—" May I know which is the authority that is concerned with the grant of these concessions : the Management, the District Educational Officer or the Director of Public Instruction?"

THE HON. DR. M. V. KRISHNA RAO :—" Yes, Sir. The certificates have to be produced from the various people concerned."

SRI G. KRISHNAMURTHI :—" Is it a fact, Sir, that the Director of Public Instruction has issued a circular that in the case of renewal of these concessions, no new certificate from the Soldiers' Board is necessary and has that been communicated to the Tahsildars?"

THE HON. DR. M. V. KRISHNA RAO :—" Every year as a routine, the Director of Public Instruction issues circulars to the concerned people so that no delay occurs in these matters."

SRI G. KRISHNAMURTHI :—" May I submit, Sir, that I understand that the Director has issued a circular for the benefit of those who are getting the concessions that in the case of renewals the Soldiers' Board certificate need not be got again? Due to the circular not reaching the Tahsildars, a particular Tahsildar is

[25th July 1953]

insisting that another certificate from the Board is necessary. So may I request the Government to issue copies of the circular that the certificates need not be insisted on again to all Tahsildars?"

THE HON. DR. M. V. KRISHNA RAO :—" I will look into the matter, Sir."

SRI G. KRISHNAMURTHI :—" Sir, in the case of the allowances given for books which are given as lump sum amounts in the case of all students excepting the college students, may I request the Government to grant the amount in advance and necessary vouchers recovered later?"

THE HON. DR. M. V. KRISHNA RAO :—" That is a matter of detail. I think, *prima facie*, it will cause inconvenience."

Appointment of teachers as Junior Deputy Inspectors of Schools.

* 227 Q.—SRI S. RAMAKRISHNAIAH : Will the Hon. the Minister for Education be pleased to lay on the table of the House a copy of the rules governing the recruitment of teachers to the post of Junior Deputy Inspector of Schools in the State and to state—

(a) the number of non-Government teachers selected as Junior Deputy Inspector of Schools and the number of vacancies that have arisen;

(b) the number of applications received for the above post and the number rejected on the ground that the teachers have not put in ten years of Secondary Grade service and whether this condition is in agreement with the conditions laid down in the above rules; and

(c) whether any preference has been given to candidates, who have sacrificed for the country's independence, in the matter of selection; if so, what is the number?

THE HON. DR. M. V. KRISHNA RAO :—" A copy* of the rules is placed on the table of the House—

(a) 27 and 32.

(b) 252 and 164. Yes.

(c) Yes. 1.

These figures are in respect of the last recruitment made in April 1951."

SRI S. RAMAKRISHNAIAH :—" May I know, Sir, whether the service of ten years mentioned in the rules is the service as secondary-grade teacher or service merely as teacher?"

THE HON. DR. M. V. KRISHNA RAO :—" I should think it is service as Secondary-grade teacher."

SRI G. KRISHNAMURTHI :—" May I know how many secondary grade teachers are there out of the total number?"

THE HON. DR. M. V. KRISHNA RAO :—" I require notice, Sir."

25th July 1953]

Non-payment of dearness allowance to teachers.

* 228 Q.—SRI G. KRISHNAMURTHI : Will the Hon. the Minister for Education be pleased to state—

(a) whether any representations have been received by Government from teachers during the last nine months regarding the non-payment of dearness allowance by managements for the period of notice terminating their services; and

(b) if so, the orders passed thereon?

THE HON. DR. M. V. KRISHNA RAO :—" (a) the answer is in the negative.

" (b) Does not arise."

SRI G. KRISHNAMURTHI :—" May I know, Sir, if the Government have published an amendment in the *Fort St. George Gazette* to the effect that salary includes dearness allowance also?"

THE HON. DR. M. V. KRISHNA RAO :—" It has been decided that when the management has to pay, dearness allowance should be added, and when the teacher has to give three months' notice or in lieu pay some amount, dearness allowance should be cut out."

SRI G. KRISHNAMURTHI :—" Have necessary orders been issued, Sir, asking the managements to just embody a provision in the contracts that pay includes dearness allowance also?"

THE HON. DR. M. V. KRISHNA RAO :—" They are under issue, Sir."

The Andhra Paper Mills.

* 229 Q.—SRI M. K. M. ABDUL SALAM : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the amount invested on the Andhra Paper Mills, Rajahmundry, up till now from the time of its taking over;

(b) the present capital including its purchase price;

(c) the cost of establishment per month and the profit on the last year's working; and

(d) whether anything more than a craft paper is being manufactured in the Mills now?

THE HON. DR. U. KRISHNA RAO :—" (a) The total amount invested in the Andhra Paper Mills to the end of March 1952 since the taking over of the Mills is Rs. 55,33,969 exclusive of the purchase price of Rs. 25,00,000.

" Information for the period 1952-53 is not available as the accounts are yet under audit.

" (b) Rupees 37,02,896 up to 31st March 1952.

[26th July 1953]

" (c) The cost of establishment works out to Rs. 6,000 per mensem. The net profit earned during the year 1951-52 was Rs. 1,78,610.

" (d) Yes."

DR. V. K. JOHN :—" Is it correct to say that the Government paid much higher price than what was offered to private individuals? "

THE HON. DR. U. KRISHNA RAO :—" I am not aware of any transaction with private individuals, Sir. I must tell the hon. Member that I am only concerned with Government purchases."

Recruitment of Regional Transport Officers.

4-40
P.M.

* 230 Q.—**SRI T. PURUSHOTHAMA MUDALIAR** (on behalf of Sri Alexander Gnanamuttu): Will the Hon. the Minister for Industries and Labour be pleased to state whether the Public Service Commission is being consulted in regard to the recruitment of Regional Transport Officers; and if not, why?

THE HON. DR. U. KRISHNA RAO :—" The Public Service Commission is consulted in regard to the appointment of Regional Transport Officers."

Jurisdiction of a Regional Transport Officer.

* 231 Q.—**SRI T. PURUSHOTHAMA MUDALIAR** (on behalf of Sri Alexander Gnanamuttu): Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Regional Transport Officers were at any time in charge of three or more districts;

(b) how many districts are now under the jurisdiction of a Regional Transport Officer; and

(c) whether the Government have considered the question of changing the designation of the posts of Regional Transport Officers as " District Transport Officers " ?

THE HON. DR. U. KRISHNA RAO :—" Prior to April 1950, Regional Transport Officers were in charge of three or more districts.

" (b) There is now one Regional Transport Officer for each district.

" (c) No, Sir."

Appointment of Traffic Inspectors in the Madras State Transport Service.

* 232 Q.—**SRI T. PURUSHOTHAMA MUDALIAR**: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the number of posts of Traffic Inspectors in the Madras State Transport Service;

25th July 1953]

(b) the number of vacancies in the posts of Traffic Inspectors filled in January, February and March 1953 and the names of candidates appointed to those vacancies showing the qualifications and previous service of each; and

(c) whether the candidates selected for the above posts were sent by the Employment Exchange, and if not, why the Employment Exchange was not consulted before selection?

THE HON. DR. U. KRISHNA RAO :—" (a) Four, Sir.

" (b) Two vacancies in the posts of Traffic Inspectors arose in March 1953. Sri L. P. Cotter and Sri P. D. Raman were appointed in those vacancies. Both are graduates of the Madras University. Sri Raman has served for over four years in Technical Training Centres of the Government of India. Particulars of previous service of Sri Cotter are not available. He has since left the Government Transport department.

" (c) Under the existing orders, it is not necessary to consult the Employment Exchange in so far as recruitment to posts in the Government Bus Service is concerned."

SRI T. PURUSHOTHAMA MUDALIAR :—" Has the Madras Public Service Commission been consulted in regard to these appointments? "

THE HON. DR. U. KRISHNA RAO :—" No, Sir. These are posts which do not come under the purview of the Public Service Commission."

SRI T. PURUSHOTHAMA MUDALIAR :—" Are there not experienced men in lower ranks in the department who could be promoted to these posts and why was direct recruitment resorted to in this case in preference to existing men in the service? "

THE HON. DR. U. KRISHNA RAO :—" It was thought that the men recruited were good, able and efficient. But when such men do not come, the departmental men in the lower ranks are usually promoted to these posts? "

SRI MOHAMMAD RAZA KHAN :—" May I know whether there is any Committee for making all appointments in the Transport department or are they made by the Transport Commissioner alone? "

THE HON. DR. U. KRISHNA RAO :—" Appointments to gazetted posts like Regional Transport Officers, etc., are made by the concerned Minister. Recommendations are made to him by the department concerned but it is not necessary that he should follow them. He can use his discretion in the making of these appointments."

SRI MOHAMMAD RAZA KHAN :—" My question is, whether there is any Committee for making all appointments in the Transport department or are they made by the Transport Commissioner alone? "

[25th July 1953]

THE HON. DR. U. KRISHNA RAO :—“ Under the existing orders, any Non-gazetted appointment to the Government Transport Service which carries a basic pay of Rs. 100 and above should be considered by a Selection Committee consisting of the Home Secretary and the Transport Commissioner.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ With reference to answer to (c), may I know why the principle of recruitment of men from amongst those registered with the Employment Exchange was not followed in this case, whereas that rule is observed in all other departments? ”

THE HON. DR. U. KRISHNA RAO :—“ Sir, one of the reasons is that the majority of the posts require some technical knowledge or previous experience in the transport service and that no useful purpose is likely to be served by addressing the Employment Exchange. Further, the Motor Workers' Union had been urging when the Government took over the Transport Service that they should also take over all the persons in the employment of private operators. Thirdly, the Government Bus Service, being a commercial concern, the Transport Commissioner urged that like other commercial concerns, it should be free from any restriction in the matter of appointments. It was also decided that consultation with the Employment Exchange would not apply to the recruitment of posts created in connection with the nationalization of bus service in the City of Madras.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ With reference to the first reason adduced by the Hon. Minister is it proper to presume that the Employment Exchange would not be a proper agency with regard to the recruitment of technical men? ”

THE HON. DR. U. KRISHNA RAO :—“ I have already stated that the Transport Service being a commercial concern, it should not be restricted or hampered by any such rules.”

Permission to the Principal, Government School of Arts and Crafts, to undertake private work.

* 233 Q.—**SRI T. PURUSHOTHAMA MUDALIAR :** Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the present Principal, Government School of Arts and Crafts, Madras, is a full-time officer and if so, what his pay and allowances are; and

(b) whether he is allowed to undertake any private work and if so, the conditions under which he is allowed to do so?

THE HON. DR. U. KRISHNA RAO :—“ (a) Yes. His pay is Rs. 1,000 and dearness allowance Rs. 100 per mensem.

25th July 1953]

“ (b) Yes, under the following conditions :—

(1) that the work is undertaken without prejudice to his official duties, the Government reserving to themselves the power of withdrawing the permission when in their opinion private work proves detrimental to his official duties; and

(2) that previous permission is obtained from Government through the Director of Industries and Commerce for execution of any commission which would occupy him during School hours.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ With reference to his answer to clause (b), may I know from the Hon. Minister whether a percentage of the amount drawn by the Principal for private work is credited to the Government? ”

THE HON. DR. U. KRISHNA RAO :—“ In 1937 the Government examined the desirability of continuing the permission granted to Sri Roy Chowdary to take private commission for executing works of art and accept payment therefor subject to the conditions laid down. They decided that, in the peculiar circumstances of the case, Mr. Roy Chowdary should continue to be given those facilities and ordered that no portion of his earnings on this account need be recovered from him.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ May I request the present Government to re-examine this question? ”

THE HON. DR. U. KRISHNA RAO :—“ Sir, the Government at the time, observed and expressed the hope that Sri Roy Chowdary would exercise his right under the concession very sparingly. In view of the fact that he has done it so correctly, I do not think, at the present moment, there is any proposal to revise the orders.”

DR. C. NATHAMUNI NAIDU :—“ When medical experts are prevented from having private consultations, how far is it reasonable for the Government not to charge any royalty for such private work? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, the medical profession has become a profession widely distributed among the intelligent, young and educated men in our country but sculpture is slightly different. It is very rare and we cannot deal with sculpture in the same manner as we may deal with medical men or engineers.”

Sanction of the post of Municipal Engineer for Chingleput.

* 234 Q.—**SRI T. PURUSHOTHAMA MUDALIAR :** Will the Hon. the Minister for Local Administration be pleased to state—

(a) when the post of Municipal Engineer for Chingleput Municipality was sanctioned;

[25th July 1953]

(b) whether a Municipal Engineer has been appointed to the post and if so, when; and

(c) whether there has been any delay in making this appointment, and if so, why?

THE HON. SRI N. SANKARA REDDI :—“(a) The post of Municipal Engineer for Chingleput Municipality was sanctioned in October 1952.

“(b) No.

“(c) The Municipal Engineers were non-Government servants prior to 1st January 1952. They were made Government servants from 1st January 1952 and were brought under a separate service under Government. No rules have yet been framed for the new service. Some of the temporary municipal engineers who were already in service prior to 1st January 1952 and who were reverted for want of vacancies were reappointed to some of the municipalities which were in urgent need of engineers. There are no more such temporary engineers already recruited available for appointment to Chingleput and to certain other municipalities. Fresh hands have to be recruited. The question whether it is advisable to resort to temporary recruitment to fill up the posts sanctioned for Chingleput and certain other municipalities before framing rules for the new service, is under the active consideration of the Government. In view of this, the delay in making appointment to Chingleput and to other municipalities is unavoidable.”

SRI T. PURUSHOTHAMA MUDALIAR :—“May I know, how many reminders were received from the Municipal Chairman, Chingleput, for the early posting of a Municipal Engineer in view of the fact that the Municipality wanted certain urgent works to be executed in connection with the ensuing Silver Jubilee celebrations in the Municipality?”

THE HON. SRI N. SANKARA REDDI :—“In the Municipalities, where an Engineer is not available, there are Supervisors to attend to the work and no work is allowed to suffer. The Draft Rules have not yet been received from the Chief Superintending Engineer, Public Works Department. So, the service rules have not been finalized and after they are finalized, people will be recruited and the Engineers will be posted.”

SRI T. PURUSHOTHAMA MUDALIAR :—“Are there not applications from qualified people for such appointments? Will the Government kindly see that at least a temporary posting is made, pending the issue of Ad Hoc Rules or regular rules for the purpose, considering the inordinate delay in the matter?”

THE HON. SRI N. SANKARA REDDI :—“The question of recruiting men on a temporary basis, is already under the consideration of the Government.”

25th July 1953]

Famine-affected areas in the State.

* 235 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Land Revenue be pleased (i) to lay on the table of the House a list of areas in the State affected by famine or adverse seasonal conditions as at present, and (ii) to state the special concessions granted to these areas in the matter of postponement of kist collection and recovery of loan instalments due from ryots under various items of takkavi and agricultural loans? P.M.

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(i) & (ii) A note* containing the information is placed on the table of the House.”

SRI S. B. ADITYAN :—“Sir, may I know whether the Hon. Minister is aware of the fact that actual famine conditions prevail in the Tiruchendur and Nanguneri taluks of Tirunelveli district although they are not mentioned in this list?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Yes, Sir, Nanguneri is mentioned in the list.”

SRI S. B. ADITYAN :—“Sir, Nanguneri is mentioned in the list as not affected by famine, but only by bad seasonal conditions. There is a difference between famine and bad seasonal conditions. I am asking whether the Government are aware that famine conditions are prevalent in Tiruchendur and Nanguneri taluks and, if so, why these taluks are not declared as famine areas?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Sir, Nanguneri is included in Group B which is badly affected. Tiruchendur is not there. It is a little better than Nanguneri.”

SRI T. PURUSHOTHAMA MUDALIAR :—“Sir, with reference to clause (ii) of the question, may I invite the Government's attention to the deplorable state of the Chingleput district due to drought conditions and request the Government to call for an urgent report from the Collector and see that orders are issued to give this district the same treatment that is given to the places referred to in the answer to clause (ii) of the question?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Sir, orders have already been issued for postponement of collection of loan instalments in areas I and II and also for postponement of collection of unremitted kist for fasli 1361 in area I only and postponement of collection of 50 per cent of the unremitted kist for fasli 1361 in area II.

“As for the Chingleput district, the hon. Member can put a separate question.”

SRI T. PURUSHOTHAMA MUDALIAR :—“Sir, will the Hon. Minister kindly take note of this and inform the Collector to

[25th July 1953]

speed up the proposals, for it is stated in the answer that the proposals in respect of other districts are awaited? Unless prompt relief is given, there is no use."

THE HON. SRI M. A. MANICKAVELU NAICKER :— " Sir, since furnishing the above answer, further relief has been given in the following directions.

" For the A-Zone relief works on a piece work basis with adequate number of gruel centres according to the discretion of the Collector are proposed.

" In the B-Zone a liberal expansion of the normal district programme of works together with gruel centres till the reaping of the harvest is proposed.

" In the C-Zone in order to tide over the immediate shortage of purchasing power till an adequate harvest is reaped, it is proposed that a small number of departmental works should be taken up together with some gruel centres in the most necessary places only.

" Recently the Board of Revenue has issued instructions that in areas where there is clamour for famine works, low scale relief with a minimum wage and hard work could be started. Accordingly such low scale famine relief works have been started in Anantapur and South Arcot districts. Proposals for similar sanction in Nellore and Coimbatore districts are under consideration."

SRI T. PURUSHOTHAMA MUDALIAR :— " Sir, may I draw the attention of the Hon. Minister to the urgent need for relief in Chingleput district? "

THE HON. SRI M. A. MANICKAVELU NAICKER :— " Yes, Sir, that will also be considered."

SRI S. B. ADITYAN :— " May I know, whether the Hon. Minister is prepared to undertake a tour of Tiruchendur taluk in Tirunelveli district and see for himself that hundreds of thousands of palmyra trees there have dried up or have withered and died and still the Government are collecting taxes for trees which do not exist? "

THE HON. SRI M. A. MANICKAVELU NAICKER :— " Sir, I do not know how this matter arises out of this question. Anyhow this will also be looked into."

Destitute children under the care of the Madras Children's Aid Society.

* 236 Q.—DR. (MRS.) S. MUTHULAKSHMI REDDI: Will the Hon. the Minister for Law be pleased to state—

(a) whether it is a fact that the number of destitute children according to the 1951 report of the Madras Children's Aid Society is on the increase;

(b) whether the destitute boys are discharged at the age of 10 or 12; and

[25th July 1953]

(c) if so, whether the Government have considered any proposal to keep such boys in the above Society till they are trained for an employment?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :— " (a) Yes.

" (b) Very rarely, but this is dependent on the period of detention awarded by the Courts.

" (c) There is a Boys' Club, which was under the management of the Madras Children's Aid Society and has since been taken over by the Government, for accommodating up to a maximum number of 25 destitute boys, who are either ex-pupils of Certified Schools or boys released on probation by the Courts and who are destitutes and who have no relations with whom they could stay."

DR. (MRS.) S. MUTHULAKSHMI REDDI :— " Sir, in the report for 1951, it is stated that boys are discharged at the age of 10 or 12 from certified schools. These boys who are destitutes have nowhere to go and further the report says that they should be kept in the Children's Aid Society and looked after for some time till they are able to earn their livelihood. That statement is there. Will the Government therefore take necessary steps to prevent the discharge of these young destitute boys? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :— " It is only with that object that the Boys' Club and Girls' Club have been opened and in these two clubs there is only limited accommodation for such persons."

DR. (MRS.) S. MUTHULAKSHMI REDDI :— " Sir, it is said that only a few boys are taken into these clubs and the others are discharged and they naturally become vagrants. Will the Government please see that more accommodation is provided for these destitute children or they are transferred to other institutions instead of being let loose in the streets? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :— " The Government have been increasing the accommodation from time to time in these two institutions."

Survey of Cottage Industries by the Economic Adviser to Government.

* 237 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Rural Welfare be pleased to state—

(a) the number of centres selected in Tamil Nad and the staff allotted for the survey of Cottage Industries by the Economic Adviser to Government and the total funds allotted;

(b) whether the officers and investigators engaged in the survey are technically qualified;

(c) what cottage industries are being investigated;

[25th July 1953]

(d) when the report of the survey will be submitted to Government; if already submitted, whether the Government will be pleased to place a copy of the report on the table of the House; and

(e) in view of the impending separation of the Andhra State, whether the Government have any proposal to defer further survey in the Andhra districts?

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“(a) Five firkas were selected in the Tamil districts for the survey of cottage industries. Five investigators and five peons have been appointed for work in the firkas. The work is directed by a Special Officer under the guidance of the Economic Adviser. The cost of survey in all the ten firkas is estimated to be about Rs. 67,000 and at this stage it is not possible to say exactly what portion of it will be spent in Tamil districts.

“(b) Yes.

“(c) The following cottage industries were taken up for survey in the selected firkas in the Tamil districts :—

Serial number and name of district.	Centre.	Name of the industry.
1 Salem	Hoour ..	Silk spinning and weaving.
2 Do.	Kollegal ..	Do.
3 Tanjore	Kumbakonam.	Brass, bronze, metal-ware and cutlery.
4 Ramanathapuram.	Rameswaram.	Conch-shell work and patanya products.
5 Tirunelveli ..	Pattamadai.	Mat and reed products.

“(d) The report is expected to be ready by about the middle of November 1953.

“(e) No. The field work has been completed and the tabulation work is in progress, and hence the question of deferring further survey does not arise.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“Sir, may I know whether these investigators are technically qualified in cottage industries or in other industries?”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“They are perfectly qualified for the work they are dealing with.”

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“Are not the industries mentioned to be under investigation old industries and there is not even a single new or improved industry?”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“Sir, the cottage industries that are prevalent in our State are being examined.”

25th July 1953]

SRI T. M. DAIVASIKHAMANI ACHARIAR :—“Sir, may I know how many of these industries are under examination in other areas?”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“I have read the names of a few industries that are being surveyed in Tamil Nad. Five other cottage industries are under survey in other areas.”

SRI G. KRISHNAMURTHI :—“Sir, will the Government probe into the possibility of developing cottage industries by installing half-horse-power engines in houses on the Japanese model to make coir mats, safety pins, clips, etc.?”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“Sir, this investigation is intended to develop cottage industries. After the report is received we will certainly consider the suggestion made by the hon. Member.”

SRI M. ETHIRAJULU :—“Sir may I know whether washing of clothes in villages will be treated as one of the cottage industries?”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“The hon. Member seems to be specialising in this art.”

UNSTARRED QUESTIONS.

Adult Education centres working in the districts.

48 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Education be pleased to state—

(a) the number of Adult Education Centres now working in each of the districts;

(b) the number of such centres started by the District Adult Education Committee in the following districts during the last three years and the number of such centres actually recognized by the Education Department: (i) North Arcot district, (ii) Chingleput district and (iii) South Arcot district;

(c) the number of Adult Education centres opened during Adult Education Week in Chingleput district during 1952-53 and the number recognized by the Education Department and the reasons as to why all the centres have not been recognized; and

(d) the allotment of expenditure sanctioned by Government for the opening of new Adult Education centres in the State during 1952-53?

A.—(a) to (d) A statement* is placed on the table of the House

[25th July 1958]

Grant of loan under the Madras State Aid to Industries Act.

49 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether it is a fact that Messrs. Ratnam Industries, Vepery, Madras, is being subsidized by Government;

(b) if so, the amount of subsidy and the terms and conditions on which they were granted; and

(c) whether the Government will be pleased to lay on the table of the House a statement showing the names of Industries that are being promoted by the said firm, under the Cottage Industries Scheme?

A.—(a) No, Sir. But the Government sanctioned a loan of Rs. 2,000 to the company under the Madras State Aid to Industries Act.

(b) The terms and conditions governing the grant of the loan are contained in * G.O. No. 4176, Development, dated 10th August 1949, which is appended.

(c) The firm is engaged in the manufacture of enamelled jewellery and artificial gems on a very small scale.

Opening of new bus routes and grant of additional bus permits.

50 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government have issued orders for opening new bus routes and for permitting additional buses on existing routes in rural areas and whether the road transport authorities are aware of these orders;

(b) how many new routes and additional buses on existing routes have been sanctioned by each Regional Transport Authority after 1st April 1962 up to date and how many applications for running buses on new routes and additional buses on existing routes have been rejected during the period; and

(c) the steps taken for the prompt disposal of such applications by the Regional Transport Authorities?

A.—(a) Instructions have been issued to the Regional Transport Authorities to be liberal in the matter of grant of additional bus permits on existing routes or opening of new bus routes.

(b) A statement^b showing the particulars up to 15th February 1963 is appended.

(c) Such cases are disposed of as promptly as possible.

* Printed as Appendix VI on page 390-391 infra.

^b Printed as Appendix VII on page 392 infra.

25th July 1953]

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

II.—FORMATION OF A NEW PARTY IN THE COUNCIL.

MR. CHAIRMAN :—“ I have received a communication that 5 p.m. a new Party has been formed in this Council with Dr. A. Lakshmanaswami Mudaliyar as Leader of the Party and Dr. V. K. John as Deputy Leader of the Party. The following are the Members of the Party :—

Sri Mohammad Raza Khan, Chief Whip of the Party.

Sri K. Balasubramanya Ayyar.

Sri T. M. Narayanaswamy Pillai.

Sri M. K. M. Abdul Salam.

Sri A. Gajapathi Nayagar.

Sri Alexander Gnanamuttu.

Sri T. T. P. Kunhi Pocker.

Sri A. Somasundara Reddiar.

Sri Nallasenapathi Sarkarai Manradiar.

This Party will sit in the Opposition and seats will be arranged accordingly.”

DR. C. NATHAMUNI NAIDU :—“ May I know the name of the Party? ”

DR. A. LAKSHMANASWAMI MUDALIAR :—“ The question of name will arise only after the birth of the Party.”

SRI MOHAMMAD RAZA KHAN :—“ May I ask the Leader of the House as to how long the Council is likely to sit and what is the programme of the House? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ Let us first finish the Andhra State Bill. I am afraid it won't be finished today. Therefore we are sure to sit on Monday, and we do hope to finish it, perhaps, that day.”

THE HON. SRI C. SUBRAMANIAM :—“ We will be passing a few Bills in the Assembly and the Council will have to consider them. That will probably be on the 30th July.”

DR. V. K. JOHN :—“ May I know whether we will be having a non-official day? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I think, Sir, that we do our business in such a proper and easygoing manner that every day is almost a non-official day.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ The Hon. the Finance Minister has assured us the other day that there will be a non-official day.”

THE HON. SRI C. RAJAGOPALACHARI :—“ Perhaps we may consider it after the Andhra State Bill is passed.”

[25th July 1953]

III—GOVERNMENT BILL.

THE ANDHRA STATE BILL, 1953—cont.

MR. CHAIRMAN:—"The House will now proceed with the consideration of the Andhra State Bill."

Clause 38.

* SRI K. BHASHYAM:—"Mr. Chairman, Sir, I have given notice of the following two amendments:—

' 33 For sub-clause (1), substitute the following:—

"All proceedings pending in the High Court of Madras immediately before the appointed day shall, in relation to the properties included in the Andhra State and all appeals, revisions, reviews and all other proceedings relating to any suit or proceeding filed in any of the courts situate within the territories comprised in the Andhra State, stand transferred to the Andhra State and shall be disposed of by it in exercise of the powers conferred by this section."

' 35 Omit sub-clauses (2) and (3) and add the following proviso:—

"Provided, however, that in respect of all suits filed on the Original Side of the High Court of Madras, whether they are pending in the Original Side or pending in the Appellate Side or in respect of pending applications for leave to appeal to the Supreme Court with respect to those cases, they shall be retained by the Madras High Court and disposed of in due course."

The amendment suggested by the Government is a very simple one. It provides that the pending proceedings to be transferred from the Madras High Court to the Andhra High Court/the Mysore High Court shall be prepared by the Chief Justice of the Madras High Court and notified by the Chief Justice of India. Perhaps this arrangement may not satisfy the professional people. I should like that the person entrusted with the task of deciding which case should go to the Andhra High Court and which case should go to the Mysore High Court or which case should be disposed of by the Madras High Court must have some guidance, as to how he should exercise his discretion. I suggest that the amendments which I have given notice of may be put together along with the Government's amendment as well as that of the amendment in the name of Sri B. V. Subramaniam and taken as one proposition. It is only a question of drafting the whole thing in a proper form. This will help the Chief Justice in deciding which are the cases that should go to the Andhra High Court or the Mysore High Court."

SRI K. BALASUBRAMANYA AYYAR:—"We should first like to know why the original proposition in the Bill, namely, clause 38, is not sufficient?"

* THE HON. SRI C. SUBRAMANIAM:—"Clause 38 (3), as it stands, reads as follows:—

"All proceedings pending in the High Court at Madras immediately before the prescribed day, other than proceedings with respect to which the High Court retains jurisdiction by virtue of sub-section (2), shall, where the court of origin is situated in the State of Andhra, stand transferred by virtue of this Act to the High Court of Andhra."

"This clause refers only to the Court of origin in respect of appeals. There may be cases where a case might have arisen

25th July 1953] [Sri C. Subramaniam]

partly in Andhra and partly in the Residuary State, and it might have been disposed of in a Court outside the Andhra area. All these border line cases have to be examined carefully and found out as to which Court they should go.

"As far as the transfer of cases itself is concerned, it should be a simple thing. It should not be a contentious matter and should not lead to persons affected having to go to a Court of Law to plead that the transfer has been wrongly effected. That is why we have made a very simple proposition that the Chief Justice of the Madras High Court shall submit a list of cases to be transferred to the Andhra High Court and the Mysore High Court to the Chief Justice of India to be notified. The Government are anxious that the procedure suggested should not lead to further litigation. I will point out some difficulties in the matter. Let us take for example a criminal case. Three taluks in the district of Bellary are going to the new Andhra State. Suppose in one of the three taluks certain rioting takes place and a person who gets injured is transferred to the hospital at Bellary and dies there. Enquiry and investigation into that case start there and finally the accused in that case are convicted by the Sessions Judge at Bellary. In this case, the Court of origin is Bellary and therefore this case will have to be transferred to the Mysore High Court. But still the deceased in this case comes from the Andhra area. Here is a doubtful case whether this matter on appeal should go to the Andhra High Court or the Mysore High Court. That is why we have laid down the proposition that the Chief Justice of Madras shall decide which are the cases to be transferred and this shall be approved by the Chief Justice of India. There should be no room for parties to say that the transfer effected is wrong. That is why we have suggested an amendment to the clause."

* SRI K. BALASUBRAMANYA AYYAR:—"If Parliament 5.10
by Statute does not give power for the purpose of transfer, I do p.m.
not think the Chief Justice can by an administrative order fix these things."

* THE HON. SRI C. SUBRAMANIAM:—"As a matter of fact, we want to make a slight amendment to the clause. I have a draft and Mr. Bhashyam is looking into it. The principles will be laid down and then on those principles, the Chief Justice can act."

* SRI K. BALASUBRAMANYA AYYAR:—"The second thing I want to mention is this. So far as Letters Patent Appeals and Review matters are concerned, these things cannot be transferred. That is why under section (a) of clause 2 they have taken the power to say that the High Court at Madras shall, in respect of the cases transferred to the Andhra High Court, retain the jurisdiction. That I think is a salutary principle of law, because, this is an appeal from an order of a single judge of the same Court to an appellate Court or Division Bench under the Letters Patent of the High Court."

[25th July 1953]

* THE HON. SRI C. SUBRAMANIAM :—“ I agree. Even in respect of Letters Patent appeals, it is with reference to cause of action or property situated within Andhra area that cases will be transferred. After all it is not as if the Andhra High Court is to be formed from new judges. It has got to be formed from the judges who are sitting in the Madras High Court. Therefore, there is no point in saying that these judges are not competent even to hear and dispose of Letters Patent appeals. So, my suggestion would be that even with reference to Letters Patent appeals, it should be possible to transfer them to the Andhra High Court for disposal, if it is entirely within the jurisdiction and within the territory of Andhra.

“ Sub-clause (2) has given rise to certain controversy. Even though the High Court of Andhra is being formed out of the judges who are already judges of the Madras High Court, why should we say that they are not competent to entertain Letters Patent appeals and even Review applications? I will take an example. A judge who disposes of a case will have to deal with a Review application if he is available. Such a judge may go to the Andhra High Court. Will it not be proper in that case to transfer the Review application to the Andhra High Court? Therefore, there can be no hard and fast rule in respect of Review applications that they shall be dealt with in the Madras High Court. It should be left to the Chief Justices to decide.

“ I am going to make another suggestion in regard to which an amendment will be presently before us, wherein it is provided that the Chief Justices of the Andhra and Madras High Courts, both of them, may sit together and pass orders transferring cases including Letters Patent appeals. Suppose, just before the prescribed date, leave is given, where has he got to appeal—is it to the Andhra High Court if it is Andhra property and cause of action lying within the Andhra territory or should it be to the Madras High Court? My own view after consulting legal advisers is that as far as possible, the filing of the appeal where leave is granted by the Madras High Court should be in the Madras High Court; if it happens to be a case relating to Andhra area, it should be transferred to the Andhra High Court for disposal.

“ I am giving a comprehensive amendment. Subject to those principles, cases may be transferred to the High Court of Andhra. It should not be thought that simply because it is a Letters Patent appeal or Review application, it should automatically remain in Madras High Court. I will pass on the amendment to the hon. Member and he may go through it.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ There is one point which I would like to add by way of supplement. Legally and strictly, keeping in mind the powers of the High Court, an appeal against a judgment of some of the judges of the same High Court must lie only in that High Court. That is why it is proposed that the entertainment of the appeal will be in the same

25th July 1953] [SRI C. RAJAGOPALACHARI]

High Court; afterwards it will be transferred under the other provisions, if the jurisdiction is clearly in relation to a matter arising in the Andhra area.”

* SRI K. BHASHYAM :—“ Sir, I will read the Government amendment :

“ Sub-clauses (2) and (3) of clause 38 may be recast so as to give effect to the following propositions :—

“ (1) Out of the appeals, applications for review, revision petitions, applications for leave to appeal, writ petitions and other proceedings pending in the High Court of Madras, such appeals, applications for review, etc., as, in the opinion of the Chief Justice of Madras and the Chief Justice of Andhra, should, having regard to the place of accrual of the cause of action and other material factors, be heard and decided by the High Court of Andhra, shall, on the said Chief Justices passing an order to that effect, stand transferred to the High Court of Andhra. No such order may be made after the expiry of six months from the prescribed day.

(2) The High Court of Madras, shall, notwithstanding sub-section (1) of section 38, have, and the High Court of Andhra shall not have, jurisdiction to entertain appeals, applications for review, applications for leave to appeal including leave to appeal to the Supreme Court and other proceedings seeking relief in respect of judgments, decrees and orders passed by the High Court of Madras before the prescribed day. Such proceedings may, after they are entertained, be included in the order or orders passed by the Chief Justice of Madras and the Chief Justice of Andhra under paragraph (1) and shall stand accordingly transferred to the High Court of Andhra. No such order may be made after the expiry of six months from the prescribed day.”

“ Sir, I think so far it is perfectly correct. There are two matters on which I would like to make some observations. One is with regard to ‘the Chief Justice of Andhra and the Chief Justice of Madras sitting together and making an order’; I do not know how that can be. That has to be done before the prescribed day. I take it that the Andhra High Court comes into existence on a particular date and the Chief Justice of Andhra cannot be appointed legally before that date. (The Hon. the Chief Minister : ‘Have it, the Chief Justice designate.’) I accept it. After all, it is a recommendation, for the purpose of deciding the list of things to be transferred. That is one thing.

“ The other is, so far as cases pending on the Original Side of the High Court is concerned—there are certain cases of the kind where the cause of action has arisen here in part only, that is to say, supposing there is a partition suit, there is a House in Madras the bulk of the property lying in Andhra district, but the High Court at Madras entertains a suit and application for leave in respect of the matter—the party may have chosen Madras for the purpose of convenience, because they reside here or because they think they have better legal assistance in the matter of getting their case decided. Whatever the reason, they have done so. Also there are other things connected with Guardian Petitions and all that. They may relate to a person outside, but still remain on the Original Side of the High Court. What is to be done in such cases? The question has to be decided here. My solution is only this. Where this is on the Original Side of the High Court and leave has been granted by the High Court on the Original Side for the purpose of entertaining a suit, there need not be a sub-clause for

[Sri K. Bhashyam]

[25th July 1953]

transferring them at all; if this is convenient for the parties—they might have chosen this forum for their convenience—I think it unnecessary to transfer the cases and include them in the list of both the Chief Justices of Madras and Andhra. Yet another thing. If once an order has been made—of course what may happen is in all these cases some questions may be raised—that the case ought not to be transferred and all that. Provision should be made that the decision shall be final and shall not be disputed in a Court of Law. Let us save the litigants from litigating by means of writs. Even then we may make it a constitutional issue and get it actually passed in the Legislative Assembly by three-fourths majority. It will be possible to make it constitutionally perfect in a sense. They cannot be allowed to dispute the list by way of a writ in the High Court or Supreme Court or anything like that. This point will have to be explored for inclusion in this Bill.

“Then, Sir, supposing there is a case part-heard or some witnesses have been examined, some proceedings have taken place, evidence has been called in regard to certain particulars—such cases ought not to be transferred to the other Court so as to start from the beginning over again. Supposing the appellate judges have called for a finding on a particular issue, which has been heard, judgment rendered; the finding is really looked into for the purpose of passing final orders: In such cases it ought not to be left to the litigants to say, ‘we will start it once over again.’ That is why I say the amendment of the hon. Member Sri B. V. Subrahmanyam will be useful.

8-20 p.m. “What happens is appeals from the Original Side will be pending in which part of the cause of action has arisen outside Andhra and Madras States. I think such cases will be hit at by the amendment. Therefore, I should like some provision to be made to see that they are included here.”

* THE HON. SRI C. SUBRAMANIAM :—“In cases where any part of the cause of action has arisen within Madras, it is competent for the Madras High Court to deal with such cases. Even if it comes after the prescribed date, even then the Madras High Court has jurisdiction because part of the cause of action has arisen in Madras. They are entitled to entertain the suit. Therefore, it is unnecessary to transfer it. Now we have not said, only in cases where it is exclusively in Andhra territory it has to go to the Andhra High Court. Even after the prescribed date it is open to the parties even though it may have been a case in which part of the cause of action has arisen in Madras, on account of considerations of convenience, even in cases in which major portion of the property is lying within the Andhra State, the party may make a motion for transfer to another High Court. Will it be possible? He will have to go to the Supreme Court. Therefore, the ordinary procedure of law will apply to these cases. And why should we say it should be or it should not be transferred when the party has chosen the forum? The ordinary law will be allowed to operate in such cases even

25th July 1953]

[Sri C. Subramaniam]

after the prescribed date. Initially if the cause of action has arisen in Madras High Court it will be competent to entertain the suit on the Original Side. That being so why should we make a law now that it shall be transferred or it shall not be transferred?”

* SRI K. BHASHYAM :—“The point is this. The provisions now laid out deal with writ, etc. Original Side suits will not come within their purview, but appeals from Original Side judgments in which cause of action have arisen partly in Madras will still be there.”

* SRI K. BALASUBRAMANYA AYYAR :—“So far as the Original Side cases are concerned, once they are taken in the High Court leave to sue is obtained and when there is part cause of action and order given by the Judge, it is only after that the suit is laid on the Original Side. Therefore all suits and appeals therefrom are there and no special provision need be made for this purpose.”

* DR. V. K. JOHN :—“Sir, I make a suggestion. Any practising lawyer will understand that the question involved is technical and complicated. I personally think that the amendment suggested by the Hon. the Minister for Finance will cover as far as possible all the difficulties and that is the only way of covering them. This House need not go into the technical questions which perhaps others will not understand when we discuss. So, I suggest that the House accepts the amendment of the Hon. Minister.”

* SRI B. V. SUBRAHMANYAM :—“Mr. Chairman, Sir, after seeing the revised amendment moved by the Hon. the Minister for Finance, I feel that it covers all the other amendments that are placed before the House. I may remind the Hon. House that there is an amendment in the name of the Hon. Member Sri Ramakrishnaiah (Amendment No. 103) relating to this matter, and it is practically the same as my amendment (Amendment No. 32). These may well be taken up at this stage of the discussion. As far as appeals from the Original Side suits and decrees are concerned, I do not think they stand on a different footing from the suits on the Original Side themselves. If the suit is a proceeding for which leave of Court has been taken, and this High Court has jurisdiction to hear it, the appeal too can be heard by the Madras High Court. I, therefore, do not see any difficulty at all with regard to the point raised by the Hon. Member, Sri Bhashyam. My feeling is that the provision in relation to suits will also apply to appeals.

“But I feel that the amendment moved by the Hon. Minister requires to be amended a little, not so much with regard to the substance itself, but with regard to the period stated there. A period of six months has been fixed in the amendment moved by the Hon. Minister from the prescribed date, beyond which no transfers can take place. I think this will lead to certain difficulties because, we know as lawyers that the certified copies for appeals and the process take time. The serving on parties takes time, and so

[Sri B. V. Subrahmanyam] [25th July 1953]

does obtaining copies and fixing a date line at the end of six months will lead to complications. (Interruption.) Expeditions copying and serving on parties may take place but from my own experience, I feel that six months' period is too short a time. This will defeat the very purpose of the provision of transfer. I suggest that once an appeal is on the file it should be transferred even after six months within a stated time after the serving of notice on parties. The time should run, if I may say so, not from the prescribed date but from another convenient date when the case is set up for hearing. Therefore, I think the amendment of the Hon. Minister requires further amendment in this respect, because the period of six months will merely defeat the main purpose."

* SRI K. BALASUBRAMANYA AYYAR :—" The period is mentioned in the amendment for the transfer order being made within that period. Serving the process and other things may take a year or more if you like. Only the transfer order should be made within six months. The amendment is quite in order, Sir."

SRI B. V. SUBRAHMANYAM :—" Then in that case I will draw my amendment, Sir."

* SRI K. BALASUBRAMANYA AYYAR :—" I think leave to appeal to Supreme Court is also included in the amendment?"

THE HON. SRI C. SUBRAMANIAM :—" Yes, it has since been added. I formally move the following amendment :—

" This House recommends that sub-clauses (2) and (3) of clause 38 may be recast so as to give effect to the following propositions :—

" (1) Out of the appeals, applications for review, revision petitions, applications for leave to appeal, writ petitions and other proceedings pending in the High Court of Madras, such appeals, applications for review, etc., as, in the opinion of the Chief Justice of Madras and the Chief Justice of Andhra, should, having regard to the place of accrual of the cause of action and other material factors, be heard and decided by the High Court of Andhra, shall, on the said Chief Justices passing an order to that effect, stand transferred to the High Court of Andhra. No such order may be made after the expiry of six months from the prescribed day

(2) The High Court of Madras shall, notwithstanding sub-section (1) of section 38, have, and the High Court of Andhra shall not have, jurisdiction to entertain appeals, applications for review, applications for leave to appeal including leave to appeal to the Supreme Court and other proceedings seeking relief in respect of judgments, decrees and orders passed by the High Court of Madras before the prescribed day. Such proceedings may, after they are entertained, be included in the order or orders passed by the Chief Justice of Madras and the Chief Justice of

25th July 1953] [Sri C. Subramaniam]

Andhra under paragraph (1) and shall stand accordingly transferred to the High Court of Andhra. No such order may be made after the expiry of six months from the prescribed day."

* SRI K. BHASHYAM :—" Then, Sir, there is another question. Later on the clause says that all proceedings in relation to the transferred territory pending in the High Court of Madras immediately before the appointed day shall, by virtue of this section, stand transferred to the High Court of Mysore and shall be disposed of by it in exercise of the jurisdiction conferred on it by this section. That also will have to be considered in respect of this matter."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, that comes under clause 41 (2), and in respect of this I am moving a separate amendment. That can be taken up after this clause is passed."

MR. CHAIRMAN :—" As the Hon. Mr. Subramaniam's amendment covers all the other amendments, the other amendments will be deemed to have been withdrawn. I shall now put this amendment to the vote of the House. The question is—

" This House recommends that sub-clauses (2) and (3) of clause 38 may be recast so as to give effect to the following propositions :—

" (1) Out of the appeals, applications for review, revision petitions, applications for leave to appeal, writ petitions and other proceedings pending in the High Court of Madras, such appeals, applications for review, etc., as, in the opinion of the Chief Justice of Madras and the Chief Justice of Andhra, should, having regard to the place of accrual of the cause of action and other material factors, be heard and decided by the High Court of Andhra, shall, on the said Chief Justices passing an order to that effect, stand transferred to the High Court of Andhra. No such order may be made after the expiry of six months from the prescribed day.

(2) The High Court of Madras shall, notwithstanding sub-section (1) of section 38, have, and the High Court of Andhra shall not have, jurisdiction to entertain appeals, applications for review, applications for leave to appeal including leave to appeal to the Supreme Court and other proceedings seeking relief in respect of judgments, decrees and orders passed by the High Court of Madras before the prescribed day. Such proceedings may, after they are entertained, be included in the order or orders passed by the Chief Justice of Madras and the Chief Justice of Andhra under paragraph (1) and shall stand accordingly transferred to the High Court of Andhra. No such order may be made after the expiry of six months from the prescribed day."

The amendment was put and carried.

Clause 38 as amended was put and carried.

Clauses 39 and 40 were put and carried.

[25th July 1953]

Clause 41.

8-30
p.m

* THE HON. SRI C. SUBRAMANIAM :—“ Sir, I move the following amendment :—

‘ This House recommends that sub-clauses (1) to (3) of clause 41 may be recast so as to give effect to the following propositions :—

(1) The jurisdiction of the High Court of Mysore shall extend to the whole of the transferred territory with effect from the appointed day, and subject to propositions (2) and (3) below, the jurisdiction of the High Court of Madras shall cease on that day in relation to the transferred territory.

(2) Out of the appeals, applications for review, revision petitions, writ petitions and other proceedings pending in the High Court of Madras, the Chief Justice of Madras shall prepare lists, from time to time, of appeals, etc., which, having regard to the place of accrual of the cause of action and other material factors, should, by reason of the transfer to the State of Mysore of the territory specified in sub-section (1) of section 4, be heard and decided by the High Court of Mysore. The Chief Justice of India shall order the transfer of appeals, etc., included in the said lists to the High Court of Mysore. No such transfers shall be made after the expiry of six months from the appointed day.

(3) Notwithstanding paragraph (1) above, the High Court of Madras shall have, and the High Court of Mysore shall not have, jurisdiction to entertain appeals, applications for review, applications for leave to appeal and other proceedings, seeking relief in respect of judgments, decrees and orders passed by the High Court of Madras before the appointed day. Such appeals, etc., may, after they are entertained, be transferred by the Chief Justice of India in exercise of the power stated above before the expiry of six months from the appointed day.

(4) Judgments, decrees, etc., passed by the High Court of Madras in relation to the transferred territory at any time before the expiry of six months from the appointed day, shall have effect as judgments, decrees, etc., passed also by the High Court of Mysore.

(5) The existing Explanation to the section should be omitted.’ ”

MR. CHAIRMAN :—“ I shall put the amendment of the Hon. Sri C. Subramaniam to the vote of the House.”

The amendment was put and carried.

Clause 41 as amended put and carried.

25th July 1953]

Clause 42.

* THE HON. SRI C. SUBRAMANIAM :—“ I move the amendment :—

‘ 36. This House recommends that this clause should be amended so as to empower the Governor of Madras to authorize the expenditure in the Andhra and Madras States, for the period beginning with the appointed day and ending with the 31st March 1954, and to add that the formalities prescribed in Article 205 of the Constitution in connexion with the Supplementary Grants for the financial year 1953-54 shall be sufficient authority for all expenditure incurred during such period.’ ”

SRI S. SRINIVASA RAO :—“ I move the following amendment :—

‘ 104. This House recommends that provision should be made to the effect that under Clause 42, it is only the person who will be appointed as Governor of Andhra before the appointed day should have authority to authorize withdrawals from the Consolidated Fund of Andhra State for any expenditure considered necessary for that State for three months and also to include another provision enabling or authorizing the Andhra State Legislative Assembly to take a vote on account for the rest of the financial year in respect of the expenditure of Andhra State.’ ”

MR. CHAIRMAN :—“ Now the clause and the amendments are open for discussion.”

SRI K. BHASHYAM :—“ Sir, will not the question of changing the Constitution arise if we pass the official amendment? ”

* THE HON. SRI C. SUBRAMANIAM :—“ Article 4 of the Constitution gives power to make consequential and other amendments and it shall not require an amendment of the Constitution. Specific provision has been made therein.

“ Sir, the purpose of my amendment is this. For the first six months, we have taken a vote on account and that will cease to have effect on the appointed day, that is from the 1st October. We should have some provision for incurring expenditure from 1st October 1953. The provision in the Draft Bill is to the effect that the Governor of Madras shall have power to authorize expenditure for three months, that is up to the end of December. That means that for the last three months of the year, we will have to go before the Legislature with a regular Budget and follow the regular procedure. Therefore, if the provision stands as it is in the Draft Bill, it becomes necessary to have a Budget session towards the end of November or in the beginning of December and we have to go through the procedure of passing the Budget in the Assembly and in the Council. Sir, for the Budget, for 1954-55, we start preparing the Budget even from October and the Budget session will

[Sri C. Subramaniam] [25th July 1953]

commence in February. So much so, within a short period we will have two Budget sessions—full-fledged Budget sessions. Apart from the strain to the Members of the Legislature, we have to consider whether the Finance Department as such will be able to bear the strain of two Budget sessions. Therefore, after full consideration, we thought that it would be better if the sanction for expenditure is made by the Governor for the entire six months. Sir, it is not as if the Legislature would not have any opportunity to discuss this expenditure because we will come before the Legislature for Supplementary Grants when Members can discuss the entire policy of the Government. Even if we have the Budget session in November, it is not as if we will have full discussion because already, out of the sanctioned expenditure, we would have started schemes. To push through these schemes, we will have to come before the Legislature with Supplementary Grants. So, in order to avoid this difficulty and strain of having two Budget sessions, close on each other, one in November and another in February or March, we have suggested that the Governor may be authorized to sanction expenditure for six months.

8-40 P.M. Sir, there is another point which has been raised in the amendment of Sri Srinivasa Rao. Who shall authorize this expenditure as far as the Andhra State is concerned? We have to bear in mind that from 1st October 1953, they have to start spending money and no money can be spent if there is no proper authorization by a competent authority. The Governor of the Andhra State has to authorize it and he cannot do it before the appointed day, as he is not the Governor even though he may be Governor-designate or Special Officer. He has no status under the Constitution. But the Governor of Madras continues to be the Governor for the whole State up to 30th September 1953. Therefore, he is competent to authorize any expenditure for the whole State. As a matter of fact, it should have been possible for us if only we had not taken a vote on account but passed the Budget for the whole year for the whole State, the Governor could have sanctioned the Budget and the Appropriation Act would have been law for the entire State and it would have been applicable to the Andhra State also. If we leave it to the Andhra Governor to sanction this expenditure, I am afraid that a vacuum will be created in the sense that after the appointed day, 1st October 1953, the Governor of the Andhra State cannot function without the advice of his Ministers. If he is to act on the advice of his Ministers after the appointed day, he will have to swear in his Ministers. They will then have to come as a Cabinet and ask for sanction for expenditure. For this purpose, the new Cabinet will have to get its Budget ready and place it before the Governor for sanctioning the expenditure. We have therefore said that the Governor of Madras who also happens to be the Governor of the composite State which includes Andhra area also, shall authorize the expenditure so that there may not be any vacuum or unauthorized expenditure in the Andhra State before the Budget is actually sanctioned by the Governor. This is only a technical matter and the dignity of the Andhra State will in no way be affected. We need not at all think in this manner. After

25th July 1953] [Sri C. Subramaniam]

all, the Madras Governor when he authorises this expenditure, is Governor for the Andhra area too. That is why he has been authorized to sanction this expenditure and I would therefore request Sri S. Srinivasa Rao not to insist on the Andhra Governor himself sanctioning this expenditure. It is only a legal difficulty and only to overcome it the Madras Governor is to authorize the expenditure so far as the Andhra State also is concerned.

"As regards the period for which sanction is sought, I am prepared to be guided by the Leader of the Opposition because the Opposition should also agree to that. The Government have asked for sanction for six months and unless we have the concurrence of the Leader of the Opposition, I do not want to take such a step. I am sure he will appreciate the difficulty and give his suggestions also in this matter."

* DR. V. K. JOHN :—"Mr. Chairman, Sir, I must very strongly oppose this amendment. Clause 42 authorises the Governor of Madras, at any time before the appointed day, to authorize such expenditure from the Consolidated Fund of the State of Andhra and the Consolidated Fund of the State of Madras as he deems necessary for a period of not more than three months because within these three months the Legislature could meet and pass the necessary Budget. The amendment seeks to extend this period from three to six months from the appointed day, that is, the 1st of October. That means that till the end of the financial year the Legislature will have no voice at all in the expenditure incurred. I think it is a very wrong and very extraordinary request to make. The Legislature must have the authority and must take the responsibility to sanction the expenditure and it should not be left to the executive. The only reason that is put forward is that there will have to be two Budget sessions one in November 1953 and another later on for the next year and that will be too great a strain. If this is the reason to be advanced, there need not be any Budget Session at all.

"I suggest, Sir, that when this Bill was drafted and Clause 42 provided for a period of not more than three months only, the draftsman was very generous but the executive here does not want the Legislature to come in and take the responsibility but wants to spend crores of rupees without any sanction whatsoever and then come up for sanction under Article 205 of the Constitution. Everybody knows what is meant by discussing a Supplementary Budget after the expenditure has been incurred. I therefore strenuously oppose the amendment which seeks, not three months but six months time. In fact, the Government should have this Budget passed, in my opinion, in October or early in November."

