

MADRAS LEGISLATIVE COUNCIL DEBATES

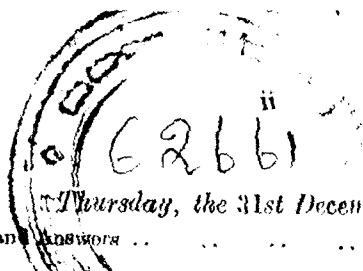
FIFTH SESSION OF THE LEGISLATIVE COUNCIL
UNDER THE CONSTITUTION OF INDIA.

*28th to 31st December 1953 and 2nd, 5th, 7th, 11th and
18th January 1954.*

Volume VI (Nos. 1 to 9).

TABLE OF CONTENTS.

	PAGES
<i>Monday, the 28th December 1953.</i>	
I Condolence Resolution on the death of Dr. T. S. S. Rajan and Messrs. V. I. Muniswami Pillai and S. Ellappa Chettiar ..	1-6
II Questions and Answers	6-20, 31
III Privilege of the House re Presentation of Budget	20-24
IV Announcements by the Hon. Chairman—	
(1) Panel of Chairmen	24
(2) Messages from the Assembly	24
V Presentation of the Budget for the second six months of 1953-54.	25-27 31-52
VI Papers laid on the table of the House	27-30
<i>Tuesday, the 29th December 1953.</i>	
I Questions and Answers	53-62 73-80
II Election of Deputy Chairman	62-64
III Government motion re election of two members to the Committee of Privileges	64
IV Government Bill —The Madras Co-operative Societies (Amendment) Bill, 1953 (L.A. Bill No. 25 of 1953) (as passed by the Legislative Assembly)	65-70, 80-81
V Government Resolution — Amendments to notifications under Section 8 of Cotton Transport Act, 1923 (Central Act III of 1923)	70-71
VI Paper laid on the table of the House	72
<i>Wednesday, the 30th December 1953.</i>	
I Questions and Answers	83-97, 154
II Message from the Governor	97
III General discussion on the Budget for the second six months of the year 1953-54	97-153
IV Papers laid on the table of the House	153

	
<i>Thursday, the 31st December 1953.</i>	
I Questions and Answers	155-167 250-283 167-168
II Business of the House	
III General discussion on the Budget for the second six months of the year 1953-54 (last day)	168-249

<i>Saturday, the 2nd January 1954.</i>	
I Questions and Answers	285-301 357
II Announcements by the Hon. Chairman re the election of two members to Committee of Privileges	301
III Clarification of the statement made by the Hon. the Finance Minister, regarding Sri S. B. Adityan's resignation	302
IV Government Bill—The Madras Appropriation (No. 2) Bill, 1953 (L.A. Bill No. 26 of 1953)	302-356 358-360
V Paper laid on the table of the House	356

<i>Tuesday, the 5th January 1954.</i>	
I Questions and Answers	361-362 405-408
II Announcements by the Hon. Chairman re—	
(1) Resignation of Sri S. B. Adityan	362
(2) Message from Assembly	363
III Government motion—Amendments to Schedule IV to the Madras District Municipalities Act, 1920 (Madras Act V of 1920)	363-367
IV Non-official business—	
A. Bills—	
(1) The Madras Estates Land (Reduction of Rent) Amendment Bill, 1953 (L.C. Bill No. 1 of 1953)	367-375
(2) The Madras Shops and Establishments (Amendment) Bill, 1954	375-376
(3) The Madras Hindu Religious and Charitable Endowments (Amendment) Bill, 1954	376-377
(4) The Madras State (Official Language) Bill, 1954	377
B. Resolutions—	
(1) Implementation of the recommendations of the Secondary Education Commission	377-387
(2) Appointment of a Boundary Commission for settling the question of the transfer of contiguous Tamil areas in the border of the Andhra State to the Residuary Madras State.	387
(3) Starting of cancer diagnostic centres with laboratories in all the District Headquarters Hospitals under a specially trained staff	387-392
(4) Teachers in aided institutions to be placed on a par with teachers in Government service regarding security of service.	392-404
V Paper laid on the table of the House	404

<i>Thursday, the 7th January 1954.</i>	
I Questions and Answers	409-415 473-496 415
II Messages from the Governor	
III Government Bills—	
(1) The State Co-operative Societies (Reconstitution and Formation) Bill, 1954 (L.A. Bill No. 1 of 1954) (as passed by the Assembly)	415-422 496-497
(2) The Madras General Sales Tax (Amendment) Bill, 1954 (L.A. Bill No. 2 of 1954) (as passed by the Assembly)	423-442 498-499
(3) The Madras Contingency Fund Bill, 1954 (L.A. Bill No. 3 of 1954)	442-446, 490-500
(4) The Madras Preservation of Private Forests (Amendment) Bill, 1954 (L.A. Bill No. 5 of 1954) (as passed by the Assembly)	447-448 500
(5) The Madras Slum Improvement (Acquisition of Land) Bill, 1954 (L.A. Bill No. 6 of 1954)	448-472 501-506 472
IV Papers laid on the table of the House	

<i>Monday, the 11th January 1954.</i>	
I Questions and Answers	507-512 512
II Messages from the Assembly	
III Amendments to Schedule IV to the Madras District Boards Act, 1920	512-521
IV Government Bills—	
(1) The South Kanara Cultivating Tenants Protection Bill, 1954 (L.A. Bill No. 7 of 1954) (as passed by the Assembly)	521-538 558-559
(2) The Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953) (as passed by the Assembly)	539-557 560-570 538-539
V Motion under rule 22 (3) of the Madras Legislative Council Rules	

<i>Monday, the 18th January 1954.</i>	
I Questions and Answers	571-583 668-671 584
II Message from the Assembly	
III Government Bills—	
(1) The Madras Indebted Agriculturists (Temporary Relief) Bill, 1954 (L.A. Bill No. 1 of 1954) (as passed by the Assembly)	584-619 672-675
(2) The Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953) (as passed by the Assembly)—cont.	619-667 667
IV Papers laid on the table of the House	

PERSONNEL OF THE GOVERNMENT OF MADRAS

GOVERNOR OF MADRAS.