* SRI K. BALASUBRAMANYA AYYAR :—"Sir, I am also constrained to say that it is a large inroad upon the powers of the Legislature. I shall explain it. Unfortunately we passed the last Budget only for six months. As our Hon. the Finance Minister

[Sri K. Balasubramanya Ayyar] [25th July 1953]

says nothing could have prevented us from passing the Budget for the whole year but the Government did not take that step. They know that the Andhra State business was going to come up. Deliberately, the Government of Madras did not take steps to pass the Budget for the whole year. I agree with them that they were wise in doing so but they are not wise now in coming up with this demand. Having passed the Budget only for six months, the proposition before us is that no budget need be passed for the next six months. It is a wrong proposition because Article 205 of the Constitution says that a Supplementary Grant can be asked for only if the amount authorized by any law made in accordance with the provisions of Article 204 to be expended for a particular service for the current financial year is found to be insufficient. It will be all right but, unfortunately, the present demand is for expenditure not authorized by law and is therefore not a Supplementary Grant which can be brought up later under Article 205. This Article has nothing to do with this. The Government are really asking for a power which is not unfortunately covered by our Constitution. We know very well that if Governments are given power which they do not possess anything may happen."

* THE HON. SRI C. RAJAGOPALACHARI:—Mr. Chairman, Sir, I have no doubt that the feelings of the hon. Gentlemen opposite expressed just now in regard to this very highly important matter in regard to the Budget is correct. There is no objection in theory or in practice but the actual position, however, presents some difficulty. The vote on account, which was taken, expires with the 30th of September. Now, on the 1st October we must begin a new State and expenditure must begin from that date itself. There is no legal sanction for permitting it. Therefore the Government of India have themselves suggested in this Bill that a further cover for another three months may be taken. That would be good enough from the point of view of principle and within those three months it should be possible for a regular Budget being prepared and presented. That is the view taken by the Opposition. Ultimately, if it is pressed, the Government will be quite willing to accept the position.

"I want hon. Members to remember—we may not be able to convince people of a different type—but here, in this House, I want them to take into account one thing, namely, that three-fourths of the Budget is prepared by the office because it is a repetition of previous expenditure and the making of all calculations which are necessary for reducing it to a particular period in a particular year will have to be prepared in the office. It will be a burden, almost too great, because I am in touch with their work. If they are to prepare a vote on account—for the first three months, a full Budget later and another Budget for the next year, the strain would be too great, because even for an ordinary Budget they begin preparing from October itself. It is only from that point of view that we propose to ask the Government of India to extend these three months to six months. Of course, it is a

th July 1953] [Sri C. Rajagopalachari]

very extraordinary situation that we are dealing with, namely, the creation of a new State on a particular date. That is why it will not be a precedent for any kind of similar demands on other occasions."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—Mr. Chairman, Sir, the difficulties we feel is that the Budget that was introduced was a 'carry-on' Budget with no proposal for Part II schemes on the distinct understanding that the Government were in a position to include Part II Schemes in view of the impending separation of the two States. That is the reason why the discussions, both in this House and the other House, were very limited on the last occasion when the Budget was presented. The discussions were very limited in their nature and the duration of the Budget Session was exceedingly limited because of this one purpose. It was a merely 'carry-on' Budget—unfortunately it had to be so, and we acquiesced in that because of the necessities of the case as presented by the Government in the full hope that when the Budget for the other six months was presented we shall have an opportunity to press all those schemes which we feel are necessary and urgent in many respects.

"If the proposals of the Government are accepted, this House will have no voice at all in regard to these Part II Schemes. It cannot be that the Government propose to simply carry on for the other six months also in the same manner in which they had carried on in the first six months of the year. As I said, Part II schemes should be included in the second six months, because if they are not included much of the progress that is to be kept in view will suffer in consequence. I feel it is only legitimate for this House to be given an opportunity to see what schemes are to be taken up and how these schemes are to be implemented and to give suggestions to the Government as to the urgency of the schemes and the priority that ought to be extended to them. I am afraid that in spite of the difficulties that the Hon. the Chief Minister has expressed which I fully appreciate, this House will not be in a position to acquiesce in the suggestion made by the Government. What will happen with regard to Supplementary budgets, we all know. They are all *post facto* and the House will have no opportunity to give its views on these important proposals. Now, while it is quite clear that there will be some difficulty I would suggest that the procedure that is to be adopted may be simplified in a very large measure and that the Government may be able to give a Budget sometimes in a token form and at other times in a more detailed manner so that the Member of this House will be able to state exactly their views on these important questions. There are many schemes that are coming up. I am very glad indeed and I congratulate the Hon. the Chief Minister and the Government on the success of their loan. Now, Sir, the loan has to be applied and I do not think the application of this loan can be postponed till the next Budget session. It may be possible and it may be necessary to consider what

5-50
p.m.

[Dr. A. Lakshmanaswami Mudaliyar] [25th July 1953]

schemes are to be given expedition to. There is also the Five Year Plan which has already been presented on which the Government will have to make some decision. Other States have already taken a decision and are therefore profiting by it. The States are to receive Central grants in certain proportion under the Five Year Plan. Are we going to have a voice in regard to the projects that are to be taken up under the Five Year Plan? It will be seen, therefore, that while the Members sitting on this side of the House are fully appreciative of the difficulties of the Government and particularly of the Secretariat, it is for the Government to suggest ways and means by which it may be possible for us to come to some compromise and understanding so that our views may be heard by the Government and may be taken into consideration before the schemes are finally taken up. On these grounds, I feel it is not possible to accept the amendment moved by the Hon. Sri C. Subramaniam."

* THE HON. SRI C. SUBRAMANIAM :—While I do not wish to press my amendment, at the same time, I should not allow the false hopes which the hon. Members are having with regard to Part II Schemes during the next half year and with regard to the utilization of the large loan which we have been able to raise now. As far as Part II Schemes are concerned, we cannot include them definitely in the expenditure which the Governor is going to sanction for the three months because it will not come up before the Legislature. So, only the other three months will be available for Part II Schemes. If there are any urgent schemes which we have got to push through, they will not come as Part II Schemes but they will be sanctioned as new schemes and they will come up before the Legislature later on in the course of discussion on Supplementary estimates of expenditure. I may straightaway say that the hon. the Leader of the Opposition need not have any hopes of discussing any Part II Schemes because of the very limited period of three months available and it will not be possible for the Government to put forward any new schemes.

"I would also like to explain why we ask sanction for a vote on account for a period of six months. Even if we had passed the full Budget, that full Budget will really apply to the entire composite State and it will have no meaning after partition with reference to the Andhra area or with reference to the Residuary area. That is why, after taking advice we thought we should restrict ourselves to a vote on account for the interim period, i.e., till the date of partition. That is why to be on the safe side we put it at six months. Fortunately the period expires on the very day the partition of the State comes into effect. Therefore it would serve no purpose even if we had passed a full Budget. Our Appropriation Act shall have no effect either in the Residuary State or in the new Andhra State after October 1st. Therefore these provisions are necessary even if we had passed the full Budget.

25th July 1953] [Sri C. Subramaniam]

"As regards the loan, it is not for the purpose of meeting revenue expenditure but it is only for the purpose of meeting capital expenditure. The capital programme is already going on. There is no question of non-utilization of these funds. As a matter of fact, we all hoped that the Government of India would give us some assistance. But they are stoutly saying, 'Our assistance is restricted. Even under the Five Year Plan, the Government of Madras have already received the maximum amount of assistance and therefore there is no question of further assistance.' We are wondering whether we should stop many of the projects which are in the stage of completion. Fortunately for us, the people have come forward and they have subscribed liberally and therefore there is no question of stopping any of the capital programme. We would be able to take them up, especially the electricity extension schemes which we have stopped mid-way. They are all sanctioned schemes and there is no question of further legislative sanction to be obtained. Even for that purpose a Budget Session is not necessary. Since it has been put by all the Members in the Opposition that the Government will be taking away the power of the Legislature—even though in theory it may be so, but in practice it will not be so because even if the Legislature meets, it is not going to take very effective decisions which are going to change the course of events altogether—I do not want to press my motion. Anyhow I thought I should clearly explain the position so that hon. Members may realize the limitations in discussing a Budget for the remaining period of the year."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"I am thankful to the Hon. the Finance Minister for what he has said. When he comes to present whatever he has got to say, the Opposition will naturally take a very sympathetic view of things."

The amendment of the Hon. Sri C. Subramaniam (No. 36) was by leave withdrawn.

MR. CHAIRMAN :—"I wish to know whether the hon. Member Sri S. Srinivasa Rao is withdrawing his amendment."

SRI S. SRINIVASA RAO :—"The Government want the authorization of expenditure for a period of six months so that the Legislature may not have any voice at all in the expenditure incurred. Perhaps the Ministry is afraid of facing the Legislature and are asking for a *carte blanche* under the pretext of administrative convenience . . ."

* THE HON. SRI C. SUBRAMANIAM :—"The amendment of the hon. Member has nothing to do with the motion moved by me. His amendment relates to the question whether the Andhra Governor or the Madras Governor should authorise the expenditure for the Andhra State."

[25th July 1953]

SRI S. SRINIVASA RAO :—" I beg leave to withdraw my amendment."

The amendment of Sri S. Srinivasa Rao (No. 104) was, by leave, withdrawn.

Clause 42 was put and carried.

Clauses 43, 44 and 45.

Clauses 43, 44 and 45 were put and carried.

8 p.m. MR. CHAIRMAN :—" We will take up clause 46."

THE HON. SRI C. SUBRAMANIAM :—" Sir, clause 46 and the Seventh Schedule may be taken together at the end."

MR. CHAIRMAN :—" Yes. We now pass on to clause 47."

Clause 47.

* THE HON. SRI C. SUBRAMANIAM :—" Sir, my amendments Nos. 40 and 105 cover all the points raised in the other amendments. Hence I submit the other amendments need not be moved."

MR. CHAIRMAN :—" Yes; the Hon. Finance Minister may move his amendments."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I move that—
'This House recommends that sub-clause (1) should be amended so as to provide that, if the contract is for purposes unconnected with the Residuary State, but is partly for purposes connected with the Andhra State, Mysore State or both those States and for the purposes of a State other than the State of Andhra, Mysore and Madras, it shall be deemed to have been made in the exercise of the executive power of the Andhra State/Mysore State or of the Andhra State, respectively.'

'This House recommends that an additional sub-clause should be added to clause 47 of the Bill so as to provide that any sums of money received or payable in pursuance of this clause, by one of the three States of Madras, Andhra and Mysore under contracts not dealt with in sub-clause (3) and relating to more than one of these States, shall be apportioned between the States concerned in such manner as may be agreed upon between the States concerned or in default of such agreement, as the President may, by order, direct.'"

MR. CHAIRMAN :—" I shall put the Government amendments to the vote of the House."

The amendments were put and carried.

Clause 47 as amended was put and carried.

[25th July 1953]

Clause 48.

* THE HON. SRI C. SUBRAMANIAM :—" Sir, the amendment of the hon. Member Sri S. Ramakrishnaiah (No. 106) will not come under this clause. It should come under clause 46 relating to division of assets and liabilities in proportion to the population."

" Sir, I move the amendment standing in my name :—

'This House recommends that this clause should be amended and numbered as sub-clause (1) so as to provide that where the cause of action did not arise within the territory of the Residuary State, but arose partly within the Andhra State/Mysore State or partly within both those States and partly within a State other than the States of Andhra, Mysore and Madras, the liability shall be that of the Andhra State/Mysore State, or of the Andhra State, respectively.'

'Add the following as sub-clause (2) :—

(2) This section shall have effect subject to the provisions relating to apportionment of liabilities contained in the Seventh Schedule.'

" Sir, this is only a formal amendment. We are making provision in the case of liability to be shared between the two States and also with reference to certain liabilities with which Madras has nothing to do and where it is only the Andhra and another third State which come into the picture that it shall be the Andhra/Mysore State whichever State is concerned which should be primarily liable. As it stands, if it is between Andhra and Orissa—for Orissa has come into the picture in respect of certain contracts—Madras would be the party primarily liable. We are making it clear that Madras will have nothing to do in such cases and Andhra alone should be liable."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, then the difficulty would be about the apportioning of the liability. It is for that I have proposed in my amendment that the liabilities be shared in the ratio of 62.75 : 36."

* THE HON. SRI C. SUBRAMANIAM :—" I have made provision in my amendment for the apportionment of liabilities later on between the States concerned."

The amendment was put and carried.

Clause 48 as amended was put and carried.

Clause 49.

* THE HON. SRI C. SUBRAMANIAM :—" Clause 49 also will go with clause 46. I suggest this clause may be taken up along with clause 46."

MR. CHAIRMAN :—" Yes."

[25th July 1953]

Clause 50.

* SRI B. V. SUBRAHMANYAM:—“ Sir, I move that—

‘ This House recommends that provision be made in clause 50 that Laws or provisions in Laws relating to financial commitments or common financing or banking institutions passed by the Madras Legislature on and after 14th July 1953, or the Rules thereunder, shall not be applicable to the territories to be included in the Andhra State, until they are ratified or adopted by a meeting of the Andhra State Legislature after the State is formed. ’

“ Sir, this amendment relates to clause 50. It does not take away the substance of this clause, but adds or seeks to add to it.

“ Sir, this amendment certainly reads so widely and possibly means as widely as it reads, that no new legislation can be passed after the 14th of July 1953, by this composite State in such a manner that it can bind the Andhra State with respect to any legislation dealing with the composite State's finances or with the common financing and banking institutions of this composite State. But the object with which I tabled this amendment is this. It is not with a view to put a brake on the application of rules and laws relating to the financial commitments of this composite State after 14th July 1953, with respect to normal budgetary provisions. The one object I had in mind was to give concrete effect to the resolution I have just moved with respect to a common banking institution known as the Madras Co-operative Central Land Mortgage Bank. I happen to be a Director of this Bank, and there is a move afoot so I am told, I may be right or I may be wrong in the information I have—to legislate with respect to this institution in such a manner that the Bank which is situated in the City of Madras today should, with all its assets but not all its liabilities, and as at present running, be taken over by the Madras State; and that the Andhra State make itself merely liable from the 1st of October 1953, to reimburse the Government of the Residuary Madras State to the extent of those loans that this banking institution has given out in the Andhra area, or of whatever instalments are payable on those loans; because, as hon. Members are aware, the Bank today is running on the basis of debentures sought from the general public from all over the country who are guaranteed by the composite Madras State. What is to happen to this guarantee is obviously the problem. We have no notice of any such legislation. My object in bringing this to the notice of the House is to see that, with respect to such a banking institution as this, no such precipitate action is taken in a manner to cast a liability on the future Andhra State without a proper investigation of the rights and liabilities of the two component States when the division of the institution is to take place.

“ Sir, one difficulty which I, as a member of the Board of Directors of the Bank, and also as a member of the Partition Committee specially appointed of the Bank, feel is that unless the other Government comes into being, some of these institutions, or

[25th July 1953] [Sri B. V. Subrahmanyam]

at any rate, this institution, should not be bifurcated, and any law or order passed with regard to such institutions would not be strictly constitutional or valid.

“ The Madras Central Land Mortgage Bank with which I am familiar, and I restrict myself to that institution, runs on this basis. There is a Board of Directors and a General Body. The General Body elects most of the Board of Directors, which includes the Registrar of Co-operative Societies of the composite Madras State ex-officio, and two or three of his nominees. I do not remember exactly the number of persons to be nominated by him to the Board. The Board of Directors consists of 18 members of which 15 I think are elected by the General Body or by particular groups of that Body under the Statute, and under the bye-laws framed under the Statute. The Registrar is an ex-officio member and two persons are nominated to the Board by him. If no legislation is passed with respect to this institution before 1st October 1953, the position would be, that there would be a certain amount of ambiguity about the ex-officio member and about the other two nominated by him to the Board, and on the point whether the Registrar of Co-operative Societies of the Andhra State would have as full a voice or not as the Registrar of the residuary State, and whether he can nominate his own number to the Board of Directors. Sir, this is a private institution registered under the Co-operative Societies Act as well as functioning under the Land Mortgage Bank's Act and the members are from all over the composite State of Madras. In bifurcating this Bank and allotting the rights and liabilities of the Bank, there has necessarily to come into existence another Board of Directors, another General Body and another Co-operative Society registered under the Co-operative Societies Act and functioning under the Land Mortgage Banks' Act which has got a specific restricted area within which it can function, namely, the Andhra area. All these are complicated facts, no doubt, and must seem too complicated to Hon. Members of the House. But what is happening is that we, the members of the Partition Committee of the Bank, have been given a scheme on which Government is acting or is said to be acting, whereby another Committee or another Board of Directors, representing Andhra areas, is first to be constituted, without any reference to the present Board of Directors, and without any reference to the movement in Andhra regarding this matter; and the bifurcation is to take place as between these two private institutions before the 1st of October 1953. The result will be that the present Registrar of Co-operative Societies of the composite State with his nominees for the Andhra areas of his choice will be representing both sides in a most curious division of assets and liabilities.

“ The difficulty has arisen in bifurcating this Bank because the assets are considerable, and the liabilities also are very considerable. The institution has a Sinking Fund of a crore and twenty-five or thirty lakhs of rupees and a Reserve Fund of another thirty lakhs. The Government have sponsored a scheme, so the Registrar of Co-operative Societies writes to us—no doubt as members of the Board of Directors we had access to this information which otherwise we could not have had, and I do not quite know whether I am

[Sri B. V. Subrahmanyam] [25th July 1953]

right or wrong in stating it before the House—whereby the guarantee is to be hereafter only of the residuary State, and only the proportionate liability will have to be on the Andhra State, in proportion to the loans that are availed of in the Andhra State. The Andhra State does not have any benefit out of the institution. They are to have no Sinking Fund and no Reserve, and still the Andhra State is to guarantee to the Government of Madras its share of the loans.

Now, when this scheme was placed before me, Sir, I felt that there was no necessity to bifurcate an institution of this kind before the appointed date. There would be a certain amount of difficulty if we bifurcated it before the appointed day. If it is bifurcated after the appointed day, then there would be an Andhra State, there would be a Registrar of Co-operative Societies in Andhra, there would be a Society in Andhra possibly registered there within a period of six months or less according to the rules laid down in the Bill, because the present territorial laws will continue to be in force on both sides, in both the States for the period of six months till each State makes amended laws of its own. By that time, as I was saying, there would be an Andhra State, an Andhra Registrar of Co-operative Societies and a Co-operative Society which would have the sanction of both the Government and the people of the Andhra State and of the Co-operative Movement in that State. Till that comes into being, I submit, there should not be any laws made here specially dividing a common institution which has been built up by men on both sides, on the Andhra and the Madras side, who have contributed to its attaining this stature. It would not be fair also to treat these private societies in the same way as public bodies under the Government just because there is a guarantee from the Government. There is nothing to prevent, under the Statutes, as I have read them, either under the Land Mortgage Banks' Act or the Co-operative Societies Act, nothing to prevent the Board of Directors from passing a resolution after the 1st of October 1953 that the common guarantee of both the Governments there, if both the Governments agree . . .

* THE HON. SRI C. SUBRAMANIAM :—“ With great respect to my learned Friend, I submit, it is not necessary to go into such details with regard to the Co-operative Society. I know the points which he is trying to make out. I will answer them in my reply. But it is not necessary to go into details now. Any law now made in respect of the Land Mortgage Bank and the State Co-operative Bank and the separation of these institutions should not be binding on the Andhra Government seems to be one point which the hon. Member has in mind. If he has any other points to make he may mention them and I will answer and the hon. Members also can participate in the discussion. We are all aware of the full facts of this case.”

* SRI B. V. SUBRAHMANYAM :—“ So far as other factors and institutions are concerned my knowledge is not as irrefutable as in this. With respect to this institution I wish to place my amendment before the House for its consideration. It may be that I do

25th July 1953] [Sri B. V. Subrahmanyam]

not know everything that is passing through the mind of the Government, and I do not know whether the step that is said to be contemplated, according to the note of the Registrar of Co-operative Societies, is really contemplated by the Government and whether we are to have the legislation in this session, or whether it would be issued as an Ordinance or something like that. But I have to protest against such common institutions being divided by an Ordinance before the 1st of October 1953. I suggest that, if any such legislation is on the mind of the Government, it should be placed before the Assembly and before this House and passed in the regular manner. With these remarks I request the Government to accept my amendment.”

* SRI K. BHASHYAM :—“ Sir, the Banks like the Land Mortgage Bank and the Co-operative Bank are having transactions over the whole of this composite State and if this amendment is accepted it would lead to complications. It looks as though the Residuary Madras State will be liable to give a guarantee for all the loans given by the Land Mortgage Bank to persons either in the Andhra State or the Residuary Madras State. That is the position. I would like to point out that the Land Mortgage Bank is a private undertaking in the sense that it is not official. If you divide the assets, sinking funds and other reserve funds in the proportion of 36 and 64, what about the money paid by the depositors? My purpose is only to place the difficulties before the Government. A large number of depositors not only in the City but also in the Tamil area have really put their deposits in this ‘composite’ bank. Now you are dividing the assets. What about the depositors? You cannot divide the depositors. You must devise a scheme whereby the depositors will be satisfied. It will be illegal to divide the assets without providing money for the depositors. If some depositors ask for their money, then you will have to return the money to them. That will be the legal way of doing it. Therefore, I suggest to the Government not to take any action but postpone it till the bifurcation proposals come from the Bank. It would be premature to lay down any hard and fast rule and I do not know why there should be a provision for this purpose. There must be investigation into the various activities of the various Banks, and we have to find out the assets and the loans that are given to the Andhra area and the non-Andhra area. That can be dealt with by the Bank itself. So far as these undertakings are concerned, they need not be divided at all. Therefore, Sir, any attempt now to divide the depositors will be an unwise thing.”

* SRI B. V. SUBRAHMANYAM :—“ I am glad my hon. Friend Mr. Bhashyam raised the question of the depositors or debenture-holders which I had just forgotten. In fact, there is section 13 of the Madras Co-operative Societies Act which requires that the consent of the depositors or debenture-holders should be taken before there can be bifurcation of the Bank. Short-circuiting that procedure which requires a meeting of the depositors or debenture-holders and the taking of their consent, a scheme has been placed before us; and we are told that there is legislation

[Sri B. V. Subrahmanyam] [25th July 1953]

pending with respect to it. If my proposition is not accepted, the depositors or debenture-holders may to-morrow question the bifurcation and any protest on their part will make the whole scheme fail, and the position will become utterly involved."

* THE HON. SRI C. SUBRAMANIAM:—"Sir, we have been discussing so far an hypothetical case of the partition of two Banks, the Land Mortgage Bank and the State Co-operative Bank and the difficulties involved in it. But let me deal with the amendment moved by my hon. Friend Mr. B. V. Subrahmanyam. There are laws which have already been passed and enforced in the whole of this composite State. After the partition of the State, what is to happen to these laws? Automatically these laws should be applicable to the Andhra area also unless the territorial application of these laws has been confined to any particular area. For example, there is the Tanjore (Tenants and Pannaiyal Protection) Act and that has no application in the Andhra area. Even after the appointed day, other laws which are of general application throughout the State will be applicable to the Andhra area without any change. That is a principle to which nobody can take exception. Mr. Subrahmanyam wants, in his amendment, that any laws passed after 14th July 1953 involving financial commitments or common financing should not apply to the Andhra area. In this connexion, let me take up these banking institutions. Suppose we pass certain laws with reference to them and if, after the appointed day, that law should have no validity in the Andhra area—that is till after the Andhra Assembly itself meets and ratifies it—there will be no law applicable to those institutions within the Andhra area till then. So much so, they would not function. Nothing can be done. There will be a vacuum created. That is the difficulty in accepting this amendment as it stands. Apart from the difficulty in respect of the two banks which my hon. Friend was referring to, there are also difficulties with regard to finances of the Banks. It is not so simple as Mr. Bhashyam suggested that we should continue the institutions even after the appointed day and allow the whole thing to take its course so that we can consider it leisurely later on. It may be possible to do so but there is one difficulty which my hon. Friend Mr. Bhashyam must also take into consideration and then suggest remedies if possible. For example, take the Land Mortgage Bank. It has given loans all over the State including the Andhra area and now for the recovery of these loans under the Co-operative Societies Act and the Land Mortgage Banks Act, the Registrar of the Co-operative Societies can bring the property of the debtors to sale. But after the appointed day, what jurisdiction will the Registrar of Co-operative Societies of Madras have in respect of the Andhra area for the purpose of realizing these dues? That is the difficulty which we have to face. There is no use continuing these banks as a common institution unless the jurisdiction of the Registrar of Co-operative Societies of the Madras State is extended to the Andhra State also for the purpose of enforcing the provisions of the Co-operative Societies Act and the Land Mortgage Bank Act

[Sri C. Subrahmanyam] [25th July 1953]

and realizing all the dues from the Andhra debtors. For that some provision will have to be made.

"Then, again, there are debentures raised on the security of mortgages by the Land Mortgage Bank and guaranteed by the composite State as such. Now, after the appointed day, that guarantee will be only that of the Residuary Madras State unless provision is made in the Bill itself. No Act of the present Legislature can create liabilities binding on the Andhra State as such in respect of these guarantees. If any guarantees have to be effective after 1st October 1953 in respect of the Andhra State such a provision will have to be made now only in the Andhra State Bill and nowhere else. I have therefore given an amendment to clause 49 that a new clause should be added after it that in respect of any guarantees given by the composite State as such, in respect of the dues from the Andhra State, these guarantees should be passed on to the new Andhra State in the sense that, even though the initial liability is on the Madras Residuary State, the Andhra State should guarantee its share of liabilities due from the Andhra area to the Madras Government. If there is any default in the collection of dues, it should be the responsibility of the Andhra Government to honour the guarantee which has been given by the Composite State and pay it to the Residuary State. It is only with this in view that I have suggested an amendment to clause 49, viz., the addition of a new clause after that for this purpose. No Act of the Legislature passed by the residuary Madras State after 1st October 1953 will give it any right to operate in the Andhra area. Even if we pass any such legislation, it will have to be executed by the Andhra Government and its officers because the Madras State as such can have no jurisdiction within the Andhra area. Therefore whatever be the legislation we may pass, the execution and administration of it will be in the hands of the Government of the Andhra State. Therefore there is no question of any illegal law or unjust law being passed and imposed on the Andhra State by the Madras Government.

6-30
P.m.

"Fears were expressed by some persons that a law is going to be passed by which the Madras Government will have the right to collect its dues within the Andhra area even after the 1st October 1953. Whatever legislation we may pass it cannot confer extra-territorial jurisdiction to the Madras State over any part of Andhra after 1st October 1953. The Madras Government, as such cannot have any jurisdiction over it but like any other juristic person can only take the matter to a Court of Law. If there is no such provision as is now proposed by me, how can the State Co-operative Bank and the Land Mortgage Bank situated in the City of Madras operate in the Andhra area after 1st October 1953 in respect of the collection of dues from that area? This is the main difficulty which we have got to face and it is better that it is faced even before 1st October 1953, and we cannot afford to wait. If the contention is that no law should be made until after partition, that is, till 1st October 1953, it will lead to further legal and constitutional difficulties instead of solving the problem. We have to face this problem even now

[Sri C. Subramaniam] [25th July 1953]

and that is why I have made provision accordingly. This is not going to be achieved by the amendment of Sri B. V. Subrahmanyam. If his amendment is passed as such, it will lead to further difficulties and instead of solving this complicated problem will allow it to continue even after 1st October 1953 and will become more difficult of solution on account of constitutional difficulties. I therefore hope that Sri B. V. Subrahmanyam will consider all these difficulties and not press his amendment. After all this Government will act only in a responsible manner and it is only for the purpose of solving the difficulties that any steps would be taken. It is not as if the purpose is to pass on any liability to the Andhra State which we cannot do, even if we want to do, without the sanction of Parliament and Parliament will have to make a provision in respect of this matter in the Andhra State Bill. As far as the amendment of Sri B. V. Subrahmanyam is concerned, it will only be fettering the powers of the Legislature and creating a vacuum in the meanwhile wherein the State Co-operative Bank and the Land Mortgage Bank will not be able to operate for a considerable period. I, therefore, request my hon. Friend Sri B. V. Subrahmanyam to consider these aspects and withdraw his amendment."

* SRI B. V. SUBRAHMANYAM :—" Mr. Chairman, Sir, in view of the explanation given by the Hon. the Finance Minister, Sri C. Subramaniam, for which I am grateful—I do not think any particular purpose will be served by my pressing this amendment and I withdraw it."

The amendment of Sri B. V. Subrahmanyam was, by leave, withdrawn.

Clause 50 was then put and carried

THE HON. SRI C. SUBRAMANIAM :—" Sir, I should like to inform the House that a statement in respect of the allocation of the personnel will be distributed to facilitate discussion in regard to this on Monday, the 27th July 1953."

MR. CHAIRMAN :—" The House will now adjourn and meet again at 4 p.m. on Monday, the 27th July 1953."

The House then adjourned.

[25th July 1953]

APPENDIX I.

[Vide answer to starred question No. 219 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 25th July 1953, page 335 supra.]

(a) The location and the number of dhobikanas constructed and in use districtwise are as follows :—

District.	Name of municipality or panchayat.	Number of dhobikanas constructed and in use.
Visakhapatnam	Visakhapatnam Municipality.	1
Madurai	Kodaikanal Municipality ..	1
Coimbatore	Coimbatore Municipality ..	1
The Nilgiris	Ootacamund Municipality.	7
	Cooloor Municipality ..	4
	Kotagiri Panchayat ..	1
	Kozhikode Municipality ..	3
Malabar	Madras City ..	6

(b) The following municipalities have sanctioned the construction of dhobikanas, but they have not been constructed.

District.	Name of municipality	Number of dhobikanas.
Krishna	Gudivada	1
Madurai	Madurai	1
Coimbatore	Erode	1
Malabar	Cochin	1

APPENDIX II.

[Vide answer to starred question No. 221 asked by Sri T. Purushothama Mudaliar at the meeting of the Legislative Council held on 25th July 1953, page 337 supra.]

(a) I. The Deputy Director of public Health is in charge of the Hygiene Section, the Bureau of Environmental Sanitation and also in charge of Establishment II Section which deals with all service questions relating to Health Inspectors and Malaria establishments.

He is empowered to pass final orders on all cases arising from the above two sections (Hygiene and Establishment II) allotted to him except those involving policy and important administrative or technical matters, which should be seen by the Director of Public Health also

II. Duties assigned to the Assistant Directors of Public Health are as follows :—

Assistant Director of Public Health (I).—This Officer is in charge of the Bureau of Maternal and Child Health and of Primary Health Centres, Post-war Schemes and also of the audit section of the office of the Director of Public Health.

[25th July 1953]

*Assistant Director of Public Health (II).—*This officer is in charge of the Bureau of Malaria and other Mosquito-borne diseases and the Malaria Section.

All papers relating to fixation of strength of Public Health establishments of local bodies except those pertaining to Maternal and Child Health Staff and papers in the establishment Section E-1 (M) relating to the ministerial staff of the office of the Director of Public Health are also submitted to this officer.

Assistant Director of Public Health (III).—(1) The Officer is in charge of Bureau of Epidemiology and the epidemic section.

(2) He has, in addition, to look after the minor port and marine health work.

(3) All papers relating to the Five-Year Plan and the Community Projects are also attended to by this officer.

(4) The work of the Research Health Officer carrying out laboratory and field investigations in Kala Azaar and Guinea worm disease and of the Special Plague Officer are also under his immediate direction and supervision.

*Assistant Director of Public Health (IV).—*The Officer is in charge of—

(1) the Bureau of Nutrition;

(2) Health Propaganda and Publicity; and

(3) Food Adulteration and review of sampling work under the Prevention of Adulteration Act, School Hygiene, Compost Schemes and Grow More Food Campaigns.

(4) The Budget Section of the Director of Public Health Office.

The particulars are given below :—

Designation.	Number of days toured in 1952.	Amount of T. A. drawn during the period (1952).
Deputy Director of Public Health.	104	Rs. A. P. 2,256 7 0
Assistant Director of Public Health (I).	111	2,168 14 0
Assistant Director of Public Health (II).	133	2,047 3 0
Assistant Director of Public Health (III).	109	1,940 5 0
Assistant Director of Public Health (IV.)	45	724 8 0

25th July 1953]

APPENDIX III.

[Vide answer to starred question No. 227 asked by Sri S. Ramakrishnaiah at the meeting of the Legislative Council held on 25th July 1953, page 344 supra.]

Rules regarding the recruitment of Deputy Inspector of Schools (Junior scale.)

1. *Method of appointment—*

Direct requirement; or

Promotion from among Manual Training Instructors, who have not completed 45 years of age, Secondary Grade Teachers, Demonstrators and Tutors; or

Recruitment by transfer from any other service:

Provided that all substantive vacancies arising on or after 1st April 1947 shall be filled or reserved to be filled as follows :—

(i) Thirty per cent by promotion from among Manual Training Instructors who have not completed 45 years of age and secondary grade teachers, or recruitment by transfer;

(ii) Thirty per cent by direct recruitment of persons other than those mentioned in item (iii);

(iii) Forty per cent by direct recruitment of teachers employed in railway schools and in schools under the control of local bodies or aided agencies who possess both the minimum general educational qualification as prescribed in the schedule to the General Rules for the State and Subordinate Services and a completed Teachers' Training Certificate of the Secondary Grade and have put in not less than 10 years of service as teachers and are below the age of 35 years.

Note.—Teachers in the said schools who hold a Teachers' Training Certificate of the Higher Elementary Grade and have gained a Teachers' Training Certificate of the Secondary Grade by virtue of their having passed the Training School-Leaving Certificate Examination of the Secondary Grade will be considered to possess a completed Teacher's Training Certificate of the Secondary Grade.

2. Promotion to the post of Deputy Inspector of Schools (Junior scale) shall be made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal.

3. *Appointing authority—*

Deputy Inspectors of Schools (Junior scale) on the Agency. Deputy Director of Public Instruction (Personnel).

Deputy Inspectors of Schools (Junior scale) other than those on the Agency. Divisional Inspectors of Schools.

[25th July 1953]

4. List of approved candidates for appointment to the service as Deputy Inspector of Schools (Junior scale) shall be prepared by the Director of Public Instruction.

4-A. The Agents to the State Government in the Agency areas may, within their respective jurisdiction, transfer Deputy Inspectors of Schools (Junior scale). All other transfers and postings excluding those which may be made by appointing authorities within their respective jurisdictions shall be made by the Deputy Director of Public Instruction (Personnel).

5. *Rule of reservation.*—The provisions of rule of reservation shall apply separately to appointments within the jurisdiction of each of the appointing authorities.

6. *Qualification and age.*—No person shall be eligible for appointment by direct recruitment to the post of Junior Deputy Inspector of Schools (Junior scale), if he has completed 30 years of age. The limit of 30 years shall not apply to direct recruitment as Deputy Inspectors of Schools (Junior scale) of teachers employed in Railway schools and in schools under the control of local bodies or aided agencies, who possess a completed Trained Teachers' Certificate of the Secondary Grade and have put in not less than 10 years' service as teachers. The age-limit prescribed for appointment by direct recruitment to posts in the service shall apply with reference to the 1st July of the year in which the selection is made.

7. *Educational and professional qualifications.*—No person shall be eligible for appointment to the posts of Junior Deputy Inspector of Schools (Junior scale) unless he possesses the qualifications as given below:—

(1) The degree of B.A. or B.Sc. of a University in the State.

(2) The degree of B.T. of the University of Madras or the B.Ed. degree of the Andhra University. (The L.T. degree of the University of Madras shall be regarded as equivalent to the B.T. degree of that University.)

For promotion a completed trained Teacher's Certificate of the Secondary Grade shall be sufficient.

In making appointment to the posts of Deputy Inspectors of Schools (Junior scale), preference shall be given to those who in addition to the prescribed qualifications possess the degree of M.Ed. of the University of Madras.

8. *Probation.*—No person shall be eligible for appointment as a full member of the service until he has been on probation for a total period of two years on duty within a continuous period of three years.

[25th July 1953]

A probationary Deputy Inspector of Schools (Junior scale) shall, within the prescribed period of probation, pass the Deputy Inspector's Test and the Account Test for Subordinate Officers, Part I.

A probationer who fails to pass the said tests but is otherwise considered suitable shall pass the tests within a period of four years from the date of his appointment. He shall not be deemed to have completed his probation satisfactorily and shall not be entitled to appointment as a full member of the service or be eligible for increments other than the first increment in the time scale of pay applicable to him unless and until he passes the said tests. Such ineligibility for increments shall not have the effect of postponing his future increments after he has passed the said tests. If he fails to pass the said tests within the period aforesaid, the appointing authority shall forthwith, by order, terminate his probation and discharge him from the service.

9. Scale of pay Rs. 65—4—105—5—125.

APPENDIX IV.

[Vide answer to starred question No. 235 asked by Sri T. Purushothama Mudaliar at the meeting of the Legislative Council held on 25th July 1953, page 351 supra.]

Clause (i) of the question.—The areas at present affected by adverse seasonal conditions are the following:—

<i>Group A (Near famine conditions, i.e., very badly affected).</i>		
Cuddapah district	.. ..	Rayachoti taluk (Chinnamadam, Guliveda and Rayachoti firkas), Pulivendla taluk (Thondur, Lingala, Vemula and Pulivendla firkas), Jammalamadugu taluk (Tallamanchipetnam firkas).
Anantapur district	.. ..	Kadiri taluk.
Chittoor district	.. ..	Madanapalle taluk excepting Madanapalle firkas, Vayalpad taluk excepting Yerravaripalem firkas.
<i>Group B (Badly affected).</i>		
Cuddapah district	.. ..	Rayachoti (remaining firkas not classed as A), Badvel taluk—34 villages.
Kurnool district	.. ..	Parts of Cumbam and Markapur taluks.
Anantapur district	.. ..	Penukonda, Dharmavaram, Kalyandrug (parts), Madakasira, parts of Tadipatri and parts of Anantapur.
Chittoor district	.. ..	Puttur taluk (2 firkas).
Coimbatore district	.. ..	Dharpuram, Palledam and parts of Erode taluk.
Madurai district	.. ..	Palni, Dindigul, etc.
Tirunelveli district	.. ..	Senkarankoil, Tirunelveli, Nanguneri and Koilpatti taluks.
Ramanathapuram district	.. ..	Srivilliputtur, Sattur, Tirupattur, Sivaganga and Mudukulathur taluks.

[25th July 1953]

Group C (Affected to some extent).	
Guntur district	Portions of Vizukonda.
Bellary district	Bellary, Rayadurg and Kudligi taluks.
Nellore district	Podili, Darsi and Kanigiri.
Chittoor district	Chittoor, Chandragiri and Punganur.
Anantapur district	Hindupur.
Tiruchirappalli district	Pudukkottai division, Karur and Udayarpalayam taluks, etc.
Tanjore district	Parts of Arantangi, etc.
South Arcot district	Parts of Villupuram, Dindivanam and Gingee taluks.

Clause (ii) of the question.—Kist collection has been postponed in the drought-affected areas in the districts of Nellore, Chittoor, Cuddapah, Kurnool, Bellary, Anantapur, North Arcot, South Arcot, Tiruchirappalli, Madurai, Ramanathapuram, Tirunelveli and Coimbatore. Orders sanctioning land revenue remission and postponement of the collection of loan instalments have been issued in respect of the drought-affected areas in Cuddapah and Guntur districts. Similar proposals in regard to Nellore, Coimbatore and Madurai are under consideration. Proposals in respect of other districts are awaited.

APPENDIX V.

[Vide answer to unstarred question No. 48 asked by Sri T. Purushothama Mudaliar at the meeting of the Legislative Council held on 25th July 1953, page 355 supra.]

(a) The number of adult education centres both recognized and unrecognized now working in each of the districts in the State is as follows:—

1 Srikakulam	89
2 Visakhapatnam	70
3 East Godavari	176
4 West Godavari	165
5 Krishna	150
6 Guntur	181
7 Bellary	60
8 Anantapur	84
9 Kurnool	139
10 Chittoor	199
11 Cuddapah	136
12 Nellore	1,255
13 North Arcot	141
14 Tanjore	158
15 South Arcot	910
16 Chingleput	445
17 Madras	57
18 Tiruchirappalli including Pudukkottai	103

APPENDIX

25th July 1953]

19 Madurai	135
20 Ramanathapuram	62
21 Tirunelveli	134
22 Coimbatore	87
23 Nilgiris	63
24 Salem	90
25 South Kanara	71
26 Malabar	288
Total	4,366

(b) The number of adult education centres started by the District Adult Education Committee in the districts of North Arcot, Chingleput and South Arcot during the last three years and the number of such centres actually recognized by the Education Department is as follows:—

Number of centres started by District Adult Education Committee.		As on 1st April 1950.	As on 1st April 1951.	As on 1st April 1952.
1 South Arcot	84	709	910	
2 Chingleput	..	..	41	
3 North Arcot	..	..	..	

Number of such centres actually recognized by the Education Department.

Number of such centres actually recognized by the Education Department.		As on 1st April 1950.	As on 1st April 1951.	As on 1st April 1952.
1 South Arcot	36	69	140	
2 Chingleput	..	..	41	
3 North Arcot	..	..	..	

(c) The number of adult education centres opened during the Adult Education Week celebration in 1952 in the Chingleput district is 401. Of these, 71 centres have already been recognized. Twenty-four centres have been permitted to be opened. The question of granting recognition and aid to 30 centres is already under correspondence. Recognition and aid will be granted to 310 centres after applications for them have been received from the respective Deputy Inspectors of Schools.

(d) The allotment of expenditure sanctioned by Government for the opening of new adult education centres for 1952-53 is as follows:—

Adult education centres—		RS.
Grants	..	2,80,000
Bonus	..	26,980
Equipment	..	54,058

[25th July 1953]

APPENDIX VI.

[Vide answer to unstarred question No. 49 asked by Sri T. M. Dai-vasikhamani Achariar at the meeting of the Legislative Council held on 25th July 1953, page 356 supra.]

G.O. Ms. No. 4176, Development, dated 10th August 1949.

[Subject.—Acts and Rules—Madras State Aid to Industries Act—Messrs. Ratnam Industrial Works, Madras—Loan of Rs. 2,000—Sanctioned. Reference.—From the Director of Industries and Commerce, dated 12th July 1949, No. S.A. 1961 of 1949.]

Order—No. 4176, Development, dated 10th August 1949.

His Excellency the Governor of Madras sanctions, subject to the conditions specified below, the grant of loan of Rs. 2,000 (rupees two thousand only) to Messrs. Ratnam Industrial Works, Madras, for the purchase of machinery required for the manufacture of brass holders for electric bulbs.

2. The conditions are—

(a) Messrs. Ratnam Industrial Works, Madras, shall execute a mortgage deed hypothecating to the Government as security for the due repayment of the loan with interest

(i) the machinery detailed in the annexure to these proceedings; and

(ii) the additional machinery to be purchased by the company with the loan now sanctioned.

(b) The company should insure the machinery offered as security against loss or damage by fire and assign the policy in favour of His Excellency the Governor of Madras before the disbursement of the loan.

(c) The entire proceeds of the loan shall be utilized for the purchase of a 'screw-cutting lathe' required for the manufacture of brass holders for electric bulbs.

(d) If it shall be proved to the satisfaction of the Government that the loan sanctioned has not been fully applied for the purpose for which it is granted, the balance of the loan or such portion of it, as the Government may determine with interest and costs, if any, shall be recovered, as provided for in section 18 of the Madras State Aid to Industries Act, 1922 (Madras Act V of 1923).

(e) The loan will bear interest at 5 per cent per annum and shall be repaid in ten annual instalments of Rs. 259 each, the first instalment being repaid on 1st December 1950 and the subsequent instalments on the 1st of December of every following year until the loan with interest has been repaid. For the period in excess of 12 months intervening between the date of disbursement of the loan and 1st December 1950 simple interest on the whole amount shall be paid with the first annual instalment.

[25th July 1953]

(f) On every instalment of loan which is not paid on the due date, additional interest at 7½ per cent shall be levied as penalty up to the date of its repayment.

(g) The annual instalment of the loan shall be paid at the nearest Government treasury to the credit of the Government.

(h) The company shall abide by all the provisions of the Madras State Aid to Industries Act, 1922 (Act V of 1923) and the rules framed thereunder.

3. The loan will be disbursed in a single instalment.

4. The expenditure on account of the disbursement of the loan shall be debited to "Loans and Advances bearing interest—Advances under special laws (State Aid to Industries) Advances—made by the Director of Industries and Commerce".

Annexure.

1. One second-hand letter press.
2. One hot press including fixing charges.
3. One lot dyes for celluloid nevelties manufacture.
4. One diamond crusher bought in Mysore market.
5. Two radius blow lamps.
6. Three electric furnaces.
7. One wire dragging machine.
8. One printing press, second hand.
9. One roller machine.
10. One camera.
11. One power press.
12. One motor, 4-horse power.
13. Dyes for tin box making—one set.
14. Two beading machines.
15. Two ply press, small.
16. Shaftings, pulleys complete.
17. One iron safe.
18. All tools and materials of workshop.
19. All wirings of the workshops.
20. Cash deposit with M.E.S.

[25th July 1953]

APPENDIX VII.

[Vide answer to unstarred question No. 50 asked by Sri T. Purushothama Mudaliar at the meeting of the Legislative Council held on 25th July 1953, page 356 supra.]

Statement showing districtwise the number of new routes opened and additional buses put on existing routes by Regional Transport Authorities since 1st April 1952, up to 15th February 1953.

Name of district.	Number of routes opened.	Number of additional buses put on existing routes.	Number of applications rejected.
(1)	(2)	(3)	(4)
1 Tirunelveli	3	..	21 (28 pending for 2 permits).
2 Guntur	4 (6 buses)	..	.. (Applications not yet disposed of).
3 Tanjore	5	3	15 (51 pending for 6 permits).
4 Madurai	1 (2 buses)	..	.. (Applications pending).
5 Visakhapatnam ..	2	3	11 (13 pending for two permits).
6 Srikakulam	3 (5 buses)	2	53 (7 pending for two permits).
7 Ramanathapuram ..	3	1	20 (4 pending for two permits).
8 Krishna	3 (5 buses)	..	54 (28 pending for one permit).
9 East Godavari	..	1	.. (Applications pending).
10 West Godavari	5 (9 buses)	..	55 (4 pending for two permits).
11 Anantapur	3	1	24
12 Bellary	1	1	3 (13 pending for one permit).
13 Malabar	6 (12 buses)	2	55 (15 pending for three permits).
14 Tiruchirappalli ..	..	..	..
15 The Nilgiris	..	..	..
16 Salem	8	1	217
17 South Arcot	3 (5 buses)	..	65
18 Nellore	4 (6 buses)	..	5 (39 pending for five permits).
19 Chittoor	1 (2 buses)	2	6
20 South Kanara	8	5	22 (36 pending for eight permits).
21 Coimbatore	11 (19 buses)	..	128 (94 pending for 13 permits).
22 North Arcot	4 (5 buses)	1	158 (35 pending for two permits).
23 Chingleput	..	..	..
24 Kurnool	1*	2	27 (*Called for applications).
25 Ouddapah	..	..	..

THE MADRAS LEGISLATIVE COUNCIL.

Monday, 27th July 1953.

The House met in the Council Chamber, Fort St. George, at four of the clock, Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Reservation for Backward classes and Scheduled castes in respect of temporary appointments.

* 237-A Q.—SRI K. SURYANARAYANA: Will the Hon. the Chief Minister be pleased to state—

(a) whether the reservation of 25 per cent for the Backward classes and 15 per cent for the Scheduled castes is being observed in respect of temporary appointments made under rule 9 (a) (1); and

(b) whether it is a fact that the Government are not observing the reservation of 25 per cent for the Backward classes and 15 per cent for the Scheduled castes in the matter of promotions, particularly in the 50 per cent promotions that are going to be made to the Andhra State?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) As far as practicable, the rule is followed.

“(b) The rule of reservation of appointments is not applicable to promotions. The question of observing the rule, in respect of promotions, cannot therefore arise. There is no question of any difference in treatment between those going to the Andhra State and others.”

SRI K. SURYANARAYANA:—“May I know what steps the Government propose to take to ensure fair or adequate representation to Backward Classes and Scheduled Castes in all cadres?”

THE HON. SRI C. RAJAGOPALACHARI:—“For the purpose of appointments to the Public Services, out of a unit of 20 appointments, five are reserved for the Backward Classes candidates and three for the Scheduled Castes and the Scheduled Tribes candidates; that is to say, 25 per cent for the Backward Classes and 15 per cent for the Scheduled Castes and the Scheduled Tribes. In January 1952 we have issued an order that even temporary appointments should also, as far as practicable, be made on the same principle. This is what we have done to ensure fair representation. Scheduled Castes candidates, sometimes, do not fill up to the necessary percentage. But there is no difficulty about the Backward Classes.”

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3763

MADRAS LEGISLATIVE COUNCIL DEBATES

OFFICIAL REPORT

MONDAY, 27th JULY 1953

VOLUME V—No. 7

CONTENTS

	PAGES
I Questions and Answers	393-404
II Resignation of a Member—Sri N. P. Chengalroya Naidu ..	405
III Allotment of the Main Opposition Block to the new Opposition Party	405-411
IV Government Bill—The Andhra State Bill, 1953—cont. ..	412-441

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[27th July 1955]

SRI T. PURUSHOTHAMA MUDALIAR :—" With reference to the answer of the Hon. the Chief Minister, may I know, whether when there is not a sufficient number of Scheduled Castes candidates, the Government would consider the allotment of the unfilled seats to the other Backward Classes? "

THE HON. SRI C. RAJAGOPALACHARI :—" We may consider it. I have no objection to consider such matters over and over again. But there is already a great amount of discontent among the forward Non-Brahman classes and I think this will lead to more difficulties."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know whether it is not incumbent on the part of Government to encourage the citizens belonging to the Backward Classes in all the Public Services? "

THE HON. SRI C. RAJAGOPALACHARI :—" Right, but the Backward Classes have been reserved a certain percentage—25 per cent. In addition they have got the normal competition on the ordinary basis of merit. If we go on overdoing a thing we lead ourselves into difficulties."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I respectfully point out to the Hon. the Chief Minister that according to the definition in the Constitution, Scheduled Castes and all other backward communities are classified as Backward Classes, with this distinction that some of the Backward Classes are called as 'Scheduled Castes' and others are called 'Other Backward Classes'?"

THE HON. SRI C. RAJAGOPALACHARI :—" It is a question of properly shaping the sentence. The Scheduled Castes are no doubt backward classes and therefore whenever any general clause is wanted they are described as backward classes. But the character, composition, aims, ambitions, conditions—social and educational—of the so-called Backward Classes are very different from those of the Scheduled Castes and are much more approximating to those of the forward classes. I think that, as I have promised, we shall consider the matter. But I do not want these hopes to be raised. They will lead us to more and more difficulties."

SRI M. ETHIRAJULU :—" May I know whether the Government will consider reservation in the matter of promotions also at least in respect of very Backward Classes such as *Vannars* which will certainly be an encouragement to the down-trodden communities? "

THE HON. SRI C. RAJAGOPALACHARI :—" In all cases of such encouragement and concessions, the Government have followed the principle of recruitment being made the field for such concessions. Subsequent promotions must depend upon work, qualification and industry. It ought not to be made too easy for any one to get promoted. Further apart

37 h 3

[27th July 1953]

from giving jobs and encouraging men and women belonging particularly to the Backward Classes we must reserve a minimum of efficiency also in the Services."

SRI T. PURUSHOTHAMA MUDALIAR :—" Am I right in presuming that generally provision is made for direct recruitment in Public Services just to provide opportunities for the recruitment of the Backward Classes and will the Government consider making such appointments by direct recruitment specially for the benefit of the Backward Classes? "

THE HON. SRI C. RAJAGOPALACHARI :—" That is to say, instead of promoting, let us call each promotion a direct recruitment? I think it would not be good. Further questions will be answered by Mr. Narayanaswami Pillai." (Laughter.)

SRI A. GAJAPATHY NAYAGAR :—" Mr. Chairman, Sir, if there are about 100 posts and there are forty or more applicants from among the Backward Classes who had obtained very good marks, am I to presume, Sir, that according to the reservation orders of the Government, they would get only 25 posts and nothing more than that, or whether they would get, in addition to 25 posts, some more based on merit? "

THE HON. SRI C. RAJAGOPALACHARI :—" They will get on merit also, in addition to reservation."

Report of the Director of Public Health about the burial grounds of Muslims and Christians.

* 238 Q.—**SRI M. K. M. ABDUL SALAM :** Will the Hon. the Minister for Health be pleased to state whether the Government have received any report from the Director of Public Health that burial grounds of Muslims and Christians contribute to the spread of contagious disease; and if so, whether the Government will be pleased to place the same on the table of the House?

THE HON. SRI A. B. SHETTY :—" The answer is in the negative."

SRI M. K. M. ABDUL SALAM :—" Are the Government aware, Sir, that the Coimbatore Municipality has ordered the closure of a Muslim grave-yard within the municipal limit and if so will the Government intervene and render justice? "

THE HON. SRI A. B. SHETTY :—" Provision and maintenance of burial grounds is the responsibility of the local body concerned. If, in the opinion of a local body, a burial ground is likely to be a danger to the health of the people in the neighbourhood or if the burial ground is over-crowded, it has got powers to close it with the previous sanction of the State Government after providing alternative site for the purpose."

[27th July 1953]

Building schemes for the Andhra State.

* 239 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any building schemes and designs for the Andhra State are being prepared by the Public Works Department;

(b) if so, the additional cost involved therein; and

(c) whether it is proposed to leave this work entirely in the hands of the Public Works Department of that State?

THE HON. SRI N. RANGA REDDI :—“(a) No, Sir.

“(b) & (c) Do not arise.”

Enforcing the Electricity Supply Act of 1948 (Central Act LIV of 1948) in the Madras State.

4-10 p.m. * 240 Q.—SRI V. GURUNANDAN ROW: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Electricity Supply Act of 1948 (Central Act LIV of 1948) has been brought into force in Madras State;

(b) if not, whether notifications have been issued by the Central Government extending the time for bringing the provisions of the Act into force in Madras State;

(c) if so, whether the Government will be pleased to place on the table of the House copies of such notifications;

(d) whether such extensions of time were granted by the Central Government at the request of the Madras Government; and

(e) the reason why the Government have not brought into force in Madras State the provisions of the Electricity Supply Act, 1948?

THE HON. SRI N. RANGA REDDI :—“(a) to (e) Attention is invited to the paper* placed on the table of the House.”

SRI V. GURUNANDAN ROW :—“Is it not a fact that if the Electricity Boards are constituted the revenues derived by the State on account of the functioning of the various electricity systems cannot go into the general revenues but should form a separate item for the Electricity Board itself?”

THE HON. SRI N. RANGA REDDI :—“I want notice of that question, Sir.”

SRI T. PURUSHOTHAMA MUDALIAR :—“May I know, Sir, whether the Government have decided not to appoint an Electricity Board for this State?”

THE HON. SRI N. RANGA REDDI :—“The Government of Madras is opposed to the idea of the constitution of an Electricity Board. Even before the Electricity Supply Act

[27th July 1953]

was passed by the Centre the Government of Madras represented to the Centre that it is not necessary and in spite of the views having been communicated, the Act has been passed. After that the Government have represented to the Union Government that they are not in favour of the constitution of the Board and have been asking for time and representing that the Electricity Board need not be constituted for the State.”

Investigation by the Special Irrigation Subdivision, Kavali, Nellore district.

* 241 Q.—SRI S. RAMAKRISHNAIAH: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Special Irrigation Subdivision, Kavali, Nellore district, started any investigation about two years back to construct anicuts and reservoirs across Doranapu Vagu, Darsi taluk near Botlapalam, Tallur and across Chilakaleru near Mandlamur, Darsi taluk;

(b) if so, the present stage of the investigation; and

(c) when the investigation is likely to be completed?

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

“(b) & (c) Investigation of the first scheme has been completed. The question of taking up the detailed investigation of the second scheme is under consideration.”

Acquisition of land for Agriculture Course in the Hindu High School, Ambur.

* 242 Q.—DR. C. NATHAMUNI NAIDU: Will the Hon. the Minister for Education be pleased to state—

(a) when the proposal for acquisition of land for Agriculture course introduced in the Hindu High School, Ambur, was made and notified in the Gazette, under section 4 (1) of the Land Acquisition Act of 1894 as amended in 1949; and

(b) whether the School authorities applied to the Government for taking over the land under emergency clause 17 (2) (b) (i) of the Land Acquisition Act of 1894 as amended in 1949; if so, why the completion of the acquisition proceedings has been delayed?

THE HON. DR. M. V. KRISHNA RAO :—“(a) The proposal for the acquisition of the land for Agricultural course introduced in the Hindu High School, Ambur, under section 4 (1) of the Land Acquisition Act was made and notified in Part I-B of the Fort St. George Gazette, dated 7th August 1951.

“(b) The Correspondent of the school did not originally request for action under the emergency clause. Subsequently he applied for invoking it. While enquiring into this, it was found that an area smaller in extent than the

[27th July 1953]

lands originally proposed to be acquired would serve the purpose. But the Collector did not recommend the application of the emergency clause in respect of the reduced extent as the original notification under section 4 (1) had by then been approved and issued by the Government. The draft declaration under section 6 of the Act has also since been approved."

DR. C. NATHAMUNI NAIDU :—" May I know whether the Government would issue instructions to the Collector to hand over possession of the land in question to the school authorities under clause 17 (2) (b) (i) of the Land Acquisition Act of 1894, as amended in 1949? "

THE HON. DR. M. V. KRISHNA RAO :—" A draft declaration in respect of the reduced extent of land has been received and approved by the Government. After the declaration and publication in the *Fort St. George Gazette*, the Collector will take steps to have the award passed and order will also issue alienating the land on the terms already agreed upon."

Revision of scales of pay of headmasters in aided secondary schools.

* 243 Q.—SRI S. RAMAKRISHNAIAH : Will the Hon. the Minister for Education be pleased to state—

(a) whether any special Government Order was issued in 1951 regarding the classification of grades of headmasters in aided secondary schools and if so, whether the Government will be pleased to place on the table of the House a copy of the same;

(b) whether any distinction has been made between the grades of headmasters of aided institutions and others who have got equal duties to perform and same responsibilities to shoulder; and

(c) how many headmasters of the aided secondary schools in the State are enjoying the scales of pay according to the above Government Order and particularly in the City of Madras?

THE HON. DR. M. V. KRISHNA RAO :—" (a) Yes. A copy * of the orders is laid on the table of the House.

" (b) There are different scales of pay for headmasters in schools under the management of local bodies and Government.

" (c) Out of 630 aided secondary schools in the State, headmasters of 186 schools enjoy the scales of pay prescribed in the above Government Order."

27th July 1953]

SRI S. RAMAKRISHNAIAH :—" In the Government Order laid on the table of the House, it is stated that in the circumstances stated the Government have approved of the proposals of the Director of Public Instruction. May I know what those circumstances are? "

THE HON. DR. M. V. KRISHNA RAO :—" First the scale recommended was fixed according to the number of pupils in the school. But it was found more desirable to fix it on the basis of the number of sections in the schools. Accordingly the new Government Order was issued."

SRI G. KRISHNAMURTHI :—" May I know, Sir, whether the scales apply to headmasters of district board schools also? "

THE HON. DR. M. V. KRISHNA RAO :—" This question is in respect of aided secondary schools."

SRI S. RAMAKRISHNAIAH :—" May I know if the Government Order has been passed to benefit only a few individuals? "

THE HON. DR. M. V. KRISHNA RAO :—" Not at all, Sir."

Re-employment of a retired Deputy Director of Public Instruction.

* 244 Q.—SRI ALEXANDER GNANAMUTTU : Will the Hon. the Minister for Education be pleased to state—

(a) whether any Deputy Director of Public Instruction, who retired in 1952, has been re-employed;

(b) if so, the special reasons for the re-employment of the officer;

(c) whether the Government have considered the question of abolishing the intermediary posts of Divisional Inspectors of Schools as a measure of retrenchment and if so, what decisions have been reached; and

(d) whether any headmasters have been sent to Simla for special training; and if so, their names?

THE HON. DR. M. V. KRISHNA RAO :—" (a) Yes.

" (b) In the interests of public service.

" (c) Yes. The Government have considered the question and have come to the conclusion that there is need for the retention of the posts of Divisional Inspectors of Schools in the existing set up at any rate till the partition of the State.

" (d) Sri M. R. Perumal Mudaliar, Adult Education Officer, Office of the Director of Public Instruction, Madras, and Sri N. Venugopal Naidu, District Educational Officer, Krishna West, Vijayavada, were deputed by this Government to attend the All-India Summer Camp for Headmasters held at the Youth Hostel, Tara Devi, near Simla, from 17th May to 27th June 1953."

[27th July 1953]

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know for what period the re-employment has been sanctioned and when the re-employment would expire? "

THE HON. DR. M. V. KRISHNA RAO :—" It will expire in November 1953."

SRI T. PURUSHOTHAMA MUDALIAR :—" Might I know what is the policy of Government with regard to the re-employment of retired officials and if, as I believe, the Government are committed to the plan of re-employment of technical officers only, may I know why an administrative officer has been re-employed in this case? "

THE HON. DR. M. V. KRISHNA RAO :—" Re-employment is resorted to in every case in the interests of public service and administrative experience is also considered equal to technical service in appropriate cases."

SRI T. PURUSHOTHAMA MUDALIAR :—" In view of the Residuary State having a large number of surplus officers, may I appeal to the Hon. the Chief Minister to see that all officers who are now under terms of re-employment are given termination orders with effect from the 1st October 1953 so that we may not have the problem of surplus officers in the Residuary State? "

THE HON. DR. M. V. KRISHNA RAO :—" The appeal has been made to the Chief Minister. It is with reference to the Residuary State which is yet to come into existence. Regarding that question, I should think that it is not desirable to terminate the services of persons after having given them a sort of understanding or contract."

Grant of loan to agriculturists for the purchase of manure.

* 245 Q.—**SRI T. PURUSHOTHAMA MUDALIAR :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) the amount of loan granted to agriculturists for purchase of manure in each case;

(b) whether the amount is paid in cash or whether manure is supplied to the agriculturists for the amount;

(c) what kinds of manure are supplied to agriculturists on the above account; and

(d) whether the Government sanction remission of the loan for manure supply in cases of complete shavi of the crops?

THE HON. DR. R. NAGAN GOUDA :—" (a) Interest-free loans are granted to ryots by the Agricultural department for the purchase of manures up to 15 times the list paid or up to a maximum limit of Rs. 120 per individual. Under what is

[27th July 1953]

known as the Intensive Manuring Scheme, special loans bearing interest are also granted by the Agricultural Department for the purchase of chemical fertilizers for application to paddy crop, at the rate of Rs. 35 per acre up to a maximum limit of Rs. 500 per individual.

" (b) As far as possible, the interest-free loans as mentioned above for the purchase of manures are granted only in kind. Cash, if any left over, after meeting the value of the manure supplied is paid to the loanee. Under the special scheme of loans for intensive manuring, only chemical fertilizers are supplied to agriculturists for the entire loan amount granted and no cash payment is made.

" (c) Ammonium sulphate and super-phosphate are supplied to the loanees.

" (d) Remission of advances made for the purchase of manures is permissible and is governed by the rules in the Madras Land Improvement and Agriculturists Loans (General) Rules, 1933."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know, Sir, with reference to answer to clause (c) whether Indian fertilizers are stocked and supplied to the ryots or whether it is foreign-made stuff and may I know also what arrangements are made by the Government for stocking the manure required for supply to the ryots? "

THE HON. DR. R. NAGAN GOUDA :—" So far as ammonium sulphate is concerned, it is produced in enough quantities and the supply will be enough not only for Madras but for the whole country and so, there is no question of foreign fertilizers being imported into this country. As a matter of fact, we will be able to produce so much that a good quantity can be exported; we have on stock a good quantity in this State and we have enough stocks not only in district and taluk headquarters but in important panchayat headquarters also."

SRI T. PURUSHOTHAMA MUDALIAR :—" Sir, with reference to answer to clause (d), is it not hard on the ryot to insist on recovery of the loan when the crop completely fails and is it not a reflection on the quality of the manure if it is absolutely ineffective? "

THE HON. DR. R. NAGAN GOUDA :—" Sir, these two fertilizers cannot be called ineffective. They are very effective. Where there is drought and no water is applied to the crop then it fails. But the fertilizers cannot be called ineffective. So far as remission is concerned, I have already said that remission is permissible and is governed by the rules under the Madras Land Improvements and Agriculturists Loans Act about which the hon. Member is very well aware."

402

QUESTIONS AND ANSWERS

(27th July 1953)

Conversion of the Local Fund shed at Ambur into a travellers' bungalow.

* 246 Q.—DR. C. NATHAMUNI NAIDU : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether there is any proposal to remodel the present Local Fund shed at Ambur into a 'travellers' bungalow;

(b) whether the Government have sanctioned any loan during the year 1952-53 for the construction of the travellers' bungalow; if so, the amount of loan; and

(c) whether in his reply to the memorandum presented by the Ambur Municipality during his recent visit to Ambur directed the Chairman not to waste the said amount in remodelling the existing Local Fund shed which was good?

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

“(b) Yes. A loan of Rs. 20,000 has been sanctioned.

“(c) An advice was given to look to more urgent needs first.”

DR. C. NATHAMUNI NAIDU :—“May I know, Sir, whether it is not a waste of Rs. 20,000 to remodel the shed when it is in good condition now?”

THE HON. SRI N. SANKARA REDDI :—“The loan of Rs. 50,000 was applied for not only to improve the travellers' bungalow but also for some other things.”

DR. C. NATHAMUNI NAIDU :—“May I know, Sir, whether Government will issue instructions to the municipality not to waste any money over the improvement of the present Local Fund shed which is very good?”

THE HON. SRI N. SANKARA REDDI :—“I think the municipality thinks that this work is urgent and it has taken it up. Many other things also seem to be important such as the improvement of roads, etc. I think it is left to the municipality to surrender the loan if it is not going to improve the shed.”

Fixation of land revenue for the grain rent areas.

* 247 Q.—SRI T. PURUSHOTHAMA MUDALIAR : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the policy adopted by the Government with regard to the fixation of land revenue for the grain rent areas in the estates taken over by the Government under the Madras Estates Abolition Act, 1948; and

(b) whether the ryots in such grain rent areas requested the Government for the fixation of land revenue payable by them on the basis of the adjacent ryotwari rates and whether any reduction of rent has been ordered; and if so, whether the Government will

27th July 1953]

be pleased to lay on the table of the House a statement showing the progress made in the matter of ryotwari settlement of the areas referred to above?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) and first part of (b) Section 23 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 deals with the determination of land revenue in the estates taken over under that Act. On representations made to the Government that the determination of land revenue under this section causes hardship so far as the estates taken over in which rent was payable wholly in kind or partly in kind and partly in cash, are concerned, the Government have ordered that in these estates the land revenue payable for any land under this section shall, where it exceeds the assessment at the highest ryotwari rate of the taluk in which the estates are situated for the same class of land, be limited to the assessment at that rate.

“Latter part of (b) The ryotwari settlement of the estates taken over is in progress in Visakhapatnam, Krishna, Nellore, Chittoor, Chingleput and Ramanathapuram districts, both in estates in which rent was payable in kind and those in which it was payable in cash. The Government have no further information.”

SRI T. PURUSHOTHAMA MUDALIAR :—“Is it not the primary object of the Rent Reduction Act to reduce the rents in such cases to the level of the ryotwari assessments in the neighbourhood and is it fair that a discrimination should be made between cash rent area and grain rent area?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“The position is this, Sir. Pending survey and settlement we have adopted a sort of rough and ready method for collecting the rate under the Act. First it was fixed at the highest rate in the district. It worked some hardship on the ryots. So we have now reduced it to the highest rate in the taluk. That has given a lot of consolation to the ryots.”

SRI T. PURUSHOTHAMA MUDALIAR :—“Are the Government aware, Sir, that there is still great disparity in the matter of assessment of these areas and adjoining lands fed by the same Issa tank and between ryotwari and grain rent areas and that the recent orders of the Government stating that the rate should be the highest rate in the taluk does not reduce the inequality referred to?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“There may be some disparity, Sir. But the hon. Member should remember that when they were paying in kind they were losing but after the rent was converted into cash the ryots gained a lot.”

[27th July 1953]

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know, Sir, whether the Government will take steps to amend the Act suitably so that the assessment may be the same as ryotwari assessment in the neighbourhood? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" For that we have to wait for the completion of the survey and settlement."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know, Sir, at what stage the work relating to survey and settlement stands? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" The survey and settlement operations have been put on a war basis and are proceeding."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I appeal to the Hon. Minister to at least see that very hard cases are treated as special cases and favourably considered by Government? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" We cannot show any partiality, Sir."

SRI T. PURUSHOTHAMA MUDALIAR :—" I never meant partiality, Sir. There might be hard cases and only in such cases I appealed to the Hon. Minister to avoid discrimination and to see that the same rate of assessment is levied on lands situated just adjacent to each other and fed by the same Issa tank."

THE HON. SRI M. A. MANICKAVELU NAICKER :—" That cannot be done under the present law. There will always be some hardship to some when there is a change-over as a change-over is taking place just now."

Famine condition in certain villages in Tiruchirappalli district.

* 248 Q.—**SRI M. K. M. ABDUL SALAM :** Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether acute famine condition is prevailing in the villages of Mylappatti and Chintamanipatti in Panjapatti firka in Tiruchirappalli district; and

(b) if so, the steps taken by the Government to give relief to the people affected?

THE HON. SRI M. A. MANICKAVELU NAICKER :—

" (a) No. The Collector has reported that there are absolutely no symptoms of distress conditions in the villages referred to.

" (b) Does not arise."

27th July 1953]

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

II.—RESIGNATION OF A MEMBER—SRI N. P. CHENGALROYA NAIDU.

MR. CHAIRMAN :—" I have to inform the House that under the provisions of clause 3 (b) of Article 190 of the Constitution of India, Sri N. P. Chengalroya Naidu has tendered his resignation of the office of Member of the Madras Legislative Council with effect from the 25th July 1953 and his resignation has been accepted."

III.—ALLOTMENT OF THE MAIN OPPOSITION BLOCK TO THE NEW OPPOSITION PARTY.

* **SRI S. B. ADITYAN :—**" Sir, I find that an event of some importance to the House has taken place and a new Party has been formed. There can be no objection whatever to the formation of the new party by hon. Members of this House. But the point which I wish to raise and get clarification on is whether this party is an Opposition party, what are the principles of the party and what is its object. In order to deserve the name of Opposition party, it should answer two tests. Is this party really opposing the Government? What are the policies of this party? Will this party support a motion of no confidence against the Government? This is the first test. And the second is, is this party in a position to provide an alternative Government when the time comes? No party can be an Opposition party unless it satisfies these two tests. There is no objection to the new party being formed for even a tea party is a party. (Interruption.) The question is, is this really an Opposition party."

SRI T. PURUSHOTHAMA MUDALIAR :—" Can the Opposition party be called a tea party? Does it not offend the dignity of the House? "

* **SRI S. B. ADITYAN :—**" Sir, it does not affect the dignity of the House. I am pointing out to the House, whatever may be the objectives of the new party, even if it is to provide a tea party, it can be a party, but unless it is a real Opposition party, the Members of the party ought to be allotted seats with the Government."

SRI T. PURUSHOTHAMA MUDALIAR :—" Sir, I would like to raise a point of order. The hon. Member Sri Adityan described the party as a tea party. Is it in conformity with the dignity of this House, Sir? "

SRI MOHAMMAD RAZA KHAN :—" Should we not allow some latitude to the hon. Member Sri Adityan in these matters and not raise points of order? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, some degree of latitude is to be given to persons who are habitually inclined to talk in that manner."

[27th July 1953]

SRI S. B. ADITYAN :—" I do not ask for latitude. I want clarification about the policy of the new Opposition party."

MR. CHAIRMAN :—" Everything is properly laid down in the Act, called the ' Ministers of the Crown Act, 1937'. I have accepted this party as the Opposition party and its leader as the Leader of the Opposition. That is final and conclusive. Therefore there should be no more questions on that."

4-30
p.m.

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Mr. Chairman, Sir, I am grateful to you for giving me this opportunity to make a statement. You may remember, Sir, that long before doubts and difficulties arose in the minds of such eminent legislators like Mr. Adityan, I had requested you, on Saturday evening, to give me an opportunity to make a statement as soon as Questions and Answers are over. My object was to clarify some of the points raised by Mr. Adityan and if he had kept his soul in patience as he ought to have done and not have shown exhibition of temper which he generally shows outside the Legislature and even in this Council, he would have felt himself more satisfied than he had at that time. However, having known my hon. Friend Mr. Adityan all these years, having sat in the same Council where he was a Member, once the Chief Whip of the Congress Party, then in the Opposition and now finally in a very different Party, I can assure you that this Party, if it is to be a party, does not propose to follow in his footsteps in any manner whatsoever in its legislative programme. I give that assurance unequivocally because this Party is committed to a very different method of activity and action than the Party to which he apparently belongs at present and which, I do not know, when he will leave for a different party or any other party. (Hear hear.)

" Sir, when you announced, on Saturday, the formation of this Party, it must have come as a little surprise to the Members of this House and probably also the public. I am, therefore, here to explain the circumstances under which this Party was formed. Sir, it was a voluntary and rather sudden move on the part of several Members. On Friday evening, they felt that the more effective contribution that they can make to the discussions in this House, would be, if they have an opportunity to talk to each other, to follow each other's views more closely and to give more considerate opinions on the floor of this House, whenever an opportunity occurs. It is in pursuance of this voluntary wish that was expressed by several Members that we held an informal meeting and requested those who had given that expression to meet on Saturday at 3 o'clock. It was a revelation to me that, within a few minutes, such perfect accord was reached that we were in a position to send, through the Chief Whip of this Party, a request, that you may allot us a block. Let me assure my hon. Friend that we do not want a Front Opposition block but, under the rules of procedure and in the light of what has been laid down, it was incumbent upon you, seeing that we are the largest party

[27th July 1953] [Dr. A. Lakshmanaswami Mudaliyar]

in opposition to the Government, to give us this particular block. I am, at any time, more than willing to yield my place to Mr. Adityan or any of his followers if they can, according to legislative sanction, occupy these seats."

* SRI S. B. ADITYAN :—" On a point of personal expiation, Sir. There is no personality involved. I have high respect for the hon. Member, Dr. Lakshmanaswami Mudaliyar. Therefore, it is not with any personal motive that I raised the matter. Personally I will not be a loser as I already know that in any case I am not going to continue as Member of the Second Chamber in the Residuary Madras State. It is only a question of policies and principles."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" I am thankful for that statement but if my hon. Friend, as I said, had held his soul in patience for a little longer, he would perhaps have realized what our viewpoint was.

" Sir, as I said, we are not anxious to be called an Opposition Party to the Government. We want to sit as a Group on the Opposition Benches because we feel that we can more effectively contribute to the welfare of the people and to the general good government of the country by occupying these seats. We are running a democratic form of Government and, in a democratic Assembly, there are two important elements that have to be taken into consideration. One is, of course, the Treasury Bench which acts on behalf of the Government. The other equally important element is the Opposition; and no truly democratic Assembly can function if there is no effective and efficient opposition to discharge those duties that an Opposition party only can discharge with the best will in the world and under the best Government. If there is no vigilant Opposition, it would certainly lead to a great deal of slackening of the efforts to promote democracy, and all students of democracy will uphold that position.

" Now, so far as this particular group is concerned, I should like to make another statement. If Mr. Adityan had known exactly the responsibilities of the Council, he would not have given expression to the idea, ' will these people in the Opposition consent to a No-Confidence Motion against the Government '. Let me assure him that the place, where the Government can be defeated and where the Treasury Benches can be occupied by the Opposition, is the Assembly and not the Council. No question of defeat of the Government comes here. We may vote against them. We may defeat them. Whether they will continue in office or not, depends not on the vote of this House but on the vote of the Assembly and we, therefore, feel that we are in a much better position. We will give expression to our views very strongly to the Government wherever necessary and where it is possible, we will also support any just measure. We are not going to oppose a measure simply because the Government are bringing it. We shall examine every

408

ALLOTMENT OF THE MAIN OPPOSITION BLOCK
TO THE NEW OPPOSITION PARTY

[Dr. A. Lakshmanaswami Mudaliyar] [27th July 1953]

single measure on its merit without fear or favour. We shall place our views fairly and clearly before this House and before the general public. That is our object and that is our intention. We are convinced that in the discharge of these duties, we shall also take note of the responsibilities that devolve upon us. We shall support to the fullest extent possible all those freedoms that have been granted to us in the Constitution. We shall certainly respect life, liberty and property. We shall not join any other group whether it is in the opposition or whether it is on the Treasury Benches, that seeks to take away property from another without that just compensation that is laid down in the Constitution and I can assure all Members of this House that we shall not consent to any expropriatory legislation being passed by this House. We shall fight it tooth and nail and to the utmost of our possible power.

" Sir, it is not necessary nor is it the proper time to say, what we are going to do. The proper time to assess our work is when the Session is coming to an end. My hon. Friend Mr. Nathamuni Naidu asked, what is the name of the Party. What does it matter? What is there in the name of the Party? A rose will smell sweet by whatever name you may call it. We are not anxious for a Party name although we may perhaps adopt a name. The reason is obvious. We do not belong to any political party outside and we are a group in this House. We have no affiliation with such parties. We have no affiliation with any party at present in the Legislature and to that extent, therefore, we are entirely free to decide our future, our fate and our method of action. (Sri T. G. Krishnamurthi: "You must call the Party by a name.") You may call it the first Opposition Party of the Council. (Laughter.) Anybody may suggest any other name and there is no reason why we may not adopt it. As I said, it is not the name of the Party that is so important as its functions. However, some of our Members are busy trying to find out, what is the name they can attach to this Party and we shall be very happy to receive a suggestion from the Hon. Chief Minister in that behalf. But that is a matter that may perhaps be known to the Members when we meet in October.

" Sir, our main object is to see that the dignity of the House, its usefulness and its proper functioning are ensured. We shall do our very best to support every measure calculated to improve the dignity of the House. We are convinced that the Council has a future—unlike my hon. Friend—and therefore, we feel that the Council has a definite place in a democratic assembly. The criticisms that we may offer to the Government will be criticisms directed, as I said, to enhance the prestige and reputation of this Council. We shall not be wanting in any respect to show our utmost respect to the Council but, at the same time, we shall not hesitate to say, in what respect the dignity of the House shall be maintained.

27th July 1953] [Dr. A. Lakshmanaswami Mudaliyar]

" Sir, you have presided over this House with such distinction and, let me assure you on behalf of the group that is sitting here that we shall do everything possible to support you in your laudable effort to maintain the dignity, the prestige and the orderliness of this House. We are all grateful to you for what you have done. I have known you, Sir, for nearly thirty years and I am quite confident that in your hands our fortunes are safe, that you will conduct yourself with the great impartiality which is attached to your Chair, that your benignant eyes will fall on both sides, and whether one is sitting on the Treasury Bench or on the Opposition Bench, you will treat us all alike. Perhaps, I may have a sneaking idea that you will treat a poor Opposition with greater consideration than what you will show to a proper front bench Opposition. Anyway, we do not want to ask any favour and all that I ask of you Sir, is to give us the opportunity to serve the best interests of our Party and to the best of our ability and judgment the cause of the Constitution and the Legislature and also of the country and people at large.

" One word more, Sir, and that is personal, if you do not mind. It is with considerable hesitation and great diffidence that I have accepted this great and onerous responsibility to which I am not accustomed. I was a free lance for five or six years and I enjoyed that position very much. As the Chief Minister said I am tying myself down a little bit, but it is inevitable and when the further argument was put forward that I happen to be somehow or other the oldest member in the Council on the Opposition benches, it seemed as if I could not get away from this responsibility. But, in taking this responsibility, I hope and pray that what has been my record in the past will be taken note of and, whether it be friends like Sri S. B. Adityan or the friends sitting in front of me, they will take it that I shall not be, in any way, hesitant in the remarks that I may have to make and in the manner in which I wish to make them and that, under all circumstances, responsive co-operation where it is possible will be extended but the searchlight of the Opposition's criticism will not be wanting on every legislation and on every act of the Government and we pray that Divine Grace will be given us to conduct ourselves as befits an Opposition."

DR. V. K. JOHN :—" Mr. Chairman, may I add only one word more that we shall be an effective Opposition to the Government and, at the same time, an effective Opposition to the Communist Party, and therefore it is that my friend, Sri S. B. Adityan, is very nervous."

SRI S. B. ADITYAN :—" In that case, may I suggest, Sir, that they had better join the Government Benches! "

[27th July 1953]

* THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Chairman, Sir, it gives me very great pleasure to tender my expression of appreciation, first of the constitution of an Opposition of this nature—of this stable nature—and secondly of the words that fell from the Leader of the Opposition Group. It is unnecessary for me to try and expatiate on what is well known. Dr. A. Lakshmanaswami Mudaliar will be a tower of strength to any administration, to any Opposition, to any Council, to any Legislature, to any university and to any organization doing public service in any form and I am greatly satisfied therefore that we have now a powerful link for co-operation not only when possible, but, I would say, except when impossible, a just Opposition and the help of a searchlight, as has been so aptly put by Dr. A. Lakshmanaswami Mudaliyar, to see ourselves as others see us and as others must necessarily see us. If we go wrong, Dr. A. Lakshmanaswami Mudaliar and his powerful group will help with their wisdom, with their experience and with their objective outlook and, I am sure, the business of the Council hereafter will even be better than what it has been.

" I am not very angry with the peculiarities of Sri S. B. Adityan but I must say at once that there must be something to amuse us also now and then. It is necessary to tolerate even extreme opposites sometimes so that we may learn even by the manner in which men like Sri Adityan may sometimes behave. Indeed, if I may say so, and if Dr. A. Lakshmanaswami Mudaliar will forgive me, I am a little sorry that I do not have Sri Adityan immediately in front of me so that I may rise to the occasion whenever it became necessary. I am a little handicapped that that pungent oppositionist has gone a little away from here."

" But, coming back to seriousness, I do think that this Council will be all the better for the formation of this group and they deserve the congratulations and the good wishes of everyone in this House including Sri Adityan. Sri Adityan may have sometimes opposed in a manner in which it is not generally done from the Front Opposition Bench in other Houses and he will be freer to follow his Dharma now. For instance, he can get up, bundle up his papers and walk away, a thing which is not done generally by the front Opposition Benches. He will be freer hereafter and to this extent Dr. Lakshmanaswami Mudaliar, as he said already in acceptance of my remarks, is a little less free than he had been hitherto. If he had been away from any formal Opposition Bench, I could have got from him a little more co-operation than, perhaps, I may be able to get now because he has got, so to say, into an organized Opposition Group. But, he is so eminent that that will not make any difference and, in fact, when I pass my eyes one after another at the Opposition Group, each one of them is fit

[27th July 1953] [Sri C. Rajagopalachari]

to be a leader and each one of them is fit to guide and help the Government. There is no question about it. This is just the peculiarity of an Upper Chamber, as it is called, or the Council where every one is a person of experience, of wisdom, is straight and considerate of all points of view and that is the peculiarity of the so-called Hereditary Chamber in England also. Although the hereditary character of it has been the target of some attack, yet, in practice the House of Lords has often proved itself to be a very important Chamber where the best debate is held and where the best counsel is to be had because most of the hereditary persons who are entitled to sit but are not competent are generally absent and it is only those who are experienced and who take interest in all affairs that come. Therefore, very often the debate in the House of Lords has often proved to be much more helpful to British statesmen who are in charge of the affairs of the country than even a hot debate in the House of Commons. I think, therefore, that this Council is lucky in getting such an eminent body of men who sit in the front Opposition Bench and, may they never yield place to any other group!"

MR. CHAIRMAN :—" I have also to say a few words to the new party. I am very happy to see that you have formed a new party, particularly so because you have some of our most eminent men in your group. With Dr. A. Lakshmanaswami Mudaliyar as your leader, your success is assured. You have in Dr. V. K. John an experienced parliamentarian and a helpful critic. Mr. Raza Khan has already made his mark in another place and he will, I am sure, be an efficient whip. In Great Britain, the Presiding Officer decides which is the party in Opposition and who is the leader of such a party. His decision is final and conclusive and we follow the same procedure in this respect. I accept you as the Party in Opposition and you Dr. A. Lakshmanaswami Mudaliyar, as its leader. In the House of Commons, statutory recognition has been accorded to the Opposition by the grant of a salary of £2,000 a year to the Leader of the Opposition. I am sorry that it does not prevail here. You will now be known as the official Opposition and I am confident you will contribute expert knowledge to this House. I would point out here that in all its criticisms of the Government the Opposition has the electorate and the next election in mind and it is trying to influence Government policy through public opinion. You will be given all facilities to function as an efficient Opposition. According to Erskine May, 'no better system than the Opposition' has yet been devised for ensuring that the indispensable function of criticism shall be efficiently co-ordinated and exercised in a constructive and responsible spirit. I am looking forward to a period of great usefulness from the Opposition in the interest of the welfare of our State. It is fortunate you are born in the month of July because it is a very good month to be born in. I wish you a very long period of useful and effective service to our State and this House."

[27th July 1953]

IV.—GOVERNMENT BILL.

THE ANDHRA STATE BILL, 1953—cont.

Clause 51.

4-50
p.m.

* DR. V. K. JOHN :—“ Mr. Chairman, Sir, I beg to move—

“ 51. This House recommends that this clause should be so recast that the Government should not be given the power to adapt laws as provided in clause 51 but the power to adapt laws should be vested in the Legislature and clause 51 should be amended accordingly.”

Sir, if hon. Members look into clause 51, they will find that it is a most extraordinary provision which is sought to be introduced in this Bill. It provides for the abdication of the functions of the Legislature and invests the Executive with extraordinary powers. It reads as follows :—

“ Power to adapt laws.—For the purpose of facilitating the adaptation in relation to the State of Andhra, Madras or Mysore of any law made before the appointed day, the appropriate Government may, before the first day of April, 1954, by order make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.”

I want to draw the attention of hon. Members to the words ‘before the 1st day of April 1954’ contained in the provision. Until that day so far away from now, although the Legislature may meet, ‘the appropriate Government’ are given powers, by virtue of which, they may by order make such adaptations and modifications of the law, whether by way of repeal or amendment. The result is that every such law shall have effect, subject to the adaptations and modifications so made until altered, repealed or amended by a competent legislature or other competent authority. I think this amounts to vesting arbitrary powers in the Executive. Powers to repeal or amend laws should be vested in the Legislature only.

“ I wish to draw the attention of hon. Members to clause 63 which reads as follows :—

“ The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.”

So, Sir, any adaptation or any modification made by the Executive will be binding on everybody till the first day of April 1954. Such an extraordinary power is given to the Executive in these provisions.

“ It may be said that powers are given only to adapt laws. But the wording in the provision is quite clear. The appropriate Government can adapt laws by modification and by repeal. I quite concede that a law made by the Madras Legislature before separation cannot be modified by the Legislature of the Andhra State or by the Legislature of the Mysore State unless such a power is conferred on the Andhra State and the Mysore State because they will be modifying a law which they have not passed. But

27th July 1953]

[Dr. V. K. John]

I wish that such a power to adapt laws must be vested, not in the Executive Government but in the Legislature. This House and the other House will be meeting from October many times, and why should not the Government put before the Legislature any provision of any Act of the Legislature requiring amendment or repeal. I cannot understand why such an extraordinary power is vested in the Executive.

“ The other day, the Hon. the Chief Minister, when we took objection to passing the Budget by the Executive, withdrew the Government amendment. I hope, Sir, this time also the Government will accept my amendment. My amendment seeks to vest the power to adapt laws by way of repeal or amendment in the Legislature and not in the Executive Government.”

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

* SRI B. V. SUBRAHMANYAM :—“ Mr. Chairman, Sir, the arguments of Dr. V. K. John are certainly very powerful and very attractive. But what struck me while reading this clause was that possibly the authors of this clause had in mind the peculiar conditions that must arise in the Andhra State to come into existence. It may be possible that in the period up to the first day of April 1954, there may not be a Legislature sitting or a Government functioning in such a manner that the Legislature can pass these adaptation laws, in the way that Dr. John recognises, and as most of us would normally like things to happen. What is to happen if, because of the difficulties of the formation of a Ministry, Governor's rule in Andhra becomes inevitable. We would require that, during the period in which no Ministry functions and no Legislature meets to pass laws, there must be some adaptation done by a body to which powers are given; and that body, as stated in the clause is, ‘the appropriate Government’ of that State. Having all these considerations in view, and knowing as we do in the Residuary State that there will not be any such necessity here requiring an adaptation of laws that will not come into discussion by the Legislature, I think, Sir, that, at least with respect to the Andhra State, there must be this provision, in order to make it possible for laws to prevail, for laws to be adapted and for laws to have their usual significance.”

* SRI N. SATYANARAYANA :—“ Sir, I consider that clause 51 is essential and necessary. If the Legislature does not meet they will be in a difficult situation unless this clause is passed. For example let them take the position of land mortgage banks. Immediately on the formation of the new State, on the 1st October 1953, the Government must guarantee the debentures issued by the land mortgage bank. If the debentures are not so guaranteed and if the Legislature also does not meet, how are the land mortgage banks to function? This is a very important provision in the Bill. The Madras land mortgage banks issued debentures to the value of seven crores. Shortly we may require the guarantee to be

[Sri N. Satyanarayana] [27th July 1953]

increased to eight crores. If the Legislature does not meet immediately, the Government will not be in a position to do so. Therefore I want, Sir, that this clause 51 must remain in the Bill and must not be deleted."

5 p.m. * SRI K. BALASUBRAMANYA AYYAR:—"The same question arose under the Constitution when we had to adapt laws when new States were formed. The names of the States were different. At that time they gave power to the President to make such adaptations until the new States were formed and the Adaptation of Laws Order of 1950 has been passed for that particular and specific purpose. On the same analogy, this might be dealt with because it will facilitate matters."

* THE HON. SRI C. SUBRAMANIAM:—"Mr. Chairman, Sir, the objection of Dr. John seems to be with reference to the words 'whether by way of repeal or amendment, as may be necessary or expedient' but the purpose is only for facilitating the application of any law to the State of Andhra and it is only for that purpose that whatever adaptation is necessary should be done. Adaptation has got a juristic meaning and they cannot go beyond it and there has been an interpretation by the Supreme Court also with reference to the scope of adaptation and it does not mean that any amendment of the law can be made under the guise of adaptation. For example when in the Act, it is stated that the law shall apply to the whole of Madras, in the adaptation it will be stated that it will apply to the whole of Andhra State and so also with reference to other things because of the very fact of partition certain amendments may have to be made. We know what are the powers of adaptation and we need not bother about it. Without adaptations, it will be difficult to interpret and apply the laws. An expert body will go into the whole thing and adapt laws and there need be no fear that it will be used for changing the laws. I, therefore, request Dr. John to withdraw his amendment."

DR. V. K. JOHN:—"Under clause 52, power is given to the courts to construe the laws and they will construe the laws."

THE HON. SRI C. SUBRAMANIAM:—"I must point out to the hon. Member that there is no point in his amendment because they cannot merely make amendments under the guise of making adaptations."

The amendment of Dr. V. K. John (No. 53) was, by leave, withdrawn.

Clause 51 was put and carried.

Clauses 52, 53 and 54 were put and carried.

Clause 55.

SRI K. BALASUBRAMANYA AYYAR:—"Sri Bhashyam's point was that if there is no counterpart there may be some difficulty and that is why he has suggested that if there is no such

27th July 1953] [Sri K. Balasubramanya Ayyar]

corresponding court, tribunal, authority or officer, the court of the highest original civil jurisdiction of the district shall be deemed to be the corresponding court."

Clause 55 was put and carried.

PART VII.

Clause 56.

Clause 56 was put and carried.

Clause 57.

Clause 57 was put and carried.

New Clause after Clause 57.

* SRI S. RAMAKRISHNAIAH:—"Mr. Chairman, Sir, I move the following amendment:—

'107. This House is of the opinion that a new clause be added after clause 57 to the effect that the University Acts of Madras and Andhra be so amended as to enable the educational institutions of Andhra area which were affiliated to Madras University, to get affiliated to the Andhra University from the appointed day.'

This is a very modest request, Sir, and its intention is that the institutions within the Andhra territory should be affiliated to the Andhra University."

The amendment was duly seconded.

* THE HON. SRI C. SUBRAMANIAM:—"Mr. Chairman, Sir, I wish to raise a point of order in this connexion. This is not incidental or consequential to the partition and this is a matter which has to be dealt with by the Madras Legislature. It is not as if an institution situated in another State cannot get itself affiliated to the Madras University or *vice versa*. Hon. Members will be aware that the medical college at Udipi got itself affiliated to the Karnataka University. I am afraid this is out of order."

MR. CHAIRMAN:—"The amendment is ruled out of order."

Clauses 58-61.

* THE HON. SRI C. SUBRAMANIAM:—"Mr. Chairman, I move the following amendment:—

'57. This House recommends that these clauses should be recast so as to make provision on the following lines:—

(i) The President may, by a general order, require all persons serving immediately before the appointed day in the Andhra area or in the transferred territory, and who, under their existing conditions of service, are not normally liable to be transferred outside the Andhra area or the transferred territory where they are serving, to serve,

[Sri C. Subramaniam] [27th July 1953]

as from the appointed day, in the Andhra State or the Mysore State, as the case may be. Allocations so made by the President shall be final.

(ii) The President may, by a special order, require any person to whom the provision in (i) above does not apply to serve in the Andhra State.

(iii) Every person who is required to serve as aforesaid in the Andhra State or in the Mysore State, as the case may be, shall—

(a) if immediately before the appointed day he is holding any post in connexion with the affairs of the State of Madras in any area which on that day falls in the State in which he is so required to serve, be deemed as from that day to have been duly appointed to that post by the Government of, or by other appropriate authority in, the State concerned in connexion with the affairs of that State;

(b) if immediately before the appointed day he is not holding any post in any such area, be appointed by the Government of, or by other appropriate authority in, the State concerned to a post in connexion with the affairs of that State.

(iv) Persons required by the President, under the provision in (ii) above, to serve the Andhra State shall be divided by him into two classes, namely, allotted officers and transferred officers.

(v) Allotted officers are officers whose allocation to the Andhra State is final. Transferred officers are officers required by the President to serve in that State for such period not exceeding one year as may be specified by him in each case.

(vi) The President shall classify an officer as an allotted officer, or as a transferred officer, in accordance with the President's opinion as to the officer's suitability for final allotment to the Andhra State, having regard to his acquaintance with Telugu and the nature of his interests in the Andhra State.

(vii) A transferred officer shall, during the period specified in the order by which he is required to serve the Andhra State, in addition to the remuneration which he would have drawn if he had continued to serve the State of Madras, be entitled to such allowance as the President may by a general or special order determine.

(viii) A transferred officer shall not be reduced in rank, removed, or dismissed from service except with the concurrence of the Government of Madras. If the Government of Madras does not concur, the officer shall be

[27th July 1953] [Sri C. Subramaniam]

returned to the State of Madras. In other respects, the conditions of service of a transferred officer shall be the same as they would have been if he had continued to serve the State of Madras.

In view of this comprehensive amendment, I do not think that Sri B. V. Subrahmanyam, Sri Srinivasa Rao, Sri Syed Mahaboob, Sri Nathamuni Naidu and Sri Gajapathi Nayagar need move their amendments. Anyhow, Sir, you may consider them also."

* SRI A. GAJAPATHY NAYAGAR:—" Mr. Chairman, Sir, I wish to move my amendment because my feeling is that no Tamilian officer should be asked to serve in the Andhra State without his consent. Further the officers feel that if they are transferred there, their position in the Residuary State will be affected prejudicially. Therefore, if their consent is taken, no injustice will be done. I therefore move the following amendment (No. 59):—

"After sub-clause (1) of clause 60, the following proviso shall be added:—

"Provided that no Tamilian be required to serve in the State of Andhra without his consent." "

THE HON. SRI C. SUBRAMANIAM:—" Mr. Chairman, Sir, there are certain difficulties in accepting the amendment as put forward by my hon. Friend because we have to take note of Article 16 (2) of the Constitution which says that by reason of place of birth, religion, race, residence, etc., no person shall be discriminated. We have drafted the amendment in order to get over this difficulty, so that they may not offend against any provisions of the Constitution. If the hon. Member had gone through the note of the Hon. the Chief Minister, I am sure he would have realised that the intention is that not only Tamilians but Non-Andhras as such will be temporarily allotted to the Andhra State and after that period if the officer is willing to serve further, it will be on terms which will be agreed to between the Andhra State and the officer concerned. Therefore, Sir, I think it is not necessary to say that Tamilians alone should not be sent without their consent because for the reasons I have mentioned, it must cover all Non-Andhras."

SRI A. GAJAPATHY NAYAGAR:—" I do not press my amendment, Sir, in view of the explanation given by the Hon. Minister."

* SRI T. M. NARAYANASWAMI PILLAI:—" Mr. Chairman, Sir, I wish to say a few words with regard to the proposed amendment that is now under discussion. The proposals made by the Hon. Minister for Finance follow the note circulated by the Hon. the Chief Minister. Just now the Hon. Minister for Finance

5-10
p.m.

[Sri T. M. Narayanaswami Pillai] [27th July 1953]

said that the amendment moved by my Friend, Sri Gajapathy Nayagar, will go against Article 16 of the Constitution because it will be discriminatory in respect of certain people. The note of the Hon. the Chief Minister is no doubt full and clear and meets certain points of view. It is inspired by a desire to satisfy the Andhras. Sir, in one place he even goes so far as to say that efficiency will be worth nothing if the officer has not got the necessary congenial atmosphere in which to work. I am not quite sure—I speak with restraint—whether the proposals made by the Hon. the Finance Minister following the note of the Hon. the Chief Minister are really not offending the principles of the Constitution. We have got several services—the Indian Administrative Service, the Indian Police Service, the State Service, the Subordinate Services and so on. Now the Indian Administrative Service and the Indian Police Service are all All-India Services under the Constitution. Now, according to the note of the Hon. the Chief Minister a member of the All-India Service borne on the Madras cadre is not and cannot be allotted as a matter of right to the State of Andhra. This is against the principles of the Constitution. The note of the Hon. the Chief Minister divides the officers into two categories, allotted and transferred officers. In regard to allotted officers the words are so couched as perhaps to get over the idea of discrimination in form. But in substance the discrimination remains. Really even though an officer has a right to be allotted to the Andhra State, they want to get him out of his rights. I feel that the amendment of the Hon. Finance Minister based on the note of the Hon. the Chief Minister goes very much out of the way and really enables the Andhra Government to opt out of the Constitution and make discrimination in the appointment of officers. Why go out of the way and invent formulas to satisfy the Andhras? Who knows that this will not lead to unforeseen difficulties? The members of the All-India Service can be transferred all over India. From the point of view of the principles laid down in the Constitution to which we all must owe allegiance, I do not think the proposals are in accordance with those principles.

"I feel, Sir, whatever may be our desire to satisfy the Andhras, whatever may be our aim to enable them to appoint as many Andhras as possible from subordinate positions to superior services, still we cannot completely abdicate our position and responsibility. It is not as though Andhra is to be an independent State. It is like any other Part 'A' State as Orissa, Bombay, etc. Therefore principles which hold good in the case of the All-India Services need not be relaxed to any extent.

"Sir, there is another way of looking at it. It may be Andhras do want that as many of the Andhras as possible should be promoted to superior services. But the question as to how it affects the position in our State is to be considered. If many who are to be allotted to the Andhra State, are not so allotted then it will affect adversely the position of services in the residuary State. Many, in the residuary State, who are entitled to promotion will be deprived

27th July 1953] [Sri T. M. Narayanaswami Pillai]

of those chances to promotion. Hence, efficiency in this State will suffer. Therefore, I am not able to see eye to eye with the principles laid down in the note of the Hon. the Chief Minister. I think the principles embodied in the Bill drafted by the Government of India are more in conformity with the principles contained in the Constitution and more in favour of securing protection to the services both in the Andhra State and the Madras State and also more in favour of securing efficiency in our State and the Andhra State. Therefore, I oppose the amendment."

* SRI K. BALASUBRAMANYA AYYAR :—"Sir, I read the note of the Hon. the Chief Minister very carefully as also the amendment of the Hon. Minister for Finance. The principle differs as regards the two categories; so far as the All-India Services are concerned they stand on a different footing from those of the Provincial Services. That is the submission I want to make. So far as the All-India Services are concerned as the Hon. the Chief Minister himself mentioned in the note there is the difficulty of discrimination. Once a man enters the All-India Service, there is a kind of feeling and understanding that he will be posted to any place in India, especially in the Police Service. Even the Andhras might require the services of Non-Andhras in the Police Service. It may very often happen that a Non-Andhra is preferred to an Andhra. We cannot therefore anticipate all the difficulties of the Andhra State now. So far as promotions are concerned, they may be actuated by the feeling that this might enable them to promote men from subordinate services to the higher services. But that should not be the only consideration. We must take into account the services as a whole and maintain the solidarity and the unity of the All-India Services. If the principle now proposed to be introduced in the Bill is accepted, I do not know, it may even be questioned in a court of law. They may even go to the Supreme Court as some have done in other cases. Therefore it is that I say that so far as the All-India Services are concerned, the question is one of principle. I am afraid the question of discrimination may really arise and therefore I request that so far as All-India Services are concerned the original principles contained in the Bill may be accepted. It is much better to leave it to the President to allot the services and deal with them. Even then the difficulty of discrimination may arise but it may be left to the President to deal with that. But if you allow to the Andhra State alone the right to deal with the services, it would be unfortunate and the solidarity and the unity of the All-India Services would be lost."

* SRI B. V. SUBRAHMANYAM :—"Sir, I very heartily support the amendment of the Government for these reasons. There are two contending forces with regard to this resolution, if I may say so. On the one side it is the need for good officers in Andhra and on the other the guarantee to be given to the officers who go to the Andhra State. It is not fair that any officer should for all time against his will be compelled to stay away in Andhra and have a double household, one here and the other in Andhra. That principle must be accepted. The principle of adaptation is there,

[Sri B. V. Subrahmanyam] [27th July 1953]

and on that basis the Residuary State Government can certainly lend officers to the other Government. In one sense, the question of the free will of the officers does not arise at all, because, if the President under his order, even according to the unamended clause of this Bill, allots an officer to Andhra, there is a certain amount of compulsion in it, even though, as I say, it comes from the highest authority in our Indian Union. Questions of right of compulsion apart, it is not the Andhra State that really compels the officer to go. It is the Government of the composite State that allots these persons to the Andhra State with a certain amount of basic reality and not without a sense of justice towards the officers. A period of one year may seem to be a small time during which a new State like the Andhra State can adjust its services and run the big show of administration. But it cannot be helped. The question of allotment of officers is of paramount importance to the Andhra State, and if anything that I say here is going to be of value anywhere, I wish that what I say in the next sentence should be of value and should be heeded by the future Andhra State. No Government can run an administration and run it properly without a contended and efficient service personnel. I advisedly use the word, 'contended', before I use the word, 'efficient'.

8-20 P.M. "Sir, it is necessary that the new Government should make the officers in their State feel that they have a valued place in the administration because in a sense they are at least as important to the administration of the country as persons who, as legislators, as Ministers and as the Opposition, rule the country. That is why. I say, that this resolution is a happy blend of the needs of the Andhra State on the one side and the needs of the officers who go there on the other side. It is wrong to think, in my humble view, that there is any question of the Constitution being violated in the principles laid down in the Government amendment. I feel that any authority, whether it be the President or whether it be the Government of the composite State or for that matter any other proper authority, could allot the services of an officer to one of the two States, and the question of making any discrimination between one type of officer and another—although unfortunately the question of Andhra and Non-Andhra is looming important here for discussion—does not arise. After all, an officer is allotted to a portion of the very State which he has been serving all the while, up to the date of the new State coming into existence. It is true that there is no necessity to fight over deputation allowances and things like that, and it is perhaps wrong to fight in a composite State on the basis that a person domiciled in this State area and allotted to the other State area for one year should get this allowance. But the question of taking away any constitutional rights does not, in my humble view, arise at all. I do not think, either an officer of the Residuary State on the one side or the Andhra State on the other side can raise any constitutional issue on the question of apportionment of service personnel between the two States. I think that without any fear of violation of the Constitution, and without any fear of violation of a sense of justice towards officer or State, this amendment can be passed."

27th July 1953]

* THE HON. SRI C. SUBRAMANIAM :—Sir, from a purely theoretical point of view, I agree with what Mr. Narayanaswami Pillai and Mr. Balasubramanya Ayyar said on the floor of this House with regard to the allocation of personnel. But we have to take into consideration two facts in coming to a decision. One is the Andhra feeling in the matter and the other is the feeling of the officers concerned. As far as the Andhra feeling is concerned, it has been made known definitely to everybody, that they would like to have only Andhras as far as possible and nobody else. Of course, if the other consideration which was mentioned by Mr. Narayanaswami Pillai and Mr. Balasubramanya Ayyar had come from any Andhra gentlemen, I would have certainly welcomed it and I would have been happier also. But what is the use of our talking about it? They should realize the difficulties of running the Government without the necessary efficient officers but it is for them to decide. We cannot force our views on them.

Sir, with reference to the wishes of the officers, there also we have to take note of the two categories of officers, the Andhra Section and the Non-Andhra Section. The Andhra Section have made their desire known quite clearly in a memorandum they submitted to the Government, that no Non-Andhra should be sent to the Andhra State and they wanted maximum promotions for themselves. They feel, 'what else is the Andhra State for, if it is not for giving promotion to officers and if it is not for that purpose, the Andhra State need not be formed at all'. As a matter of fact, that is one of the major factors which contributed to the separation. Therefore, that also we have to take note of. If a large number of Non-Andhra Officers are allotted to the Andhra State, there is likely to be great dissatisfaction among the Andhra Section of the officers.

"Then, with regard to the Non-Andhra Section of the officers, I may tell you frankly in this House, no Non-Andhra is willing to go to the Andhra State. They do not care for their promotion. They do not care for higher salary. They say, they will be content to be in the Residuary Madras State even in a lower category of service. Therefore, they are not willing to go and the Andhra State is not willing to take them. Should we have such a marriage where both the bride and the bridegroom could not like each other? Taking all these things into consideration, we have arrived at this formula, that as far as possible, no Non-Andhra should be allotted to the Andhra State and that is why the Chief Minister in his Note, mentioned about 'efficiency.' 'Efficiency,' after all, is a relative abstract term. Can the most efficient officer, if he is sent there against his will and is asked to work in an atmosphere where there is no trust in him, prove efficient? On the other hand, in the name of 'inefficiency', he will be sent back or will perhaps be sent out. Do you want such a thing to happen? Therefore, considering all that, there is no use saying that this administrative set-up should be there in Andhra also. I wish that they have such a set up there. In fact, I made an appeal long before this Bill was drafted and came up for consideration, at a meeting that

[Sri C. Subramaniam] [27th July 1953]

officers as such should be considered as an asset and not a liability. But such an atmosphere has not been created. In the absence of such an atmosphere, there is no use in our trying to give advice to the Andhras.

"As regards the All-India Services, it is said that officers should be allotted according to the needs of each State. After all, it should be left to the Andhra State to decide their own needs. But we have made a suggestion that, as far as possible, the category of transferred officers—that is, those officers permanently allotted—should relate to the persons who are acquainted with the Telugu language and who, by nature, would be in a position to serve the Andhra State efficiently and well. Of course, what it means is well-known and understood. As far as the other category is concerned, officers will be allotted only for a temporary period and it is for the Andhras to decide whether to keep them for a temporary period or to retain some of them in their own State by reposing confidence in them. Therefore, there is no use in our sitting here and trying to decide for the Andhra State, what is good, what is bad, what is efficiency and what sort of officers they should have. It is for them to decide. If they decide that they should have any of our officers and our officers are willing to go there in view of the better atmosphere created there, I will be very happy and the happiest person will be the Chief Minister. Unfortunately, such an atmosphere is not there now and let us wait and see instead of deciding about it even now. That is why, the period of one year is there and if conditions there are good and a proper atmosphere is created, I am sure, our officers will be quite willing to go and serve the Andhra State as loyally and efficiently as they are serving here. Such conditions do not exist at present there and we have to take note of the existing facts and existing feelings. Considering all these things, what we have suggested in the amendment is the best solution. To this day, no Andhra has said that he wants a sufficient number of trained officers in the superior cadre from amongst the Non-Andhras. Nobody has said a word about it. On the other hand, every Andhra is happy about the formula suggested in the amendment. Therefore, let us not stand in the way of the Andhras having an administrative set-up of their own liking."

DR. V. K. JOHN :—"On a point of explanation, Sir, may I ask the Chief Minister whether a Tamilian who knows to read and write Telugu can be taken as an Andhra?"

6-30 P.M. * THE HON. SRI C. RAJAGOPALACHARI :—"Mr. Chairman, Sir, I just wish to simplify the position. On my behalf, the Hon. the Finance Minister has explained the whole thing with perfect clarity and I think nothing more is really wanted but I just wish to put the human side of it to hon. Members opposite who have very legitimately raised doubts about the propriety of doing a thing like this. We have decided on partition. It is a settled fact and the partitioned State must have an administrative

[27th July 1953] [Sri C. Rajagopalachari]

set-up. But there is a thing which we cannot get rid of, this administrative set-up must work under a parliamentary regime in Andhra. It is clear that we cannot get out of it.

"Now, the next position is that gentleman after gentleman has written in the newspapers and gentleman after gentleman has risen and protested and made it clear on the floor of the House in the Legislature and everywhere that the Tamil officers have been at the bottom of the backwardness of the Andhra State. The proposal now is to send a set of officers. We have tried our best to divide the staff with the help of a special committee and with the help of the Special Officer from Delhi. (Interruption: 'Do you accept the charge?') I do not accept it and that is where I want the assistance of hon. Members opposite. I say I indignantly repudiate the charge and I need not say anything stronger than that. That the charge has been made in sincerity in many quarters must be admitted also. They may be very wrong but it is there. If a minor has fought tooth and nail against a guardian and the guardian still claimed that he was the best guardian for the minor, would we allow that minor to be put in charge of that guardian? Whatever may be the justification for the charge, the position now is that the officers themselves who, in the ordinary course of affairs, would have been divided and sent there do not wish to go there unless they are compelled by the President. They are compelled to take risks and therefore they ask for protection. That is why the clauses in the Bill as they have been framed by the Government of India stand as they do. That is to say, by compulsion send unwilling and hesitant men and then frame protective laws to secure their protection. What will be the state of affairs that we will have if these officers are sent in this manner? There are numerous loopholes and methods by which these protections can be evaded, they can be teased and sent back if only the Andhra Government make up their mind to do so. The only thing that can be said wholeheartedly on the other side is that it is very probable that these men will behave so well that the Andhra Government will be glad to have and ask these officers to remain. We suggest that without causing irritation to anybody, these officers may be sent on deputation for a brief period so that the officers may feel that they are not compelled to be there and the Andhra State also may not feel that the officers are thrust upon them for a longer period than is absolutely necessary. If they want the officers for a further period we can give them on a contract basis. That is exactly what the officers themselves would like and they have expressed their willingness to accept it. That is why we have made provision to specify the officers to the minimum possible extent and send the necessary officers though they are Non-Andhras on deputation for a short period. This proposal for contract employment will make them feel they are independently engaged and there will be no prejudice to either party. After all the biggest thing is to start with a mental feeling of seotrity on both sides. The Andhra Government should feel secure and the officers should also feel secure and therefore after considerable hesitation and examination we have

[Sri C. Rajagopalachari] [27th July 1953]

considered that this would satisfy all the parties concerned and I submit that we have not let down the officers nor have we let down the Andhra Government. (Sri T. M. Narayanaswami Pillai: 'Perhaps, according to the Hon. the Chief Minister, it is justifiable.') Let me answer—though it will be difficult for me to refute the arguments of Sri T. M. Narayanaswami Pillai who has so much of experience in the Public Services Commission I may point out that he is likely to be a little obsessed with the question of justice to public servants because of his work, so to say, in a department of Justice for Public Servants. I shall explain why his arguments do not apply here. If an officer has been entitled to promotion and he has been denied it, or if an officer is entitled to something which he wanted and is deprived of it, his arguments will be quite right. We are not depriving anyone of anything that he wants. We are only depriving the Andhra State of the legitimate services they are entitled to from these officers according to the Constitution and that is what the Andhras want."

SRI T. M. NARAYANASWAMI PILLAI:—"Is not a member of the All-India Services entitled to be allotted to Andhra?"

* THE HON. SRI C. RAJAGOPALACHARI:—"What is the meaning of the term 'entitled to'. I am entitled to a thing if I want it and it is a legitimate desire. But these officers do not really desire it. So there is no question of being entitled."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Mr. Chairman, Sir, I do not want the impression to be created that we accept it with any sort of pleasure. We are not happy and we regret that such a state of affairs should have come about. We want to lay it down that this cannot be a precedent in the formation of new States. I am surprised that an All-India Service official cannot be posted to any State wherein it is necessary for him to work. The object of an All-India Service is entirely to see that an officer can be posted from State to State but it does not depend upon the wish of the officer. In the first place, when an officer is recruited to an All-India Service, he may ask for an allotment but cannot press for it because the allotment is made in the order of seniority and the rank of the officer."

THE HON. SRI C. RAJAGOPALACHARI:—"Generally, a State is not compelled to take an officer whom they do not want."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Yes, under specific conditions and on account of the reputation that the officer may have built around himself, it is certainly open to a State to object. But, if the Government of India say the State must take him and the objections of the State are not valid, it is bound to take him."

"I wish to place one other matter before the Hon. the Chief Minister. The result of these officers not being distributed in an equitable manner between the two States will be that there must necessarily be a large number of officers left in the Residuary State. Apart from the question of finances, this must also

[27th July 1953] [Dr. A. Lakshmanaswami Mudaliyar]

interfere with the just promotions of these officers which they had a right to expect. If out of 70 officers there was a possibility of three or four top-ranking people to get promotion either in the Andhra State or here, the result of the diminution in their prospects is a thing which we have to take note of.

"Secondly, the particular amendment which the Government has given notice carries with it an implication which is generally not recognized so far as Government appointments are concerned. The amendment mentions 'the nature of his (the officer's) interests in the Andhra State.' I do not know exactly what it means. Perhaps the Government want to overcome this difficulty. If they said that language should be the consideration, there are many Tamilians who can speak better Telugu than some of the Andhras and therefore they have put in the words 'nature of his interests in the Andhra State'. No officer is ever expected to be posted to a particular place if he has got any interests there. I think, it is an unfortunate expression and if some other expression can be used, we would be probably in a position to accept it with a little hesitation. I for one, feel considerable hesitancy because it is wrong in principle, wrong in practice, entirely and directly against the Constitution and I will repeat again, it is also wrong from the point of view of what we consider as citizenship of India. Because a State has been divided, for whatever reasons it may be, does it mean that to-morrow the Andhra State can refuse admission to me and do I require a passport or a visa? What sort of treatment are they going to give me? It looks as if these are differences that ought not to be allowed to interfere. If the Andhra gentlemen want these and likewise if the Residuary State also want these, they must be told that there is a limit to all that they have got to demand from us. We cannot go against the Constitution, against fundamental principles and against the fundamental rights of the officers. There is no use the President directing these transfers unless he has got the power. I therefore still feel that there is a lacuna here or, rather, it is not wise for us to acquiesce in it. But, if the Government feel that this amendment should be sent up and if they have also consulted these officers and given them these assurances, as they probably have done, and if they are not in a position to support these officers, then perhaps we may with great regret and with hesitation accept the position."

* THE HON. SRI C. RAJAGOPALACHARI:—"Sir, 5-40 p.m.
Dr. Lakshmanaswami Mudaliyar and others are absolutely on very strong grounds when once they take up and go into a principle. I confess that they are on strong ground. But the question is whether we can force the officers on the Andhra Government in this patent manner at the outset when we frame the Bill. By and by I am certain that the Government of India will always try to give useful, competent and efficient officers whatever their domicile may be to the Andhra State and the Andhra State will also accept them by and by. But the real question for statesmen is whether we should begin with it now and whether it will work satisfactorily, if we force things. That is why, we have tried to solve it in this

[Sri C. Rajagopalachari] [27th July 1953]

manner. Technically and on principle Dr. Lakshmanaswami Mudaliar is perfectly right. I admit that the language, the phrase, pointed out by him is very bad and has to be improved. We shall try to do it. But the point is, it is not merely a question of acquaintance with language, and we should have said 'mother-tongue'. But 'mother-tongue' would include quite a number of gentlemen who are very good people belonging to the Residuary State. That is the difficulty. So some vague phrase has been put in there. We can try to improve it so far as that is concerned. I also admit the constitutional position which is very important and which is based upon a fundamental, good and right principle. It is difficult to make discrimination in All-India Services. But it is not really discrimination. It is really a question of efficient efficiency, if I may say so, just as 'efficient' is used in scientific terminology to mean the amount of the particular character or quality coming into kinetic form. Sitting in a drawing room we can describe a man as very efficient. But what is the efficient efficiency of the man when he is, from the very beginning looked upon as a stranger and as one who is indifferent to the interests of Andhras and things like that? His efficient efficiency becomes small. Keeping that principle in mind we have tried to suggest the right and wise course. Again I may assure hon. Members that we are not at all sure that our proposals will be accepted. The point of view of a Government that is intimately in touch with the feelings of Andhras must be put before the Government of India and it is for them to decide, if the constitutional position is so difficult that it cannot be overcome. They may do what they like knowing that these are the feelings of the Government of Madras in respect of this matter. I do trust the Opposition amendments will be withdrawn."

DR. S. MUTHULAKSHMI REDDI :—" May I know from the Hon. the Chief Minister whether it will not be better to give a definition for the word ' Andhra ' ? "

* THE HON. SRI C. RAJAGOPALACHARI :—" The definition will be one, whom Mr. Sanjeeva Reddi, Mr. T. Viswanatham and others would welcome. I cannot give a better definition."

* DR. V. K. JOHN :—" I feel very strongly that the proposal to divide officers made by the Government is not in the interests of the two States concerned and of the country as a whole. Sir, what should be done and what would have promoted good relationship and cordiality between the two States is to allow officers to remain where they like to remain, and it is not for the States to ask any officer to quit on the ground that he is an Andhra or that he is a non-Andhra. All officers whether they are Andhras or non-Andhras should be allowed to remain wherever they wish to remain. I do not see any reason why the Residuary State should not have Andhras as their officers and why the Andhra State should not have persons who are born Tamilians and perhaps who know to read and write Telugu. We must have cordiality and we must feel that every one whether he is an Andhra or a Tamilian is an

[27th July 1953] [Dr. V. K. John]

Indian. There should not be any objection on the ground of birth or ' linguism ' as it is called, to entertain a person in the Public Services. The Constitution provides that no such discrimination should be made. I am surprised that this Government headed by the present Chief Minister should accept the proposal to divide the officers on the ground of linguism. I very strongly object to this kind of division. I can quite understand that an Andhra posted in Tamil districts, although he does very well, may have a desire to go to the Andhra State for the sake of giving education to his children. So also a Tamilian posted in Andhra districts may have a desire to go to the Residuary State for the sake of giving education to his children. But to say that an officer can remain in the Andhra State or in the Residuary State only on the ground of birth and language and not on any other ground is against the principles of the Constitution of our country. There is no dual citizenship in the country. Once again I strongly object to the proposals made by the Government that there should be a division of officers on the ground that some are Andhras and some are non-Andhras. No person should be sent out of the Residuary State because he is an Andhra and no person should be sent out of the Andhra State because he is a Tamilian. I protest against the proposals made by the Government. I am surprised that this Government should have yielded to such proposals. I express the hope—I hope the Hon. the Chief Minister will join with me—that the Government of India will turn down these proposals and treat every one as an Indian in whatever State he is."

SRI MOHAMMAD RAZA KHAN :—" I deliberately wanted to avoid speaking knowing full well that my sympathies are more with the Government than with my group. After all, Sir, on the eve of partition, sentiments will have an upper hand than realities, Constitutions and things of that sort. Even men with good feelings are apt to be misunderstood. We are now dealing with the affairs of a Composite State which has got representatives from the different linguistic areas. Any act done by the Hon. the Chief Minister and his colleagues even with complete unanimity is likely to be misunderstood by others. I heard the speech of the Hon. the Chief Minister with some feeling because I have heard it said both by the Press and others that the present Government are trying to send all officers in excess of their requirements to the Andhra State. Therefore I do understand and appreciate the difficulties of the Government of Madras in this matter. They are not dealing with any Government formed by the new Andhra State. A time will come when the Government of the residuary State will meet the Government of the Andhra State on a level of equality. A time will come when the Andhra State Government with all the sanctions behind it, will be able to deal with the Government of the residuary State, on that level of equality. A time will come when those who constitute the future Government of the Andhra State—whoever may be its Chief Minister—will be able to do things in a responsible manner. Only if a person is put in a position of responsibility he will be able to realise his responsibility,

[Sri Mohammad Raza Khan] (27th July 1953)

and will be able to do things properly whatever may be his politics and whatever may be the views of the party to which he belongs. A State may have good type of politicians, fit to take up ministerial responsibility. But things will be all right only when they have an efficient service to help them. This is particularly important when things have to be started afresh.

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"When feelings are running high it will not be possible for the Government to say, what in effect it would be, that they will force all officers upon them and allot them to the Andhra State. Let me tell the House that the proposals have been made with a view just to help the Government. There may be mistakes here and there; there may be loopholes here and there. An opportunity has been given to the Andhra Government, if they feel that they have a deficiency and they do not have proper trained personnel and then it will be time for that Government to approach the Government of Madras or the Government of India and represent to them that they are short of officers in a particular category in a particular department. I am sure to whatever party we may belong all will agree that so far as the services of this State are concerned, they have no politics: post them to Malabar or to any area or even to distant Delhi; wherever they have been given opportunities of service, they have won a name for themselves on account of their hard work and efficiency. The Leader of the Opposition raised a pertinent question and pointed out that there will be a surplus of officers in the Residuary State and a shortage of officers in the Andhra State because we were not allotting except for the All-India Service. What is going to be done with reference to posts in such categories is a matter for the Hon. the Chief Minister and the Finance Minister to consider and this question must be clarified by them. The second point is the large number of persons who had been in service for a number of years: these persons had been appointed during the war emergency under 9 (a) (1) provisions and they have been working for a number of years in the various departments and now controls have been removed. I hope the Government will also take their case into consideration and I think the Government will do well to explain how the position of the services in the residuary State will stand. Mr. Chairman, Sir, let me tell the House that in spite of what we feel individually, we can leave the matter to the Government of India so that if they feel that things have to be changed in a different way, they may do it and they will have the time. One thing we cannot ignore is that we are in a difficult stage, a stage of transition a stage in which difficulties are likely to arise but after sometime things will adjust themselves. Nobody wants to force officers on the Andhra State against their wishes and also we do not want that the Andhra State should suffer for the lack of proper officers to run their administration."

* THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, I am grateful for the suggestion made by the Leader of the Opposition that the wording in paragraph 6 is not quite happy and so I suggest that the words 'having regard to his acquaintance with

27th July 1953] [Sri C. Subramaniam]

Telugu and the nature of his interests in the Andhra State' in clause (vi) of my amendment may be deleted and now the clause will read—

'The President shall classify an officer as an allotted officer, or as a transferred officer, in accordance with the President's opinion as to the officer's suitability for final allotment to the Andhra State.'

It does not read well as it is not happily worded. The test of mere acquaintance of Telugu will create difficulties as there are so many Tamilians under this category and it is not our intention that they should be sent there. With regard to the argument of Dr. John, I really appreciate his arguments because it is his own experience that he has given expression to. He has come from another State and he is thriving well here and he is much respected and he is expecting that any outsider even if he goes to the new State, should fare as well as he has fared here. I am not at all surprised at the views that he has expressed but we have to take into consideration the existing feelings in the country and take account of the very fact of partition. Why has partition come at all. It has come because of certain strained feelings. It is not as if because we have continued in friendly feelings, we are partitioning. Because of strained feelings, we are partitioning. We cannot ignore that and if we ignore that, we will be ignoring facts. This, I submit, is the Chief Minister's formula arrived at after very great deliberation and consideration of the entire separation question. If, without taking the circumstances mentioned in the Statement into account any one were to express his views, he would have expressed his views as Dr. John did or Sri Narayanaswami Pillai did or any other hon. Member of the House will do. You have to take into account the peculiar circumstances and the peculiar feelings to which people are subject. Under those circumstances, we cannot act otherwise. What is good in one place may be bad in another place and there is nothing which is absolutely good and absolutely bad; a thing may be good but if it is out of place, it becomes bad and so, even a good principle if applied in a wrong place will be bad. I will, therefore, appeal to hon. Members in view of what the Chief Whip of the Opposition Party has observed—I suppose his whip also will be in conformity with what he has stated on the floor of the House—I would appeal to them as practical men not to object to this clause and not to move their amendments."

MR. CHAIRMAN :—"I shall now put to the vote of the House the amendment of the Hon. Sri C. Subramaniam (No. 57) with clause (vi) amended. The question is—

'57. This House recommends that these clauses should be recast so as to make provision on the following lines :—

(i) The President may, by a general order, require all persons serving immediately before the appointed day in the Andhra area or in the transferred territory, and who, under their existing conditions of service, are not normally liable to be transferred outside the Andhra area or the transferred territory where

[Mr. Chairman]

[27th July 1953]

they are serving, to serve, as from the appointed day, in the Andhra State or the Mysore State, as the case may be. Allocations so made by the President shall be final.

(ii) The President may, by a special order, require any person to whom the provision in (i) above does not apply to serve in the Andhra State.

(iii) Every person who is required to serve as aforesaid in the Andhra State or in the Mysore State, as the case may be, shall—

(a) if immediately before the appointed day he is holding any post in connexion with the affairs of the State of Madras in any area which on that day falls in the State in which he is so required to serve, be deemed as from that day to have been duly appointed to that post by the Government of, or by other appropriate authority in, the State concerned in connexion with the affairs of that State;

(b) if immediately before the appointed day he is not holding any post in any such area, be appointed by the Government of, or by other appropriate authority in, the State concerned to a post in connexion with the affairs of that State.

(iv) Persons required by the President, under the provision in (ii) above, to serve the Andhra State shall be divided by him into two classes, namely, allotted officers and transferred officers.

(v) Allotted officers are officers whose allocation to the Andhra State is final. Transferred officers are officers required by the President to serve in that State for such period not exceeding one year as may be specified by him in each case.

(vi) The President shall classify an officer as an allotted officer, or as a transferred officer, in accordance with the President's opinion as to the officer's suitability for final allotment to the Andhra State.

(vii) A transferred officer shall, during the period specified in the order by which he is required to serve the Andhra State, in addition to the remuneration which he would have drawn if he had continued to serve the State of Madras, be entitled to such allowance as the President may by a general or special order determine.

(viii) A transferred officer shall not be reduced in rank, removed, or dismissed from service except with the concurrence of the Government of Madras. If the Government of Madras does not concur, the officer shall be returned to the State of Madras. In other respects, the conditions of service of a transferred officer shall be the same as they would have been if he had continued to serve the State of Madras."

The amendment was put and carried.

Clauses 58 to 61 as amended were put and carried.

Clause 62.

There being no amendments to clause 62, clause 62 was put and carried.

27th July 1953]

Clause 62-A.

* SRI B. V. SUBRAHMANYAM :—" Mr. Chairman, Sir, may I suggest that this amendment may be taken up after the amendments to clause 46? These are amendments to this clause No. 62-A proposing a new basis of apportionment and I feel that this will go well with clause 46 and the Seventh Schedule. And with your permission, Sir, I would like to reserve this amendment to that stage."

MR. CHAIRMAN :—" I have no objection."

Clauses 63 and 64.

There being no amendments to clauses 63 and 64, clauses 63 and 64 were put and carried.

SCHEDULES I TO III.

Schedules I, II and III were put and carried.

SCHEDULE IV.

* SRI K. BHASHYAM :—" In view of our recommendation 6 p.m. that there should be a Council for the Andhra and that the number of Members for this Council should be increased, I think consequential amendments have to be made in this Schedule. That may be placed before the House for consideration by formally moving an amendment."

THE HON. SRI C. SUBRAMANIAM :—" We may leave it to the Government of India."

SRI K. BHASHYAM :—" They may make consequential changes. But we can also make a recommendation to that effect. Therefore I move—

'This House recommends that in view of the fact that a recommendation has been made as to the constitution of the Legislative Councils of both the States, the Fourth Schedule be modified accordingly.'"

MR. CHAIRMAN :—" Is this accepted by the Government?"

THE HON. SRI C. SUBRAMANIAM :—" It may be accepted, Sir."

MR. CHAIRMAN :—" The question is—

'This House recommends that in view of the fact that a recommendation has been made as to the constitution of the Legislative Councils of both the States, the Fourth Schedule be modified accordingly.'"

The motion was put and carried.

[27th July 1953]

* SRI K. BALASUBRAMANYA AYYAR :—" There is an amendment in my name, Sir. So far as our Council is concerned the Election Commission has given the order in which the members were elected. It was not so in the case of the Council of States. I have given notice of the amendment in order to point this out. Otherwise I would not press it. Here the terms of six and four years were allotted to us on this principle of the orders in the notification of Election Commission."

THE HON. SRI C. SUBRAMANIAM :—" The hon. Member is in doubt whether he should go or Mr. Bhashyam."

SRI K. BALASUBRAMANYA AYYAR :—" I am not going into that question, Sir."

THE HON. SRI C. SUBRAMANIAM :—" I have no objection, Sir, it may be accepted."

SRI K. BALASUBRAMANYA AYYAR :—" I move that—

'In paragraph 5, instead of the words "by lot drawn in such manner as the Chairman of the Legislative Council may direct", the following words be substituted :—

"by the order in which their names have been notified as elected by the Election Commissioner of the States in the Official Gazette".'

The amendment was put and carried.

Schedule IV as amended and the Fifth and Sixth Schedules were put and carried.

MR. CHAIRMAN :—" The Seventh Schedule will be taken up last."

The Eighth Schedule was put and carried.

NINTH SCHEDULE.

SRI B. V. SUBRAHMANYAM :—" I have given notice of an amendment to the ninth schedule. The hon. Member Sri Srinivasa Rao has attached a list to his amendment which is exhaustive. I withdraw my amendment in favour of his."

SRI S. SRINIVASA RAO :—" Sir, I beg to move my amendment (No. 123)—

'123. For the existing list under Part I, substitute the following list :—

List of common institutions.

- 1 King Institute, Guindy and Chemical Examiner's Department
- 2 Irrigation Research Station, Poondi.
- 3 Police Training College, Vellore.
- 4 Finger Print Bureau, Vellore.
- 5 Government Press, Mint Buildings.

[27th July 1953] [Sri S. Srinivasa Rao]

- 6 Government Press, Mount Road.
- 7 Government Textile Institute, Madras.
- 8 Agricultural College, Coimbatore.
- 9 Madras Medical College and Hostels.
- 10 Stanley Medical College and Hostels.
- 11 Government School of Indian Medicine.
- 12 Veterinary College, Madras.
- 13 The Madras Fire Service Station.
- 14 Serum Institute, Runipet.
- 15 General Hospital, Madras (including Nurses' quarters).
- 16 Stanley Hospital, Rayapuram.
- 17 Barnard Institute.
- 18 Government Kasturba Gandhi Hospital for Women and Children.
- 19 The Government Maternity Hospital for Women, Egmore.
- 20 Public Works Workshop, Madras.
- 21 Central Survey Office, Madras.
- 22 Central Record Office, Madras.
- 23 Government Tuberculosis Sanatorium.
- 24 Government Lady Willingdon Leprosy Sanatorium.
- 25 Presidency Jail for Women.
- 26 Presidency College, Madras.
- 27 Old and New High Court Buildings, Madras.
- 28 New Stationery Stores.
- 29 Rayalaseema Polytechnic.
- 30 Junior Certified School.
- 31 Central Jail, Bellary.
- 32 Alipuram Jail.
- 33 Madras Penitentiary.
- 34 Government Museum, Madras.
- 35 Law College, Madras.
- 36 Government Ophthalmic Hospital, Egmore.
- 37 Government Mental Hospital, Kāpauk.
- 38 Tuberculosis Hospital, Madras.
- 39 Teachers' College, Saidapet.
- 40 Registration Department Buildings.
- 41 Old Engineering College.
- 42 Director of Public Instruction's Office.
- 43 Surgeon-General's Office.
- Sanitary Engineer's Office.

[Sri S. Srinivasa Rao] [27th July 1953]

- 45 Electrical Testing Laboratory.
- 46 Inspector-General of Police Office.
- 47 Queen Mary's College, Triplicane.
- 48 Borstal School.
- 49 Government Wellesly Tuberculosis Sanatorium.
- 50 Ceramic Training School.
- 51 Fruit Research Station, Kodur.
- 52 Public Works Department Office Buildings.
- 53 Board of Revenue Buildings.
- 54 Industries Department Buildings.
- 55 Technology and Trades School.
- 56 Hyde Park Buildings.
- 57 New Engineering Office Buildings.
- 58 Soil Mechanic's Laboratory.
- 59 Concrete Laboratory.
- 60 Electrical Standards Laboratory.
- 61 Laboratories in the Electricity Department.' "

SRI SYED MAHBOOB :— Sir, I beg to move my amendment, namely :—

Add the following after item 14 :—

- 15 The Engineering College, Guindy.
- 16 Stanley Medical College, Madras.
- 17 The Madras Medical College.
- 18 Government Gosha Hospital, Triplicane, Madras.
- 19 Mental Hospital, Madras.
- 20 Government Women and Children Hospital, Egmore, Madras.
- 21 Government Agricultural College, Coimbatore.' "

SRI S. RAMAKRISHNAIAH :— " I beg to move my amendment, namely :—

Add the following after item 14 :—

- 15 The Engineering College, Guindy.
- 16 The Stanley Medical College, Madras.
- 17 The Madras Medical College.
- 18 Teachers' College, Saidapet.' "

MR. CHAIRMAN :— " The amendments and the Schedule are before the House for discussion."

* SRI S. SRINIVASA RAO :— " I have given a list here and if you want me to read it I will read it. (Hon. Members : ' No, no. ') I have nothing to say about this. I only wanted to move this amendment. The institutions mentioned in the list must be shared equally by the Andhra State and the Residuary State."

[22nd July 1953]

THE HON. SRI C. RAJAGOPALACHARI :— " Actually the hon. Member wants the capital to remain in Madras."

* THE HON. SRI C. SUBRAMANIAM :— " I am sorry, Sir, I am unable to accept any of the amendments just now moved. It is after very careful consideration we have selected the institutions and said that facilities should be continued to be given to the Andhra State after the formation of the State, on terms and conditions to be agreed upon between the States and in default of agreement on terms to be decided by the President.

" Sir, it is not as if even after partition the Andhras should continue to have interests in all the things which they are leaving behind in the Residuary State. It seems to be the idea of some that they should get the advantages which they would lose by way of partition in respect of these institutions. As far as this Government are concerned, they have selected the institutions for which there are no corresponding institutions in the Andhra State. For instance, the King Institute, Guindy, has been serving the whole State and there is to be no corresponding institution in the Andhra State soon after partition. They will take some time to organise an institute of the sort. Therefore facilities should continue to be given. So also, there is the Irrigation Research Institute and there is the Police Training College. For every one of the institution listed in Part I, there is to be no corresponding institution in the Andhra State soon after partition. But if we take the institutions mentioned in the amendments, there is the institution like the Presidency College. After all it is an arts and science college giving instructions in various faculties. There are very many institutions teaching the same things in Andhra. It should not be said ' there is not this particular professor in our College and therefore we should continue to have facilities here; we do not have such a big building, therefore we should have facilities here; there is no college facing the beach and so facilities should be given to us '. They have the University at Vizag and therefore they cannot claim the Presidency College. So, for many of the institutions mentioned in the amendment, they have corresponding institutions in the Andhra area. They have to be developed. It will not be in the interests of Andhra to make their people say that they must continue to have facilities here. If they did that, there won't be any incentive to develop the institutions there to the required strength and level. Further it will be an unnecessary burden placed upon the Residuary State and to that extent the students of the Residuary State will be deprived of the facilities which would be available to them otherwise. Therefore having got a separate State they must make their own arrangements for their educational facilities. Only in respect of institutions which they cannot organize immediately after separation, we have provided that facilities should continue to be given. There can be no argument with regard to this. Hon. Members know the congestion here is very great. Even now we are unable to give to very many of our boys who

[Sri Syed Mahboob]

[27th July 1953]

యిట్టికి ఎక్కో సంకల్పనా క్రింద స్థాపించబడినది. తాము కళాశాల మూలకముగా నిర్వహిస్తున్నాం. కోయంపూరు కళాశాలనున్నది, తాట్ల కళాశాలనున్నది ఎంతో వ్యత్యాసమున్నది. ఈ రెండు కళాశాలలకు భిన్న వ్యత్యాసమున్నట్లుగానే కోయంపూరు కళాశాలలోని అవకాశాలు జాప్తమవుతున్నాయి, యీ విషయములో ప్రభుత్వం ఎంత చతురతగా విద్యార్థిభావము నడుపుతున్నారో వేరే వ్యవస్థలేదు. కోయంపూరు కళాశాలలో ఆంధ్రులు జాప్తమవుతుంటే ప్రతిత్తియున్నారేకాని, తాట్ల కళాశాల అంత వ్యత్యాసంగా లేదని విద్యార్థులకు తెలుసుకున్నారు. ఈ వ్యత్యాసము వాస్తవికమైనది అని నిరూపించడం గుర్తించాలి. అందువల్ల యిక్కడ మిక్రలవందనని నేను కోరని విషయం, దేశములోని విద్యార్థులు ఎవరైనా విద్య అభ్యసించేందుకోసం వారి తన స్థానాలు విక్రయించడం యిక్కడనే ఏ గొప్ప సంగతి అని నేను తెలుసుకున్నాను. ఇక్కడ చాలామంది ఆర్థిక రాష్ట్రము అధికంగా ఎక్కువ ఛీక్స్లు ఎమర్జెన్సీ కంటే యిప్పుడును పరిస్థితి ద్రాసు రాష్ట్ర కళాశాలలోను, కాలేజీలోను ఎక్కడైనా సరే, ఆంధ్రులకు సూచా విద్య కళాశాలు, విగించాలనే ఉద్దేశ్యముతో నేను యీ సవరణ తీర్మానమునందలి మిక్రల అండ్ ప్రజలయందు విశ్వాస రావడముతోను అభిమానముతోను వా సవరణకు ఆమోదిస్తారని ఆశిస్తూ యంతటా విరమిస్తున్నాను.”

DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Mr. Chairman, Sir, this is a question which must be dispassionately considered. I am afraid, my Andhra friends are not doing justice to themselves in the manner in which they are trying to give expression to the position that they have taken. As a matter of fact, I shall confine myself to educational institutions. I do feel that a statutory right cannot possibly be accepted by any State. At the same time, I would like to appeal to the Government and to the people of the Residuary Madras State to take a wider view of the problems connected with education. To this day, in the colleges affiliated to the Madras University there are about 2,000 to 3,000 students from other States taking their education. From the Andhra University area which, hereafter, will be a part of the Andhra State, from Travancore-Cochin, and from Ceylon, students are studying in colleges affiliated to the Madras University. It may surprise some of you to know that there are about 750 students from Ceylon studying in colleges affiliated to the Madras University. As one associated with the University, I do not feel that I can accept the position that anybody should be shut out from these places. I may tell you the reason. I have recently been to the Commonwealth Universities Conference. The one question that was discussed is the necessity and desirability of a free flow and exchange of students from one Dominion to another, with a view to let them associate themselves with the conditions and the circumstances under which other Dominion Universities are also functioning. We are pressing for seats for our Indian students in most of the British Universities. We are asking the American Universities to take our students. We are also asking the Canadian Universities to take our students. I may tell you that I myself had been responsible to send half a dozen of our students to the Post-Graduate institutions of Canadian University to study Medicine, Agriculture, and Engineering. It is, therefore, necessary

[27th July 1953] [Dr. A. Lakshmanaswami Mudaliyar]

for us to take a comprehensive view of them, not on a statutory basis but on the basis that is calculated to promote the best interests of education in the country.

I may further state that so far as seats in the University of Madras, studentships and other things are concerned, you know very well, Sir, that we have not shut off the Andhras because they come from the Andhra area. Amongst our research students, there are several who have come from the Andhra University area. I was speaking at an after-dinner talk at the Durham University just a fortnight ago and I found to my surprise that out of the 3,200 students on the roll of this University no less than 325 were what they called overseas students, not their cousins from Canada, Australia or New Zealand, but students from 52 different countries. I venture to express the hope that this example will be followed by other Universities and that, as a matter of promoting international understanding or goodwill, the Universities will voluntarily allow a certain percentage of seats, two or three, whatever it may be, to be given to such overseas students. If my friends from Andhra will therefore dispel themselves of all these unfortunate circumstances and they begin to consider as very necessary that there should be better understanding between these two States, I for one would certainly plead for and welcome the proposal that a certain number of students from the Andhra University area must be admitted. Let me make it clear that the Government is not concerned and has no control over the admission of students to private colleges. They will continue, and I have no doubt whatsoever, that the principals of our private colleges will not by any means, because they are unhampered by any restrictions, fail to admit students either from Rayalaseema or from the coastal districts. At the same time, if my friends from Andhra, in their exuberance or enthusiasm were to make charges which are absolutely unjustified that we have not promoted higher education in the Andhra area or that we have neglected the Andhra districts in the field of education, I should certainly and emphatically enter my caveat against it. In Rayalaseema, just eight years ago, there were only two Colleges, one at Madanapalle and the other at Anantapur. We have now eleven colleges in that area, an Engineering College, a Training College, a College for Women and Arts and Science Colleges of an advanced nature in Tirupati, in Kurnool and, in fact, in every district of Rayalaseema. May I also say that this was not due to the Government so much as to the influence that was exercised by the Madras University with certain well-meaning people to start these colleges that they developed in such large numbers in the Andhra area? What I am pleading for is not admission for a number of Andhra students in all the Colleges but that facilities, wherever it may be necessary to certain post-graduate studies, etc., should be given to them both by the colleges which are under private management and also by the colleges which are under Government management.

I hope and trust that this sympathetic consideration will be given. At the same time, it will be necessary for my Andhra friends to revise some of their attitudes and get to a reasonable frame of

[Dr. A. Lakshmanaswami Mudaliyar] [27th July 1953]

mind in trying to negotiate over these things. The list that has been presented was surprisingly strange. It is an amalgamation of all sorts and varieties. If they want, for instance, that people must be admitted to the Alipuram Central Jail at Bellary, it is not the responsibility of the Residuary State. So far as the Mental Hospital is concerned, I do not think this Government will have much of a difficulty in admitting them. (Laughter.) It appears as if this list has been compiled from a directory and all the institutions from A to Z included in it. This cannot be the principle and it certainly cannot be accepted. It will not be a wise decision.

"Having said this, I shall continue to plead with whatever Government of the Residuary State we may have to deal with, that certain facilities must be given to students from other parts of India and certainly from the Andhra area. To-day, Sir, there are certain institutions where the Government of India have definitely stated that a certain proportion of students from other areas must be taken. I take it that the Andhra State, when it is formed, the Government of India will certainly include it along with the others. Apart from these, goodwill on both sides must be created and one of the best incentive, I think, for the creation of that goodwill on the part of the Andhras will be that they should go and approach the other Governments and request them for their help. While, therefore, I am not able to support that this should be made a statutory measure, I will certainly plead for the fact that facilities must be given to very deserving students from the Andhra University to join some of the colleges, particularly, for those branches of learning where necessary facilities are not immediately available."

* THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, I am glad the Hon. the Leader of the Opposition has put things so happily and so pleasantly which, I am sure, will convince even my Andhra friends and, as far as this Government is concerned, if it is possible to give an assurance on behalf of future Governments also, I may assure the Hon. the Leader of the Opposition and also my Andhra friends, that we will not take a narrow view of things. As far as possible, we will give facilities to all the persons coming from other States, as we are giving even now. Therefore, there is no question of excluding anybody merely on the ground that he comes from the Andhra State but the only consideration is that our requirements will also be taken into consideration in providing facilities to others. As we give facilities to others, we will also ask for facilities from others. So, it will be a reciprocal arrangement. I may assure the House, Sir, that whatever request the Andhras make for facilities during the transition period will be considered sympathetically. I do not think that the Andhras will have any grievance as far as these facilities are concerned and, I am sure, they will also be satisfied ultimately even though now, when heat and passions are roused, they may think they have a right over these institutions here and, as a matter of right, they can claim these facilities. As already pointed out by the hon. Member, Dr. V. K. John, if they are claimed as a matter of right, it is likely to lead to friction and is also not likely to lead

27th July 1953] [SRI C. Subramaniam]

to the good treatment of the students who may come over here. Therefore, even in the interests of these students who are likely to be admitted in these institutions, I would request them not to press that these facilities should be provided statutorily.

"I am sure as we are neighbouring States and as we have lived together so long that we cannot shut ourselves away from one another. There are natural ties between us and I am sure these natural ties will work much better than Constitutional rights and guarantees can."

MR. CHAIRMAN :—"Is the hon. Member, Sri S. Srinivasa Rao pressing his amendment?"

SRI S. SRINIVASA RAO :—"Sir, in view of the assurance given by the Hon. the Finance Minister, I withdraw my amendment."

The amendment (No. 123) was, by leave, withdrawn.

The amendments of Sri Syed Mahboob (No. 124) and Sri S. Ramakrishnaiah (No. 125) were also, by leave, withdrawn.

The Ninth Schedule was put and carried.

* THE HON. SRI C. RAJAGOPALACHARI :—"Mr. Chairman, Sir, the hon. Member, Sri B. V. Subrahmanyam, represents that the debate on the discussion of the Seventh Schedule and the clauses connected with it may be put off for the reason that he wants plenty of time to consider them. On the other hand, the Government is eager that this Bill should be finished as soon as possible. We have finished it in the other House and we have promised to send it in the third week of this month. Now, we will be able to finish it only on the 29th if it is put off to-day. Tomorrow, we have a non-official day, and if we transact non-official business from 4 to 5 and set a time limit, we can finish this Andhra Bill in an hour or two tomorrow itself."

AN HON. MEMBER :—"Sir, nobody should feel that discussion is being shut out. We want at least a couple of hours."

THE HON. SRI C. RAJAGOPALACHARI :—"Sir, if the Chairman agrees, the Andhra State Bill may be put off to the 29th."

MR. CHAIRMAN :—"Yes. The House will now adjourn and meet again at 4 p.m. tomorrow, which will be a non-official day."

The House then adjourned.

[27th July 1953]

APPENDIX I.

[Vide answer to starred question No. 210 asked by Sri V. Gurusundaram Row at the meeting of the Legislative Council held on 27th July 1953, page 396 supra.]

(a) *Whether the Electricity (Supply) Act of 1948 (Central Act LIV of 1948) has been brought into force in Madras State :—*

Sections 1, 3, 4, 57, 58, 77 and 83 and the Sixth Schedule and the Table appended to the Seventh Schedule to the Act have come into force in this State with effect from 10th September 1948. These provisions relate mainly to distribution of power by licensees and their accounts, etc.

(b).—*If not, whether notifications have been issued by the Central Government extending the time for bringing the provisions of the Act into force in Madras State :—*

Yes, in respect of the remaining provisions of the Act.

(c).—*If so, whether the Government will be pleased to place on the table of the House copies of such notifications :—*

A copy of the latest notification, dated 6th March 1953, issued by the Government of India extending up to 31st March 1954 the time-limit for bringing into force the remaining provisions of the Supply Act is copied below. The Government of India had issued similar notifications earlier but copies of these are not placed on the table of the House as they are all on the same pattern as the latest notification :—

Notification of the Government of India, Ministry of Irrigation and Power.

No. EL-II-1 (35).—In exercise of the powers conferred by the proviso to sub-section (4) of section 1 of the Electricity (Supply) Act, 1948 (LIV of 1948), and in partial modification of Notification No. EL II-1 (35), dated the 13th March 1952, of the Government of India in the Ministry of Natural Resources and Scientific Research, the Central Government hereby further extends the period referred to in the said sub-section up to and including 31st day of March 1954 in the case of all States in respect of which the said period has expired, except the States of Madhya Pradesh and Delhi.

(d).—*Whether such extensions of time were granted by the Central Government at the request of the Madras Government :—*

The extensions were granted at the request of this Government, and also other State Governments which had not yet formed State Electricity Boards.

(e).—*The reason why the Government have not brought into force in Madras State the provisions of the Electricity (Supply) Act, 1948 :—*

Because the formation of a Statutory Electricity Board for Madras would be unnecessary, and may even be undesirable

[27th July 1953]

especially when the electricity undertakings of this State are in an advanced stage of development, and before long the entire generation of power and distribution will be in the hands of the State, and when the objectives of the Act have practically been secured.

APPENDIX II.

[Vide answer to starred question No. 243 asked by Sri S. Ramakrishnaiah at the meeting of the Legislative Council held on 27th July 1953, page 398 supra.]

G.O. No. 1469, Education, dated 28th May 1951.

[Grant—Teaching—Aided secondary schools—Scales of pay of headmasters—Revised.]

In the circumstances stated, the Government approve the proposal of the Director of Public Instruction that the classification of the grades of the Headmasters in aided secondary schools should be based on the number of sections in the schools and not on the strength on the rolls of the schools as ordered in G.O. Ms. No. 59, Education, dated 9th January 1950. The Government have also considered it necessary to revise the scales already approved as follows :—

	Rs.
(1) Headmasters of High schools with 12 sections or less in Forms I to VI.	150—10—200
(2) Headmasters of High schools with 13 to 24 sections in Forms I to VI.	165—7½—225— 10—245
(3) Headmasters of High schools with 25 sections or more in Forms I to VI.	250—15—400

2. The Director of Public Instruction is informed that for purposes of this order a section of a class or form should have a strength of not less than 40 pupils excepting in the case of those opened with reference to the requirements of linguistic minorities. The Director is authorized to relax the provision in special cases.

APPENDIX III.

[Vide item IV, pages 417-441 supra.]

Statement made by the Chief Minister in the Assembly on 23rd July 1953,

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, it may be useful and facilitate quicker disposal if I begin, with the permission of the Speaker. Amendments which are numbered 149, 150, 151 and 152, so far as I have examined them, cover exactly what the Government want to cover in their amendment No. 149. Even before those amendments were drafted by the various Members, a considerable amount of literature appeared in the

[27th July 1953]

daily Press discussing the whole position. In fact, I may at the very outset say that it may not be overdescription if I say that the appointment and promotion of officers formed the very life principle in the demand for partition. It is therefore quite natural that so much should have been discussed in the daily Press, even before anything was undertaken or even known, to have been proposed. So the Government have been at it. The Government is not a single homogeneous institution in this connexion. In this connexion, we must remember that the Government consists of several bodies; one is the official body who not only do their work as in duty they ought to and they have also to remember their own families and their own affairs. The other body consists of various strata of the Government including the Ministers. Then, we have got the Government of India which again consists of several strata of officials and Ministers. It is not enough if we keep in mind that there are officials and that there are Ministers. We must also remember that there are several grades of officials which are thoroughly classified and so thoroughly classified that they have developed a sense of *esprit de corps* and along with it a sense of mutual isolation as among the departments. If all these things are taken into account, Hon. Members will understand why the Government have been compelled to move a comprehensive amendment in the shape of amendment No. 149 as against the well-considered proposal which the Government of India have introduced in the Bill itself. The proposals of the Government of India were the result of considerable deliberation here as well as in Delhi. The Partition Committee, as it is so called, dealt only with officials and it dealt very fully with the matter and very carefully and in detail. A high grade civil servant from the Government of India, Mr. Sukthankar, came here and not only discussed in correspondence but personally also with officials and officers here and the whole matter was thrashed out thoroughly. The Government of India sent us proposals drawn up in the light of these discussions. But still in view of what has been stated and what we have understood to be the public opinion prevailing in the Andhra and also as seen from the daily Press in the Andhra, the Government of Madras have been compelled to propose this amendment—Amendment No. 149—I may divulge without impropriety, probably against the wishes of the Government of India in respect of this matter, and also the considered opinions of the Ministers of the Government of India in regard to Public Services. Officially the Bill is before the House and the amendments of the Government are also before the House and we will express an opinion thereon without disrespect to the Government of India. The whole thing will go to the Government of India and they will consider it in the Parliament which will offer facilities for a thorough discussion in respect of this matter.

“ Now, Sir, the Government amendment relates to clauses 58 to 61 of the Bill, which deal with the division of the Public Services. From the administrative point of view, the question of

[27th July 1953]

manning the posts required in the Andhra State is a very important matter. I must explain the position at some length in order that the House may fully appreciate the issue involved. There are three questions involved here. One is the administrative set up required in each department in the State, that is, the kinds of posts that are necessary and the number of posts required in each category. The second is the number of posts under the several categories to which personnel must be allocated before the date of the partition and which cannot wait till the Andhra Ministers have been sworn in. The third is the manner in which allocations which have to be made before the date of the partition should be determined. These are the three points on which we should direct attention. The first two questions, viz., the administrative set up required and the numbers of posts under the various categories which cannot wait till the Andhra Ministers have been sworn in are not difficult to settle though, even in regard to them, there will be some difference of opinion.

“ The third question mentioned by me, viz., the manner in which the personnel should be selected to man the posts in the Andhra State to the extent to which such allocations must be made before the date of the partition, raises a delicate and more difficult problem. Hon. Members are aware that we appointed a Partition Committee of four officials of this Government to examine and make, in consultation with Mr. Sukthankar, the Officer appointed by the Central Government in this behalf, recommendations on all matters connected with the division of Public Services. After examining the position in respect of the Forest, Revenue, Public Works and Police departments and also in respect of the All-India Services, that Committee submitted its reports. After very careful consideration, the Government of Madras have come to the conclusion that a scheme which stipulates many safeguards, even if it is agreed to by the Government of India, will not work smoothly. The Bill has been drafted after considering all the reports of the Partition Committee and the recommendations of Mr. Sukthankar. We feel that the matter must be settled with due regard to the need for avoiding anything that is likely to perpetuate the existing tension. Hence this amendment. As to the interests of the non-Andhra officers compelled to serve the Andhra State, the terms on which they are sent to the Andhra State should cause the minimum dissatisfaction among the Andhra leaders and the Andhra members of the Public Services who naturally expect some advantage from the Andhra separation. We have had occasion to understand the mind and aspirations of the Andhra section of the Secretariat Association and the non-gazetted officers because they have submitted memorandum on several occasions and I think the Andhra public men very much sympathise with the legitimate aspirations of the officers that I have mentioned. The result is that there is a general feeling among the Andhra officials that the partition should be availed of to improve their immediate prospects by promotion to the utmost extent that can be contemplated. The

[27th July 1953]

scheme contemplated in clause 60 of the Bill is that the allocation of the non-Andhras compelled to serve the Andhra State should be permanent unless the President thinks it expedient, presumably at the instance of the Andhra Government or on the representation of the non-Andhra officers concerned, to transfer them to the residuary State and any such transfer would normally take place only after two years from the date of the partition and before the expiry of the third year. This would tie the Andhra Government down for a period of two years to these non-Andhra officers. From the point of view of the Residuary State, a two-year period would be too long for making the necessary adjustments or to be fair in respect of the prospects of the officers left behind. We consider that we should reduce the number of non-Andhra officers compelled to serve the Andhra State to the utmost extent practicable, and also that they should be sent there only on terms from which it would be quite clear that they have been sent there only for a very brief period which should not normally exceed in our opinion one year. It can be less in regard to many posts. At the end of that brief period, the Andhra Government will be free to relieve them without reference to the Government of India, and without even having to convince the President that it is expedient to do so. It is not desirable for the Residuary State to force non-Andhra officers on the Andhra Government. If that is done, there will be difficulties as a consequence. But on the whole, I think the scheme which we advocate and which can be implemented by the clauses proposed in our amendment will solve the problem. It is this and it will be a good alternative to the one suggested in the Bill.

(1) All Andhra officers may reasonably be required to serve the Andhra State without being given any choice in the matter except when in view of the peculiar nature of the posts held by them, it is impossible to provide for them in the Andhra State. The number of such cases will be quite negligible.

(2) Any deficiency in Andhra personnel should in the first instance be made up by promotion or transfer of suitable Andhra officers from other classes or even other Services.

(3) If there is deficiency, even after taking action as I have stated in (2) above, the Government of India should decide whether the gap may be left to the Andhra Government to be dealt with as they like and if not, it should be filled to the minimum extent that the Government of India consider essential in the interests of the administration of the Andhra State by ordering suitable non-Andhra officers to serve the Andhra State for a very brief period which should be specified in each case, but not exceeding one year in the case of any officer.

(4) A word about the deputation allowance that is proposed in our amendment. Non-Andhra officers who are sent for a limited period must necessarily have a lien in the Residuary State; and

[27th July 1953]

as they will probably have to run double house establishments—one in the Residuary State and one in the Andhra State it is reasonable and just that they should be given an adequate deputation allowance.

(5) On the expiry of the period fixed for each non-Andhra officer the Andhra Government can keep him on in their service if they so desire and if the terms they offer him are acceptable to him; and where this is not the case, the Andhra Government may return the officer to the Residuary State.

(6) During the period for which he is required by the President's order to serve the Andhra State, he will be under the full disciplinary control of that State, subject however to the condition that any substantial punishment should be ordered only with the concurrence of the Madras Government. Of course, the officer can at any time be returned to the Residuary State, if concurrence is not obtained with regard to the punishment.

(7) Subject to (4) and (6), I have stated, the conditions of service of a transferred officer while he is serving the Andhra State during the period specified in the President's order must be the same as they would have been if he had remained in the Residuary State.

(8) All Andhra officers as well as non-Andhra officers, if any, who have volunteered to serve the Andhra State and who are selected for service in that State will stand permanently allotted to the Andhra State without any special terms.

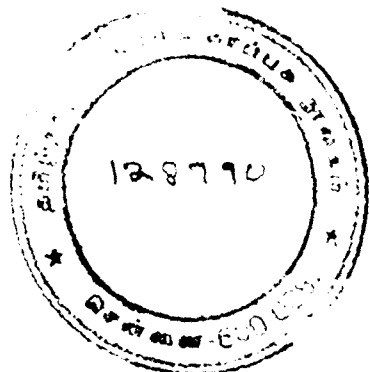
" In our view, the All-India Services also should be treated on the same lines and for the same reasons; but the Government of India has a different opinion on the matter. Andhra opposition to non-Andhra personnel in the public services of the Andhra State is by no means less pronounced in the case of members of these services than in the case of the members of the State and Subordinate Services; if any it will be more, as many of these officers will be at or near the top level. In our view, this will be the only wise arrangement in the interests of the non-Andhra officers who are ordered without reference to their own option to serve the Andhra State. All the private members' amendments to clauses 58—61 under consideration are designed to avoid non-Andhra officers as far as possible to avoid any long-term commitments in respect of such officers. Efficiency does not depend only on one's experience and ability, but on the receptivity of the public and the Subordinate Services and the whole atmosphere. Therefore, even on the question of efficiency, it is not desirable in our opinion, to follow the lines suggested by the Government of India. It is not desirable to keep too great a deal of uncertainty hanging over officials even from the point of efficiency. Hence, our proposal that the period should be very brief. Nor is it desirable to make the cases of particular officers

[27th July 1953]

the cause for difference of opinion between the two State Governments from time to time. Taking all these matters into account we have proposed our Government amendment.

"The whole matter has to be considered, Sir, in a realistic manner and if this is done, it will be seen that it would be best to adopt the scheme I have just explained. I commend the Government amendment for the acceptance of the House.

"A certain amount of discrimination on the ground of an officer being—I want the lawyer members' attention to this—a certain amount of what is called discrimination in the Constitution, on the ground of an officer being Andhra and non-Andhra is necessary and we do not think that this is a discrimination such as is prohibited by the Constitution. But the Government of India appear to think that it would be better to avoid statutory distinctions on that basis and to take powers for the Government of India to allocate on that basis, that is to say to give effect to whatever policy is decided upon finally on this subject without infringing the Constitution. That is why the Government amendment does not actually refer to Andhra and non-Andhra, but powers are given to the President to allocate after taking all this into account. I think I have made everything quite clear, the amendment is also quite clear. I have explained the intentions and the reasons of the Government in proposing this amendment."



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THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, 28th July 1953.

The House met in the Council Chamber, Fort St. George, at four of the clock, Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Election petitions relating to the last general elections.

* 249 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Finance be pleased to state—

(a) the number of election petitions filed before Election Tribunals in connexion with the last general elections to the Madras Legislative Assembly;

(b) the number of cases disposed of and the number awaiting disposal; and

(c) in how many cases, the petitions were dismissed and in how many cases, the elections were set aside, and in the latter case, the brief grounds on which each of the election was set aside?

THE HON. SRI C. SUBRAMANIAM:—“(a) Twenty-four, Sir.

“(b) Number of cases disposed of 20
Number awaiting disposal 4

“(c) Petitions were dismissed in 13 cases. In seven cases the elections were set aside. The grounds are briefly summarised in a statement* placed on the table of the House.”

SRI T. PURUSHOTHAMA MUDALIAR:—“In view of the findings made by the Election Tribunals, may I request the Hon. the Finance Minister to suggest suitable amendments to the Representation of People Act and the rules thereunder so that the difficulties that had arisen at the time of last General Elections may not arise at the time of the next General Elections?”

THE HON. SRI C. SUBRAMANIAM:—“We have already made suggestions to the Government of India for amending the Representation of People Act and a Bill has been formulated and circulated for public opinion.”

SRI MOHAMMAD RAZA KHAN:—“Sometimes, due to the wrong decisions of the Returning Officers, candidates who have already succeeded in the elections are forced to contest the elections again. May I know what suggestions have been made by this Government to the Central Government to avoid such mistakes in the future?”

[28th July 1953]

THE HON. SRI C. SUBRAMANIAM :—" Such mistakes always give rise to troubles and difficulties. We shall try to rectify them. The main difficulty is with regard to the validity of nominations and rejections at the stage of scrutiny. Suggestions have been made that this question should be disposed of immediately, before the elections take place."

SRI T. PURUSHOTHAMA MUDALIAR :—" With reference to answer to clause (b), may I request the Hon. Minister as to why there are still some cases not disposed of even though elections were held nearly one and half years ago? "

THE HON. SRI C. SUBRAMANIAM :—" In some cases the parties have gone to the High Court and obtained stay orders. That is why some cases are still not disposed of."

Craft training for teachers.

* 250 Q.—SRI S. RAMAKRISHNAIAH : Will the Hon. the Minister for Education be pleased to state—

(a) the various subjects that come under craft and the number of teachers trained in each; and the number yet to be trained in each;

(b) whether the craft training is compulsory only in respect of local board and municipal teachers; and if so, the reasons therefor; and

(c) whether the Government propose to extend the period of such training, and if so, to what extent?

THE HON. DR. M. V. KRISHNA RAO :—" (a) A copy of the G.O. Ms. No. 2392, Education, dated 22nd July 1949, as amended from time to time, containing the subjects prescribed for purposes of craft qualifications, is placed on the table of the House. No information has been collected or is available as to the number of teachers trained in each of the several crafts.

" (b) No. The craft training is compulsory for all teachers under 50 years of age on 22nd July 1951, under local bodies and the Government but not under aided managements.

" (c) Extension has already been granted till 22nd July 1953."

SRI S. RAMAKRISHNAIAH :—" May I know, Sir, why this difference is shown between teachers under local bodies and those under aided managements? "

THE HON. DR. M. V. KRISHNA RAO :—" The conditions of service of teachers under aided managements are matters of arrangement between the teachers and the aided managements and it is not possible for Government to enforce things by injunctions. However, every encouragement is given to remove such differences."

28th July 1953]

SRI S. RAMAKRISHNAIAH :—" In view of the fact that the modified scheme of elementary education is now introduced, is it necessary that teachers should qualify themselves in any craft? "

THE HON. DR. M. V. KRISHNA RAO :—" The whole question will be reviewed."

SRI S. RAMAKRISHNAIAH :—" Are the Government aware that the increments of certain local board teachers are not passed in certain district boards for want of this qualification on their part? "

THE HON. DR. M. V. KRISHNA RAO :—" Yes, Sir."

Holding T.S.L.C. examinations in October for failed students.

* 251 Q.—SRI G. KRISHNAMURTHI : Will the Hon. the Minister for Education be pleased to state whether there is any proposal to hold October examinations for failed students in T.S.L.C. examinations?

THE HON. DR. M. V. KRISHNA RAO :—" Proposals have been called for from the Director of Public Instruction."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I urge for the consideration of the Government that October examinations may be held in view of the dearth of qualified teachers? "

THE HON. DR. M. V. KRISHNA RAO :—" The decision has been made. Only proposals are awaited."

Publication of the results of certain Government Examinations.

* 252 Q.—SRI G. KRISHNAMURTHI : Will the Hon. the Minister for Education be pleased to state—

(a) the normal interval between the date of the examination and the publication of the results in the case of the E.S.L.C., T.S.L.C. and Government Technical Examinations; and

(b) what steps the Government propose to take to minimise this interval?

THE HON. DR. M. V. KRISHNA RAO :—" (a) The normal interval between the date of the examination and the publication of the results in the case of the E.S.L.C., T.S.L.C. and Government Technical Examinations is about two months.

" (b) The interval now provided for, is the minimum necessary for the efficient conduct of the examination."

SRI G. KRISHNAMURTHI :—" May I know whether the Government are aware of the fact that these results are published generally in August or September, four months after the date of the examination? "

THE HON. DR. M. V. KRISHNA RAO :—" Every effort is being made, to bring out the results in time according to the programme."

Issued—30-9-1953



**MADRAS LEGISLATIVE COUNCIL
DEBATES**

TUESDAY, 28th JULY 1953

VOLUME V—No. 8

CONCLUSIONS

	Page
I. Questions and Answers	449-460, 535-538
II. Motion under rule 24 of the Council Rules	460
III. Non-Official Business	
(A) Bill.	
The Madras Estates Land (Reduction of Rent) Amendment Bill, 1963	460-461
(B) Resolution.	
Appointment of a Committee to enquire into the Revised System of Elementary Education	462-534
IV. Paper laid on the table of the House	534

BHAKTARAJAL JAIN, Mumbai, Ass.
 BOOK ARRAYS VAIDYA SHARMA BOOK DEPOT, Bangalore-2
 THE MAMMALON BOOK CENTER, Bangalore-2
 THE STANDARD BOOK DEPOT, Bangalore-2.
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1953

ГИБС, 4 апреля

[28th July 1953]

SRI G. KRISHNAMURTHI :—" May I know if the Government are aware of the difficulties of those who pass the E.S.L.C. in joining the Fourth Form and the difficulty in assessing the grant in the case of those who appear for T.S.L.C. and join as teachers before the publication of the result? "

THE HON. DR. M. V. KRISHNA RAO :—" Government are aware of these difficulties, and for that reason, every effort is being made to bring out the results according to schedule."

Rules governing the publication of Text-Books.

* 253 Q.—**SRI S. RAMAKRISHNAIAH :** Will the Hon. the Minister for Education be pleased to lay on the table of the House a copy of the rules or orders governing the publication of Text-Books and to state whether the sons or relatives of the teachers are disqualified from being publishers of Text-Books and if so, the reasons therefor?

THE HON. DR. M. V. KRISHNA RAO :—" The hon. Member is informed that a copy of the ' Rules relating to the Madras Text Book Committee ' and a copy of the ' Guide Book on the essential requirements for the approval of Text Books ' have been placed in the Library of the Legislature for reference. There is no specific rule in the Rules relating to the Text Book Committee, disqualifying a person from getting himself registered as a publisher of text books. However, applications received for registration, from the sons and close relatives of teachers are generally not accepted by the Director of Public Instruction."

SRI T. PURUSHOTHAMA MUDALIAR :—" As there was a proposal some time ago for the publication of text books as a State venture, may I know in what stage that question stands or whether the proposal has already been dropped? "

THE HON. DR. M. V. KRISHNA RAO :—" I require notice."

Service rules for the State Transport Services.

* 254 Q.—**SRI T. PURUSHOTHAMA MUDALIAR :** Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether service rules governing the recruitment, promotion, punishment, etc., of the officers and staff of the Madras State Transport Services have been issued;

(b) if so, whether the rules govern the recruitment of works clerks in the Madras State Transport Service; and

(c) whether the Government will be pleased to lay on the table of the House a list of works clerks with their names recruited during the three months, i.e., January, February and March 1953 showing the qualifications and the district to which each belongs?

THE HON. DR. U. KRISHNA RAO :—" (a) No, Sir.

" (b) Does not arise.

[28th July 1953]

" (c) A statement * furnishing the information is placed on the table of the House."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I know why the regulations framed by the Government for representation of Backward Classes in the Public Services have not been made applicable to the officers and staff of the Madras State Transport Services? "

THE HON. DR. U. KRISHNA RAO :—" Sir, in G.O. No. 1828, dated 21st May 1952, Government have ordered that the principle of reservation of appointments enunciated in G.O. No. 2432 should be applied as far as possible when making appointments to the posts in the Nationalised Department. I, therefore, do not see any justification for the hon. Member's question."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I refer the Hon. Minister to the paper laid on the Table in this connection and request him to explain why all the posts are filled by people coming from the West Coast? "

THE HON. DR. U. KRISHNA RAO :—" I may add that so far as Government are concerned, no orders as to the distribution of appointments on any district-war basis have been issued. If the appointments have been made as can be found it must be by mere coincidence, and not by any intention of the Government."

SRI T. PURUSHOTHAMA MUDALIAR :—" May I point out to the Hon. Minister that not one of those who have been appointed belongs to the Backward Class? "

THE HON. DR. U. KRISHNA RAO :—" The only answer I can give is this—I presume nobody from that community applied."

SRI MOHAMMAD RAZA KHAN :—" Is the Hon. Minister aware that there is some dissatisfaction with the way and manner of recruitment to this department? "

THE HON. DR. U. KRISHNA RAO :—" I can assure the hon. Member that after we took over, we are making arrangements to frame rules so that these appointments may be dealt with by the Public Service Commission. I hope that the dissatisfaction will be removed."

SRI T. PURUSHOTHAMA MUDALIAR :—" Pending the issue of statutory rules relating to those services, may I request the Hon. Minister to see that *ad hoc* rules are issued providing for due representation of Backward Classes as in the case of other public services."

THE HON. DR. U. KRISHNA RAO :—" I can tell for the information of the House that appointments below a certain

[26th July 1953]

category are made by a Committee consisting of the Transport Commissioner, the Home Secretary and the Assistant Transport Commissioner. I daresay that in making these appointments these regulations will be followed very strictly. I will certainly convey to them the desire of the hon'ble Member in this matter."

Formation of a road to Agaram.

* 253 Q.—SRI T. PURUSHOTHAMA MUDALIAR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether any representation has been received by Government from the villagers of Tambaram (Chingleput district) regarding the formation of an alternative road to Agaram; if so, the action taken thereon;

(b) when the old road was closed to the public; and

(c) whether the Government of India have paid any compensation due to the Madras State Government for the acquisition of the area covered by the road, and the amount of compensation paid?

THE HON. SRI N. SANKARA REDDI:—“(a) A copy of the petition on the subject addressed to the President, District Board, Chingleput, by the villagers of No. 180 Agaram was received in 1949. The question of providing an alternative road is under correspondence with the Government of India.

“(b) The old road was closed to the public in 1942–43.

“(c) No. Finally the Government of India have agreed to pay some compensation.”

4-10 P.M. SRI T. PURUSHOTHAMA MUDALIAR:—“May I know what the great delay in the formation of the road is due to and as the Government of India have already decided about the question of payment of compensation, may I request the Government to take steps to form the road immediately in view of the great inconvenience caused to the public?”

THE HON. SRI N. SANKARA REDDI:—“Correspondence was going on with the Government of India for giving an alternate road but they say that they are not liable for giving an alternate road and ultimately they have agreed to give some compensation and some detailed information has been called for and the Department of Engineering has been asked to give that information.”

Assignment of lands to political sufferers.

* 256 Q.—DR. V. K. JOHN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the extent of lands assigned to political sufferers in (1) South Kanara, (2) Malabar, (3) Tamil districts and (4) Andhra districts;

(b) the approximate market value of such lands;

[28th July 1953]

(c) whether the grantees have been given power to alienate such lands;

(d) if so, whether any portion of lands assigned have been alienated;

(e) whether any Ministers, both past and present, have been given free grants of lands as political sufferers;

(f) whether any members of the Legislature, both past and present, have been given such grants;

(g) whether any lands have been assigned to Ministers and other Members of the Legislature at the request of the grantees; and

(h) whether any change in the above policy has been effected by the present Government; if so, the reason for such change?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) Up to April 1952.

			Extent of dry assigned.	Extent of wet assigned.
			ACS.	ACS.
(1) South Kanara	..	..	4,702.19	23.14
(2) Malabar	—	..	5,634.30	130.01
(3) Tamil districts	..	..	22,709.91	3,409.68
(4) Andhra districts	..	..	9,878.78	5,270.64
			42,925.18	8,833.46

“(b) The information is not available with the Government.

“(c) No Sir. They cannot alienate the land for a period of 10 years.

“(d) Does not arise.

“(e) to (g) Yes Sir, but those who had been given grants and who are now Ministers have all relinquished them.

“(h) The hunger for land on the part of the people is so great that the landless and poor persons likely to cultivate the lands should be assigned land and the question of grant of lands to political sufferers was found to be not a good policy.”

DR. V. K. JOHN:—“May I know, Sir, what is the difficulty to find out the approximate market value of such lands? Have the Government not got the machinery to find out the market value?”

THE HON. SRI M. A. MANICKAVELU NAICKER:—“It is really difficult, Sir, because the lands have been distributed all over the State in all the districts, in the nooks and corners of the State. Assignments took place about seven or eight years ago and it is rather difficult seeing that it is not known also whether the present value is required or the value at the time of the assignment.”

[28th July 1953]

SRI K. BALASUBRAMANYA AYYAR :—“ There must be some estimate not as it obtains now because, I agree, it is difficult.”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ These are poramboke lands and there is no idea of any estimate in regard to them.”

DR. V. K. JOHN :—“ Am I to take it, Sir, that the Government are unwilling to give the market value? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Not at all, Sir, if it was possible I could have given it and the whole difficulty is that it is not practicable.”

SRI K. BALASUBRAMANYA AYYAR :—“ It is within our knowledge, Sir, that assignment of wet lands has also been made. Might I know the approximate value of the lands thus assigned? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ If a separate question is put, I shall certainly give the information.”

SRIMATHI J. SITA MAHALAKSHMI :—“ Might I place before the Hon. Minister the fact that there is a lot of dissatisfaction all round the State that the matter should be gone into and it is not very difficult to find out the value of the lands with reference to the neighbouring ones and will the Government take note of this feeling and see that the lands are estimated and that information is placed before the House? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I take it the hon. Member wants information regarding the value of the land. About the discontent about this I do not know; I have explained that an estimate is not practicable.”

DR. V. K. JOHN :—“ May I take it that I am correct in saying that the Hon. Minister for Land Revenue elsewhere said that the value of the properties given to one of the former Ministers' not the present Ministers, was over Rs. 1 lakh? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I did not say it in this House; it is elsewhere; it was only based on hearsay.”

SRI S. B. ADITYAN :—“ In view of the poor response from political sufferers to the appeal made by the Hon. the Chief Minister for the voluntary return of the lands to the Government, may I know if the Government have any proposals to take more effective measures? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ All the four Hon. Ministers in this House have relinquished their lands and some of them after spending a lot of money over improvements but who knows at this rate whether some of the ex-Ministers may not relinquish.”

[28th July 1953]

DR. V. K. JOHN :—“ Was it proper for the Hon. Minister to give expression to hearsay information to the effect that the value of the properties assigned to former Ministers was over Rs. 1,00,000? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ It is hearsay in the sense that it is not calculated as the hon. Member wants. For all practical purposes, it was a proper estimate of the lands.”

DR. V. K. JOHN :—“ Then was it the approximate value, Sir? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ It may or may not be and the hon. Gentleman who is a Notary Public may know more about it.”

SRI MOHAMMAD RAZA KHAN :—“ After so much of distribution of lands to political sufferers, may I know from the Hon. Minister whether there is any land still left in this State for further distribution? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Quite a lot, Sir, running into lakhs of acres.”

Implementation of Article 50 of the Constitution of India.

* 257 Q.—**DR. V. K. JOHN** : Will the Hon. the Minister for Law be pleased to state—

(a) the steps taken by the Government to implement Article 50 of the Constitution of India;

(b) the districts in which the separation has been effected so far; and

(c) whether the Government have any definite plan to give effect to the separation throughout the State in the course of a definite period and, if so, what the period is?

THE HON. SRI K. P. KUTTIKRISHNAN NAYAR :—“ (a) Independently of and even before the enunciation of the Directive Principle in Article 50 of the Constitution, a scheme for the separation of the judiciary from the executive had been formulated and brought into force in this State in October 1949. The scheme is being extended to the various districts gradually.

“ (b) The following are the districts in which separation has so far been effected :—

- | | |
|------------------|----------------------|
| (1) North Arcot. | (9) Visakhapatnam. |
| (2) Chingleput. | (10) Srikakulam. |
| (3) Chittoor. | (11) Ramanathapuram. |
| (4) Tirunelveli. | (12) South Arcot. |
| (5) Anantapur. | (13) Salem. |
| (6) Bellary. | (14) Nellore. |
| (7) Cuddapah. | (15) The Nilgiris. |
| (8) Kurnool. | (16) Coimbatore. |

[28th July 1953]

"(c) The intention is to complete the process as early as practicable."

SRI K. BALASUBRAMANYA AYYAR :—" May I know whether the Government have in their hands the Report of Justice Rajagopalan concerning the separation of the Judicial and Executive functions? "

THE HON. SRI K. P. KUTTIKRISHNAN NAYAR :—" The Government have got the report and they are examining it."

SRI K. BALASUBRAMANYA AYYAR :—" Might I know if his views and the views of the Government agree or whether there will be a little modification of the scheme? "

THE HON. SRI K. P. KUTTIKRISHNAN NAYAR :—" The report was submitted in October 1952 and it is being examined by the various section heads and the Government will come to a conclusion after a thorough examination of the Report."

DR. V. K. JOHN :—" Might I know what will be the maximum period the Government will take to introduce the reform? "

THE HON. SRI K. P. KUTTIKRISHNAN NAYAR :—" It will be a few months only."

Supersession of the Madurantakam Co-operative Land Mortgage Bank.

4-20 p.m. * 258 Q.—SRI T. PURUSHOTHAMA MUDALIAR : Will the Hon. the Minister for Co-operation be pleased to state—

(a) when the Madurantakam Co-operative Land Mortgage Bank in Chingleput district was superseded and for what period and the reasons therefor;

(b) what was the report of the Central Land Mortgage Bank with regard to the working of the above bank and whether Central Land Mortgage Bank was consulted before the supersession of the latter;

(c) whether the members of the Madurantakam Co-operative Land Mortgage Bank represented to the Government against continued supersession of the bank and, if so, the orders passed thereon;

(d) what is the extra cost on account of the appointment of Special Officers for the above bank; and

(e) when the bank will be reconstituted?

THE HON. SRI D. SANJIVAYYA :—" (a) The Committee of the Madurantakam Co-operative Land Mortgage Bank, Limited, was superseded for one year from 15th July 1951 in the first instance for the following chief reasons among others :—

(1) The Committee failed to take action to recover the heavy overdues of Rs. 14,840-6-11 from members,

28th July 1953]

(2) The Committee failed to take expeditious action to dispose of the loan applications received from members;

(3) The Committee did not take steps to get the Discharged Voucher files ready for certification;

(4) There were serious irregularities in the disbursement of loans; and,

(5) The Committee failed to adhere to the instructions issued by the Central Land Mortgage Bank and the Deputy Registrar.

"(b) The Registrar consulted the Central Land Mortgage Bank before superseding the Committee. It was of the opinion that the Bank might be given time till 31st July 1951 to rectify the defects. The Registrar however did not agree with its opinion.

"(c) Only one member represented and no action was considered necessary on the representation.

"(d) A Co-operative Sub-Registrar is working as Special Officer on Foreign Service terms whose costs amount to Rs. 3,400 per annum which the Bank can afford to meet.

"(e) The extended period of supersession expires on 14th January 1954. The question of restoring the normal management of the Bank will be considered then in the light of the progress made."

SRI T. PURUSHOTHAMA MUDALIAR :—" What is the maximum period, Sir, for which the Co-operative Banks could be superseded? "

THE HON. SRI D. SANJIVAYYA :—" That is quite evident from section 49 of the Act, namely, four years."

SRI T. PURUSHOTHAMA MUDALIAR :—" On what ground, Sir, was the further supersession ordered in this case? The reasons for the original supersession were detailed by the Hon. Minister. But I should like to know on what further grounds was the further supersession ordered? "

THE HON. SRI D. SANJIVAYYA :—" Sir, the reasons I mentioned were the chief reasons among others. There are various other reasons too. The reason for continuing or extending the supersession period is this that the bank has not come to function normally in the sense that it has not come to the stage when it can function in a satisfactory manner as a bank should function."

SRI T. PURUSHOTHAMA MUDALIAR :—" How was this decided when the bank was not really reconstituted and allowed to function normally. It was under supersession and how did the Government arrive at the decision that the body was not functioning properly and when the bank was not restored to its normal activities and when it was actually under the management of the Special Officer during the period of one year? "

[28th July 1953]

THE HON. SRI D. SANJIVAYYA :—“ Sir, the Committee which was in charge of the bank was not functioning properly and that is why the bank was superseded. The Special Officer is taking all pains to see that all these difficulties are rectified. It would take some time more for the Special Officer to put the entire bank in perfect order.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ Considering the fact that the bank has been under official control for a long time, may I request the Hon. Minister to see that urgent orders are issued for reconstitution of the bank without further delay? ”

THE HON. SRI D. SANJIVAYYA :—“ If it is necessary we will certainly do it and if he can assure me that he can see to it that proper members would be returned to the Board of Management, we shall certainly order for re-election ”

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

II.—MOTION UNDER RULE 24 OF THE COUNCIL RULES.

* **THE HON. SRI C. RAJAGOPALACHARI :—**“ Mr. Chairman, Sir, I beg to move—

‘ That rule 24 of the Madras Legislative Council Rules be suspended and this House do resolve to transact Government business on Wednesday the 29th July 1953. ’

It is usual to move such a motion when a non-official day is proposed to be taken by Government for transacting Government business. We have agreed to give to-day for transacting non-official business. I request tomorrow may be given for the continuation of the discussion on the Andhra Bill.”

DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Sir, the suggestion was made yesterday evening by the Leader of the House and we agreed to it readily in view of the importance of passing the Andhra State Bill as soon as possible. I should, however, wish to make it clear that whenever a non-official day is utilized for official business it should be supplemented by another day for non-official business in the particular session of the Council.”

THE HON. SRI C. RAJAGOPALACHARI :—“ To-day has been converted into a non-official day.”

MR. CHAIRMAN :—“ The question is—

‘ That rule 24 of the Madras Legislative Council Rules be suspended and this House do resolve to transact Government business on Wednesday the 29th July 1953. ’ ”

The motion was put and carried.

III.—NON-OFFICIAL BUSINESS.

(A) BILL.

THE MADRAS ESTATES LAND (REDUCTION OF RENT) AMENDMENT BILL, 1953.

SRI T. PURUSHOTHAMA MUDALIAR :—“ Mr. Chairman, Sir, I beg to move—

‘ That leave be granted to introduce the Madras Estates Land (Reduction of Rent) Amendment Bill, 1953. ’ ”

[28th July 1953] [Sri T. Purushothama Mudaliar]

“ Sir, I am aware this is not the time to discuss the principle of the Bill or its general provisions. I should, however, like just to inform the Hon. Minister that the main object of the Bill is to secure reduction of rent in the case of estate lands taken over by Government to the level of the ryotwari assessment in the neighbourhood. You will agree, Sir, that it is an accepted Parliamentary convention to encourage Members to move private Bills and at any rate not to throttle such a venture at this stage of leave to introduce the Bill. I therefore request the Hon. the Leader of the House, the Hon. Leader of the Opposition and all sections of this hon. House to kindly give me leave to introduce this Bill standing in my name.”

* **THE HON. SRI C. RAJAGOPALACHARI :—**“ Sir, since the hon. Member has explained the whole Bill, I hope he will not take it that Government have waived any objection that could later be raised in the light of the Constitution, if any.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ Does it mean that the Hon. the Leader of the House opposes my motion? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I do not oppose the introduction.”

SRI MOHAMMAD RAZA KHAN :—“ Sir, I speak subject to correction. I think when the original Act was last passed by the Assembly all the assessments under the zamindari area were brought down to the level of the rents in ryotwari areas. I think in many cases the rent is less than what it is in the ryotwari area. Therefore, I would like to know whether there are still cases where rent is greater in the zamindari area than in the ryotwari area.”

SRI T. PURUSHOTHAMA MUDALIAR :—“ Yes, Sir. I know there are such instances where the rents are higher in the zamindari areas; that is the reason why I am asking for leave to introduce this Bill.”

THE HON. SRI C. SUBRAMANIAM :—“ These are special cases where they were paying rent in kind. So the rents could not be immediately computed on cash basis. The provision was made and hon. Member Mr. Raza Khan must know about it, that in these cases the rents should be the highest prevailing in the district. In these cases some difficulties might have been caused to the ryots. That is the reason why this Bill has been brought forward by the hon. Member, I think.”

MR. CHAIRMAN :—“ The question is—

‘ That leave be granted to introduce the Madras Estates Land (Reduction of Rent) Amendment Bill, 1953. ’ ”

The motion was put and carried and the Bill was introduced.

[28th July 1953]

(B) Resolution.**APPOINTMENT OF A COMMITTEE TO ENQUIRE INTO THE REVISED
SYSTEM OF ELEMENTARY EDUCATION.**

MR. CHAIRMAN :—"The resolution and the amendment may be formally moved. Then both will be before the House for discussion."

SRI S. RAMAKRISHNAIAH :—"I beg to move the following Resolution :—

That this House recommends to the Government that the introduction of the "Revised System of Elementary Education" be held in abeyance till the commencement of the next school year, and that a committee of 15 members consisting of the representatives of the teachers in the Legislative Council, representatives of the Linguistic Elementary Teachers' Organizations and Educationists of the State, be appointed to enquire into, to report on and to suggest healthy changes for the reorientation of the present system of Elementary Education and to submit its report within three months from the date of the appointment of the same."

The resolution was duly seconded.

*** DR. V. K. JOHN :—**"Sir, I beg to move the amendment standing in my name, namely—

"This House is of the opinion that the New Elementary Education policy adopted by the Government be withdrawn until the policy is thoroughly examined by a committee of experts and its report considered by this House."

The amendment was duly seconded.

MR. CHAIRMAN :—"The resolution and the amendment are before the House for discussion. I would request hon. Members not to take more than 15 minutes each."

4-30 p.m. **SRI S. RAMAKRISHNAIAH :—**"Mr. Chairman, Sir, it is with a great sense of duty that I have moved this resolution.

"You are well aware, Sir, that the Madras Government had introduced from 1st July 1953 a Modified Scheme of Elementary Education in all the primary schools of our State except Basic elementary schools and elementary schools under Municipalities. You are also aware of the serious opposition that has come into being from all quarters of the State, as a consequence of this Scheme so dramatically introduced by the Government of Madras. Opposition has come from the Linguistic areas; opposition has come from political parties; opposition has come from teachers and their organisations; opposition has come from public and the Press; and last of all, opposition has come from Legislators. So, there is opposition brewing all round.

[28th July 1953] **(Sri S. Ramakrishnaiah)**

"Sir, last time when both the Assembly and the Council were in session to pass the Budget, there was only just a hint in the Assembly about some change in the system of elementary education—if I remember correct—but none of us thought that the scheme in the manner in which it is evolved to-day will be rushed through headlong without the sanction of the Legislature. At present I am not going into the merits or demerits of the present system but I shall deal with the propriety of the Government in introducing the scheme.

"Sir, the Government say that this is a great revolutionary change in the system of elementary education and to put it in the words of the Education Minister, 'changes in the present scheme of education in our State, which are momentous and of great significance not only in our State but in our country'. When such significant changes of a far-reaching nature are effected and when they have decided to adopt a definite and different policy as regards elementary education, cannot the Legislators have a hand in shaping such policies. Is it not the privilege of this House, Sir, to discuss and approve the policy of the Government before it is actually implemented? After all, have we no share in the responsibilities of the Government and particularly in shaping the destinies of the future generation of our State? It is a tragedy, Sir, that even the representatives of the teachers of this House were not taken into confidence to discuss the scheme before it was implemented.

"Sir, if any scheme regarding Education has got to be successfully implemented, the active co-operation of the public, of the teachers and their organizations, of the educational authorities and the Legislators, is necessary. Part schemes, the compulsory elementary education scheme, the basic education scheme and the adult education scheme have failed, miserably failed because of lack of this co-operation. Did the Government acknowledge this patent fact and do anything to enlist their co-operation even for this important scheme? No, not at all. That is why the scheme is failing and is bound to fail in future. However good a scheme the Government may come forward with, if the teachers who are actively involved in implementing the scheme, are not fully convinced of the same and if their experience is not taken into account, it will be a failure in operation. It is not as if the Ministers from Madras can bring about this miraculous change with a magic wand, or as if the Director and the District Officers from their Headquarters can do it by issuing circulars after circulars. The teachers must be convinced. They must be given a hand in the actual shaping of the scheme and such a scheme only will be successfully worked. Otherwise, it will break and I repeat this once, twice, thrice with all the emphasis.

"Sir, leave alone that. Have the Government consulted any educationalist? Did the Government take the counsel of Dr. Lakshmanaswami Mudaliyar who is the Chairman of the Secondary Education Commission set up by the Central Government?"

[28th July 1953]

SRI G. KRISHNAMURTHI :— "On a point of order, Sir. Is the hon. Member allowed to read a written speech?"

MR. CHAIRMAN :— "I have given him permission."

* SRI S. RAMAKRISHNAIAH :— "Is it not a fact that the Department was not in favour of this scheme and even to-day they are implementing it under the pressure of the Government? Did not the District Board Presidents protest against this scheme? Can the Government close their eyes to the fact that the public and the Press are also against it? Sir, in this connexion, I would like to quote some extracts from the Journal, 'The South Indian Teacher'.

'The South India Teachers' Union and the 43rd Madras State Educational Conference have requested the Government not to introduce the scheme in haste as they feared that there has not been sufficient time and thought bestowed for the planning of a scheme which would affect many lakhs of children.

'The Executive Board views with grave concern the hasty and ill-planned introduction of the so-called "New Scheme of Rural Elementary Education."

'The Board feels it its duty to acquaint the public that the scheme as it is being introduced will only provide a sub-standard education. In the absence of any change in the policy of drift that has characterised the Government in respect of free, universal compulsory education, the Board feels that even the hopes expressed of a larger enrolment may not be fulfilled to the extent to compensate for the loss in school hours.'

Sir, if the Government are not going to take note of this fact, would it be possible to expect that any good will emerge out of this scheme.

"The teachers say, it is not practicable; the Inspectorate says it is unworkable; and finally the parents of the children say it is unwanted. Then, to whom is this scheme intended for? Is it to please one soul of the author of the scheme, the Chief Minister of this State, that this scheme should be rushed through in the teeth of all-sided opposition and at the expense of the future citizens of our vast State?

"I am really astonished, Sir, at the great rashness and eagerness with which the Government are moving in this respect. The facts and figures are not ready with the Government. According to "Madras Information", "Inspecting Officers have been asked to collect various particulars required for introducing the Modified Scheme. We have received so far particulars for 26,681 schools coming under the scheme. It may be noted, the total number of such schools, will be lower than 31,784 which was the figure for 1950-51". Plans are not ready for providing for pupils belonging to occupational families. Everything is in confusion and the scheme is now supposed to be in operation in the State.

"Sir, this is a most inopportune time. The financial position of the teachers is very, very appalling. We are on the verge of a great Partition. It is not fair to fetter the future Andhra Government with a scheme which may not be acceptable to their policy. Further the Government have not got plans ready to implement the scheme here and now.

28th July 1953] [Sri S. Ramakrishnaiah]

"It is under these circumstances, Sir, I am requesting the Government to keep the scheme in abeyance and appoint a Committee to formulate a workable scheme. My intention in asking the Government to institute a Committee with experts, teachers' representatives and representatives of Teachers' Unions is to have expert opinion and experience of these men in formulating a workable scheme.

"Now, coming to the scheme proper, I should like to characterise the new scheme as 'Retrenchment Scheme of Elementary Education'. It is not a Modified Scheme of elementary education as the Government put it because there are no modifications at all in it. As a matter of fact, there is retrenchment in the hours of work to be followed by retrenchment of staff not now—because the Government are clever enough to give all assurances to minimise the stout opposition—but a few months hence. So, I am perfectly in order, Sir, in calling it a 'Retrenchment Scheme'.

"We, the teachers, have been agitating for drastic changes in the system of education. We had requested a hand in framing syllabuses and writing text-books. Did the Government modify these rules? They have not made any changes in the rules. The old rules and syllabuses are there. The unsuitable text-books are there. All the bad is there as before but the only thing done is the reduction in school hours. Is this to be called a Modified Scheme?

"Instead of definitely assuming responsibility for providing adequate education to all the children, the Government are shirking the same by leaving them to their own fate. They claim this as a revolutionary measure. What revolution is evolved in the scheme, the author of it only knows.

"The Government say that they have reduced the school hours to three so that the health of the child might not be impaired. This is not correct. On the other hand, the pupils are heavily taxed with all tough subjects throughout the time without any rest and this is psychologically wrong. It would be very difficult for the teacher to draw the attention of the pupils continuously though small intervals are suggested. The mental taxation of three hours inside the school coupled with the forced physical strain outside will certainly tell very much upon the health of the pupils.

"Further the pupils are deprived of garden work, physical instruction, games, singing, spinning, etc., which are necessary to make a useful citizen. The boring subjects are there and the entertaining subjects are removed. There will be no life in the school.

"The Government has thought it fit to engage the children for one session only. The other half day he is expected to be with his parent or with some instructor to learn some craft work.

466 APPOINTMENT OF A COMMITTEE TO ENQUIRE INTO THE
REVISED SYSTEM OF ELEMENTARY EDUCATION

[Sri S. Ramakrishnaiah] [28th July 1953]

What work he has to learn, how it can be learnt, what arrangements have been made for learning them, how the work can be supervised and by whom, nobody knows. There is no syllabus, no fixed time, no definite craft. Everything is vague and confusing. Pupils belonging to occupational families are expected to be taught by their parents and the rest are asked to be entrusted to a village craftsman. This is very impracticable. The village craftsman will not be paid. He has to teach the boys during his leisure hours. When are the pupils to go to him and what is going to happen there? What guarantee is there that the poor craftsman would sacrifice his earnings and engage the pupils. It is all vague.

"Further the pupils are divided into two batches. One batch will attend the morning session one day and the afternoon session on the next day. This is most inconvenient. No regular habits will be formed. Sometimes, the pupils may not know whether he has to attend the morning or evening session. This is wholly unacceptable.

"The girls are not given any scope for activities. At school they used to learn knitting, sewing, basket weaving, singing and so on. They will be confined to their homes and they are expected to assist their mothers in their work; they have been assisting and will continue to do so and this is no new discovery.

"The teacher has to work for 6 days at 6 hours a day instead of five and a half days at 5 hours. Thus for a month he has to work 36 more hours. He has to continuously teach for full 3 hours and like that 6 hours in a day which is humanly impossible. He will be exhausted during the morning session and he will not be able to do full justice to the evening batch. Further, his health will be broken. In addition to this he has to bring the pupils to the school by doing propaganda, both evening and morning. How can the Government expect such heavy work to be done by the teachers? Government may pay a few rupees more but the quality of work turned out by him can in no way improve and the progress of education is sure to be impaired.

"I am most surprised to learn from the Government that there shall not be any retrenchment. Here it is: 'It was decided that no retrenchment of existing number of teachers would be permitted and for the present attendance of both the batches will be totalled up to reckon the strength of the schools.' It is true that for the present there may not be any retrenchment but to-morrow if the existing attendance rules are applied, where would be the necessity for retaining all the teachers? Supposing there is a five-teacher school with a strength of 150 pupils. According to the present rules, even if 150 more pupils are admitted the present staff will be adequate to deal with the situation. So much so, there is no need to appoint fresh teachers.

28th July 1953] [Sri S. Ramakrishnaiah]

Thus we see that the teachers have to work for more days, teach longer hours and manage twice the number of pupils for the same salary. This amounts to more than retrenchment.

"According to present rules a pupil can pass V Standard within four years. Thus an average boy passed V Standard within the age of ten. How can you expect such pupils, Sir, to build sheds, lay bricks, dig wells, make and improve village roads, etc., as required by the Government?

"The present system, the Government say, is only an approach to the Basic System of education. Sir, in my opinion, it cannot be like that. For, the object of the Basic System is craft-centred education. Where is the method of correlation here? Where is the method of learning by doing, Sir.

"Again, the aim of the Basic System of education is to put an end to the caste system and social differences and build up a classless and colourless society but this system perpetuates the caste system because the children are forced to be trained in their hereditary occupations.

"The Government want to establish Village School Councils for taking interest in these matters. I am sure these Councils will be a sort of nuisance like the Food Committees formed by the Government previously. Like this, Sir, we can point out a number of defects and the whole system is defective, impracticable and unworkable.

"I am firmly of opinion that the attendance cannot improve, enrolment is impossible and there is the danger of these schools having got to be closed down. Already rural schools are springing up. Most of the parents are sending their children to them. The schools are putting up a deserted appearance. I have practically toured some villages after the 1st July, Sir, and visited several schools. The Government is jubilant over the reports that the scheme is introduced in the entire State. It is only on paper. Teachers and Inspecting Officers have entered into mutual agreements and schools in these places are run as usual both the sessions being held. Of course attendance is marked only for one batch. No arrangement is made for craft training. I can stoutly say that the scheme is not in operation at least as far as the Andhra districts are concerned. This will only encourage blackmail, fudging of records, etc., but not solve the problem.

"Sir, let us for a moment think of the plight of the people to-day in our State and elsewhere. Hundreds and lakhs of children of school-going age who should be happy at school are undergoing hardships in the hot sun, in mines and factories for their livelihood. Several others are wandering in the streets naked fighting with pigs and dogs for their subsistence. Instead of improving the economic status of these people and enabling them to send their children to

[Sri S. Ramakrishnaiah] [28th July 1953]

the school, it is a pity, Sir, that the Government have thought it fit to bring in this new system which is definitely a violation of the Children's Charter signed by all the countries of the world.

"I would therefore most fervently appeal to the Government, particularly, to the Hon. the Chief Minister to rise equal to the occasion and withdraw this scheme forthwith and to appoint a Committee in the manner I have suggested. Thank you, Sir."

* DR. V. K. JOHN :—"Mr. Chairman, Sir, I have moved the following amendment:—

'This House is of the opinion that the New Elementary Education policy adopted by the Government should be withdrawn until the policy is thoroughly examined by a committee of experts and its report considered by this House.'

"I call this, Sir, a very modest one. Nothing has excited the public so much as the new policy or what is called the modified policy of elementary education. I may even say it has excited the public more than the partition of this State into two. This policy has received artificial and exaggerated support and it has also received very strong and violent opposition. I say exaggerated support, because a reading of the speeches and the statements issued from responsible quarters gives one this impression. It has been said, Sir, that the Hon. the Minister for Education did not know of this modified elementary education scheme before it was published. I take it that he knew it, Sir, and I am quite sure he believes in it, but his support has been exaggerated, out-heroding Herod. The other day he went to the extent of saying that the six hours which the teachers have now to devote instead of the 5 hours previously and the 6 days instead of the 5 days, is a convenience to them and it did not put any additional burden on them. That, I say, is an exaggerated way of supporting this scheme.

4.40
pm.

"Perhaps the Hon. the Chief Minister does not want any support at all. The other day I was at a farewell tea-party given in honour of the Hon. the Minister in charge of Education. On that occasion, the Hon. the Chief Minister who also attended the party spoke on the new education policy. A gentleman who was sitting near me said, 'The Hon. the Minister for Education is a very nice gentleman. Why give him a send-off? Why not give a send-off to the educational policy of the Government?' I had the privilege to listen to the speech of the Hon. the Chief Minister that day. The gentleman who was abusing the new educational scheme in the beginning, after hearing the speech of the Hon. the Chief Minister, said 'It appears to be a very good scheme. Why not we support it?' Sir, I went home with the feeling that it is good for the administration of justice that the Hon. the Chief Minister left the legal profession. If he had remained in the profession, many bad cases, because of his

28th July 1953] [Dr. V. K. John]

persuasiveness and parables, would have been won and this would not have been good administration of justice. I am glad that he left that profession."

THE HON. SRI C. RAJAGOPALACHARI :—"You are illustrating the proposition yourself!"

* DR. V. K. JOHN :—"There has been not only a good deal of artificial support but also exaggerated support, on the one hand and on the other hand there has been a strong and violent opposition to this scheme. The persons and bodies in opposition to this scheme have been catalogued by the hon. Member who moved the resolution, and I do not want to cover the same except to say that the teaching profession appears to be against this modified scheme of education.

"However I must condemn and condemn very strongly, in as strong a language as I can use, the hooliganism which has attended the opposition. The opposition to this education scheme has taken the form of not only stopping of trains, picketing of schools, taking out processions which threatened security and order but also, Sir, making demonstrations before the residence of the Hon. the Chief Minister. In every democratic system of Government there must be propriety and decency, and respect should be shown to men occupying certain positions of honour, like the Hon. Judges of the High Court, the Hon. Ministers of the Government, etc. In certain cases, we have to show respect even to small officers. If, for example, I choose to appear on behalf of a client before a Third-class Magistrate I must get up when I want to address the Court and I must always address the Court as 'your honour'. I give respect not so much to him but to the office he holds. I am sure that every Member of this House will strongly condemn the hooliganism attending the opposition to this scheme.

"Having said that, I must also say that education like food should not be a matter for party politics. It is wrong for the Congress Party to make the educational policy of the Government a matter of party politics. It should not be a matter for party politics at all. Education is as important as food and actually it is food for the mind and also food for the body. We should consider this new scheme of education on merit and should not allow any party considerations to weigh in the matter. We must make a correct approach to the subject and I hope that we will discuss all matters connected with this scheme fairly and squarely and arrive at a good, proper decision.

"Three objections have been raised to this new education scheme. The first objection is that it is a departure from the past. I think it is a wrong objection to take. Secondly it is objected to on the ground that it is newly introduced in the State and that other parts of the world are not following that system. It is not necessary that other States in India must also have adopted the

[Dr. V. K. John] [28th July 1953]

scheme. Thirdly, it is stated that the scheme was introduced all of a sudden, that there was some approach to Pearl Harbour methods, that it was a bomb from the sky, and that it came without notice to anybody. I say, Sir, this should have been expected when the Congress Party elected Mr. Rajagopalachari as Chief Minister. I do not mean any disrespect to him. But everybody knows he is an autocrat. He belongs to the class of Hitler and Stalin. Once I remember, I think in 1939, he said at some place—it was reported in the Press also—'Give me the powers of Hitler and then I shall do some good.' I do not think that people should be disappointed. The Government is himself and himself is the Government. An autocrat he is, he has introduced this scheme and I do not think any objection can be made to the scheme if it is good on the ground that it has been introduced without notice.

"The main object of this scheme is very good. It is to combine theory with craft. I highly commend the object. But the method of implementing that object is, in my opinion, very bad, and impracticable. I wish to make the following suggestions: First I would suggest to give up the 'shift system' introduced in the scheme. It is stated that three hours a day would be enough for children. I remember, Sir, the Hon. the Chief Minister saying that even one and half hours would be enough for giving education to the children. For many many years, when you, Sir, and I were attending the school, we used to sit for five hours. Is it correct to state, Sir, that two out of the five hours is a complete waste? I am not a mathematician. But I know arithmetic sufficiently well to understand that three is not equal to five. It is not merely enough to say that three hours are sufficient for educating a boy and that five hours are not required. We will have to send some students to a school and give them education for three hours every day. We will also have to send some other students to another school and give them education for five hours every day. After a few months, we must compare the learning of both the groups of students. Then only we will be able to know whether three hours are sufficient or whether five hours are required. An Expert Committee should go into all these details. It is not for the Hon. the Chief Minister or the Hon. the Minister in charge of Education to say that three hours are sufficient for the purpose. It is commonsense to say that experiments and investigations must be made into this matter. Therefore my point is that until an Expert Committee has pronounced its opinion, it is wrong to say that three hours' education is good or even better than the five hours' education. That is my first suggestion, Sir.

5 p.m. "If the shift system is abolished, I wish to point out that the children will be saved from the exertion of going to and from the school between 2 and 3 p.m. in the afternoon in the hot sun. There is no expert committee required to say that it is very difficult for

28th July 1953] [Dr. V. K. John]

children of tender years between 5 and 10 to go to and from their school between 2 and 3 in the afternoon. Still this question also will be considered by experts."

THE HON. SRI C. SUBRAMANIAM:—"What do they do now for the lunch time?"

* DR. V. K. JOHN:—"They should not be allowed to go. There are students who come from hamlets four and five miles away from the schools. Do you expect the children to come walking in the hot sun at that time of the day. They are children of tender years. Then there is the other question of the children drifting into bad company in the afternoon and also troubling their parents. I feel that it is better to keep the children at school for five hours. Having all these things in mind, should not an expert committee find out what the children would do after going home. The Committee must go into it and say what it feels about it and so, I suggest that a committee should be appointed. All the criticisms will be met if the children remain at school for five hours and there will be good education also. On the contrary, it will lower the standard of education if they are sent home after three hours at school.

"The second suggestion I would like to make is that one full day might be devoted to crafts. It may be either a day or a few minutes daily between intervals at a time in which they have rest from theoretical education. The most important suggestion I wish to make is that the crafts should be taught at the school or in the school premises in the presence of the teachers. This is the most important suggestion that educationists have made because it is not possible for the craftsmen or the parents to teach crafts. Teaching, it must be conceded, Sir, is an expert job and so teaching of crafts should be in the presence of the teacher. It was said that the children would go and learn from their parents and in that connexion, the criticism has been made by a certain section of the people that a cobbler can only teach his son his job and, therefore, the children will not be able to learn any crafts other than the craft of the father. I emphatically say, Sir, that the sinister motive attributed to the Chief Minister is certainly wrong. I am satisfied that he has introduced this system having the public good at heart. Anyhow, it has given rise to this sort of criticism but if the crafts are taught in school this kind of criticism will not be made. If the crafts are taught within the school premises, and that either during intervals or for a full day in the week and all these in the presence of the teacher, then any child can learn any profession and the cobbler's son can become a carpenter and the child can take any craft which is to his liking.

"My next suggestion is that this system must begin in the towns and cities and not in the villages because in towns and cities there are better opportunities for learning crafts and also it should not be confined to children below ten or eleven years and older boys and girls also must be taught some crafts.

[Dr. V. K. John]

[28th July 1953]

"Then another suggestion is that the teacher should not be burdened with the additional school hours in the day and there should not be another day in the week put on him because the teacher is the instrument to carry out any scheme of education and it is a great national service that he is doing. His goodwill and co-operation are essential. Already there is a great dissatisfaction among them and it will be wrong for the Chief Minister to think, that if ordered they will do an extra day and do more hours of work during the other days. I say, Sir, it is a terrible mistake to think so. The teacher is after all a human being and you are not going to give him a rupee more for his services. The other day, the Hon. Minister for Education appealed to the teachers to take upon themselves this work as patriotic men and do this as a national service. I only wish to ask why that feeling of patriotism should not be applied to every one of us. To speak only to teachers in that strain is wrong. Six hours a day and one day more in the week on Saturday is wrong and I am afraid that it will not work.

"The last suggestion that I would make is that education should be a matter for local self-governing bodies and the whole system of administration should be decentralized and local self-governing bodies should be constituted in accordance with Article 40 of the Constitution and there must be an honorary Minister for Education in every local body who would proceed in accordance with the conditions obtaining in particular localities. If you cannot get the craftsmen then the old system should be followed and it should be a matter for the local people to decide, and it should not be the Government at Madras which should give them directions and instructions as to how things should be done and thrust the scheme down the throats of teachers. Sir, this has raised so much controversy and there is sincere doubt in the minds of some whether this system is good or bad. It is possible that after hearing the persuasive speech of the Hon. the Chief Minister, one may be inclined to feel that it is good but that will be only for a moment because there is a considerable body of opinion in the country which is solidly against this system and they entertain bona fide doubts regarding the scheme. The only thing is that some of them use violent language and there are others who use moderate language, but many entertain honest and sincere doubts about this system. I feel it is impracticable to introduce it universally and local conditions must be studied before this system is made applicable to any and every place and then only it can be a success and therefore, there should be an expert committee appointed to go into it. The other day when I raised an objection that the Governor should not certify the Budget till 31st March 1954 the Chief Minister was kind enough to withdraw the Government motion. I hope in this case also the Hon. the Chief Minister will be persuaded at least to see that before he introduces this scheme all over the State, he gets the advice of an expert body which will go thoroughly into the matter. So far as I am concerned, I do not say that the new system is bad and I do not say it is good

28th July 1953]

[Dr. V. K. John]

either. There is need for an expert committee to go into it and give its opinion. Let it be remembered, Sir, that this is a question of great national importance and Government cannot rush through such a thing as difficulties have already been noticed by them. I shall, finish by quoting a statement from the booklet that has been circulated to us—

"As we go forward working out the various implications of the Modified Scheme, we shall naturally find that there will be fresh difficulties and problems which we shall have to face and solve. Let us resolutely make up our minds that we shall do so. Even within the last two months we have become aware of certain difficulties and problems which we did not clearly anticipate and we are now dealing with them."

I feel that the advice of an expert committee would strengthen the hands of the Government and if there had been one, as I am suggesting there must be, the Government would be spared much trouble. Why should we hurry; we have carried on the old system for about two hundred years. I say we can change but an expert committee should be appointed so that this House will be in a position to consider its report, deliberate upon it and give its opinion to the executive. I suggest to the Chief Minister to accept the resolution because it is quite modest and reasonable."

SRI V. CHAKKARAI CHETTI:—"I rise, Mr. Chairman, 5-10
Sir, to support the resolution as well as the amendment that are P.m.
before the House. The hon. Member, Dr. John, has made a speech full of sweet reasonableness and the Leader of the House who is always anxious to listen to sweet reason, will I hope accept the resolution and the amendment moved by the hon. Member, Dr. John. This committee that he is proposing will certainly not knock down the scheme but will make such necessary and sound alterations as will redound to the credit of the Hon. the Chief Minister in having originated a scheme like this.

"When this scheme was sprung on the public and the discussion was going on, it was not clear as to what I should think about this scheme. It is said that it is a revolutionary scheme. I thought the Hon. the Chief Minister was against all revolution. Yet, he is not in favour of 'puratchi' as some of us are. He denounces revolution and wants evolution. Whatever it may be whether it is revolution or evolution, this scheme alters the present education structure and the whole outlook of our people on the question of education. There has been a great deal of suspicion in the minds of the people that the Hon. Chief Minister's idea is to put a stop to the spread of literacy among the masses because the literate class is always a danger and menace to the authorities, and therefore the Government are concentrating on the craft centred education. The system of education that has been in existence gave rise to a good deal of trouble to the Government in the days of the British rule. The British Government used to condemn the present system of education as fostering revolutionaries. Our Chief Minister seems to reciprocate those sentiments of the bureaucracy that the present system of education is fostering more literacy and it is a danger to the body politic.

[Sri V. Chakkarai Chetti] [28th July 1953]

"Sir, a great deal has been said about the dignity of labour. I have been hearing the slogan for the last thirty years ever since I have had anything to do with the labour movement in this presidency. In spite of the talk about dignity of labour, labour has not at all advanced even by an inch for the simple reason that dignity in this world is based not upon the inherent virtue of the profession but upon the wealth and position it carries. The greatest of our Tamil poets has sung :

‘பொருளிலார்க்கு இவவுலகம் இல்லை
அருளிலார்க்கு அவவுலகம் இல்லை.’

Those who have no wealth in this world have no position in this world at all. Unless you advance the position of labour by remunerating them properly and give it a certain status, you cannot advance the dignity of labour at all in spite of the talk that is going on. I do not think that by introducing the craft system of education, we are going to advance the dignity of labour and make our boys and girls a more respectable class of society. Society always regards position, rank and wealth as indispensable qualifications for dignity and if we deny to labour all these things, then it seems to me that you are not by any means advancing the dignity of labour. It is a mere slogan and our Hon. the Chief Minister has always been against raising of slogans. So I do not want the Hon. Ministers of the Government to follow the labour leaders and others by raising slogans. If my past experience of over thirty years has any indication to give it is that, these slogans have not advanced the dignity of labour by one inch. If at all it has advanced it is due to the incessant agitation and struggle, sometimes even going to the extent of violence. My hon. Friend, Dr. John condemned violent methods adopted by the oppositionists of the scheme of education. I am not one of those who is constitutionally inclined to violence but at the same time human nature being what it is, unless something like this happens, I do not believe even the Hon. Chief Minister would have become aware of the strength of the agitation lying behind it. I was some years ago talking to a labour leader in England. He said : 'What is the use of all your labour agitation? Not a single window has been broken.' People are not merely inclined to listen to political speeches and orations. People must know how they feel about these things. Therefore it is that some people have taken to this violent agitation which however unpleasant it may be, is a necessary ingredient in the matter of rousing public conscience and also awakening the dominant minds of persons in authority. Therefore I cannot condemn my friends who belong to that party who are not constitutionally inclined to violence and yet think that certain acts of the State are wrong and therefore take to methods which they believe will sufficiently rouse public attention and rouse the conscience of our Ministers.

"Sir, one feeling I have had about this scheme is this; that it is meant to perpetuate the dominance of a certain class in our society. We are trying to introduce a new social idealism in

28th July 1953] [Sri V. Chakkarai Chetti]

society. It is that the child should follow the profession of the father. Does it mean that he has no future before him, whether a wood-cutter's son should remain a wood-cutter—I was going to say something else which is not a craft and to which objection might be taken. I do not know whether you call the barber's profession a craft. (An hon. Member : 'It is a necessary industry.') Well, if the barber's profession is pursued by the son, what opening is there for him in future years to aspire to higher places of responsibility and power in the State. After all power in the State is an ambition which people aspire to simply for the reason that it gives them opportunity for greater service. It is not the mere enjoyment of power but power to be exercised for greater service. Therefore for these reasons this scheme is not a thing that the people like. Wherever I have gone, even people with sweet tempers have condemned this measure as a retrograde one which is detrimental to the public interest specially the interests of the poorer classes. Those who have been in humbler walks of life who feel that this is an encroachment by people in higher ranks of society who want to keep these poorer sections in the old position in which they used to be in ages past. In a State like America ordinary people have risen to the highest positions in the State. They have become Presidents and here are we going to ask children to take to the father's profession, utilizing only three hours a day without opening their mind? What is the real value of literary education? The benefit of this education is that it broadens the mind, inspires and stimulates it for higher service and a brighter world. Now you are going to cut all sources of inspiration for the young boys and girls. It is purely from that point of view that I view the scheme with a great deal of suspicion. The committee that is going to be appointed if it is going to recommend a scheme like this, it will be received with joy by all classes of people as coming from a body which is not supposed to encourage any particular outlook in life but one composed of men with unprejudiced minds. Therefore I heartily endorse the view of Dr. John that an expert committee should go into that matter thoroughly, investigate it, and enquire into the opinions of all classes of people including the oppositionists who have taken to violence and all other methods. Let us see what they are going to say.

"Sir, I have read what they have stated in the newspapers 5-20
and their apprehensions cannot be brushed aside. They voice the P.m.
opinion of the millions of our people in this State and I do feel that the Hon. Chief Minister would be well advised in adopting this resolution. It is quite a democratic procedure. In considering all controversial measures, a Committee of this kind would be of great use. If properly constituted, the Committee would go into the whole matter and may even support many things which the Hon. Chief Minister wants to be done and we will certainly adopt those things. We feel that there is something secret behind this scheme and on the face of it, it appears to be so. Sir, a great deal of unconscious or subconscious attitude is adopted by many

[Sri V. Chakkarai Chetti] [28th July 1963]

people towards education. For example, years ago, when the Scheme of Free Compulsory Elementary Education was introduced, many people looked upon it with disfavour. I do not know to what extent, the scheme has succeeded. Unfortunately before we realized the fruits of it, a new scheme is being sprung upon us and I daresay that after a period, you will find that the scheme has really fallen flat upon the people, for the simple reason that this movement towards reorientation of education has not come from the hearts of the people and no large mass of people have really wanted it. It has come from the brain of one or two people or from the brain of only one soul. However clever and talented he may be, I do not think he can gauge correctly the views of so many millions of the people in our country. There are so many classes of people with diverse views and ideas about education and about what education is meant to do for them. I do not know whether any of us would have been here, or for that matter even the Chief Minister or Ministers, if the Scheme introduced by the Chief Minister had been in operation in those days. To what extent we would have been benefited, I would very much doubt it. Probably we would have remained in the villages roaming about, no doubt, happily amongst very congenial and natural surroundings. Probably we would not have had opportunities that we would have got by having our mind open to great things by the kind of education that we received, however, faulty it might have been. Therefore, once again, I recommend this Resolution for the acceptance of this House. I hope the Hon. Chief Minister will consider the matter very sympathetically and give his blessing to it and thereby show he is responsive to public opinion."

MR. CHAIRMAN :—" I would request hon. Members to be brief in their speeches as many Members wish to speak and we will have to finish the discussion to-night."

* SRI M. BHAKTAVATSALAM :—" Mr. Chairman, Sir, I oppose the Resolution moved by the hon. Member representing the Teachers' constituency in Andhra and the amendment moved by the Hon. Deputy Leader of the Opposition. I thought that it would have been more appropriate if the Government themselves should have taken the initiative by bringing in a Motion for discussion before this House on this subject. But, perhaps, on account of deference to the Opposition, the Government thought it fit to leave the initiative for discussion of this very important subject with the Opposition."

" Sir, there are eminent veteran educationists who adorn this Honourable House and they can, perhaps, speak with authority on this subject. I do realize that I am not competent to speak with that sense of authority. If I may be permitted to be a bit autobiographical, I have not been a product of any elementary school. I entered for the first time a secondary school in the City in the First Form. And further certain circumstances—fortunate or unfortunate—compelled me to have a break of study, when I was in the Third Form, for a period of two years which I had

28th July 1963] [Sri M. Bhaktavatsalam]

spent in the village. Whether it was for the better or for the worse, those two years, when I could not attend any school and could not have any study in the sense in which it is understood to-day, gave me an opportunity to very closely observe the affairs of the village life and I would submit that those studies do stand me in good stead."

DR. V. K. JOHN :—" That is why you became a Minister."

SRI M. BHAKTAVATSALAM :—" I do not know what are the qualifications which the hon. Deputy Leader of the Opposition would prescribe for a Minister, but I am giving my own reactions regarding this topic. But I would like to point out certain broad aspects of this scheme which may be borne in mind by the hon. Members who participated in the discussion. There can be no two opinions about the need for a radical change in the system of education, particularly elementary education that is now in vogue. This has been a very old agitation inspired by several leaders of thought and I have myself known this agitation for the last 35 years. This is an agitation for a radical change in the system of education imparted to our children. Then, Sir, there can be no difference of opinion also on this question that there are still as many children of school-going age as there are who go to schools, who have yet to be educated. Apart from the requirements of the Constitution, we are all interested in getting every child educated at the earliest possible time and we have, therefore, to find ways and means of getting all the children educated in some school or other."

" Then, again, most of us or many of us do support the Basic Education Scheme that has been inspired by Mahatma Gandhi. There have been Basic training schools in this State and they have been functioning but there are only a few schools as against our large requirements. Therefore, however, enthusiastically we may support the Basic Education Scheme, we must admit that the progress of Basic Education has been very slow and the main handicaps are want of trained teachers and necessary finance."

" Then, I come to another matter on which there cannot be any difference of opinion and that is the need to abolish the sense of divorce which exists between the education in the three R's and the training of the hand. I do not want the hon. Members at once to jump to the conclusion that I plead that because these are required, we must accept any scheme that is presented by the Government. Apart from the political and communal opposition to this modified scheme of elementary education, that has been introduced by the Government, I do admit that there have been *bona fide* apprehensions on the part of some people in this State, regarding the implications of this new system of education."

" Hon. Members must have gone through the brochure that has been circulated in this House. It must have cleared several of these misapprehensions. Honourable Members could see that

5.30
p.m.

[Sri M. Bhaktavatsalam] [28th July 1953]

regarding the time table for out of school hours there is no sense of rigidity nor is there a sense of compulsion that the pupils should be made to learn this craft or that craft either under this craftsman or that parent. On the other hand there is a sense of flexibility about it and that is the most important feature of the time table that has been prescribed for out of school hours. Then again, hon. Members will note that under this modified scheme of education, the idea of basic education has not been given up by the Government. The basic education schools are there and one can see that it is the ultimate ideal of this Government that the basic education system should prevail throughout the area of this State. If they had not endeavoured to spread basic education at the speed at which they would like to do it, it is because of the handicaps which I referred to. Then again, Sir, we have been assured by the Government that there will be no lowering of standards of education in the three R's on account of this modified scheme under which the pupils will have to go to school only for 3 hours. The main change under this modified scheme of education is the reduction of the school hours to three. Hon. Members referred to the possibility of reduction in the quantum of education that is to be imparted within the school hours but, I want them to realise that we have to find ways and means of bringing in the children who are not yet in the schools and get them educated. I have no doubt, Sir, that this reduction to three hours and the consequent shift system that has been introduced should enable more children to be brought into the schools.

"Then, Sir, because the pupils are to be put in the schools only for three hours in a day, there were complaints that the children would be spoiled and that they would give trouble to their parents and the parents therefore objected to this scheme. I would like to point out to the parents that they are the best teachers for their children and they cannot and should not shirk their personal responsibility in the matter of educating their own children.

"Now, both the resolution and the amendment suggest the appointment of an expert committee and the resolution suggests that this scheme may, in the meanwhile, be kept in abeyance. The hon. the Deputy Leader of the Opposition eloquently pleaded for the acceptance by the Government of his proposal to appoint an Expert Committee. I would like to ask of the hon. the Deputy Leader 'What is it that this Expert Committee, however eminent the experts may be, can do at this stage?' They can examine only paper schemes. How can they give us the benefit of their experience and suggestions by merely examining the scheme formulated on paper? I would put it that the stage has not come for any committee to examine any of the features of this scheme. When this scheme has been in operation for some time, perhaps, a committee may go into the working of the scheme. The Committee could then make useful suggestions which could

28th July 1953] [Sri M. Bhaktavatsalam]

be adopted by this House and by the Government. Therefore, I do hope that the hon. the Deputy Leader of the Opposition and the hon. Member representing the Teachers' Constituency would not press the resolution and amendment."

SRI MOHAMMAD RAZA KHAN :—"Mr. Chairman, Sir, on the eve of the partition of this State, the one other matter on which the public is interested and, at the same time, agitated also is the new policy of the Government of Madras regarding the modified elementary education scheme. On matters like this, it would be fair to ourselves and to this Honourable House in which we are, that we should discuss any question on its intrinsic merit and value. On this question of elementary education, it really pains me to find that politics is brought to bear on it, that political capital is made out of it and more so that communalism has been introduced into it. If we try to look at it from this angle or that angle the whole case will be lost.

"I have got confidence in the Government of Madras and in the Chief Minister but, I feel—leave alone our leader Dr. A. Lakshmanaswami Mudaliyar—that even if a humble self like me can make out a case before the Government that the scheme is wrong, I have got the confidence that I shall see that it is withdrawn. As I have said, let us be free from politics or any communal considerations and discuss it on its merits. With the little education that I have had in a school or college, I do not claim to be an educationist, but in matters educational I have always been a conservative. I have always felt that in educational matters we should be conservative because it is always very easy to say that a particular system is good or bad though, at the same time, it is very difficult to suggest a better alternative. I am not trying to level any charges at all but I must say that during the last five or six years the party in power have had a fancy to bring in changes in everything. Changes in politics and administration could be tolerated but drastic changes in elementary education without a proper perspective would only usher in disorganization which will be very difficult to rectify. I would like to bring to the notice of the Hon. the Chief Minister—possibly he is unaware of them—that the effects of certain changes which the party in power made, whether it be in regard to elementary education or collegiate education, are still being felt.

"There are two aspects to this question. Unfortunately, the personality of the Chief Minister has been brought too much into this scheme. The Chief Minister is a very very lucky man for there is always a section of people who feel 'Well, after all this scheme has been brought forward and introduced by the Chief Minister who is a very clever man, whatever he does has always proved to be correct and therefore we must accept it'. I do not approve of this attitude, Sir, because, if we simply accept a scheme on the score that Rajaji has introduced it, we are doing credit neither to ourselves nor to Rajaji. At the same time, there is also another

[Sri Mohammad Raza Khan] [28th July 1953]

section which always feels that simply because the Chief Minister, Rajaji, has brought up this scheme there must be something up his sleeve and there should be some motive behind and it should therefore be opposed without a proper analysis of whether it is good or bad. In fact, Sir, even here a reference has been made to the belief that the main purpose of this scheme is that a barber's son should only become a barber and a tailor's son should only become a tailor and things of that sort. I do not think, Sir, that the Government constituted as it is at present, will have such petty notions. Let us not try to discuss this issue from that point of view. We should prove to the Government that their scheme is wrong, they should therefore reconsider it and appoint an expert committee to go into it. I feel that it is only from this aspect that this question should be looked at.

5-40
p.m.

"I may respectfully submit to the Hon. the Chief Minister that he made a sort of tactical mistake though I would like to call it a tactical blunder. There may be a section of people who may feel that the Hon. Sri Rajagopalachari may be right. Still the Hon. the Chief Minister ought to have had the sanction—I mean, by sanction, only a report of an Expert Committee in support of his scheme—before he introduced the scheme. People with knowledge could have gone into the whole educational policy of the Government and could have produced a scheme for implementation which might possibly be the same as the Government scheme itself. If the Hon. the Chief Minister, before he introduced the scheme, had before him the report of an Expert Committee on the scheme and if that report had been placed on the floor of the House and if the Hon. the Chief Minister had then stated that he had only introduced the scheme recommended by the Expert Committee no one would be in a position to raise any word of protest. That is the sum and substance of the whole question. I know the Hon. the Chief Minister would say, that in this very hall he convened a meeting of educationists, teachers, Educational Officers, the Director of Public Instruction, the Hon. Minister in charge of Education and others and had a discussion about the whole scheme. With all due respect I must say that the Hon. the Chief Minister cannot expect officials and others to speak out their minds as to what exactly they feel about the scheme. At certain times the smaller people are obsessed with the personality of a great person who has got some settled opinions, settled views. When they knew that this great personality had got certain settled views, it was quite probable that they were afraid to express their views. Therefore, I can never feel for a minute that the opinions expressed by that conference could be construed as the opinion of an Expert Committee. I think, Sir, in fairness to the Government and in fairness to the Opposition it would be better to have an Expert Committee appointed for the purpose.

"Unfortunately, as far as I can see, two issues have been mixed up in the scheme. The Hon. the Chief Minister wants that as adult franchise has been introduced in the country all

28th July 1953] [Sri Mohammad Raza Khan]

school-going children should within a stated period be brought into the schools as provided for in the Constitution. The Government case is that according to the Directive Principles of State Policy in the Constitution, every State shall within a period of ten years from the commencement of the Constitution provide for free and compulsory education for all children until they complete the age of fourteen years and that the Government have still to bring into the schools more than fifty per cent of the children of school-going age. The other factor which the Government have taken into consideration is that they are not prepared to spend more money on elementary education than what they are spending now, namely, Rs. 8½ crores. Therefore the whole Government case is that facilities should be provided to attract more children into the schools and at the same time they should not incur more expenditure than what they are spending now. Unfortunately these two issues have been mixed up with another question, namely, as to what children should do after they return to their homes from the school. It has been provided in the scheme that they may have to learn some craft. Let us not bother about what children are going to do outside the schools. Sri Rajaji may have his own views on these matters, and I am not worried about them.

"After the speeches of other hon. Members, particularly of my leader Dr. A. Lakshmanaswami Mudaliyar, Sri Rajaji will try to make out a case to this House and to the public at large that the standard of education provided for in the modified elementary education scheme within a period of three hours will be far better than what it used to be when it was six hours. An hon. Member: 'The Hon. Education Minister will speak.' I am sure the Hon. Education Minister will speak on behalf of the Government and not in his individual capacity. It is up to the Government of Madras to prove that the coaching given to children in three hours will be much better than what was being given hitherto in six hours. There should also be an Expert Committee which should go into the question and try to prove that the Government of Madras, in introducing the modified elementary education scheme have been actuated by good motives, that as they cannot spend more money to bring into the schools more than fifty per cent of the children who are not having any education now, they want to make the best out of the situation, that the teachers and headmasters are prepared to work the scheme with zeal and that the training given to the children will be far better than what is being given now. This will go to a great extent to dispel the doubts and apprehensions of many people. It is for these reasons, the Opposition have considered it necessary that an amendment should be introduced on their behalf stating that it would be better if an Expert Committee is appointed to go into the matter.

"I do not like to go into other controversies raised in this connection. It could never be the intention of any Government to have such sort of petty opinions, namely, that the children should follow the occupations of their parents and so on. Let us

[Sri Mohammad Raza Khan] [28th July 1953]

not discuss these things and bring communal or political motives into the affair. I do not like to take more time of the House because there are other eminent people who are anxious to speak. I hope there are other views also which will go a long way in trying to influence the viewpoint of the Government.

My hon. Friend Sri Bhaktavatsalam asked a pertinent question as to what is the necessity for appointing an Expert Committee. He felt that there is no necessity for such an Expert Committee, now. I cannot agree with him in this respect. In matters of education, any sort of deviation at this stage will affect the future considerably and if at all there is any necessity to go into this matter it is now and not afterwards. I wish the Government should not stand in such matters on prestige. Government might have committed mistakes. It is always better to accept a mistake with grace. It will be very good to appoint an Expert Committee which can go into the whole matter. I feel, Sir, that there is nothing wrong in the Government accepting the suggestion of the Opposition. People may have genuine doubts in this matter which may be wrong and possibly the Government may be right. If the scheme is placed before an Expert Committee, it may be that they may make some modifications or alterations in the scheme. After all every one is actuated by a desire that there should be literacy among our children. By referring the scheme to an Expert Committee we will be, at least, able to allay the fears and apprehensions of the people. I, therefore, support the amendment moved by Mr. John."

* SRI T. M. DAIVASIKHAMANI ACHARIAR :—Mr. Chairman, Sir, I stand in a most unenviable position to oppose the resolution as well as the amendment. In doing so, Sir, I am conscious of the fact that there is a large controversy going on in this State about the question of elementary education that has been introduced by the Hon. the Chief Minister.

"Sir, the Expert Committee which the Opposition is insisting upon is a Committee which will not come to any useful conclusion because it is a known truism that no two experts ever agree on a single matter. It is much more so on matters of education. The committee as proposed by the Opposition will function only nominally and will not put forward any useful suggestions in this matter. I carefully went into this question and I have come to the conclusion that it must have been done after careful consideration by the Hon. the Chief Minister.

5-50 p.m. "Opposition has been raised to this proposal on the ground of the tender age of the children of elementary schools. Secondly, it has been stated that it will perpetuate and create caste distinctions and thirdly that it will diminish the ranks of the educated youths. Then the authority of the Chief Minister in introducing this scheme without consulting anybody is also questioned. I shall deal with the objections one by one.

28th July 1953] [Sri T. M. Daivasikhamani Achariar]

"Regarding the question of the age of the children, let me make it plain to the hon. Members of the House that it is not the intention of the Chief Minister to give hard work to children of tender age and the work that will be assigned to them will be consistent with their physical strength and their aptitude for such work. About the perpetuation of caste distinctions, although I am a staunch casteman and a staunch industrialist, I fail to see that there is any caste system behind this move. Regarding the number of educated youths being diminished, I wish to say that the more and more people are educated under the present scheme and system, the more and more there will be unemployment and total unemployment will stare them in their face if the system is not to be changed. An Expert Committee has been suggested by hon. Members. I wish to state in this connection that I myself have come across two experts' opinions. One is the principal of a college and another occupies a like position in a professional college and, Sir, these two experts do not agree. One says that 80 lakhs of people will get sufficiently good education though, at the same time, we are producing 80 lakhs of useless people. The other gentleman, the principal of a professional college, says that in his experience his father who was an educationist in some part of Ceylon was able to introduce several schemes by which youngsters were benefited. Having some experience of Ceylon I endorse the statement made by that principal. If experts are appointed, it is doubtful if they will come to unanimous conclusions. That apart, Sir, what guarantee is there that a committee consisting of so many educational experts will come to an unanimous conclusion? What is the possibility of their ruling out any consideration of the subject by laymen? As regards the question of the authority of the Chief Minister I have gone into the question very carefully looking for precedents throughout the ages and I wish to carry this Council to the Government that was in existence in this country about 2,300 years ago, during the days of Chandragupta of the Mauryan dynasty. At that time there was a Chief Minister, Kautilya by name, who had codified the administration of the country, looked to the educational needs of the country and improved the administration in various ways. I want to be accurate in the statement I make and therefore, I shall quote from the statement of that great legislator and statesman as to what are the qualities of a Chief Minister. For the edification of the Council I shall quote from what he has said—

"The qualifications of a Prime Minister are these—
Born of high family, influential, well-trained in arts, possessed of far-sightedness, wise and of strong memory, eloquent, skilful and intelligent, possessed of enthusiasm, dignity and endurance, pure in character, affable, firm and loyal, endowed with excellent conduct, strength and health, perfectly free from procrastination and fickleness, capable of eschewing hatred or enmity."

These are the qualifications of a Prime Minister and those were the qualifications expected of a Prime Minister 2,300 years ago. In respect of our Chief Minister who possesses all these qualities, there is no need to go into the question of his foresight or authority to introduce this reform especially because we have given him a vote of confidence both here in this Council and in

[Sri T. M. Daivasikhamani Achariar] [28th July 1953]

the other House also. He has got the unstinted confidence of the two Houses of the Legislature and so, on his own authority as also on the strength of our acceptance of what he does in these matters he can go on and we need not go into the question whether he is entitled to promulgate such a regulation without consulting anybody. (Cheers.) Sir, having said that, I shall quote another passage by a woman legislator during the same period, about 2,900 years ago. She says—

‘For a man possessed of only theoretical knowledge and having no practical experience in practical politics, true to his conscience, he should be able to persuade without fear and with conviction by circulars or by royal drum mounted on elephants and by conchas.’

A slight change has been made from the systems in vogue during the days of the British rule by a person who has been a leader to us and has been following the best traditions of the country. Are we not to trust the Chief Minister of this State? Are we not bound to repose unbounded trust in him and giving some time to the scheme, see for ourselves whether it has been a success or not? While the scheme has been ushered in and while it is in its initial stage, let us not try to put impediments in the way of the progress of the scheme and doubt his sincerity of purpose. If we do it, Sir, we shall be doing him a great injustice—a great injustice to a perfect man. When I look into the scheme, instead of opposition I am able to see the advantages of the scheme. In the first place, it will make the children physically strong, it will improve adult education, it will improve the occupation of the parents, it will do away with unemployment, and it will conserve our man-power by reducing migration to foreign countries like Malaya, Borneo and other places, and secondly it will make for a balanced economy as between the urban and the rural areas. It will prevent the gravitation of population to the towns from the villages and as a result small household industries will rise up and flourish in the villages. Thus the man-power of the country and its industrial potential(?) will be kept intact which will be very useful during periods of emergency like wars and other contingencies.

6 p.m. “Therefore, I feel inclined, in the interest of the development of the cottage industries of the land, that this system of elementary education should be supported. There is a great future before this country. There is a great future before the young children in our State. Therefore I welcome with both hands the scheme that has been put forward so cleverly and so clearly by the Hon. Chief Minister.

“Thank you, Sir.”

* SRI T. M. NARAYANASWAMI PILLAI :—“Sir, I listened with attention to the speech made by my hon. Friend Sri Bhakthavatsalam. He asks us, what is it that this committee is going to do? What is the necessity for such a committee is really the question before us. So far as that is concerned the answer seems to have been given by himself. He may brush aside the opposition

28th July 1953] [Sri T. M. Narayanaswami Pillai]

of those whose creed is to oppose anything that is brought by the Hon. the Chief Minister. But he also admitted that there is a great volume of bona fide apprehension with regard to the desirability of introducing this change. He also does not minimise the fact that it is a great change, a great departure, a violent departure, a departure sprung upon the people as a surprise. Therefore it has caused a good deal of commotion. Sir, I have read articles by people who are in the position of saints, who are interested in elementary education, pure and simple; they feel that this modified scheme of education is certainly a great change and will cause great hardship to the people. There are thus two opposite sets of opinions. One is that it is a change for the better. This is a view held by the supporters of the Hon. the Chief Minister. The other view is that it is a change for the worse. This view is held even by those sincere people who look upon the Hon. the Chief Minister as the saviour who has saved the country at a time of crisis. What is it that we should do now? What is our clear duty as legislators? Is it not our duty to say where the truth lies and, if the scheme is bad, to say that it is bad? For this we want the aid of an expert committee. I do not minimise, the greatness, the independence, the intelligence and the services of our Hon. the Chief Minister. They are there. But it is possible for one to think far in advance of one's time and that may be bad. Yesterday the Hon. the Chief Minister was thinking of the ‘efficient efficiency’ of the officers. Now we must also think of the efficient usefulness of the scheme. We must take into account public opinion, disinterested public opinion, opinion of people who are not moved by this or that consideration. There are people who have bona fide apprehensions with regard to the desirability of the scheme. That should be examined by an expert committee. There are experts who have denounced the scheme. What is the interest of the South Indian Teachers' Union in this matter?

“Now the Government have reduced the five hours to three hours and say affirmatively that the educational content will be, the same as before and that it is educationally sound and all that. But, after all this has to be decided by an expert committee, an expert body. Let the committee go into this and let us see what the committee says, whether it is educationally sound, whether it is possible to impart within the limited period the same amount of information which was hitherto done in five hours. Is it not necessary that this question be examined by a committee? It may be theoretically possible. But are our children able to concentrate and imbibe the same amount of knowledge within the shorter period. It is children that we are handling. Will our children be able to take in the amount of information within the period of two or three hours what you believed they can get only in five hours?

“Did the Government consider the effect that this scheme would have on the teachers? My hon. Friend Bhakthavatsalam has not referred to the change with regard to teachers. The new

[Sri T. M. Narayanaswami Pillai] [26th July 1953]

scheme has increased the number of hours for the teacher and the number of days also. Is that a change in favour of improving the machinery of the teachers? Is this change not unfavourable to the teachers? Is it not more proper, urgent and necessary, to tackle the problem of improving the efficiency of the teachers? Instead of that what do we do here? We attempt to burden the teachers and we make them automations, useless to teach children. We all believe in our great culture and we worship our gurus and place them next only to God, because he has a varied and important role to play. He has to play the role of the father, mother, friend, etc. He must mix with them freely and play with them and guide them throughout. It is necessary that the children should live as long as possible with him. And under the new scheme he will be unfit to discharge these varied functions. No regard is paid to play at school, team work, and formation of character and building up of social virtues.

"Therefore, Sir, on these two questions I have got grave doubts as to the desirability and the usefulness of this scheme. After all it must be admitted that this scheme has not had the examination at the hands of the experts as it ought to have. Therefore what we simply ask is that it should be examined by a committee. It is a most innocent resolution. We are not condemning the Government for introducing the change. On the contrary we are glad that a change has been introduced. We feel that the change should be in accordance with public opinion, and with our tradition and should be sanctioned by experts. After all it has been admitted that there is need for basic education. Why then introduce suddenly this scheme of education which is not basic education? Get up a proper scheme of basic education and move in the right direction of basic education. Then the boys could learn for three hours and for another three hours learn some occupation under the direction of somebody. These are the things that we want to be examined by the committee. Therefore, I have great pleasure in supporting the amendment of Dr. John."

6-07 P.M. SRI M. P. SIVAGNANA GRAMANI:—"மதிப்பீர்தரிய சீவ்வர் அவர் களை, இந்தக் கவுன்சிலுக்கு உள்னையும் வெளியேயும் மிகக் கடுமையாக விவாதிக்கப்பட்டுவரும் ஒரு பிரச்சினையினை மீது கேள்வதற்கு எனக்கு வாய்ப்பு கொடுத்ததற்காக நான் மகிழ்ச்சி அடைகிறேன்.

"புதிய ஆரம்பக் கல்வித் திட்டத்தை எதிர்ப்பவர்களில் சிலர், உயர்தாக்க கல்வியை மனதில் வைத்துக்கொண்டு, உயர்தாக்க கல்வியிலுள்ள பாடத் திட்டத்தை மனதில் வைத்துக்கொண்டு, உயர்தாக்க கல்வி பயிலும் மாணவர்களின் நிலைமையை மனதில் வைத்துக்கொண்டு இதை ஆராய்கிறார்கள். ஆகவே, அவர்கள் செய்யும் அடிப்படைத் தவறு அங்கே தான் இருக்கிறது. ஆனால், இந்தக் கல்வித் திட்டத்தைக் கொண்டுவந்திருக்கிறவர்கள், அவர்களைப் பின்பற்றுகின்ற என்போன்றவர்களின் உண்மை போக்கத்தைப் பார்த்தால், அடிக்கடி காலக்கிழி நசிந்து கொண்டிருக்கும் குழந்தைகளுக்கு எப்படி கல்வி கொடுப்பது என்பது தான் முதல் பிரச்சினையாக இருக்கிறது என்பதைப் புரிந்து கொள்ள முடியும்.

[28th July 1953] [Sri M. P. Sivagnana Gramani]

ஆனால், மேலே இருப்பதைப் பாதுகாக்க, கீழே இருப்பதை அப்படியே வைத்துக்கொள்ளவேண்டும் என்பது எதிர்ப்பவர்கள் சிலருடைய எண்ணம் என்று நினைக்கின்றேன்.

"இந்த நேரத்தில் கட்டாய ஆரம்பக் கல்விச் சட்டம் அமுலுக்கு வந்து 25 ஆண்டுகள் ஆன பிறகும்கூட இப்போதும் 50 சத விதிகம் பிள்ளைகளை கல்வி கற்பதற்கு வாய்ப்பு பெற்றிருக்கிறார்களென்றால், இப்பொழுது வருகின்ற திட்டம், ஜெயிக்கும் என்று யோசிப்பதற்கு முன்னே, ஏற்கெனவே இருக்கின்ற திட்டம் ஜெயித்ததா என்பதை யோசிக்கவேண்டும்.

"இப்பொழுது சிவாகத்திலிருந்து வருகின்ற கட்டாய ஆரம்பக் கல்வித் திட்டம் தென்னாற்காடு போய் பல ஆண்டுகள் ஆகியிருக்கிறது. 50 சத விதிகம் பிள்ளைகள் கல்வி கற்க எண்ணம் இருந்தும், கல்வி கற்க இச்சை இருந்தும், கல்வி கற்க வாய்ப்பு இல்லாமல் விடக்கொடுக்கிறார்கள். ஆனால், புதிய கல்வித் திட்டம் கீழே 50 சதவிதிக் குழந்தைகளுக்கும் கல்வி கற்க வாய்ப்பு கொடுக்கிறது. அப்படி கல்வி கற்பதற்கு முடியாமல் இருப்பதற்குக் காரணம் படிக்க வருவதற்கு பிள்ளைகளைச் சேர்த்துக் கொள்வதற்கு பள்ளியில் இடமில்லை; சி. இ. பள்ளிகளில் பள்ளியில் இடம் இருந்தாலும், மாணவர்கள் வருவதற்கு நேரம் இல்லை. சில இடங்களில் நேரம் இருந்தால், முழு நாளைக்கு அனுப்புவதற்கு வாய்ப்பு இல்லை. இந்தக் குறைகளை யெல்லாம் சித்தித்து, முழு நாளைக்கு வர முடியாத பிள்ளைகள் உரை நடை வந்தாலும் போதும் என்று சந்தர்ப்பம் அளிக்கிறது. இடமில்லையென மாணவர்களை வெளியே அனுப்பவேண்டும் என்ற அந்த நேரத்தில் அதிகப் பிள்ளைகள் படிப்பதற்கு இத்திட்டம் வசதியளிக்கிறது.

"அரசாங்கத்தாரிடம் புதிய பள்ளிகளை ஏற்படுத்த பணம் இல்லை; ஆசிரியர்களும் கிடைக்கவில்லை. ஆகவே, இருக்கின்ற பள்ளிகளில், கிடைத்த ஆசிரியர்களைக் கொண்டு, செலவு செய்யப்படும் பணத்தைக்கொண்டு, மேலும் 52 சத விதிக் பிள்ளைகளுக்கும் எப்படி கல்வி கொடுக்க முடியுமென்பதை ஆலோசிக்க வேண்டும். அந்தக் கண்ணாட்டத்தோடு பார்த்தால் இந்தப் புதிய ஆரம்பக் கல்வித் திட்டம் ஒன்றை அவைகளைப் பூர்த்தி செய்பாட்டிடை.

"இந்தக் கல்வித் திட்டமானது மாநாடையே யோசனையையும் கேட்காமல் கொண்டுவரப்பட்டிருக்கிறது என்று குறைகூறப்படுகிறது. என்னைப் பொறுத்தவரையில், ஒரு நிபுணர் கமிட்டி தேவை என்பதை ஒப்புக்கொள்ளுகிறேன். ஆனால், தேவைப்படும் காலம் இதுவல்ல என்பது என் அபிப்பிராயம். ஒரு ஆண்டு முடிந்தபிறகு, நாட்டில் அமுலிலிருந்த ஆரம்பக் கல்வித் திட்டத்தை ஆராய ஆண்டின் இறுதியில் ஒரு நிபுணர் கமிட்டியை அமைத்து, அந்தக் கமிட்டியார் கட்டாயப் பரிசாணம் செய்துபார்த்து, முதல் அமைச்சர் எதிர்பார்த்த கமிட்டியார் கட்டாயப் பரிசாணம் செய்துபார்த்து, முதல் அமைச்சர் எதிர்பார்த்த பணிகள் எல்லாம் ஏற்பட்டிருக்கிறதா? இல்லையா? எத்தனை சத விதிகம் பிள்ளைகள் வந்து சேர்ந்தார்கள் என்றெல்லாம் பார்க்கவேண்டும். முதல் அமைச்சர் கொடுத்த வாக்குறுதிப்படி கல்வியின் தரம் குறையாமல் இருக்கிறதா? உயர்ந்து இருக்கிறதா? என்பதையும் பார்க்கவேண்டும். முதல் அமைச்சர் கொடுத்த வாக்குறுதிப்படி பாடம் குறையாததால் செக்ஸ்டரி பள்ளிக்கு போக்கடைய தகுதி உயர்ந்திருக்கிறதா? தொழில் தொடர்புக்கு வாய்ப்பு இருக்கிறதா? என்றெல்லாம் ஆண்டின் இறுதியில் ஆராயவேண்டும். வருஷ நடுவார்திரத்தில் நிபுணர் கமிட்டியை அமைத்துப் பிரயோஜனம் இல்லை.

"இந்தத் திட்டம் வெற்றிபெறும் என்ற நம்பிக்கையோடு ஆளும் கட்சி கொண்டு வந்திருக்கிறது; ஆனால் அவநம்பிக்கையோடு சிலர் இதை எதிர்த்திருக்கிறார்கள். இந்த இரண்டுக்கும் இடையிலே கமிட்டி அமைப்பதால் என்ன முடிவு ஏற்படும்? ஆகவே, ஆண்டு இறுதியில் தான் கமிட்டி அமைப்பது பயனுள்ளதாக இருக்கும் என்ற நம்பிக்கை எனக்கு இருக்கிறது.

"அடுத்தபடியாக, எதிர்ப்பிலுள்ள மற்றொரு முக்கிய விசேஷத்தைப் பார்க்கிறேன். 27 வருஷ அரசியல் வாழ்வில் எத்தனையோ எதிர்ப்புகளைப் பார்க்கிறேன். அவைகளைக் கெடமாதிரு ஒரு எதிர்ப்பு வேறு எப்போதும்

6-10
p.m.

[Sri M. P. Sivagnana Gramani] [28th July 1953]

நான் பார்த்ததில்லை. இந்தக் கவுன்சிலில் பேசியவர்கள் அப்படி இல்லை யென்று நான் பார்க்கிறேன். கவுன்சிலுக்கு வெளியே உள்ள எதிர்ப்பைக் கவனித்தால், இந்தத் திட்டத்தில் என்ன முக்கியமான அம்சங்கள் இருக்கின்றனவென்பதைவிட திட்டத்தைக் கொண்டுவந்தவர் யார் என்பதைத் தான் முக்கியமாக ஆலோசிக்கிறார்கள். இந்தக் கவுன்சிலில் அப்படி அவன். கல்வித்துறையில் நிபுணர்கள் இருக்கிறார்கள். அவர்கள் இந்தத் திட்டத் திலுள்ள அம்சங்களைத் தெரிந்து கொள்ள முடியும்.

“இந்தத் திட்டத்திற்கு வகுப்பு வாதம் கற்பிக்கப்படுகிறது. அப்படியானால், நம்முடைய முதல் அமைச்சர் மதுவிலக்கு திட்டம் கொண்டு வந்தார். அதற்கும் குறை சொல்ல முடியும். தீண்டாமை மிலக்குச் சட்டம் கொண்டு வந்தார், அதற்கும் குறை சொல்ல முடியும். என. ஜி. ஓ. களுக்கு வைத்திய வசதி கொடுத்தார், அதற்கும் குறை சொல்ல முடியும். ஒவ்வொரு திட்டத்திற்கும் யார் கொண்டு வந்தாலும், எதைக்கொண்டு வந்தாலும் அதற்கு சமூக வேற்றுமை இருக்கும். இந்த நாட்டில் திட்டத்தைக்கொண்டு வருபவரே ஏதோ ஒரு ஜாதியைச் சேர்ந்தவராகத்தான் இருக்க முடியும். அப்படி இந்தக் கண்ணெட்டத்தில் இது ஆராயப்படுவது கூடாது. அந்த ஒரு விஷயத்திலாவது இந்தக் கவுன்சிலில் உணவார்கள் ஒரு முகமாக அபிப்பிராயத்தைத் தெரிவிக்கக் கடைப்பிடிக்கிறார்கள்.

“ஆரம்பக் கல்வித் திட்டத்தில் இன்னொன்று பார்க்கிறோம். கல்வியின் தரம் குறைந்துவிடும் என்று சொல்லப்படுகிறது, பல பெரியவர்கள் சொல்வதைக் கேட்கிறேன். என்னைப் பொறுத்தவரையில், இந்தத் திட்டத்திலுக் கல்வியின் தரம் மாறுமேயொழிய குறையாது என்று சொல்ல விரும்புகிறேன். கல்வியின் தரம் மாறுதல் அடைவது வேறு, குறைந்து விடுவது வேறு. கல்வியின் தரம் முன்பு தொழில் தொடர்பு உடையதாக இருக்கவில்லை; தொழில் கற்றுக்கொள்ளத் தேவையில்லாமல் இருந்தது. ஆனால், இன்றையக் கல்விமுறை தொழில் தொடர்போடு இணக்கப் பட்டுள்ளது. ஆகவே, இத்திட்டப்படி கல்வி பயிலும் மாணவர்கள் கல்விப் பெ. திக்கும் ஆசிரியர்களைத் தொடர்பு கொண்டு, தொழில் கற்பிக்கும் ஆசிரியர்களைத் தொடர்பு கொண்டு, வாழ்வுக்கு அத்தியாவசியமான தொழிலைக் கற்றுக் கொள்ளவும் வசதி ஏற்படுமென நம்பப்படுகிறது. ஆகவே, கல்வியின் தரத்தை மாற்றுகிறதென்று சொன்னால் நான் ஒப்புக்கொள்கிறேன். ஆனால், கல்வியின் தரத்தைக் குறைக்கிறது என்று சொன்னால் ஒப்புக்கொள்ள என்னால் முடியாது. மாறுதலுக்கும் குறைவுக்கும் வித்தியாசத்தைப் புரிந்துகொள்ள முடியாதவர்கள், புரிந்து கொண்டாலும் புரிந்துகொண்டதாக காட்டிக் கொள்ள விரும்பாதவர்கள், இதை மறுக்கிறார்கள். கல்வியின் தரம் குறைந்துவிடும் என்று நான் எண்ணவில்லை.

“ஆரம்பக் கல்வித் திட்டத்தில் இதுவரை 5 மணி நேரம் பாடம் போதிக்கப் பட்டு வந்தது. ஆனால், பிராமத்திலுள்ள இளம் பிள்ளைகளுக்கு, ஆரம்பக் கல்வி கற்கும் பிஞ்சிப் பிள்ளைகளுக்கு இந்த 5 மணி நேரம் தேவைப்படுகிறதா என்று பார்க்கும் போது, 5 மணி நேரம் பள்ளியில் கழிக்கப் படுகிறது என்று தான் சொல்லவேண்டும். ஆனால், 5 மணி நேரம் தேவை படுகிறதா என்று பார்க்கிறபோது தேவையில்லை என்ற முடிவுக்கு மிகச் சலபமாக வந்துவிடலாம்.

“புதிய கல்வித் திட்டப்படி இரண்டு மணி நேரத்தைக் குறைத்து விட்டதாக குறை கூறப்படுகிறது. ஐந்து மணி நேரத்தில் போதிக்கப்பட்ட பாடக் களியை மூன்று மணி நேரத்தில் சொல்லிக்கொடுக்கிறார்கள். பள்ளியில் கழிக்கப்பட்ட நேரம் குறைக்கப்பட்டிருக்கிறதே தவிர, பாடம் போதிக்கப்படும் நேரம் குறைவுபடவில்லை. ஆசிரியர்களுக்கு வேலை போய்விடும் என்ற தவறான எண்ணம் இருந்தது இல்லாமென்று இத்திட்டப்படி திருபிக்கப்பட்டு விட்டது.

“நேரத்தைக் குறைப்பதனால், அதாவது, சரித்திரம், பூகோளம், கணக்கு இவைகள் அத்தனையும் எடுக்கப்படுகின்றன என்று குறை கூறப்படுகிறது. நேரம் குறைவதால் பாடங்கள் குறைந்துவிடவில்லை. ஆகவே, இந்தத் திட்டத்

28th July 1953] [Sri M. P. Sivagnana Gramani]

திலுக், பாடத்திட்டத்தில் மாறுதல் இல்லை, ஆசிரியர்களுக்கும் வேலை போகிறது, கல்வித்தரமும் குறையாது என்னும்போது இந்தக் கல்வித் திட்டத்தை ஒப்புக் கொண்டதில் என்ன ஊட்சேபம் இருக்கப்போகிறது?

“கடைசியாக, முதல் அமைச்சர் எங்கோ பேசினார் என்று சொல்லுகிறார்கள். நான் வேறு கிளாச்சியில் ஈடுபட்டிருந்ததால் அவர் என்ன பேசி ளார் என்பதை கவனிக்கவில்லை. குலத் தொழில் செய்யவேண்டும் என்று அவர் சொன்னதாகவும் கூறப்படுகிறது. அப்படி அவர் சொல்லியிருப்பதாக நான் அறியவில்லை. குலத் தொழிலைச் செய்வது குற்றமல்ல என்று அபிப்பிராயப்படுவது வேறு, குலத் தொழிலைச் செய்ய வேண்டுமென்று கூறுகிற அபிப்பிராயம் வேறு. தொழிலை இழிவாகக் கருதும் ஒரு தவறான எண்ணம் இருந்து வருகிறது. கல்வி உயர்வு எடை கருதக்கூற மாணவர்கள் தொழிலை இழிவாகக் கருதும் நிலை இருக்கிறது. சில தொழில்களில் நாகரிகம் ஏற்படாததே இதற்குக் காரணம். செய்யும் தொழிலை நாகரிக முறையில் மாற்றிக் கொண்டு விட்டால் எந்தத் தொழிலும் இழிவான தென்று கருதமுடியாது. ஆனால், தொழிலில் ஒன்று குறைவானது என்றும், மற்றொன்று உயர்வானது என்றும் எண்ணுகிற எண்ணம் தவறு என்று நான் நினைக்கிறேன். ஆனால், இந்தத் திட்டத்திலும் சரி, தவறு என்று அமல் நடத்தும் முறையிலும் சரி, ஒரு குலத்தைச் சேர்ந்த திட்டத்தை அமல் நடத்தும் முறையிலும் கற்றுக்கொள்ளவேண்டுமென்ற கட்டாயம் பிள்ளைகள் அந்த குலத்தொழிலைக் கற்றுக்கொள்ளவேண்டுமென்ற கட்டாயம் காணப்படவில்லை. நமது முதல் அமைச்சர் பேசினாலும்கூட கட்டாயமாக குலத்தொழிலைக் கற்றுக்கொள்ளவேண்டுமென்று வற்புறுத்தப்படவில்லை. கற்றுக்கொள்வதற்கு வசதி இருக்கிறது, நேரம் இருக்கிறதென்று குறிப்பிடப் பட்டிருக்கிறதே தவிர, கட்டாயமாக கற்றுக்கொள்ளவேண்டுமென்று கூறப்படவில்லை. தொழிலைச் செய்வதில் ஒரு குற்றமுமில்லை. குலத் தொழிலைச் செய்யவேண்டுமென்பதற்காக இந்தத் திட்டம் கொண்டுவரப் பட்டது என்று சொல்லி பெரிய எதிர்ப்புகளைக் கிளப்புவதன் காரணத்தை நான் புரிந்து கொள்ள முடியவில்லை. நம்மைப் பொறுத்தவரையில், கவுன்சிலில் அறிவாளிகள் நிறைந்த இந்தச் சபையில் கல்வியின் தரத்தை உயர்வாக வைத்துக்கொண்டு இருக்கின்ற பெருமக்கள், இந்தத் திட்டத்தின் குலத் தொழிலைக் கற்கவேண்டுமென்று கட்டாயம் எங்கும் இல்லை என்பதைப் புரிந்து கொள்ளமுடியும்.

“ஆரம்பக் கல்வி கற்பது நம்முடைய பிள்ளைகள் தான். 12 வயதுக்குப் பட்ட பிள்ளைகள் தொழில் கல்வியைக் கற்றுக்கொள்வது முடியுமா? அது சாத்தியமா? அது மாதிரி வலியுறுத்தப்பட்டிருக்கின்றதா? என்பதை எல்லாம் குழந்தைகளின் தாய்மாமர்களும் பெற்றோர்களும் ஆகிய நாம் கவனிக்கவேண்டும். அதுமாதிரி இந்தத் திட்டத்தில் கட்டாயப்படுத்தக்கூடிய நிபந்தனையை நாம் காணவில்லை. வினா குழப்பத்தையும் விவாதத்தையும் உண்டுபண்ணுவதில் பிரயோஜனம் இல்லை.

“இறுதியாக, இந்தத் திட்டத்தால் ஆரம்பக் கல்வி அளவில் தான் தொழில் கல்விவையும் பார்க்கும் பழக்கவழியை வசதி அளிக்கப்படுகிறது. ஆரம்பக் கல்வி முடிந்த பின் ஒருவன் தொழில் கற்றுக்கொள்ளுவதற்கு மேலே போகலாம். அல்லது மேலே போவதற்கு உயர்தர வகுப்பில் சேரலாம். இரண்டுவித நன்மையும் அளிக்கக்கூடிய திட்டம் குற்றமா? இப்பொழுது கொண்டுவரப்பட்டிருக்கிற திட்டம் சீர்திருத்த அடிப்படையில் தான் செய்யப்பட்டிருக்கின்றது. மத்தியதரக் கல்வியிலும், உயர்தரக் கல்வியிலும் அது மாதிரியான சீர்திருத்தம் வரவேண்டுமென்று நாங்கள் கூறுகிறோம். இந்தக் கவுன்சிலில் இருக்கின்றவர்கள் பலர் ஒத்துக்கொள் வார்கள். கல்தூர்ப் பாடங்களுக்கும் தாய் மொழியிலேயே நடத்தப்பட வேண்டும். தமிழில் நடத்தப்படவேண்டும், என்று நாங்கள் சொல்லி வருகிறோம். முதல் அமைச்சர் அப்படியொரு திட்டத்தைக் கொண்டுவந்தால், அதற்கு இணைவிட மூன்று பங்கு பலமான எதிர்ப்பு இருக்குமோ என்று நான் நினைக்கிறேன்.

“ஆரம்பக் கல்வியில் சீர்திருத்தத்தைப் போலவே, மத்தியதரக் கல்வி யிலும், உயர்தரக் கல்வியிலும் சீர்திருத்தங்களைச் செய்து, இந்திய

12th July 1963

சமுதாயம் உலகத்திலேயே சிறந்ததொரு சமுதாயமாக விளக்க மாணத்தக்கதாக இருக்க வேண்டும் என்று எண்ணத்தக்க கனவுகளைக் கனவிலாக்கிப் போதிப்பதற்காக, தொழில் கல்விப்போன்ற பலவற்றைப் போதித்து, நாட்டின் தொழில் நிலையை உயர்த்துவதற்கு வேண்டியவற்றைச் செய்யவேண்டுமென்று கேட்டுக்கொள்கிறேன். அப்படி ஒரு எண்ணத்தை அடைவதற்கு அடிப்படையிலே அம்மாதிரியான ஒரு சிந்தித்ததத்தை கொண்டு வந்ததற்காக நான் முதல் அமைச்சர் அவர்களைப் பாராட்டுவதற்கு எதிர்த்துக்கொண்டிருக்கிறேன். கொண்டு வந்திருக்கும் சிந்தித்ததத்தை எதிர்த்துக்கொள்கிறேன்.”

6-20
p.m. * SRI S. B. ADITYAN :—“ Mr. Chairman, Sir, after hearing the hon. Member, Mr. Sivagnana Gramani, I am more than ever convinced that the Resolution and the amendment before the House are both right. The Resolution does not seek to condemn the new education scheme. The Resolution is very modest. It merely suggests that the scheme must be examined and seen in all its aspects and a decision should be reached as to whether it is sound or not sound.

“ Sir, the first main aspect of this scheme is the reduction in the tuition hours from five to three. What is surprising is not the reduction in the school hours but the theory advanced that within these three hours, all the subjects in the syllabus of education can be taught. If this theory is right, will it not mean that all the time the people who had been engaged in education not for years, not for decades but for centuries in this country had all been wrong? Does it not mean, if this theory is right, that all the teachers, educational authorities and parents have been wasting their time all these years? Sir, it stands to reason that before such a sweeping verdict is passed, at least an examination of the present scheme must be made in all its aspects.

“The second feature involves one of child labour. It is suggested that the child should engage itself in the occupation of its parent. In putting forward this scheme, its framers have had in their minds only the light occupations. They have completely forgotten or ignored the fact that most of our people, a vast majority of the masses, are not engaged in the so-called light occupations but are engaged in heavy manual labour. Take for instance, the case of fishermen. Is it seriously suggested that fishermen's work which consists of going out to sea before day-break and returning later in the evening, is suitable for children? The people in the rural areas are engaged in bullock-cart driving. Is this suitable for children? There are many other people engaged in heavy manual work, like digging wells, carrying loads and climbing trees. Are these occupations suitable for children?

“ There is another aspect which ought to be examined. Is the whole approach made from a correct angle? Whatever may be the occupation of the parent, is it not more correct to see whether the child has the aptitude for the work? The basis on which the whole scheme rests is the occupation of the parent and that is the only thing taken into account by the framers of the scheme.

28th July 1953]

[Sri S. B. Adityan]

28th July 1953] [Sri S. B. Adityan]

Sir, if the child has an aptitude for a certain occupation, it must be encouraged to take to that occupation, irrespective of the parents' occupation.

... allowed to me, I cannot refer to ... for to ...

be encouraged to take to their occupation.

“ Within the limited time allowed to me, I cannot refer to all the other aspects of the scheme but would like to refer to one other matter which ought to be examined by the Committee. It is provided in Article 24 of the Constitution that ‘ no child below the age of 14 years shall be engaged in any hazardous employment’. It must be examined whether the scheme does not involve the children taking up hazardous work. ‘ Hazardous occupation’ is an occupation that involves risk or danger—either physical or mental—to the children. Take the case of scavengers. Is not scavenging a hazardous occupation for children? Also, take the case of ironsmiths. Is it not a hazardous occupation, with all its heat and smoke, for children of tender age? I hope all these aspects will be taken into consideration by the Committee proposed to be appointed. The Committee must go into the matter in all its details and give a proper finding. A case has been made out for the appointment of a Committee. Therefore, the Resolution and the amendment deserve our support.”

“ Hereafter, I will restrict the speeches

MR. CHAIRMAN:—"Hereafter, I will restrict the speeches to five minutes each."

to five minutes each.

* **Sai M. SITHARAMA DOSS** :—“ Mr. Chairman, Sir, రాష్ట్ర కేంద్రము 6-25 P.M.

నాకు ప్రతిపాదించినటువంటి పరిష్కారాన్ని, మరియు Experts Committee ని నియం
 వించవలసిందిగా తెచ్చేటటువంటి సవరణను, ఈ రెంటిని నేను oppose చేస్తున్నాను.
 ఈ పరిష్కారంలో experts ను appoint చేయవలసిందిగా అంటున్నారు. కాని,
 elementary education లో experts వారు అని అడుగుతున్నాను. ఈ విద్యా
 విషయములో experts అయినటువంటి Director of Public Instruction,
 Deputy Director, Divisional Inspectors, District Educational Officers
 and Presidents of District Boards of the State, including the Chief
 Minister and the Education Minister also, ఏకంఠం పార్ 1, 2, 3
 తరగతులలో సమావేశమై ఈ విషయాన్ని దీర్ఘంగా చర్చించి ఈ Revised System
 of Elementary Education ను ఏర్పాటుచేతారు. ఏకంటే experts ఎవరు
 కావాలి? ఆ వర్గంలో నేను కూడా పాల్గొన్నాను. నేను ఆ వర్గము కొద్ది సవరణలు
 సూచిస్తూ, తిరస్కారం చేశాను. ఈ revised scheme work out చాలా సాధన
 అనుమానంగాను, భయంగాను ఉన్నదని రాజగోపాలాచారిగారికిని, Education
 Minister గారికిని తెప్పిరిని. క్రొత్తగా ఏర్పాటుచేయబడుటకుంటే ఈ స్కీము
 పరీక్షించుకు suit కాదు. ప్రజలు దీన్ని ఉప్పుకురు, దానికి చాలా ఇబ్బందులున్నాయని
 ముందరించేసింది. కాని, వారు ఆ Experts Committee ఆలోచనచేసి ఏర్పాటుచేసి
 వరుసగా ఈ Revised System of Elementary Education ను అంగీకరించి
 ప్రవేశపెట్టుకు నిర్ణయించుకొన్నారు. ఆ విధంగా అంతమంది experts ఆలోచనచేసి
 నిర్ణయించినటువంటిదాన్ని విచారించుకు మరల ఒక Experts Committee ని నేయా
 ని తెచ్చుతున్నారంటే, ఇప్పుడు దీన్ని ఏర్పాటుచేసినటువంటివారు experts కాదా అని
 అడుగుతున్నాను. మన Chief Minister నారు expert కాదా ! He is an expert
 in all the subjects. We know that. Then the Director of Public

[Sri M. Sitharama Doss] [28th July 1953]

Instruction is an expert in Elementary Education. కనుక ఈలాంటి experts అందు కలిసి దీన్ని విచారించాలి. కానీ experts చేయవలసిన పని అయిపోయింది ఈ విషయములో experts fail అయినారనే చెప్పవలసివస్తుంది. కనుక ఈ విషయాన్ని పరిశీలించుటకు మరల ఇంకా Experts Committee ఏర్పాటు చేయవలసిన అవసరంలేదని మనవిచేస్తున్నాను. అటువంటి experts కాక కొంత experts ను ఎక్కడ తెచ్చామని అడుగుతున్నాను. కాని ఈ revised system ప్రకటించానికి ఉపయోగకరంగా లేదు, ప్రజలు దీన్ని ఒప్పుకోదు. ప్రజా వ్యవస్థాన్ని గుర్తించకుండా దీన్ని ఏర్పాటుచేసిన ఈ Experts Committee ను విధయిలో fail అయిందనే చెప్పవలసివస్తుంది. కనుక, ఈ revised scheme ను drop చేసుకోవలసిందని ప్రభుత్వమువారిని, Chief Minister నారిని request చేసుకోవడం తప్ప వేరేమార్గం లేదు. అవిధంగా ప్రభుత్వాన్ని request చేయటం వదులు ఇంకా Experts Committee ని appoint చేయవలసిన అవసరమంటే అది నిష్ప్రాయం; ముఖ్యంగా కార్యం చేయవలసి, అది fail అవుతుందని ఎవరిచేస్తున్నాను. Experts Committee అనేది అప్పుడే వీలై అయింది. అటువంటివి మరల ఇంకా Experts Committee ను ఏర్పాటు ప్రయోజనం లేదు. అది succeed కాదని చెప్పడం మనవి చేస్తున్నాను. ఈ దృష్టితో నేను ఈ రిపోర్ట్ ను, సకలము oppose చేస్తున్నాను. ఈ విధంగా మరల Experts Committee చేయమని అడుగుటకు వదులు, ఈ విషయములో ప్రజాధిపత్యాన్ని తెలుసుకొని, ప్రజాధిపత్యానుకూలంగా ప్రభుత్వం తమ policy ని మార్చుకోవలసిందని కోరడం సలహా ఉంటుంది. ఈ సందర్భమున కామోక్షిరాజుగారికి ఒక జియం మనవి చేస్తున్నాను. 1938 క సంవత్సరంలో ముఖ్యమంత్రిగా ఉన్నప్పుడు ఒక పెద్ద సమస్యను పరిష్కరించడానికి అది ప్రజాధిపత్యముకు ముఖ్య అంశం అయింది. ఆ సమయమునా వాటిను ఇచ్చారు. అప్పుడు ప్రజాధిపత్యాన్ని ముందుగా తెలుసుకొనేంతకు అవకాశములేదు. ఆ విధంగానే ఇప్పుడుకూడ చేయాలంటే కావాలి. Elementary Education అనేది చాలా important subject. ఇతర పాఠాభ్యాసమువంటి దిన్ని ముఖ్యముగా కాదు అనేదిలో అవకాశం పొందకనే ప్రవేశ పెట్టవలసివచ్చింది. ఈలాంటి ముఖ్యమైన విద్యా విధానము ముఖ్యమంత్రి సమక్షమున వచ్చినప్పుడు, అది ముందుగా కేంద్ర సభలో చర్చించుకున్నట్లు చేయడం మంచిదని మనవి చేస్తున్నాను. ఈ Elementary Education అనేది చాలా ముఖ్యమైనది. ఎక్కడ సకలముగా ప్రజలకు అవకాశము ఉన్నటువంటి విద్యా విధానాన్ని క్షాత సంతకము ఈ కేంద్ర మార్పున్నారంటే, దాని ముందుగా అనేదిలో పెట్టలేకపోతే ప్రజాధిపత్యానికి పంపించే ఈ revised scheme అవరణ పాత్రను కాక, ప్రజలు ఒప్పుకోకుండా లేదా అని ఖుదుగా తెలుసుకొని యుండవలసింది. ఇంకా ఈ scheme గాంధీగారి basic education అనే సిద్ధాంతానికి అనుగుణంగా ఉన్నది. ఆ సిద్ధాంత రీత్యా ఇది మంచిదే కావచ్చు. అందుకేనే రాజగోపాలాచారిగారు దీన్ని ప్రవేశపెట్టారు. వారి ఆధిపత్యంలో కట్టబడి లేదు, వారికి తెలియదని లేదు. అన్ని విషయాలలోనూ వారు expert అని చెప్పటకు సరిపోయే లేదు. కానీ ప్రజలు వారి ఆధిపత్యాన్ని, వారి సిద్ధాంతానికి అర్థం చేసుకోలేక పోయారు. ముఖ్యంగా, ఈ Educational officer, మంత్రులు వీరికా, పట్టణాలలో నివసింపవలసివచ్చింది. వారికి పట్టణాల యొక్క పరిస్థితులు ఆ ప్రజలయొక్క ఆధిపత్యాలు తెలియక పోయాయి. ఈ విషయంలో ఈ స్థాయి మంత్రి అయినప్పటికీ, పట్టణాల ప్రజలకు

28th July 1953] [Sri M. Sitharama Doss]

అది వీలై అవుతుందా లేదా అని అలోచించవలసివస్తుంది. కనుక ప్రభుత్వమువారు దీన్ని ప్రవేశపెట్టారంటే, ప్రజావ్యవస్థ సిద్ధాంతం ప్రకారం, ప్రజాధిపత్యానికి అనుగుణంగా ఉండేటట్లు తమ విధానాన్ని మార్చుకోవలసిందని కోరుతున్నాను. ఇక, రెండవ విషయం, అప్పుడు ఈ విషయంలో silent గా ఉన్నారు గనుక ఈ revised scheme ను వారు ఒప్పుకోస్తే, అది అనుకూలంగా లేదు. అది పాఠశాలలు అది పెంచుతున్నాను. అప్పుడు చాలా శాంతివంతులు అరచిపోయి ఉండవలసివచ్చింది. వారికి ఇది సరికొద్దం. ఆ తరువాత వారు ఈ స్థాయికి ఒప్పుకొన్నా యి భావించకూడదని మనవి చేస్తున్నాను. మా యొక్క Education Minister లందఱు ప్రాంతాలలో Elementary Education మార్పు తెలియని విషయములు ముందు మీటింగు జరిపారు. 'యథా కాశా తథా ప్రజా' అన్నట్లు, వారు రాజగోపాలాచారిగారియొక్క ఉద్దేశాలనుగూర్చిగా మార్పుచేయాలంటారు. ప్రజాధిపత్యాన్ని గురించికూడ లేదు. ఈ Revised Scheme of Elementary Education విషయంలో ముఖ్యమంత్రి ప్రజలు అయిష్టంగా ఉన్నారని చెప్పడంమొన్నాను. కనుక ప్రభుత్వం దీనిని ప్రస్తావించు లేదు, ప్రజాధిపత్యాన్ని తెలుసుకొని తన విధంగా మార్చుకోవలసిందని కోరుతున్నాను."

SRI K. BALASUBRAMANYA AYYAR:—"Mr. Chairman, 6-32
Sir, I do not want to take more than five minutes." p.m.

MR. CHAIRMAN:—"The hon. Member can take a few more minutes."

SRI K. BALASUBRAMANYA AYYAR:—"Thank you, Sir. This is a serious reform which has been brought to the fore by a person for whom all of us have the profoundest respect not only as a great politician and statesman but also as a great educationist, and I therefore make bold to associate myself with this amendment that has been brought forward by Dr. V. K. John. All educational reform has to be accomplished, implemented, completed and brought into fruition in a very calm and purely academic atmosphere. That is why I have always been in some doubt that even great politicians should not bring educational reforms and, on the other hand, should wait and should be behind people who are academicians and who are educationists by profession, by training and by their actual teaching capacity. I have therefore said that, however great a man may be, in order that he may effectuate his reform, it is absolutely necessary that educated public opinion should be organized behind the reform."

"But, what do we find in the present atmosphere? Everybody is in fear, absolute fear, especially the community to which I belong. On the 24th of July, everybody in Triplicane and Mylapore was in terror. There were so many rumours afloat that people in their houses will be assaulted, that such of those as had *hudimis*, their tufts will be cut off and such of those as had their sacred threads, they will all be snapped and that all schools also will be picketed. Many people were afraid and the headmasters and Principals of Colleges took it into their heads to requisition police

[Sri K. Balasubramanya Ayyar] [28th July 1953]

help. I am not exaggerating the matter and, if at all, I am only understating the whole thing. I attended the Council at great risk. I telephoned to the Chief Minister the previous morning whether anything was going to happen the next day. He told me that nothing would happen and so I came to the Council. I am anxious that something should not happen to the Chief Minister whose sacred personality should be protected. (An hon. Member was seen laughing.) I am speaking sincerely and it is not a matter to be laughed at. It is not a matter for joke or laughter but one which has to be considered in a calm atmosphere, for in several parts of the country trains were being stopped and tear-gas had to be used to disperse crowds in the City. I am not exaggerating matters and I am in the position of one who is afraid even to talk about these matters. I am therefore stating that it is better to have this reform in an absolutely calm atmosphere. This is the reason why I will also appeal to our experienced ex-Minister, Sri M. Bhaktavatsalam, to agree to the appointment of a Committee to go very carefully into this reform because people say it is wrong. I thank the Government for the very delightful brochure they have brought out in which many fears have been allayed and many misunderstandings have been removed. But, I would also like to mention this incident. I was speaking to a boy studying in one of the Corporation High Schools. He said 'எல்லாம் போய்விட்டது, ஐயா, எல்லாம் போய்விட்டது,' meaning thereby that everything is gone because of this reform. Much more vicious propaganda has been done on the 24th of this month than could ever be done even by a thousand persons during the course of a year in favour of the reform. Even the students feel that it is wrong and, in these circumstances, how can we have educational reform when it has to depend upon the goodwill of the teacher, the villager, the artisan and of everybody.

"We have appointed committees for the reform of university education; we have appointed a Committee for the reform of secondary education of which my distinguished friend, Dr. A. Lakshmanaswami Mudaliyar, is the Chairman. Then, why should we not have a committee for the reform of primary education? Education is divided into three parts, primary, secondary and university. After 1947, we have appointed committees for the last two, and it is therefore in the fitness of things that we should have a committee for primary education also. Sri M. Bhaktavatsalam pointedly asked what has a committee got to go into now, and said that a committee could go into it later. I only ask 'Will a committee survive this agitation? Will the scheme survive this violent agitation that is being carried on among the villagers?' Mind you, we shall have to recruit all our support only from the village population. Will there be calm now in the villages? It is therefore better to assuage all those feelings."

THE HON. SRI C. RAJAGOPALACHARI:—"It is calm there but not here!"

28th July 1953]

* SRI K. BALASUBRAMANYA AYYAR:—"I will not lay myself open to the charge of exaggeration. I am only saying that we cannot have a calm atmosphere in the villages. I know something about them because I frequently go to the villages. In the villages people are really living in fear and dread. It is my duty here, Sir, as one who represents a section of our countrymen, to appeal to the Chief Minister to appoint a committee and efface himself. It is a tragic irony of fate that the Chief Minister, who is above caste and who is of the order of *rishis* and sages of old, is supposed to advance the interests of a particular caste. He has no caste and he has abjured his caste even for the purpose of the struggle for freedom and yet people are suspecting him and that he has something up his sleeves, some 'சூழ்ச்சி'. These suspicions cannot be allayed by calm arguments, reflection or reasoned arguments in a brochure or things of that sort. I therefore request that a committee be appointed not for the purpose of condemning this scheme or for giving a certificate after sometime that it has worked well, but for the purpose of going into the scheme to allay the fears of all the communities. They may be right or wrong and I am perfectly aware that they may be due to misunderstanding but, still, a committee can go into the whole question. My hon. Friend, Sri M. Sitharama Doss asked, where are the experts who have done something in the field of education? I say that on this Expert Committee, various educational bodies, teachers and especially elementary school teachers should be included because it is they who have to deal with it. Unfortunately, Sir, this scheme has to depend entirely on the teacher. It is a human scheme for the purpose of initiating the young child in the three R's and requires very delicate handling on the part of the teacher, on the part of the artisan and on the part of all those connected with the management of these elementary schools. Let the Expert Committee go into all the brochures supplied to us, and let them go into all the details of the scheme. I do not see any hurry in carrying out educational reforms. Our educational scheme has produced leaders like Dr. A. Lakshmanaswami Mudaliyar, the Hon. Sri C. Rajagopalachari, etc. Therefore no educational scheme can be dubbed as wrong or useless. By saying that the present system of education is bad, we are prejudicing the whole community of teachers. Once we lay the blame at the door of the teacher, all respect for him is gone. It is always much better to go slowly in all educational matters, especially with regard to elementary education. There are 38,000 schools which are involved in the new scheme and nearly double the number of students that are now attending schools are expected to study under the new scheme. But I wish to point out that when a violent agitation is carried on against the scheme, which will certainly produce a wrong impression in the minds of children studying in schools, all the beautiful brochures, books, pamphlets, etc., in support of the scheme are of no avail. The whole scheme depends upon the goodwill of all our people. What do our artisans know

6-40
p.m.

[Sri K. Balasubramanya Ayyar] [28th July 1953]

about the scheme? Can they judge the scheme properly? They will be mostly led by agitators. This scheme must be gone into and considered in a calm atmosphere. I am sure the Hon. the Chief Minister will get the greatest support for his scheme if a committee of the sort contemplated in the amendment is appointed. If, on the other hand, a committee were to be appointed later on, there will be no calm atmosphere prevailing and the agitation against the scheme will not cease. I am not asking the Hon. the Chief Minister to lose his prestige by withdrawing the scheme for the sake of the agitation carried on by the Dravida Munnetra Kazhagam. It is better, Sir, that especially as the Hon. the Chief Minister who has introduced the scheme belongs to the community which is suspected of domination over all other communities and castes and as all educational reforms have to be looked into calmly and proceeded with slowly, a committee is appointed to examine the scheme."

MR. CHAIRMAN:—"The Hon. the Education Minister will now speak."

SRI G. KRISHNAMURTHI:—"May I submit, Sir, that I sent a chit requesting permission to speak . . ."

MR. CHAIRMAN:—"I may tell the hon. Member that mere submission of a chit does not entitle him to be called. It is a matter entirely within the discretion of the Chair and nobody can question it."

THE HON. SRI C. RAJAGOPALACHARI:—"Probably the hon. Member is under the impression that the Education Minister is winding up the debate."

* THE HON. DR. M. V. KRISHNA RAO:—"Mr. Chairman, Sir, I thank you very much for calling upon me to intervene at this stage of the debate when it has not come to a close. I am extremely thankful to hon. Members of this House and to the movers of the resolution and the amendment for having brought up this subject for the consideration of this House and for discussion of all aspects of this scheme. I also take this opportunity to express my gratification at the great interest that this question of elementary education has aroused in the country, from all ranks and sections who are interested in education."

"I have stated at another place, Sir, and I beg permission to repeat it here that I do not wish any exaggeration to be made about this scheme. Nor do I wish to underrate its significance, the relevancy and the timeliness for taking up this question of elementary education. This problem of affording primary education to all the children that are born in our country which has been before us during the British regime assumes importance and urgency in the context of freedom."

28th July 1953] [Dr. M. V. Krishna Rao]

"Are we to continue to follow the policy of limited expansion of elementary education in the name of consolidation on the pretext of which elementary education was not universalized at a particular stage of our history? That stage is over. We are altogether faced with a new situation. We are nearly a hundred years behind modern nations in this respect. More than 50 per cent of our children living largely in the villages and also in the towns are not able to have the benefits of elementary education. We have had committees. We have had conferences. This question has been gone into and examined in very great detail. It is not as though we are taking up this question for the first time. Sir, under Article 15 of the Constitution, it is incumbent on the States to provide within ten or fifteen years or within one generation free and compulsory education for all children until they complete the age of fourteen years. The population of our country has doubled itself during the last seventy or eighty years and 20 per cent of that population are of school-going age at the primary standard."

"Sir, it has been calculated on a very modest basis that the cost of elementary education if it is to be universalized within ten or fifteen years will come to a minimum of Rs. 8 to Rs. 10 per capita of the population. Calculated in that way, not even the entire revenue of the State will be enough to help us to introduce universal compulsory education. There is also another phenomenon in our country, namely, the great divorce between manual labour and skilled labour and educational activity. The orientation that we have to give to the elementary stage of education with regard to methods is another problem that faces us. These two problems have been tackled by the Father of our Nation and the principle of basic education has after due consideration been accepted by the various State Governments in India. The question of universalizing elementary education within a reasonable period of time without limitations of finance has become very urgent and the necessary orientation that we have to give to this stage of education has become very important and urgent. The mover of the resolution and some hon. Members, particularly the Mover, raised the question of propriety on the part of the Government in having sprung this scheme as a surprise on the people without any notice. I wish to take the hon. Members of this House into confidence in this matter and submit to them that there is no element of surprise or haste in this matter. I would in this connexion refer hon. Members to what happened last summer soon after this Government took charge. When the question of educational reorganization was taken up, I said on that occasion that nothing spectacular could be expected from me and nothing could be taken up without due consideration. I still hold that view and therefore, I have to submit an explanation to the House. In the Budget session that we had in July when the question of education was discussed, this question of universal compulsory elementary education occupied much of the attention of the House and it was borne in upon them that they should provide a practical

6-50
p.m.

[Dr. M. V. Krishna Rao] [28th July 1953]

scheme for the universalization of elementary education as it was the duty of the Government to do so and the necessity for such a scheme was impressed upon the Government. In that connexion I had stated very clearly that the Government were considering such a scheme. As hon. Members are familiar with what happened at that time, I shall not expatiate at length. This in brief is what I said—

* The feasibility of arranging classes in two shifts every day leaving half the day free for the child to engage himself if possible at home or learn some work, on the farm or in the garden which can be attached to each school or otherwise, is being actively considered.

I also dealt with the problem of wastage in education and how to avoid it. On the very first day on which the Director of Public Instruction took charge, we requested him to go into this problem and examine the question of reducing the number of hours without detriment to the content of curricular education that is being given so that we could bring about universalization and expansion of elementary education and also bring about a new orientation. The Director of Public Instruction has been at it for the best part of one year and in the beginning of this year, he reported to the Government that so far as the academic side is concerned, so far as the curricular side is concerned, the limitation of a session to three hours for boys of that age group carried over a period of five years, is quite sufficient and satisfactory for imparting the curricular education that we had been giving. That was the basis upon which we requested him to prepare a scheme and the scheme was before the Government in the month of April when we had the second Budget session and in the course of the session in the general discussion that occurred before the Education Demand came up, I had the privilege of intervening in the general discussion and I stated again in a categorical manner that there was a proposal to reduce the school hours during the day at the elementary stage to three hours and to provide for some spare time for the child to learn some craft outside and for those who had none, it was proposed to create certain facilities outside and wherever necessary inside the school. I also said that these proposals were under the active consideration of the Government and were being worked out and so, Sir, it is not as if the scheme has been sprung upon this House as a surprise. It has been before the Legislature and the public but little did we expect that politics will enter into the field of education also and queer the pitch in regard to the question of educational reform. I submit, Sir, there was no intention to keep the Legislature in the dark. There was nothing like that. When we were preparing the scheme during the year, I had the privilege on behalf of the Government to go to the Basic Education Conference at Wardha and later to the UNESCO Conference at Bombay which met specially to consider problems in regard to compulsory elementary education. Subsequently I had also the privilege of meeting the Education Minister of the Government of India and Ministers from States in Delhi in April last and in the course of informal meetings, I had the benefit of consultations with them. Therefore, I am surprised and I little expected that the charge will be made

[28th July 1953] [Dr. M. V. Krishna Rao]

on the floor of this House that the Government did not observe propriety in having brought up this scheme and that the scheme had been brought up all on a sudden. There was no such intention and there is no intention to shut out anybody's consideration much less the consideration of this august House. There is no desire at all not to take anyone into confidence. We welcome advice and help and we seek co-operation from every one interested in the cause of education. I do not wish to give details of the scheme because it has been presented in print to hon. Members. I only wish to submit that every one feels very strongly the necessity for ensuring elementary education to all the children of the country within a measurable period of time as that is the first and foremost duty of any State Government in the country. The fact is that, Sir, over 50 per cent of the children are not going to school.

Why are they not able to go to school? For one thing, we 7 p.m. are not able to provide a school for every village. Though to-day we have more than 38,000 schools, there are more than 4,000 villages where we have not got a single school. And out of the 40 lakhs and more children that are at school during the last six years, it is on record that only 37 per cent of the children who join continue till the fifth standard. The rest drop off on the way. The average number of teachers that are available for schools is stated to be three and very few schools have got four or five teachers, that is, one teacher for each standard. We thought of this method to make it possible for increasing the potential of each school, with regard to time, with regard to buildings, with regard to teachers and also to improve the very manner of teaching. Now, Sir, the first question is whether these three hours as we have been advised by the Director of Public Instruction are sufficient. Before this new scheme was introduced, as hon. Members know, we have experimented on this. There were in the State a shift system where three and a half hours was accepted. Now in this three hours four periods are contemplated with two intervals of not less than ten minutes each. The next question is that in a week the working days were five and a half before. Now it is sought to be increased to six days."

DR. V. K. JOHN :—" On a point of order, Sir. The issue before the House is whether an expert committee should be appointed and nothing else. I hope the Hon. Minister will throw some light upon that issue before the House."

* THE HON. DR. M. V. KRISHNA RAO :—" Mr. Chairman, Sir, I am attempting to make out a case for the need for the reform and the expediency of appointing an expert committee and as to when we have to make use of the services of the committee I shall come to that presently. I am now only trying to meet the points raised and I hope the Chairman will give me permission to do so. I hope I will not be denied that opportunity."

MR. CHAIRMAN :—" The Hon. Minister can continue."

[28th July 1953]

* THE HON. DR. M. V. KRISHNA RAO :—“ Now, Sir, 24 periods are suggested and according to the information that has been placed before this House regarding the curriculum of subjects, no reduction is proposed in this. We have three teachers on an average as I have said for each school. Now the proposal is to have three classes in the morning and two or three classes in the evening. Where we have not got a full complement of teachers we have three classes in the forenoon and two or three classes in the afternoon and where we have a teacher for each class, each class is divided into two sections, one section meeting in the morning and the other in the evening. Therefore it is possible to ensure that each class is given one teacher during each session. What were we having before? We were having a limited number of teachers who were not equal to the number of classes though we had the nominal satisfaction that we were having the school for five hours a day. This new arrangement eliminates the evil of plural class teaching and for the present reduces the number in each class and makes it possible for us to bring in more students into the classes. I agree that what is wanted is concerted effort. I hope the parents of children and the teachers will go among the public and try to explain to them that it is possible and desirable to send as many children to school as possible.

“ The other factor that was operating against all the children going to school was this. The economic condition of the people and the ignorance of the parents and the poverty of the parents were preventing them from sending the children to schools. The children had to serve the needs of the families and 50 to 60 per cent of our population are in that condition even to-day. This scheme gives them an opportunity to send their children to the school for three hours and to have the benefit and satisfaction that their children are available to them during the other part of the day. Are we to contemplate the continuation for a indefinite period of this section of the population to remain without the facility and convenience to send their children to school? Therefore, Sir, I submit that the present shift system of three hours twice in the day increases the potential to almost double and reduces the evil of plural class teaching and this will make it possible to pay more attention to children and gives greater convenience for the poorer sections of the population to send their children to school.

“ Sir, we have the further problem of husbanding the financial resources of the State so that we can plan at least a single teacher school for all the four thousand villages which are not now served by even a single school. There is also the other problem of increasing the emoluments of the teachers. I said that the first necessity is to ensure that the teacher has a reasonable wage for the service he puts in so that he need not live in great distress. We are very anxious to do that but, what is the actual result? All that we can provide in our budgets is not sufficient either for the increase in the number of schools or for the increase of emoluments of the

[28th July 1953] [Dr. M. V. Krishna Rao]

teacher. I am not for a moment suggesting that the State is not willing or desirous of spending as much as possible out of the resources of the State. We are already spending 7½ crores from the State and nearly 2 crores from other sources on elementary education in our State and still the situation is the same. Even assuming that we try to spare the maximum amount of money in the coming years, is it possible under any computation to have a scheme of universalizing elementary education and to see that it is convenient for all sections of the population, rich or poor, to send the children to school to have the benefit of elementary education in free India?

“ Therefore, the first issue is whether the hours that are suggested are sufficient for maintaining the standard and whether the scheme really serves the purpose for which it is intended. Controversy has raged with regard to the idea as to how to use the spare time of the children. Basic education having been accepted as the policy of the Government, Government are doing their utmost and have made suggestions as to how to utilize the spare time of the children according to their age. Sir, every one of us know that the children of the age group of six to nine will be largely at play. After that age the proposal is only to help them to go round and to get into touch with things, to observe things for themselves and when they come to a suitable stage to try to learn something. There is no intention at all to compel anybody to take up the occupations of their parents. It is also not expected that every child will come and take up the occupation of his father. I wish to submit to the hon. House that it is too late in the day for any one to expect that every child in India will go back to the occupation of the parent. There is no such illusion. And there is no such intention also.

“ But one fact remains that the vast majority of the young people in our country have to grow up to take up responsibilities with regard to the productive activity in the country and therefore, it was suggested that the children of this age group—above a certain age—can be made to interest themselves in the various activities of the village, like agriculture and other crafts. But it is sought to be misunderstood. I do not deny that some protagonists who are opposed to this scheme, are entertaining a genuine fear about the scheme. I wish to take this opportunity to make it clear that there is no such intention to compel anybody, nor is it a practicable thing to do, even if anybody had intended it. Sir, India has gone too far ahead to think of compelling or expecting any child to go by traditional occupations. But if a parent thinks it worthwhile to give an opportunity to the child or to take the help of the child in the work that he is doing for his family, we cannot object to it and we shall not object to it. Therefore, the question of caste or hereditary occupation being brought in has complicated matters and I hope and trust that the educationists and eminent members of this House who are interested in the promotion of elementary education will give the right lead to the public in this matter.

7.10
p.m.

[Dr. M. V. Krishna Rao] [28th July 1953]

"Sir, the question has been raised that this matter being so important an expert committee should be appointed to go into it and that the scheme should be kept in abeyance till the expert committee finishes its labours. In the light of what I have stated, I need not explain again that this scheme was not evolved all of a sudden but a considerable amount of consultation with experts has taken place with regard to it. It may be, a time will come after a fair trial is given when certainly all the experts may go into it and help in evolving an improved method and point out defects and difficulties in the working of the scheme with a view to improve it. I do not wish to take more time of this House but I wish to refer to only one or two matters which it is necessary to bring to the notice of this House.

"We have in our State 1,200 elementary schools under the Labour Department and we are giving mid-day meals. There is an apprehension—I was informed—that this scheme will deprive the children of the Harijans who attend these schools, of their mid-day meals. There is no such intention and instructions have been issued to see that the mid-day meal is continued for both the batches of children that come to these schools.

"I wish to make another submission. After a five-year schooling according to this modified scheme of education and limitation of hours, it is definitely expected that every child who is taught under this scheme, will be quite fit to join the First Form in any High School. That is another point which is causing anxiety.

"Now, I wish to refer to the question of emoluments of the elementary school teacher and increase in his work. This matter is being considered by the Government. Whether we will be able to deal with this matter in an effective manner or not, depends obviously on the co-operation of the teachers. It is their work and I do not say so in any spirit of preaching patriotism to them. The question of dealing with their emoluments particularly is under consideration and will always be under the consideration of the Government. Since this question has been raised and it is in the minds of the Government and the teachers, I referred to it.

"Sir, I only feel that the question of creating interest and respect for such activities as manual work among the children is only an integral part of our Rural Reconstruction schemes and it is not a rigid or regimented thing. There is no compulsion and in practice it is likely to benefit the people. We hope and trust that necessary atmosphere will be created for ensuring the proper working of the scheme in our State. With these words, Sir, I resume my seat."

* SRI G. KRISHNAMURTHI :—Mr. Chairman, Sir, I beg to oppose this Resolution, as also the amendment thereto, with all the vehemence that I can command. I am really sorry that certain sections of the public, who are working in the interest of the poor and the down-trodden, instead of taking this scheme as a boon to

[28th July 1953] [Sri G. Krishnamurthi]

the poor and the down-trodden, have come to oppose it. I am more sorry when I see that people and especially hon. Members of this House who are concerned with the day-to-day administration of education, have taken it into their heads to just insist on keeping the scheme in abeyance or withdrawing it and appointing an Expert Committee at this stage to go into it. It may be that the Government did not consult the people who wanted to be consulted; but can a scheme be wrong on that account? For instance, a bag containing 1,000 gold coins falls near you from above providentially and will you refuse to take it because you were not consulted beforehand by Providence? One should not see the source from which the scheme came but look into the merits of the scheme. Even if you go into the source of the scheme, you will find that it is the scheme sponsored by the teachers. It was sponsored by the Tiruchirappalli District Teachers' Guild on 28th October 1945, when I was its Secretary. The occasion arose when he had to criticise the Post-war Reconstruction Scheme. It was sent to the Government of Madras and a copy of it was also sent to the Government of India. Here is an extract taken from the Resolution passed by that Guild on 28th October 1945. This relates to 'Compulsion'—

'Creation of facilities for parents to send children to school—Ploughing and Harvest seasons to be Vacations—School to work in two shifts, morning and evening 2½ hours each—each shift to be complete by itself—Syllabus to be condensed usefully (History, Geography and Science to be combined as General Knowledge) to suit 2½ hour-schools.' Benefit :—Brothers and sisters can attend alternate shifts without detriment to help to their parents.'

Sir, on 5th July 1952, I had an occasion to submit to the Hon. the Chief Minister on the floor of this House that 2½ hour-schools should be introduced in the larger interest of the Nation. I would be very, very pleased if only the opponents to this scheme just look into the merits of the scheme rather than the fact that they were not consulted. The question is, who are to be consulted? If there had been a Statutory Board of Elementary School Teachers and if they had not been consulted by the Government, I would have been the first to oppose this Government for introducing the scheme without consulting the Board. Consultation need not necessarily be made by politicians before introducing a scheme. Education is a matter as between the politician and the educationist. The politician, of course, has the right to say, that this will be the policy of the Government and it is the educationist who has to work out the details. If the Government say 'in 220 days with three-hour schooling you must produce citizens of such and such type' the educationist must work out the details.

"I am a teacher and I represent the teachers in the Council and I must say on behalf of the teachers that the teachers have got their own right to be consulted at a particular stage. If the teachers are not consulted in respect of the necessary details, there is a just cause for complaint against the Government but in respect of the policy of the Government, namely, the shaping of the future citizen, it is the politician who has the first voice.

[Sri G. Krishnamurthi] [28th July 1953]

" Now, many people are opposing this scheme on various grounds which cannot hold water. They say that the standard of education would go down. I would just request hon. Members to go into the details of the content of education. Many members of the public are content if they send their children to school. They never take stock of what the children are doing and do not go into the content of education. If we go into the contents especially of elementary education, we will find that there are so many over-lapping and unnecessary details and many items that ought to be deleted. If the elementary education syllabus is shorn of all unnecessary details like the study of the Eskimos in the second standard, the study of the physical geography of Canada and other places in the third standard and the spreading of poison to make us divided and live divided for ever through history books, the three hours would be actually much more than what is required.

" Sir, this scheme has been introduced with the particular purpose of avoiding what is called plural teaching in educational terminology which means that a teacher has to handle two classes and sometimes more than two classes at the same time. If any hon. Member is to enter into any District Board Elementary School he will be confused at the pandemonium prevailing there. The poor teacher is wasting his lungs for nothing. He is not able to be effective and as our Hon. the Chief Minister pointed out yesterday even though the teacher is efficient, his efficient efficiency is not there. Individual attention is made possible by a teacher having to handle only one class at a time under the New Scheme and the standard is sure to improve. There are about 80 lakhs of children of school-going age in our State out of which about 70 lakhs are in the rural parts. Out of these 70 lakhs, you will find only 31½ lakhs of children in the rural elementary schools. The remaining 38½ lakhs have to be brought into the rural schools. Should we not consider that it is our moral duty to do so? It is the natural tendency of human beings to satisfy the middle and upper classes who are always crying for something and to neglect the poor and down-trodden who have the misfortune of not being able to represent their grievances through any associations. Should not the Government and our revered Chief Minister, the friend and follower of Mahatma Gandhi the Father of the Nation, look to the interests of these 38½ lakhs? Is it not our duty to see that these children are provided with the knowledge of the 3 R's? If the five-hour school system is to be expanded it will take another Rs. 9 crores and ultimately it will come to Rs. 18 crores a year for elementary education taking into account the present expenditure and if the teachers are to be given a substantial increase in their pay, the total amount would come to Rs. 24 crores a year. A Government whose income is only Rs. 60 crores cannot afford to spend Rs. 24 crores for elementary education only. During the past six years since we obtained Swaraj we have been spending on elementary education at the rate of Rs. 9 crores a year. This sum

28th July 1953] [Sri G. Krishnamurthi]

of Rs. 54 crores has been wasted on a scheme brought in without any reference to our Indian needs. Gandhiji the Father of the Nation once stated that if he had the legislative powers he would close all present-day schools and even be without schools till Basic Schools that could give general knowledge of the Secondary School-Leaving Certificate Standard minus English plus craft could be started on a self-supporting basis.

" Is it not our duty to see that we do something in the way of basic education? Even though we may not be able to open more basic schools due to lack of finance, we may at least put a teacher in charge of one class only by this scheme so that his efficiency may increase and make children take to crafts in the afternoon. If a private tutor at the rate of an hour a day is able to coach a boy to the fifth class in two years, will not the same teacher be able to coach a boy in 4 years of 220 days each at 3 hours a day, up to the standard of the V Class?

" It is not the village teachers that are opposing the scheme. It is some sections of the public that are opposing the scheme. I may claim to be the virtual leader of the elementary school teachers. Even after giving my open support to this Scheme, I can say that I command their full confidence. Of course teachers take this opportunity for claiming higher salaries, which has been their cry for the last few years.

" May I on this occasion, take this opportunity to impress on the Government that in view of the fact that the teachers will be doing double their work, the Government will at least be pleased to give a 50 per cent increase in their salary?

" The accusation is made that this scheme will lead to the perpetuation of the parent's occupation. But the want of such a scheme as this will lead to the perpetuation of the parent's avocation. If the 38½ lakhs of children in rural parts are not brought into any school, they will be doing only their parental occupations and it is only this scheme that will enable them to rise up to the level of the middle and upper classes. It is those who oppose the scheme that try to perpetuate the parents' occupation in the case of children.

" The next charge is that it will lead to exploitation of child labour. Is there not exploitation of child labour now? Do we not see young children going about the streets with cinema placards, selling ice-fruit, working as porters and serving as assistants in groceries and smithies? It is to stop the permanent exploitation of such children that short-duration schools where they can read are started under the New Scheme.

" Again, it is said that the New Scheme attempts at making craftsmen of all children. The aim of the scheme at the elementary stage is to make children see, learn and get an inclination for manual work, and promote a sense of respect to those who produce the necessities of life as food, clothing and shelter.

[Sri G. Krishnamurthi] [28th July 1953]

"Those who oppose the scheme want only to perpetuate the old scheme that has destroyed our cottage industries, ruined our villages and has led to the dumping of foreign goods on them. The New Scheme is sure to revive cottage industries and resurrect our villages. It is sure to lead to the boycott of foreign goods, which the Father of the Nation insisted on so much.

"I therefore request the hon. Members of this House to support this New Scheme and I respectfully submit that this is a scheme drawn by teachers.

"No Government came forward so far with a scheme of reform of elementary education as it would involve difficulties, including that of finance. Now, the Government has come forward boldly and at the right time, just when the re-organization of secondary education is on the anvil, with a scheme of reform. Is it not our duty therefore to support our Reverend Rajaji in this measure in the interests of the poor and the down-trodden, in the interests of the resurrection of the villages and in the larger interests of the whole of India?"

* **DR. S. MUTHULAKSHMI REDDI:**—"Mr. Chairman, Sir, many hon. Friends and Members have spoken upon this very important subject of education. From the time of the great Gokhale, an eminent educationist, who moved a resolution in the old Imperial Council that free compulsory primary education should be introduced for benefiting the Indian masses, so that they might learn the 3 R's, these discussions about the right type of education to be given to our boys and girls has been agitating the minds of not only educationalists but politicians, statesmen and others. Many a Committee, many a Commission and many a Conference have been held to solve this problem and come to a decision. Sir, I have also had the honour of serving on a very important Commission, namely, the Hartog Commission, to study the growth of education in India as far back as 1928. I have travelled all over India and Burma also. Now, Sir, wherever we went all Headmasters of Schools and Ministers of Education and others came forward to give evidence and to state that the education that was prevailing was not a practical one and not suited to the needs of our country. That was the evidence we got from the expert people who came before this Commission. We went so far as Jullunder and Amritsar. There only we found that an American couple, who were in a village where they were running a school, were giving agricultural training to boys and girls. This Committee came to certain conclusions. Now, as some Members expressed, I do not know what has happened to the report of this Committee and such other Committees. Even the copy which I had with me was found missing to-day when I searched for it. This Committee also recommended that education should spread to the villages. We have stated in that report that inasmuch as 65 per cent of the people are living in the villages, education to the children living in the villages should be given a rural bias. We

[28th July 1953] [Dr. S. Muthulakshmi Reddi]

have further stated that they should be taught all about the things connected with agriculture, that we should have seasonal holidays at the time of harvesting and so on. I hope Dr. Lakshmanaswami Mudaliyar will correct me if I am wrong.

"Therefore, I welcome the New Scheme of modified Elementary Education from the point of view of imparting education to girls and women. Most of our girls are not sent to the school. There is a great disparity between the number of boys and girls attending schools. Most of the parents do not wish to send their girls to the school because they want them to do domestic service in their homes. I am not supporting this scheme because it has come from the present Government or because it has been sponsored by the Hon. Sri C. Rajagopalachari—a great statesman. I am supporting it from my own conviction. Most of the parents belonging to middle class families are not very particular about the education of their girls as soon as they reach a certain age. They consider that, while boys should be sent to the school because they are the earning members of the society, the girls who after all go to their husbands' homes need not be sent to schools. That is why there is this great disparity between the number of boys and girls attending even the primary schools.

"I wish to speak a few words about the objections raised about the craft part of the scheme. One can get educated not only through books but also through the ears, through the eyes, through the tongue, etc. If we study our ancient History, we will find that our great poet Kambar a farmer, our great sage Tiruvalluvar—a weaver by occupation and our Avvaiyar did not study in any school. Avvaiyar used to walk long distances to meet common people and advise them. Take again our great Tamil bard Bharathiar who has composed some of the most soul stirring songs. In the days when the freedom struggle was going on, it was a great inspiration to sing his songs. He was not attending any school regularly. It is stated that his father used to take him to task on this account. Even under our Gurukula system, men and women were taught only for a few hours and afterwards they were given other work. Coming to the humble work, I am doing at the Avvai Home, as far back as 1939, I wanted to get recognition of our special school from the Government. At that time Sir R. M. Statham was the Director of Public Instruction. As I did not want young children—boys and girls—to be sent to the adjacent elementary schools and secondary schools, because I found the system of education there to be defective, I wanted Sir R. M. Statham to exempt the Avvai Home School from teaching the children the usual curriculum taught in elementary schools. I wanted the girls and boys studying in the Avvai Home to be trained for a profession and to learn the dignity of labour. I wanted that every girl should be taught all about the household arts, hygiene, child-care, gardening and arts like drawing kolams which we draw in front of our houses and inside houses on festive occasions. Our greatest misfortune at the present time is the prevalence of unemployment on a large

[Dr. S. Muthulakshmi Reddi] [28th July 1953]

scale even among those who are educated up to B.A. Degree standard or S.S.L.C. standard and this is mainly due to the fact that they have not been given any training in professional courses. I myself never attended any school. In those days the 'pial schools' used to be most exacting. I remember—I think it was in 1891—I used to run away from the school along with other girls, get some mud pots, cut some vegetables and prepare vegetable dishes, food, etc. We used to delight ourselves in this manner. Afterwards many of us left the school and we studied privately. In those days we did not study for the purpose of getting employment in Government services as is the custom now. We were all compelled to do work in the home for most of the time. I passed my matriculation by private study. At that time hundred students were sent up for the old Matric Examination, myself being the only girl in that batch, and ten only passed out of which I was one. Dr. A. Lakshmanaswami Mudaliyar is fully acquainted with my subsequent career, because he and I studied in the same Medical College.

"I submit, therefore, Sir, I welcome this scheme which has been sponsored by the Hon. the Chief Minister Sri C. Rajagopalachari. I am supporting this scheme not because it has been introduced by our Chief Minister but because I have found from my own experience that it is good for boys and girls. I thank you, Sir, for giving me this opportunity to say a few words on the new elementary education scheme."

* SRI D. VENKATA RAO :—"Mr. Chairman, Sir, I am delighted to follow the balanced and high-level debate that has been going on, on the new elementary education scheme and permit me, Sir, to contribute my little bit. I oppose the resolution moved by Sri S. Ramakrishnaiah and the amendment moved by Dr. V. K. John. The scheme that has been introduced by the Government seems to be an excellent one and fulfils a long-felt need in this country. We require radical reforms to be carried out in our educational policy at every level—at the university level, at the secondary school level, and at the primary school level. Expert committees have been appointed in the past and they have gone into matters relating to university education, and secondary education. So far no Committee has gone into the reform of elementary education. But this does not prevent our State from going ahead in this matter. The scheme adopted by our Government is quite good for our country. In course of time, an expert committee may be appointed at the All-India level to examine whether any changes or reforms have to be carried out. For the present, the present scheme is quite good and it satisfied a great need of the people.

"I wish to say a few words on the rationale of the scheme. Years ago, when I was a child I was put in a pial school. It was then, Sir, that my revulsion started for education which has gone on for all these years. On the first day I went to school, I was

[28th July 1953] [Sri D. Venkata Rao]

made to sit for six hours. I protested against it and went to that school no more. I got my early education at the feet of my mother and ultimately I went to a secondary school. Every child in the country must be having a similar experience. Most children undergo the ordeal because they are not in a position to rebel against it.

"This new system seeks to cut down the hours of work; it cuts it down to three hours per day and there are proper intervals so that the children may not sit at any particular class for more than forty minutes. I am sure, Sir, that within this period the child can get the amount of information that we are now dinnning into his ears during the six-hour day. By longer hours at school we are not really enhancing the knowledge of the child but we are merely stunting his growth, mental, moral and physical. With my experience of education with regard to my family, I can assure the House that the child does not require more than two to three hours instruction. That, I feel, will give the child the information that he requires and the scope to develop himself. When we are giving education to the child, what is the purpose in giving it? Is it to dump their minds with plenty of information or just to stimulate them to grow? The purpose of education is simply to aid him to grow and it is not to dump information in the child's mind and therefore, if we leave him to grow for himself we would be doing a great benefit to the child. Nature is a far better instructor than any teacher in any school. The need of society is a fundamental system of education which should try to help a child to grow by himself by drawing lessons from neighbourhood and left to himself the child knows how best to help himself. But at the same time, we cannot leave the child entirely to nature and you must give him certain directions so that he may develop on proper lines and get for himself the right kind of knowledge that is wanted and also the necessary skills he requires to be a good citizen in life. The kind of elementary education that has been given to us all these years had nothing to do with surrounding life and had no connection with the lives to be lived by the people and there was a divorce between the school and the home and the school and the village. We accepted it because it was imposed on us by an autocratic foreign government and we bowed our heads to it but when there is a little reform suggested, on however right lines it may be, immediately we oppose and we want that an expert committee should be appointed and the whole thing should be gone through by them. After all what is the system of education now proposed based upon? The scheme that Rajaji suggests is based upon the basic education system which a great leader of this country has already given to the country; that has been approved by eminent educationists; it has been approved by the Sargeant Committee and it has been followed in the country by every State and it has been approved by various sections of the people and the purpose is just to widen the working of basic education and to help it to develop itself in the manner in which it is

7-40
p.m.

[Sri D. Venkata Rao] [28th July 1953]

expected to develop. Regarding the question of an expert committee going into it, let me submit to the House, Sir, that the scheme has been properly evolved; the Chief Minister, the Education Minister and the Director of Public Instruction have shaped it together and they have put it up before the District Educational Officers and before the Divisional Inspectors and other people in the field and they have all considered and given the opinion that it is good and I suggest we cannot expect an expert committee to do better because the people that have considered the matter are also experts."

* DR. C. NATHAMUNI NAIDU :—" Mr. Chairman, Sir, I am glad that the prominence given to education in public thought is a characteristic of our State. Political discontent and social unrest have become less symptomatic than the general discontent that is felt over the past and the present system of education at all stages, elementary, secondary and university. It is, I am glad, a sign of progress and the reform which is now contemplated in regard to elementary education is the key to the social, economic and political reforms. What has been wanting in the Indian educational system for the last century is a definite policy, which pre-supposes that a general goal has to be arrived at. In our country the percentage of literacy is very low compared to any other country and the standard of education is lower than any country in Europe though there are a large number of students in our universities, and the level of education is out of all proportion to the money and the energy spent upon them. So, I think it is a right thing that our leader Rajaji has done and he is perfectly justified in insisting upon the introduction of the modified system of elementary education. I think the political opponents of the Government have exploited this scheme to meet their own party ends. My hon. Friend Sri Balasubramanya Ayyar gave expression to certain fears but I wish to assure him that a stable Government of the present type such as we have in this State would certainly take care of its people and look to the safety and interests of its citizens. As one sitting on this side of the House, the Government side, I can assure him that the Government will certainly look to it. What is the purpose of education? The purpose is to draw out of the child its latent potentialities by affording him opportunities for exercising his faculties and through such exercises develop his full personality. For that, Sir, we should afford facilities for developing the physical and mental faculties of the child. Education is an immanent action whereas the instruction given by the teacher is transient action and therefore, the best type of education is self-education and nobody can act for the pupil and if at all anybody can do anything for him, as my hon. Friend Sri Venkata Rao suggested, it must be on the lines of stimulating the mind of the child by means of emulation and emotion and the position of a teacher in that set-up is like the parent and therefore, we must now find out the process by which the teacher will be actually useful to the student. The first thing to be considered will be what kind of education the

28th July 1953] [Dr. C. Nathamuni Naidu]

country requires and what is wrong with the past system of education. These are the two questions that confront us to-day. The philosophy of education is that the education of a country should be adapted to its history and tradition and a country like India, a cultured country with many-sided civilization, should have a definite policy of her own. In that connection certain problems arise. Let me examine the question of the parent in connection with the child. Before the parent thinks as to what he should do for the child of five, he is replaced by a boy or a girl of ten and before he could decide as to what is to be done for him or her, an adolescent comes and before he could decide what is to be done for that adolescent, he grows into an adult, into a strange person who is quite different from his parent and becomes something like a contemporary of the parent himself.

" Therefore, Sir, the parents are unable to decide what to do with their boys when they become 19 years of age. These boys live in three different stages of maturity and live in different worlds. Though the early stage of the boys might be considered to be a passing phase, the State should not consider it so. I think the scheme put forward by the Government refers only to the early stage. 7-50 p.m.

" I think there are three main features in the scheme put forward by the Government. The first is the three hours shift, the second is the revitalising of the village and the third one is with regard to craft. I am a manager of a school with 1,200 pupils. I am working the shift system in a regular institution. I find the students of the school are benefited by that shift system. Let me quote an instance to prove it. A student, the son of a press-owner, joined the school in the first form. He studied in the morning shift only. He is now in the fifth form. In the off hours he was able to attend the press run by his father and the boy is now able to compose, print and do all sorts of things. He is working in the press. Therefore I feel that the shift system will benefit the boys in the village very much. The village is the living organism of our country. The villages are now neglected. The very idea of introducing this scheme is to revitalise the villages and strengthen them. Therefore the argument advanced by my hon. Friend Dr. John that the shift system is bad and that the children will not be able to follow the occupations of their parents is not correct. These young children are desirous to do what others do and when they attain the age of 10 or 11 they can do enough to help their parents. The objection of child labour and all these things are meant only to oppose Government.

" Therefore I oppose the resolution and the amendment strongly."

* SRI N. SATYANARAYANA :—" Mr. Chairman, Sir, I am a villager. Ninety per cent of our people live in villages and 80 per cent of our people are agriculturists. Therefore, Sir, as an agriculturist and as a villager, I strongly support the scheme of the

[Sri N. Satyanarayana] [28th July 1953]

Government. Why do I support it? Because our percentage of literacy in our villages is not more than 12 according to the latest figures. How long are we to remain in this state? Negroes to-day have their literacy at 88 per cent whereas we have only 12 per cent of literates. Therefore, unless you find a method to increase literacy in the villages we cannot develop the villages. This is the only method, the system, by which we can increase literacy. Some people will be learning in the morning and some others in the afternoon. Therefore, I feel as a villager that the Government has given real wealth to the villages and freedom for the boys. The boys have been saved so to say from the thralldom of the autocracy of the teacher. The boys will be free to go about and learn many things of their own accord. Three hours a day is more than sufficient for the young student to study, because in the present system of five hours some hours are taken away for gymnastics, music and others. During the three hours they can learn reading, writing and arithmetic and during the off hours they can go about running and dancing and learn freely so many other things. The children in the villages after school hours can go to the fields, tend cattle, help their parents and help in agriculture. What about crafts? Children of weavers can help their parents and learn weaving during the off hours. As Mahathmaji said, this scheme would be very very helpful to the farmers and weavers.

"But, Sir, one thing I very very strongly oppose in the scheme is this: the alternate sessions. Why should a boy be asked to come one day in the morning and on another day in the evening? It would be better to have weekly alteration of sessions. Why these alterations, I ask? The children of agriculturists go to the field only in the morning, and the alternate session will be very inconvenient for them. It is the same in the case of children of weavers. Therefore Government must see their way to alter this. Except this I have nothing to say against the scheme.

"I have toured the villages. I have seen children dancing with joy that they are freed from the autocracy of the teacher. I congratulate the Government, the Congress Government, for bringing this scheme. It is they who brought the Prohibition scheme, the zamindari abolition scheme in the Madras State first and set an example to the whole of India. So also by the introduction of this elementary education scheme, they have set an example and this will enable us to educate a greater number of children. It is a very well thought-out scheme. If properly administered it will be a great help to the people. In this connection I would request the Government to allow the panchayats to run this scheme. The Community Project Officers also should help in making this scheme a cent per cent success and cent per cent of the children will be educated. Sir, I therefore, welcome the scheme and oppose the resolution and the amendment."

28th July 1953]

* SRI V. BHASHYAM AYYANGAR :—"Sir, it is already a late hour in the day, and we cannot take much time. I will join the opposition both to the resolution and the amendment that have been proposed. The central question in this case is that the Government have reduced the school hours in elementary schools from 5 hours to 3 hours. The first point for our consideration is whether the reduction is or is not justified. I feel that five hours is really too long a period to confine our young boys and girls in schools. This reduction will very much benefit the children. In fact I would have been glad if this reduction has been made to two hours. If a boy or girl is regularly taught for two hours a day so that they take interest in what they are taught that must be sufficient to teach in five years what all they should learn by way of elementary education. Therefore there is nothing to complain against this reduction of hours.

"Sir, after hearing the speeches of the learned Members who ^{8 p.m.} supported the Resolution and the amendment, it seems to me that they are bent on causing difficulty and delay rather than considering the merits of the scheme and whether it is good or not. The reform of elementary education has been before the country for the last so many decades. Mahatma Gandhi, the Father of the Nation, who had thought over it and conducted so many conferences, with reference to these educational problems, had come to the conclusion that there is something radically wrong in the present system of education and that it requires modification both as regards quality and procedure and that is why, after a long search, he gave the remedy of Basic Education. Basic Education is education through crafts. Of course, I would have welcomed a change from the present system of education to Basic Education, but it is not to be on account of various other reasons. Therefore, the next best thing is at least to reduce the number of hours and to reserve the rest of the hours of the day for the boys and girls to go and learn whatever they really want in life. This system of education which has been introduced now will integrate the school, the family and the village in the rural parts. As it is, the school is a separate institution which has got itself divorced from the community life and the village. But the scheme which has been introduced now will remedy that very great defect and will bring happiness to the family, the village and the pupils.

"So far as this scheme is concerned, no administration not of such a high stature as the Hon. Chief Minister or the Minister for Education could have initiated it and it is up to all of us to support their bona fide efforts to enforce this bold measure and get it accepted by the people. I am sure, after some experience, people will come to know of the benefit of the revised system of education and they will cling to it. I have no doubt the other States will also follow us in this respect. Sir, if the Hon. Chief Minister had thought of consulting experts of all kinds and going about here and there, the present scheme would not have come into existence and the old system of bookish education would have continued. I am

[Sri V. Bhashyam Ayyangar] [28th July 1953]

very glad that this reform has been made and I do not think that there is any reason or need to have a Committee at this stage. The necessity for a Committee may arise later after the scheme has been worked for some time. I think, it is too late now for a Committee to go into the whole matter. After all, the scheme itself is so good that there is no necessity for the appointment of a Committee. Therefore, I oppose the Resolution and the amendment."

* SRI E. H. PARAMESWARAN :—" Mr. Chairman, Sir, I had thought of making a long speech on this subject but, because of the lateness of the hour, I shall be very brief. When I was listening to the speeches, I was considering whether I could support the Resolution and the amendment or not and I am sorry to say that I cannot support either the Resolution or the amendment that has been moved. The mover of the Resolution and the mover of the amendment have failed to take note of the several advantages of the new scheme. Even the opponents of the scheme are agreed on the fact that this modified scheme will help the spread of literacy because parents will be able to send their children to school without any disturbance to the work which they are doing at home. Secondly, this will certainly help in the implementation of the programme contemplated in Article 45 of the Constitution. It has been pointed out that only 40 lakhs of children in the State are in the elementary schools. The Members of this House have been complaining that the Government of this State—for that matter the Governments of several States—have not been doing anything for the spread of free and universal elementary education. It has been calculated roughly that if all the children of the land are to be brought to school, Rs. 300 crores would be required and lakhs and lakhs of teachers also would be required. Where are we to find the large sum of money required? Therefore, I believe, that this modified scheme of elementary education will take us a very long step and will help us very much in the attainment of the goal of free and compulsory elementary education contemplated in Article 45 of the Constitution. This scheme will also help us in redeeming the cause of the rural school teachers. As the President of a Taluk Education Committee in the olden days, I had an opportunity of visiting a number of elementary schools and I was surprised to find one teacher managing five classes, or two teachers managing five classes. In 50 per cent of the schools, one teacher is managing four or five classes. This has been the curse of elementary education. The new scheme will rid elementary education of that curse. Teachers have been telling me that they are very happy now that they have to deal with one or two classes and not four or five classes. Teachers also feel that during the one month in which they have been trying the scheme, they are able to devote individual attention. I am very sorry that the attitude of the South Indian Teachers' Union has been misunderstood and several distinguished people have asked me whether the teachers have inspired the agitation and supplied arguments to the agitators. I want to say categorically before this

[28th July 1953] [Sri E. H. Parameswaran]

Honourable House, the South Indian Teachers' Union, when it considered the scheme, was not actuated by any political considerations. It looked at the scheme only from an educational point of view. This scheme of Modified Elementary Education was issued by the Director in the last week of April. The South Indian Teachers' Union passed the Resolution at the Mangalore Conference in the first week of May. It had not all the facts and figures before it and the Resolution passed by the South Indian Teachers' Union was to the effect that 'they are of the opinion that the scheme is not very satisfactory' and finally it said, 'this scheme has not been examined in all its bearings by a competent body of educationists'. With all respect to the Hon. Chief Minister and the Hon. Minister for Education, I wish to say that a tactical mistake was committed in not consulting the Legislature and it is not a case of not consulting a competent body of experts. I know, when Rajaji was our Governor-General, he propounded the scheme of elementary education. My hon. Friend Mr. G. Krishnamurthy said that it was the Trichinopoly District Teachers' Guild and other District Guilds that were responsible for this modified scheme. Sir, we are living in a democratic age. Everybody is conscious of his rights. Everybody has got his new freedom. Everyone thinks that he ought to have been consulted. Of course, Rajaji felt confident that he would have the support of the Legislature.

"Still, I feel, Sir, in a democratic set-up, it is always advisable for the Government of the day, however good a scheme may be, to consult the Legislature and the organized teaching opinion. The South Indian Teachers' Union and the Andhra Teachers' Federation have been recognized as the mouth-piece of the teachers. They could have been consulted. The South India Teachers' Union later on modified its resolution on the 4th July, and if I had the time I would have read the resolution but it is unnecessary. It states that on an analysis of the whole situation it is seen that there is very little difference of opinion in regard to fundamentals. The Resolution before the House and the amendment say that the whole thing should be kept in abeyance. I am for a Committee which should go into the whole question and suggest modifications wherever necessary but I oppose the Resolution because it says that the whole scheme should be kept in abeyance. I oppose the amendment with all the emphasis that I can command because it says that till the whole scheme has been examined by an expert committee and till it is considered by the Legislature, this scheme should be dropped. If the scheme is to be withdrawn now, what will be the position of the Government and of the schools where this new elementary education scheme has been introduced? District Educational Officers and Deputy Inspectors of Schools have been going about with all energy and enthusiasm speaking in support of the scheme. Orders have already been issued and the scheme has been implemented and I, therefore, say with all humility that the stage of controversy is over.

8-10
p.m.

[Sri E. H. Parameswaran] (28th July 1953)

The Government have implemented the scheme and there is no use in criticising the scheme or pointing out that this is right and that is wrong and so on. The South Indian Teachers' Union has, therefore, appealed to all the teachers in the State to work the scheme with earnestness and enthusiasm.

"I would also like to tell you, Sir, that the 15,000 teachers in Malabar who gave notice of strike have changed their attitude now in regard to this question of elementary education. When the new scheme was put before them they said that the 15,000 teachers in Malabar would non-co-operate but after the explanations given by the Government and, after the second circular was issued, the teachers of Malabar have now said that their attitude was wrong, that they would co-operate with the Government and that they would give the system a fair trial. That is the attitude of the teachers. I would therefore request the Members of this Honourable House not to believe those people who misrepresent the teachers and say that the teachers have inspired this political agitation and so on.

"For the reasons that I have stated and because chaos and confusion will be created over the whole educational world if the new scheme is either dropped or is kept in abeyance, I oppose both the resolution and the amendment."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"Mr. Chairman, Sir, I realize the responsibilities that are attached to me, both as Leader of the Opposition and as one connected with educational activities for well over forty years, in taking part in this debate. Very many irrelevant considerations have been brought in in the discussion on this subject. It has been suggested that this scheme is a scheme drawn up by the Chief Minister and that therefore there must be something pernicious about it. I would like to state, as a Member of the Legislature, that I do not consider any Government scheme as proceeding from any particular Minister. I think I am right and, if I am not, I am to be corrected, in saying that any scheme of this nature that proceeds from the Government is a scheme of the Cabinet and one approved by the Cabinet and all that has happened is that two spokesmen of the Cabinet have taken a very prominent part, the Chief Minister and the Education Minister. I do also feel very sad that so much of agitation should have been let loose in this country. When I left this country on the 27th of May this year, it was a most peaceful atmosphere in which I left, so much so, that in the course of an address at a particular school, I ventured to state that the only thing that was disturbing us was this factor of linguistic States. When I arrived on the 21st July, I little expected that so much of emotionalism would have been let loose. It is necessary for us to take note of this emotionalism. Rightly or wrongly, perhaps wrongly, emotionalism has been let loose.

"Sir, let us consider what are the main things that have to be taken note of. First of all, we are considering the education

28th July 1953] [Dr. A. Lakshmanaswami Mudaliyar]

of children between the ages of 5 and 11. I should like to emphasize this fact because the education of children between these ages is not a thing peculiar to this country. It has taken place in every country of the world and certain definite pedagogic formulae have been formulated and has come down to us in all countries and to which I shall refer later on.

"Secondly, Sir, I think it is absolutely irrelevant in a consideration of this question that we should be asked about the number of people who have not got an opportunity to go to schools. I agree that it is most disappointing that even in this year of Grace 1953 that over 50 per cent of our children of school-going age should be denied an opportunity to get education. That does not mean that necessarily an opportunity should be given to them, that they should somehow be provided with education and therefore this particular method of education should be adopted.

"The next point that I would like to state is that it is a fact that there has been a great deal of apprehension in the minds of many people. Let us not be carried away by the criticism of those who have a political bias in criticising or in spreading that criticism. All educational endeavour and educational reform should be free from all political influences, whether it be the political influence of the party in power or the influence of any political party in opposition or of any other party in the country. May I say very respectfully, if I am not to be misunderstood by the Members on the Treasury Bench, that I was sorry that this scheme of education should have been placed before a political party, the Tamil Nadu Congress Committee, and a decision should have been arrived at before the question was discussed in the Legislature. I do not say that the Members on the Treasury Bench who were there had to take the mandate of the party in power, nor do I suggest that they were not as such on trial when they gave expression to their opinions. But, it is a fact and it is worthwhile noting that this has taken place. My own feeling in the matter is that all educational reform should be a reform conducted by all sections of the people. When the great Education Act of 1944 was in the British Parliament, all sections were called in, opinions were elicited and as a result of that, although the Conservative Party put that scheme before the House, it met with universal acceptance and when the Labour Party came into power they improved it and corrected any defects that were there. This gave stability to that Act which is now continuing as a credit to the people of that country.

"So far as this question is concerned, there are two main things. We need not discuss minor issues. The factors that are concerned in this case are the children of school-going age, the parents whose wishes should also be taken into consideration, the teachers who are responsible for imparting this education, the general public and lastly, perhaps, we the legislators. In taking note of all these factors, we must not forget that the first thing that we have to realise is that in educating our children, which is a national responsibility, we have to recognize the fact that they

[Dr. A. Lakshmanaswami Mudaliyar] [29th July 1953]

8-20
p.m.

are children and they have got to be trained in a particular manner. Every country has recognised that a child at this tender age must be introduced into the educational sphere of activity on the lines that have been so repeatedly stated, through education and play—the two should go together. Let me tell my Friend that in my own school days it was only a single-teacher school in which I was educated till I passed the primary examination which in those days was a public examination. In the olden days there were what are known as bad boys of the school,—my hon. Friend there will know it (badi dhongas)—who used to carry on their shoulders a log of wood chained to their legs when they came to school. Great changes have taken place since then. We have to realise that there is such a thing as child psychology in education. There is no use of hon. Members waxing eloquent that there will be no deterioration of standards and all that is necessary is that they should be taught in a proper manner. A responsible body of educationists had some doubts in the matter. I am not referring to their doubts. Subsequently I understand that they have been subjected to a great deal of criticism by diverse hands and this is both unfortunate and unmerited. But let me come to the point. It is not a question whether three hours are sufficient or not. If I were a pupil of that age I would be quite satisfied with two hours a day if the Hon. the Chief Minister would educate me. The one factor we forget is about the teacher, his competence, his 'efficient efficiency' as the Hon. the Chief Minister would say. Who are your teachers in the primary schools? Let me not be understood as casting any reflection upon that great band of workers. We select all those who have passed Third Form or Fourth Form, give them a little training and send them as teachers of primary schools, and we expect that these people, young as they are, most of them, and not even trained as the bulk of them are—I shall be corrected by my Hon. Friend, the Education Minister, if it is not a fact—would immediately be able to adjust themselves to this new approach of three hours continuous teaching for the young child. Remember that you have only ten minutes interval, more for purposes other than recreation in most cases, and you consider that this is efficient. What do we say? We do not want to dispute that fact. We only want more light to be thrown by somebody who can tell us how this is done. My Hon. Friend suggested that only the three R's are taught. I am sorry that this fact was not brought to our notice. On page 7 of the Guide Book on the Modified Scheme of Elementary Education, it has been stated that ten different subjects like elementary mathematics, drawing, nature study, hygiene, civics, moral instruction, singing, etc., have to be taught within this period of three hours. As I stated earlier the question of the period of instruction is not the most important thing, if only we can be satisfied about the efficiency of teaching. I ask, does not this matter require some enquiry? Is it suggested that because educational authorities say that this is quite sufficient we must immediately acquiesce in that? That is one reason why we felt that it

28th July 1953] [Dr. A. Lakshmanaswami Mudaliyar]

would be good if we had some sort of a Committee appointed for this purpose. My hon. Friend representing the Madras South-Teachers in his cataract like eloquence, condemned the idea of a Committee being appointed. He is perhaps very right. Men always can change their opinions. Politics is sometimes not the best and the most glorious of games. I find in May of this year—I believe I am right—when a resolution was passed in Mangalore by the Madras State Educational Conference, Mr. G. Krishnamoorthi opposed the resolution and stated that a Committee should be appointed to consider the scheme, and I think my hon. Friend here is the same Mr. G. Krishnamoorthi. Otherwise I shall apologise to him."

SRI G. KRISHNAMURTHI:—"I stated that a Committee of elementary school teachers should be formed to frame the details of the scheme."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Well, I am at least glad that he has come to feel that a Committee is necessary. The Expert Committee that the Government may appoint may be all elementary school teachers. We have not fettered the discretion of Government in this particular regard."

"The next point to consider is that these children should do something of the vocation of their parents. I am glad that the Hon. the Education Minister has cleared a misunderstanding which is present in the minds of critics that the vocations pursued by the children should necessarily be the occupations pursued by their fathers. That unfortunate impression is not altogether devoid of some measure of substance in the statements that were issued from time to time by the Members of the Treasury Benches. Even in this particular pamphlet issued to Members there is a reference to that. I am glad, however, that the Government have suggested that it is not their intention that any person should necessarily follow his father's occupation. In the casteless society that we visualise consequent upon the independence that has been earned by the Members opposite we do believe that society will be casteless, and that anybody will be prepared to take any occupation. I have seen that with delight in the Leather Technological Institute of the University of Madras and there has been no inhibition from members of any caste to take to that profession. Such a feeling must run right through the society. I would have stated in stronger terms if the Government had not made up their position clear that it should not after all be considered that a particular person should follow his parents' occupation. As Members of the Secondary Education Commission, it was our good fortune to have the privilege of an interview with the Hon. the Chief Minister. I still recall with pleasure and delight the supreme satisfaction we felt at having a discourse with him for over an hour. It was very kind of him to do so. Subsequently the Hon. the Chief Minister wrote to me a letter suggesting that we might invite through a questionnaire issued to the students studying in the Sixth Form the

[Dr. A. Lakshmanaswami Mudaliyar] [28th July 1953]

views of students as to what sort of occupation they would prefer if it is impossible for them to get any Government employment. That question was sent to a large number of students. The Headmasters fully co-operated in this matter. It will be surprising to know that many of these students prefer occupations which have nothing to do with their parental occupations. I cannot go into details further because the report is still confidential.

" I ask, what is the occupation that a student can pursue in a village. Let not members from the villages think that the city people do not know anything about the villages. Although the guilt of being a city man is very great, we know something of the villages. We have our relations there. Simply because we are living in the city, we have not lost sight of our relations living in the villages. Sri N. Satyanarayana said that only 12 per cent of the people are literate and 88 per cent of the people are illiterate. It is only in the majority of the villages that we find these illiterate people. We know all that. These young boys after three hours study in a primary school go to their homes. What sort of homes have they got? Need I describe their homes? Everybody knows that. My Friend Sri Nathamuni Naidu seems to have got extraordinarily good pupils to be trained. Everywhere in the villages the people are ignorant and illiterate. They are not in a position to give any sort of instruction to their children. On the other hand the instruction that the schools under the new scheme may give, though it may be good in some respects, is not the instruction that children are accustomed to get in the school. So if there is a feeling in some circles that only those of the literate classes like some of the forward classes amongst us can take care of their children and educate them with the three hour schooling while the bulk of the illiterate people will be prevented from giving their children any education and therefore these children will be handicapped with particular respect to this scheme, do you think it is an unreasonable feeling on their part and should you not examine and satisfy them that they are wrong in this respect? It is not by statements, it is not by assertions even from the Treasury Benches that this doubt can be cleared. Therefore when we suggest that a Committee should be appointed, are we suggesting a wrong thing just to criticise the Government or just to obstruct the Government? I wish to state in no uncertain terms that I shall be the last person to criticise the Government if my only object is to obstruct the Government. We have a duty to perform.

8.30 p.m. " The next thing that was suggested was that they can go to learn some occupation from people in the village. What sort of occupation can be learnt from the village? It is true that there may be here and there some people who may be interested in keeping their children as apprentices. But the bulk of the people, are they the most suitable people to whom you can hand over your children, not their children but the children of the village? Fortunately, for us prohibition having been the law of the land we take it for granted that none of the workmen will ever be

28th July 1953] [Dr. A. Lakshmanaswami Mudaliyar]

found drunk and thereby give the benefit of that bad practice to the children. Are we sure that all these people in the village are of such a nature that we can safely leave the children in their hands? If any doubts creep into our mind, are those doubts unreasonable? Should not a Committee dispel those doubts? Has there been any systematic investigation of a type of education that will be pronounced as sound and reasonable? May I suggest that in a particular district, say, Salem, you can take two or three taluks, and put this scheme into practice in each village. What is the opposition to such a course? I know that you have received a number of communications from Educational Officers. We are glad that they have been galvanized into activity and they have sent to you these communications. But when these Educational Officers go there sometimes, it is likely they are misled by the circumstances of the case. We therefore feel that it is worthwhile from the educational point of view to study the case further. We do not oppose the double shift system. We are not opposing the three hour period. We are not saying that immediately there must be a great expansion of elementary education in the State. There may be other ideas for the expansion of elementary education and the employment of part-time people for this purpose may also be considered. We have a large number of women, who are literate and who may be employed on a part-time basis in addition to their household responsibilities. I agree that everything depends on finance. Even in respect of finance we should perhaps be able to approximate our ideas to those of the Government so that we may place the lowest amount of financial burden on the Government. I have followed the financial figures of this State for the last six years and I know all of them almost by heart so far as the education figures are concerned. I am not oblivious of the fact that we are now spending about 9 crores of rupees on Elementary Education. But we are bound to look at the problem from another aspect because a great amount of detailed study is required. It is not a question of trying to give a verdict upon the Government's policy. As I said, I will repeat again that education is a subject on which there ought to be as little difference of opinion as possible among all sections of the people and particularly so in regard to elementary education. Sir, it has been aptly said by a great political thinker that a second-class law obeyed is better than a first-class law disobeyed. May I say that even in executive action, it is not an unwise policy to follow? I submit there is no question of prestige. Our implicit faith in the Government and the faith that whatever it does is for the good of the people is not by one iota whittled down simply because we raise these doubts and difficulties here as we see them. Let there not be a suggestion that we are yielding to those sections of the people who have exploited this for their own political advantage. I agree it is a reasonable suspicion on the part of the Government, but let me tell the Hon. the Chief Minister that I have never associated myself with these sections. With all my life's work and my life's programme and ideas and ideologies,

[Dr. A. Lakshmanaswami Mudaliyar] [26th July 1953]

limited as these may be, I feel that there is no question of prestige involved in this matter. The Chief Minister is too great a personality to be worried about prestige and his reputation will stand high when all the din and dust of controversy has subsided. Some years ago at a function in which I was privileged to take part, namely the unveiling of his portrait, I ventured to state that what made me feel a great admiration for the Hon. the Chief Minister was not the fact that he stood on the crest of the wave of a rising stream of popularity but that when he was down and undone and attacked by everybody and even molested, if I may use that term, he had the grit and the courage to stick to his own opinions through thick and thin. It is unnecessary for a person of that nature to be bothered about a question on grounds of prestige. Nothing moved me so much and nothing set me so much thinking as the speech of my hon. Friend Sri Balasubramanya Ayyar, who is accustomed to call a spade a spade and that is why I admire his work on the Senate and elsewhere. He has spoken on emotions and there are others who have other emotions and let us not belittle all those emotions. Let us pause and consider what we have been doing the whole of last week. Yesterday, the Hon. the Chief Minister appealed on a question where we felt differently from him and we accepted that emotions have got to be satisfied. Rightly or wrongly this has come about and I am prepared to admit that it is all on wrong lines. But I ask: Is it not statesmanlike to show something of a generous gesture? The scheme has been introduced and it may be said that they have the full faith and support of all the people sitting behind them and they have all praised it in a glorious language which they can always treasure. But yet there is a small whisper in some corner and let us not stifle this small voice because it is in stifling this small voice that danger arises. Just five years ago the Hon. Minister for Education brought up a scheme in which he made it abundantly clear that he wanted to force the scheme of regional language which meant not only the language of the region must be taught to all students irrespective of what their mother-tongue was. I protested strongly against that scheme and I even went so far as to say, trained as I was in the language of the region and not in my mother-tongue that he was doing a wrong thing, but he would not listen. My hon. Friend Sri Bhaktavatsalam was then a Minister but I do not know whether he supported him or not, but I know definitely that he did not oppose. But do you realise, Sir, that that was the first speech which lit the conflagration of the linguistic States which was dormant for a number of years? I know that they were asking for linguistic States but this actually gave a fillip to those who wanted them and I know definitely from that day onwards the move, the agitation for separate States on linguistic basis, became more and more pronounced. I do not state that this is a parallel case but still I feel that it is not an unreasonable request that we are making. We are not asking for a particular expert. Some hon. Member said in that connexion that they had consulted all of them and asked who the other experts were. I

[26th July 1953] [Dr. A. Lakshmanaswami Mudaliyar]

suppose the experts are not confined only to the State of Madras and if you want to state that there are no better people elsewhere, I have no objection. I am sure you may not be able to come to any particular conclusion now but give it your serious and earnest consideration and it is not a question of trying to put it to the vote of the House. If you are not able to come to us immediately, ponder over it and consider all aspects of the question that has been placed before you in the House. If you feel that you cannot meet it halfway I can only say we have done our duty. God give us wisdom."

DR. V. K. JOHN :—" Mr. Chairman, Sir, I do not want to take any time of the House by way of replying to the debate. I am thankful to all hon. Members who supported my amendment. If the Hon. the Chief Minister says in his reply that he is agreeable to constitute a Committee to go into this question, I shall consider withdrawing my amendment."

SRI S. RAMAKRISHNAIAH :—" Let me also hear the Hon. Chief Minister's reply before I say anything on my resolution."

* THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Chairman, Sir, I want to be brief not because it is late, but because I do not really think it is necessary for me to attempt to cover the ground covered by everyone, over and over again by so many eminent men, fine expositionists. I shall content myself with making very very brief remarks only on some of the points. I shall come to the main question after disposing of the substantive matters because the main question is a procedural matter."

" Sir, let nobody imagine that I am standing on prestige. The hon. Leader of the Opposition was very generous in his terms of appreciation of me and I hope what he expects of me will serve as an inspiration. I had no notion at any time of doing a thing for the sake of prestige. Now too it is the same. But we should not confuse genuine apprehensions of certain consequences with notions of mere prestige. Saying this I shall leave it at that."

" Some people imagine that because I claim very great results and because the Education Minister claims very great results and because some other friends of mine and supporters of the scheme claim very great results the change itself is very large. The change that we make is nothing very great. Let me at once explain that the changes we have made are very small and it is important to remember that. What we have done is that we have reduced six hours, the efficient efficiency portion of which was much less—to use my ugly phrase—we have reduced the six hours on paper which is really much less than that to three hours which also will be reduced a little by one or two interruptions. So that we have reduced the total time of the day routine in the elementary schools, in the lower classes to half of the existing period, which is somewhere between two to three hours of active attention. It is a very small change. It was very well expressed by a teacher who told me

[Sri C. Rajagopalachari] [28th July 1953]

secretly and not publicly : ' As a matter of fact, Sir, we really teach only for 2½ hours; why do they make so much fuss about it? ' He said it and I think he spoke the truth. I know it is the truth because I know the child-mind and the amount of concentration possible. I know the distractions that are there in the school. So that the change actually made is not much in the effective period, devoted to the instructional subjects.

" Sir, the other small change we have made—it may not be small in the mathematical sense—and in fact it may even be deemed silly,—is the work programme or the wandering programme, if I may be allowed to caricature it that way—the wandering programme of the other part of the day. The change is in consonance with and in furtherance of the basic education policy. I am not going to elaborate on this. There is no time. I shall just indicate my ideas. These are the two things that I did. Why did we call it a great change? Because we believe that these have great potentialities. Therefore the argument : ' You have made such a big change, therefore you must accept a big committee ' and all that do not apply. I am not opposing it on that point. Arguments were advanced based on the bigness of the change. I have only pointed out that it is not correct to say that the change was a big change. I will add one more point to that. Just as it is five hours a day now, it is five days work in the week in schools instead of six days work as in the Secretariat and other offices where they work for six days. It is so by some accident of educational progress and history. They object to six days being a great change, whereas in the case of the staff of the Secretariat and every taluk office, everywhere, they work on Saturdays—they take the off only on Sundays. All schools work only five days in the week. It is not much to make schools like other institutions. If all these days they had been working only three hours and if I had made the proposal to extend it to six hours everyone would have objected to it and there would have been a great fuss about it, greater fuss than there is now. Now it is not a big change I am proposing and let us not imagine that the change is six to three. The hon. the Education Minister has given enough facts about it.

" The first thing I did in this matter as soon as the new Director of Public Instruction took charge and as soon as I could see him was this I said to him ' Here my friend, there is this proposal to reduce the working hours. Please consider it, examine it, digest it and tell me what you think about it. The first thing I want to know is, if the hours are reduced by half and only one session is given to the boys in the morning or in the evening, will the instructional curriculum you have be completely satisfied? This is the first thing you should examine. He examined it and after the examination he gave me an answer. I asked him again and he confirmed that answer. I think I cannot depend for such purposes on anybody other than the Director of Public Instruction whose office is to be in charge of elementary education. In regard to University and higher education, there are College principals who

28th July 1953] [Sri C. Rajagopalachari]

are experts with considerable experience. Government had to deal with the officer who was dealing with the Elementary Education department. He consulted his officers who dealt with primary education and elementary education directly and he gave me definitely to understand and I have no doubt that the Director is right. When I asked him he told me it was enough. I cross-examined him also : ' Why do you think so and how? ' He said : ' The curriculum, as a matter of fact out of the six hours that we have to-day is exactly the same, so far as those subjects go, as we have now provided, viz., two and a half or three hours. ' He also said that under the present curriculum the time left is spent on other matters. These two and a half or three hours we propose are quite enough. Therefore there is no change in this. Hon. Members can verify it by further examination in the proper circles. There is therefore no reduction so far as that goes.

" Sir, the mover of the main proposition began—I wonder if it was he, I think it was the hon. Member Dr. John—by saying that the Education department had told me it was impossible, unsound and so on. That is not correct. On the contrary all the educational officers in the State, all the Presidents of the District Boards and a few others met here"

DR. V. K. JOHN :—" I did not say that, Sir. The hon. the Mover of the resolution said it."

* THE HON. SRI C. RAJAGOPALACHARI :—" I am sorry, Sir I withdraw the statement that it was Dr. John.

" We had a big conference of all the District Educational Officers, Presidents of District Boards and a few others. In that meeting we discussed it fully. They confirmed our previous ideas on the subject. They did not say anything contrary to it. We had full support in that meeting. So it is not right to say that I am trying, for some reason or other—except on the possible ground that I am born stupid—to do something which everybody opposed and everybody says would be a failure. Why should I do such a thing? Is there any money to be got out of this scheme? I may tell hon. Members I did not plan a failure like that and I could not have so planned. I say the absolute truth when I say they all supported the scheme and we went on with it. That is enough and I need not explain further.

" Then, there is one point which Dr. Lakshmanaswami Mudaliyar brought out at the end. I am afraid—I hope he will forgive me—he has gone wrong there. Generally, he does not go wrong. When he praises me, he is not very right, I hope he is not very wrong, but that is a matter for personal quarrel. He should not praise me so much. So far as other things go, he is generally right but in one matter, I think, he has gone wrong or I have misunderstood him. I must be clear about it. He laid great stress on the point that the present day teachers are not good enough for all the castles in the air I seek to build on them. I agree, teachers are

8-40
P.M.

[Sri C. Rajagopalachari] [28th July 1953]

not good enough and we must get better teachers. When and how is another question. Let us not frighten the present teachers by saying that they will have to go and we will get a better set of teachers with University degrees. But the teachers must be truly of good quality and not merely in Degrees, as Dr. Lakshmanaswami Mudaliyar said. Where he went wrong is, when he said 'if you reduce the school hours from six to three, the result will be reduced proportionately and if you keep it to six hours, the quality of the teacher will be made up. I am afraid, he has gone wrong there. I do not think he will contradict me. He did not mean it. That is all I can say. A bad teacher working for six hours is no better, is perhaps worse than if he let off after three hours. The argument advanced is that it is dangerous to tamper with the existing system by which these poor quality men have six hours to go at the boys. I do not think it is dangerous. On the contrary, I think, the proportion of time I take away from the lower grade teachers is gained for the boys. I should not take it too far. I think, if Dr. Lakshmanaswami Mudaliyar and I sit together and talk over it, we will agree that, with the present set of teachers, to reduce the school hours to three hours would be a good thing to do. I do not think, there is any danger there. That is the only thing I want to correct. In other respects, there is fundamental agreement among all of us.

"Then, it was pointed out that the age of the boys should be taken into account. It is quite true and that is why the scheme wants that boys should not be put to physical and mental strain—nervous strain also—by keeping them under a teacher for so long a period in the morning and then going home to come back and again attend the afternoon session. The school hours must be reduced on account of tender age. I do not mind High School boys being asked to attend morning and afternoon sessions but it is very bad for boys of tender age to be made to do that. For that reason alone, it would be justified to cut down—without any other ideal, goal or object or difference of opinion—the second half of the day for every school-going child between the ages of six and eleven and be content with only three hours, the quality of the teachers being taken into consideration and the physical strain being taken into account. Therefore, I think, much of the argument is in favour of our scheme.

"Sir, the next thing is about the work-programme. Some arguments have been advanced that the children are too young for the kind of work envisaged in the scheme. I submit that they are ignoring a very elementary and fundamentally important fact. When really do workmen's children learn to work? One must closely examine it not only with an intimate knowledge of facts but also of the mind of the child. Can you say, when a man begins to learn his craft or his work? He begins making his habits at a very early age. It begins imponderably. You cannot say when he has begun to learn. When a workman's child just begins to walk about he learns the work. I feel that when a boy, whether he belongs to the Brahmin community or any other community, doing nothing but read and write is made to mix with the people who actually

[28th July 1953] [Sri C. Rajagopalachari]

work, he will learn a great deal and he will get out of the complex of disliking manual work. Habits should be formed at a very early age. The work is not to be based on an estimate of the child's physical strength. We feel that children between the ages of six and eleven should, as far as they are interested in it, go through the work programme. Hon. Members must understand that it is not a compulsory programme. Much has been said about it. There is no compulsion about it. There is no one way programme of work. There is no rigidity about it. I would very much welcome a young boy being guided into several occupations in the village. For instance, one boy can go to a potter and learn his work. Another boy can go to a weaver and learn weaving. Another boy can go to a dhobi and learn, how he irons the cloth, how the cloth is to be wetted before ironing and see why it should be wetted. He can see everything of the physical operations that are going round in the village. They can go through it alternatively with a variety or concentrate on a particular programme, it does not matter. There is no rigidity about it. The only difficulty is, it has to be done. I do not presume that all these things will be done when we send a circular out. I know the difficulty of getting things done. But somewhere we must begin. We must begin some time and the thing must be tried.

"Then, Sir, much stress was laid on the point that craft work should be brought to the school itself. It was pressed very earnestly with a great deal of conviction. I would like to do it in as many cases as we can and we are going to do it. But can one hope to do it in the 40,000 or 50,000 schools? It is not possible. Let us look at it from a different angle. Mr. G. Krishnamurthy referred to what he and his colleagues pressed in 1945. Let me make a taller claim. In the year 1910 or 1911 I suggested at a gathering of teachers that we ought to send the school boys during their leisure time or whenever they have time, to a potter or a wheel-wright or a blacksmith. I had suggested it and Mr. Nelson Fraser who was in charge of a Teachers' School in Bombay, wanted me to write about it in a magazine of his. I had this in mind when I introduced the scheme. Supposing we have a school with a big compound I would consider it a paradise of educational practice if we could get a potter, a wheel-wright, a blacksmith and some other men of that sort working there and the boys learning and, at the same time, helping them in varying degrees. It would be good. What does it amount to? It is really a small polytechnic that we want in every elementary school. It is a very fine ideal. But it is impossible to have it. It may be said at once, any one will agree that we have conceived of a polytechnic here in this scheme. But we are concerned with schools in the village and not in Madras. A small village is not 15 to 25 square miles in area. In the village there are these workshops not at very great distances. If our scheme is worked properly and the school is brought into an integrated relationship with these workshops in the village, that will by itself be a polytechnic. Why should you drag a potter to your own compound? He is also there nearby and he can do his

[Sri C. Rajagopalachari] [28th July 1953]

work better on the roadside. Why not you take these boys there and show them this enlarged polytechnic? It is like a man searching for something which he has in his own pocket.

9 p.m. " There are these little units of cottage industries in our villages. The oil-man is pressing the oil; the dhobi is washing and ironing the clothes; the wheel-wright is repairing the wheel, putting the rim off and putting it on and the various other avocations are going on. That is why we live and that is how we live. When all these little workshops are in the village—a ready-made polytechnic for you without your knowing it and their knowing it,—why should we imagine that it is too costly and too difficult? This is the little thing that we have done. Here are the things and let us take advantage of them. The basic education people want to bring all these things inside the compound. Not only that, they also want to catch a man who is not fit for teaching and then send him for training to some craft-school and imagine that he has been taught because he comes back with a certificate after six months and he has become a decent gentleman who wants to do work and, so, they put him to teach in a basic school and I consider it a very unsatisfactory state of affairs. This is where the present scheme has its defects. The basic teacher knows a little of the crafts but knows much about reading and writing but in the plan that we have put before the country, we have very good men who know the work well. They may or may not know to read or to write but, what is the use of reading and writing except to produce symbols for communication with one another? The work itself is the best means of communication. If a wheel-wright opens out the wheel, takes the iron tyre out and then heats it and puts it on the wheel, and pours cold water over it and the children see this, many of the hon. Members do not know what joy the children would feel when seeing this operation. I do recollect what joy I felt when I was a boy when I saw the potter at his wheel. If these boys run to those places, what difficulty is there in it? It is much better basic education in my opinion though the basic education pundits may not agree in this matter. Ultimately, they and I agree that we must have a better teacher who is conversant with both sides of education—the literary portion and the work portion. When shall we get them? I imagine and I claim, if hon. Members will not raise problems and will allow me to blunder and will allow my department to blunder and we go on, that after five years there will be these excellent basic teachers. Thereafter we will have a number of men in every village who know both to read and write and also the craft. And, these teachers are produced without any scholarships, without any advances or stipends or capitation allowances. Hon. Members do not know how costly is the training of basic teachers. My colleagues, the Finance Minister and the Education Minister know it. It is a very costly affair and the waste of it consists in this that, while a better thing is available near you and at hand, we are ignoring it and we are running at what we cannot get, for the present, at least for a few years to come and try to carry on with shams. Let us therefore not raise difficulties.

28th July 1953] [Sri C. Rajagopalachari]

" I have dealt with the question of five days and six days already. I now come, Sir, to what gives me some pain. I refer to what Dr. V. K. John and Sri K. Balasubramanya Ayyar, both very rightly condemned—one in explicit terms and the other by implication. Both very rightly condemned the hooliganism or whatever name we may give to it, the campaign of terrorization, the campaign of interfering with essential services, the campaign of creating disorder in the country and the creating of, what is worse than disorder, fear in the minds of numerous people. It is a very sad state of things and both of them condemned it. There is no doubt that every one of us condemns it in his heart of hearts and the Leader of the Opposition has not given encouragement to any such thing at any time in his life, and he has severely condemned it. What I very respectfully submit to Sri K. Balasubramanya Ayyar is this. It is a matter of experience—I am not trying to patronise with superior wisdom, it is only my experience that I am stating—that we should not get frightened. If we get frightened, the wrong-doer will chase us with greater vigour. We ought not to get frightened. Even the worm turns according to the English phrase, which means that it shows its head to the assailant not its tail. When a man tries to catch a caterpillar by its tail, it turns round and he is inclined to withdraw his hand because he does not know what is there, what poison is there in the caterpillar. Let us not therefore do anything which would encourage wrong-doers. No doubt we do not encourage it but condemn it, but should we encourage them by giving them a feeling of triumph or of victory? Once we show fear we are lost against the hooligans. This is my advice to men, women and children, legislators and to everybody. Once we exhibit fear, we lose the battle. We ought not to exhibit fear especially when we know before God that it is a wrong thing that is being done by them. Why should we be afraid? What is going to happen but what must happen to everybody. Nobody can escape it. The worst that can happen is what must happen even if one remains in his bed all his lifetime. Therefore we should not show fear. I do not say that Sri K. Balasubramanya Ayyar showed fear. He was not feeling any fear for himself. He was imagining in his mind the fear of other people. This itself is a form of fear. We should not imagine that there is any danger, and even if there is any danger, it does not matter. Sir, I hope, Sri K. Balasubramanya Ayyar will forgive me for making this comment upon what he said. I did not want to make it merely for the sake of pedantry. I am pointing it out because it is full of future harm and danger and that is why I warned him. It is not a case of pointing out a mistake. It is a case of my believing that it is good to be warned against such a thing. We should not show fear when we do the right thing. Sri K. Balasubramanya Ayyar asked me whether there was any danger and whether the Beach road was safe. I told him that there was no danger and nothing happened. In fact nothing happened. If we are brave nothing will happen; if we are not brave everything will happen.

[Sri C. Rajagopalachari] [28th July 1953]

“ Having said this, I come to the main question before us for which Dr. V. K. John has been waiting all the time rather impatiently. What about the formation of a Committee, and why do I object to it? I shall put forward my view about it in a couple of words. The admonition or advice that Sri E. H. Parameswaran gave me was this that I should have got the people to agree, however right or however good the scheme was, in the milieu in which we are working and in the democratic set-up in which we have to do things where anybody could say what should or should not have been done. It is quite true that in that matter, I have gone wrong. It is easy to be wise after the event. I was too confident. I never imagined people would object to this long-waiting reform. But that is not the point. The question now is the appointment of a Committee. I submit, as many other Members have pointed out, it is not good to stop things and appoint a Committee. It is not good for the children in the schools, apart from the encouragement it will give to wrong-doers. It will lead to confusion among those who are working hard among the teachers and managers and the department. It is good to avoid anything that will lead to misunderstanding. As men of affairs we ought not to stop a thing that has been done. What is it that we will be really stopping? The second half, the work portion, takes a lot of time, energy and a lot of honest, patriotic work to put it into practice. Are we to alter what has already happened and restore the two periods of instruction? I fear, the boys will not respond. They are likely to say that they prefer Rajaji's programme. From every point of view it is not advisable to stop a thing like this midway. When should we
9.10 p.m. appoint a Committee to look into it? Let me assume that hon. Members in this House sitting in Opposition will not refuse to accept my advice that we should not stop anything, but we must consider the question of a Committee. Then the question arises, when. Here I wish to submit especially to the hon. Leader of the Opposition my point of view. There are two kinds of examinations. One is what Mr. Parameswaran said, namely, to call some experts and tell them, 'I propose to do this. Please tell me whether it is good or bad'. This is one kind of examination. That has not been done. If I do it now, what is it that the experts will say? They will only make a report on the papers, reading the instructions, programmes, rules, definitions, etc., we have issued. That is not, I think, good enough for the purpose. This is a scheme dealing with teachers and children over the whole State, covering many villages. The thing must therefore be allowed to take a concrete shape. Supposing I want to introduce Prohibition and stop public sale of liquor, and I referred it to an Expert Committee before its introduction, what would have happened? That Committee would have to examine the proposals on paper, so to say, and give an opinion which may not be very valuable. Supposing an Expert Committee goes now, all over the country after Prohibition has been worked and sees how it has worked, where it has failed, what are the details of failure, what are the details of success, where are the great difficulties really, etc., it would

28th July 1953] [Sri C. Rajagopalachari]

be a very valuable report for modifying, for improving, for repealing and for doing whatever we like. What I suggest in all sincerity and in all humility is that the co-operation of hon. Members and friends should be given to the present scheme and it should be allowed to go on. I would be the first person to invite good experts, best experts like Dr. Lakshmanaswami Mudaliyar here and get experts from various places to see the whole thing objectively to see how it has worked for six months, for a year or for a year and a half. Let us give a fair chance to the scheme. Let us not examine it as we examine rice even before it is cooked and say that it is bad. We must see how it shapes. Trials and errors must be allowed and then we must see how it is working. After 12 or 18 months we will have plenty of opportunities to get friends who will make an objective appraisal of the whole thing. It is good that we get their advice, to improve, to modify, to alter and even to give it up if necessary. I do not want to repeat all about the Sargeant Committee's report, the Government of India's resolution and all that about basic education. The nation is committed to what we want to achieve in this programme. I think, the only thing that should be done is to appraise our experiment in this matter after a fair chance is given to it. It may be a feeble experiment. It may be a wrong experiment. I am glad that it has been discussed so thoroughly. I do not require to be asked to appoint a Committee. Everybody will have it in mind. The Government also has it in mind. As soon as we get a body of concrete evidence and data on which to judge the failure or the changes that are necessary in this scheme, then I think the Government will not hesitate to appoint a Committee to look into it. We will have more opportunities because I expect that people in other States are interested and I am getting many enquiries. We will have a fairly wide opportunity to see whether it is right or wrong.

“ Mr. Parameswaran has fully explained the stand taken by the South India Teachers Union. In fact I have got a letter signed by three Presidents, those of the Madras Teachers' Guild, the 43rd Madras State Educational Conference and the South India Teachers' Union and they have made two or three things very clear in that letter. That has encouraged me in supporting the new scheme. They have analysed the scheme in their letter and set out the principles involved, viz.—

- (1) Primary Education should be less book-centred.
- (2) Children should not be made to sit in schools for five hours a day.
- (3) Children should recognize the dignity of work.
- (4) Children should do simple manual labour.
- (5) Children should help their parents in their work wherever possible.

“ They say, 'these principles are sound and should be and can be incorporated in any scheme of primary education new or old.

532 APPOINTMENT OF A COMMITTEE TO ENQUIRE INTO THE
REVISED SYSTEM OF ELEMENTARY EDUCATION

[Sri C. Rajagopalachari] [26th July 1953]

In fact given the facilities and encouragement, all these principles and ideals can be fulfilled even within the framework of the elementary education scheme.' These are their own words.

We feel that giving six hours of the whole day, that is, all the time when the sun is shining, to the schoolmaster, which was stated impliedly by Dr. Lakshmanaswami Mudaliyar, will not give enough day-light time for the things that we want done and which are approved by the Teachers' Unions.

"Then they have stated—

'It has to be carefully considered whether a teacher can teach efficiently for six days with two sets of three continuous hours of teaching.'

Officers and clerks and everybody work not for five days but six days and they are working the whole time. I do not think it is more difficult for teachers. I knew Pandits in my time who used to take various classes in the various languages like Tamil, Sanskrit, Telugu, etc., throughout the day moving from one class to another. The thing is as Mr. Krishnamurthi pointed out, a labourer is worthy of his hire. That is the point that was pressed by others also. I do not think we should mix up in a debate at this level matters of mercenary consequence.

"Further they have said—

'Teachers are aware that with the limited financial resources of the State, the spread of primary education is bound to be slow unless the available school buildings and teachers can provide education for a larger number of pupils.

For this reason, the teachers will certainly co-operate in a system of shift wherever necessary.'

Even here these three able educational bodies are one with us. They have also stated, 'From this analysis it would be seen that on fundamentals there is very little difference of opinion . . .'. I do not suggest that because of the above opinion, the scheme should not be re-examined. I quote from their letter only to say that we are encouraged in the belief that what we have done is not wrong.

"As regards the instructional curriculum, if any gentleman has any doubt, honourable Members can go through the brochure about the modified scheme of elementary education. The following subjects, namely, Language, Elementary Mathematics, Drawing, Nature Study, History, Geography, Hygiene and Civics, are taught in the appropriate standards. Standard I will not have History and Geography. The number of periods to be assigned to the subjects will not be less than till now. Twenty-one periods will be given to these subjects as hitherto. There will be six working days under the new arrangement and 24 periods per week will be available in all. This will leave 3 periods still which can be used as the Headmaster likes. Therefore, no one need be anxious about

28th July 1953] [Sri C. Rajagopalachari]

want of time. If any ignorant or ill-informed person argues in the hearing of hon. Members that the instructional time has been cut down in the interests of some communities or that poorer classes are at a disadvantage, they must be told that it is not so and that the instructional hours hitherto in vogue are still being continued.

"I beg all hon. Members who have moved the resolution and the amendment to accept our assurance that after some experience has been gained, we shall take the earliest opportunity when concrete data will be available, to invite an expert appraisal of the scheme and to accept advice and make necessary changes. I hope the resolution as well as the amendment will not be pressed."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"I am thankful to the Hon. the Chief Minister for accepting the suggestion that an appraisal is necessary. I have only one further suggestion to make. With the best of intentions, may I suggest that an appraisal may be started somewhere before the end of the academic year so that any suggestions after appraisal may be given effect to in the following academic year?"

THE HON. SRI C. RAJAGOPALACHARI:—"I assume the hon. the Leader of the Opposition has taken into account that some time must be given for the scheme to take concrete shape. I believe the hon. Member gives a hint as to when and in what part of the year it has to be done."

DR. V. K. JOHN:—"On the assurance given by the hon. the Leader of the House, I am not pressing the amendment."

The amendment was, by leave, withdrawn.

MR. CHAIRMAN:—"I am sorry I have not been able to allow several hon. Members who wished to speak to take part in the debate. As a number of hon. Members wished to speak, some have naturally to be left out. I now wish to know whether the mover of the resolution wants to press the resolution."

SRI S. RAMAKRISHNAIAH:—"I am not withdrawing the resolution, Sir."

MR. CHAIRMAN:—"Then I shall put it to the vote of the House. The question is—

'This House recommends to the Government that the introduction of the "Revised System of Elementary Education" be held in abeyance till the commencement of the next school year, and that a committee of 15 members consisting of the representatives of the teachers in the Legislative Council, representatives of the Linguistic Elementary Teachers' Organizations and Educationists of the State, be appointed to enquire into, to report on and

[Mr. Chairman] [28th July 1952]

to suggest healthy changes for the reorientation of the present system of Elementary Education and to submit its report within 3 months from the date of the appointment of the same.' "

The resolution was put and lost.

MR. CHAIRMAN :—" The House will now adjourn and meet again at 4 p.m. to-morrow."

The House then adjourned.

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

Paper relating to the modified scheme of elementary education.

28th July 1953]

APPENDIX I.

[Vide answer to starred question No. 249 asked by Sri T. Purushothama Mudaliar at the meeting of the Legislative Council held on 28th July 1953, page 449 supra.]

Statement showing the grounds on which the elections have been set aside.

The grounds for setting aside these seven elections are given below :—

(1) *Kangayam Assembly Constituency.*—The election was set aside on the ground of improper rejection by the Returning Officer of the nomination paper filed by the person who filed the Election Petition. As, however, the Election Commission has not yet published the order of the Election Tribunal in the *Gazette of India* under section 106 of the Representation of the People Act, 1951, the elected member continues to retain his seat. — The writ petition No. 868/52 filed in the High Court is reported to have been dismissed on 16th July 1953.

(2) *Gudiyattam Assembly Constituency.*—The Election Tribunal held that the elected Member was disqualified, under section 7 (d) of the Representation of the People Act, 1951, for being chosen as a member of the State Legislature, as he was a State nominee for distribution of yarn in the North Arcot district and thus had an interest in a contract for the performance of a service undertaken by the Government of Madras and that, therefore, the result of the election had been materially affected by the improper acceptance of his nomination paper by the Returning Officer; and that the election to the Gudiyattam constituency was wholly void in terms of section 100 (1) (c) of the Representation of the People Act, 1951.

(3) *Ranipet Assembly Constituency.*—The election to this constituency has been held void as the elected candidate exceeded the limit prescribed by section 77 of the Representation of the People Act, 1951, for election expenses and thereby was guilty of a major corrupt practice under section 123 (7) of that Act.

(4) *Kallakurichi Assembly Constituency.*—The election was declared void as the elected member was guilty of the corrupt practice of obtaining the assistance of a servant of the Government of Madras (Isum Village Munsif) in furtherance of the prospects of his election.

(5) *Mecheri Assembly Constituency.*—The Election Tribunal expressed the opinion that there was a serious irregularity in the matter of polling at a certain polling station as the voters there did not have 8 hours' poll and that, as a result thereof, the result of the election was materially affected. The Tribunal accordingly declared the election wholly void.

(6) *Virudhunagar Assembly Constituency.*—The Election Tribunal held that the elected candidate was disqualified under section 7 (d) of the Representation of the People Act, 1951, on the

[28th July 1953]

date of the nomination and that, as a result of the improper acceptance of his nomination, the election had been materially affected. It declared his election void.

(7) *Vridhachalam Assembly Constituency*.--The Election Tribunal observed that the return of election expenses filed by the elected candidate was false and declared his election void. The Tribunal also recorded a finding that the elected candidate committed the corrupt practice of hiring and procuring of vehicles for conveyance of electors and sought the assistance of a village munsif for the furtherance of the prospects of his election.

APPENDIX II.

[Vide answer to starred question No. 250 asked by Sri S. Ramakrishnaiah at the meeting of the Legislative Council held on 28th July 1953, page 450 supra.]

G.O. No. 2392, Education, dated 22nd July 1949, as amended from time to time.

[Education—Teachers under Government and local bodies—Payment of craft allowance—Further orders—Passed.]

In connexion with the revision of pay of teachers in Government and local body schools, a special allowance called "craft allowance", in addition to the time-scales of pay, was first sanctioned by Government. Subsequently, it was decided that the craft allowance need not be paid separately but that it should be merged in the time-scales of pay. It was also laid down that teachers who had not qualified themselves in any of the crafts should acquire the qualification within a period of two years.

2. Various doubts have been raised as to—

(1) what the crafts are in which teachers should qualify themselves;

(2) whether all teachers including those in the Inspectorate should qualify themselves in any of the crafts;

(3) what is the period to be allowed to those who have not qualified themselves in any craft, to get qualified in it;

(4) whether increments should be allowed to teachers who have not qualified themselves in any craft;

(5) what should be the scale of pay to be allowed to a teacher who does not possess the craft qualification if one has to be appointed now;

(6) whether short courses in each of the crafts should be conducted, and if so, by whom and also who should hold the examination to decide whether the teachers have acquired the necessary skill in the crafts.

[28th July 1953]

3. The points raised above are explained below:—

(1) *above*.—The various 'crafts' in which teachers should get qualified are—

I. Elementary Grade Teachers.—(i) Spinning (according to the syllabus and test prescribed by the Director of Public Instruction).

(ii) First Aid or Home Nursing Training as organized under the regulations of the St. John Ambulance Association or the British Red Cross Society.

(iii) Needle-work and Dress-making, Embroidery, Lace making, Handloom-weaving, Agriculture, Indian Music, Freehand Outline Drawing or Painting or Design, Geometrical Drawing or Engraving or Modelling, Tailoring or Book binding—Government Technical Examination Certificate of the lower grade. The certificates of completion of Vocational Training in Agriculture, issued by the Principal, Agricultural College, Coimbatore, and the certificates issued by the Agricultural Demonstrators will also be treated as a craft qualification.

(iv) Retraining in Basic Education at the centres organized by the Department.

II. Secondary and Collegiate grade teachers.—As for elementary grade teachers or—

(i) Citizenship Training for teachers.

(ii) Home Craft Training (conducted for women teachers).

(iii) Training in a Regular Army Unit for Commission into the N.C.C.

(iv) Course of Training in Museum Techniques.

(v) Training in U.T.C. or U.O.T.C.

III. For all grades.—Persons possessing the following certificates issued by the Boys Scout Association, the Hindustan Scout Association and the Junior Red Cross Association will be considered as qualified in craft:—

(a) Scout Masters.

(b) Cub Masters.

(c) Rover leaders.

(d) Blue Bird or Bul Bul Flock Leaders.

(e) Girl Scout or Girl Guide Captains or Ranger Scout Leader.

(f) Junior Red Cross Counsellors.

(2) *above*.—Teachers of elementary, secondary and collegiate grades in Government schools and schools under local bodies, and all Deputy Inspectors (Senior and Junior), shall possess qualification in one or other of the crafts.

(3) *above*.—Existing incumbents who are in permanent service, except those who have not elected the revised scales of pay and those who have completed their probation, shall acquire qualification in craft within a period of two years from the date

[28th July 1953]

of this order. Existing incumbents who are probationers shall acquire qualification in craft before the expiry of the period of probation or within two years from the date of this order, whichever is later. Persons who have been trained under the existing ordinary training schemes, when newly appointed, shall acquire the qualification during the period of their probation. They shall be declared to have satisfactorily completed the period of probation only after they acquire the qualification. Persons who have been trained in Basic Training Schools and under any scheme of training in which craft training is an integral part of training need not be required to qualify in craft separately.

(4) *above*.—If teachers or inspecting officers do not acquire qualification in any craft within two years from the date of this order, their increment shall be postponed until they acquire the qualification, but without cumulative effect.

(5) *above*.—Persons who do not possess qualification in craft shall be started on the minimum of the time-scale of pay and shall not be allowed to draw increments other than the first increment until they acquire the qualification.

(6) *above*.—The Director of Public Instruction shall arrange for short courses of training in Citizenship and Handicraft at select centres and also conduct examinations.

4. The Government trust that the Director will provide necessary facilities for training in craft so that within two years all teachers are given the opportunity to qualify in one craft or other, so that they cannot plead want of facilities as an excuse for failure to qualify in craft.

5. The orders above will not apply to teachers in aided elementary and secondary schools. It is desirable that such teachers also should possess the qualification. It need not be insisted upon in the case of qualified teachers already in aided institutions. But managements should be encouraged to recruit in their institutions only persons who possess qualification in craft as well.

APPENDIX III.

[Vide answer to starred question No. 254 asked by Sri T. Purushothama Mudaliar at the meeting of the Legislative Council held on 28th July 1953, page 453 *supra*.]

Particulars of Works Clerks appointed during the months of January to March 1953 in the Government Bus Service, Madras City.

<i>Name of Works Clerk.</i>	<i>Date of appointment.</i>	<i>Qualification.</i>	<i>District to which each candidate belongs.</i>
(1)	(2)	(3)	(4)
(1) Sri S. Ramanathan ..	6th Jan. 1953	Inter passed.	Coimbatore.
(2) " J. Thomas ..	23th Jan. 1953	B.Com.	Quilon.
(3) " R. Subramaniam ..	13th Feb. 1953	S.S.L.C. passed.	Coimbatore.
(4) " P. J. Urumese ..	14th Feb. 1953	S.S.L.C. passed.	Trichur.
(5) " V. Madhavan Nambudri.	17th Mar. 1953	S.S.L.C. completed.	Malabar.

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