SRI SRI PRAKASA.

MEMBERS OF THE COUNCIL OF MINISTERS.

- 1 SRI C. RAJAGOPALACHARI, *Chief Minister.*
- 2 SRI A. B. SHETTY, *Minister in charge of Health and Medical.*
- 3 SRI M. BHAKTAVATSALAM, *Minister in charge of Agriculture, Forests, Fisheries, Cinchona, Rural Welfare, Community Projects and National Extension Schemes.*
- 4 SRI C. SUBRAMANIAM, *Minister in charge of Finance, Food, Elections, Education, Information and Publicity.*
- 5 SRI K. VENKATASWAMY NAIDU, *Minister in charge of Religious Endowments and Registrations.*
- 6 SRI V. C. PALANISWAMI GOUNDER, *Minister in charge of Veterinary, Animal Husbandry, Harijan Welfare and Scheduled Caste Affairs.*
- 7 SRI M. A. MANICKAVELU NAICKER, *Minister in charge of Land Revenue and Commercial Taxes.*
- 8 DR. U. KRISHNA RAO, *Minister in charge of Industries and Labour, Transport, Settlement of Ex-servicemen, Co-operation and Housing.*
- 9 SRI K. P. KUTTIKRISHNAN NAIR, *Minister in charge of Courts and Prisons and Legal Department.*
- 10 RAJA SRI SHANMUGA RAJESWARA SETHUPATHI, *Minister in charge of Public Works, Accommodation Control and Stationery and Printing.*
- 11 SRI K. RAJA RAM, *Minister in charge of Local Administration.*
- 12 SRIMATHI JOTHI VENKATACHELLUM, *Minister in charge of Prohibition and Women's Welfare.*

THE MADRAS LEGISLATIVE COUNCIL.

PRINCIPAL OFFICERS.

Chairman.

THE HON. DR. P. V. CHERIAN.

Deputy Chairman.

SRI A. M. ALLAPICHAJ^a.

Panel of Chairmen.

- 1 MRS. MARY CLUBWALA JADHAV.
- 2 SRI T. M. NARAYANASWAMI PILLAI.
- 3 SRI B. V. SUBRAHMANYAM.
- 4 SRI N. ANNAMALAI PILLAI.

Secretary to the Council.

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

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

Serial number and name of member.	Name and class of constituency.
1 Abdul Salam, M. K. M.	South Arcot cum-Tanjore cum-Tiruchirappalli Local Authorities.
2 Adityan, S. B.	State Legislative Assembly.
3 Allapichai, A. M.	State Legislative Assembly.
4 Annamalai Pillai, N.	State Legislative Assembly.
5 Balasubramanya Ayyar, K. ..	Madras South Graduates.
6 Bashyam Ayyangar, V.	Nominated.
7 Bhashyam, K.	Madras South Graduates.
8 Bhaktavatsalam, M. (The Hon. Sri Minister).	State Legislative Assembly.
9 Chakkarai Chetty, V.	State Legislative Assembly.
10 Cherian, Dr. P. V. (The Hon. Sri Chairman).	Madras South Graduates.
11 Clubwala, Jadhav, Mary C. ..	Nominated.
12 Daivasikamani Achariyar, T. M.	Do.
13 Ethirajulu, M.	State Legislative Assembly.
14 Gajapathi Nayagar, A.	State Legislative Assembly.
15 Gnanamuttu, Alexander	Madras South Teachers.
16 Govinda Menon, M. P.	State Legislative Assembly.
17 Gurunadan Row, V.	State Legislative Assembly.
18 John, Dr. V. K.	State Legislative Assembly.
19 Krishnamurthi, G.	Madras South Teachers.
20 Krishnamurthi, T. G.	State Legislative Assembly.
21 Kunhipocker, T. T. P.	West Coast Local Authorities.
22 Lakshmanaswami Mudaliyar, Dr. A.	Madras South Graduates.
23 Mohamed Usman	Nominated.
24 Manjubhashini, S.	State Legislative Assembly.
25 Marthandam Pillai, P. N. ..	Nominated.
26 Maruthavanam Pillai, C. ..	South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.
27 Mohamad Raza Khan	State Legislative Assembly.
28 Muthulakshmi Reddi, Dr. S. ..	Nominated.
29 Narayanaswamy Pillai, T. M. ..	State Legislative Assembly.
30 Nallasenapathi Sarkarai Manra-diar, N.	State Legislative Assembly.
31 Narsapaya, S.	West Coast Local Authorities.

Serial number and name of member.	Name and class of constituency.
32 Nathamuni Naidu, Dr. C.	.. Madras-cum-Chingleput-cum-North Arcot Local Authorities.
33 Odayappa, S. O. S. P.	.. Madurai-cum-Ramanathapuram-cum-Tirunelveli Local Authorities.
34 Palaniswami Gounder, K. N.	.. Salem cum-Coimbatore-cum-Nilgiris Local Authorities.
35 Parameswaran, E. H.	.. Madras South Teachers.
36 Perumalswami Reddy, C.	.. Madras cum Chingleput-cum-North Arcot Local Authorities.
37 Purushotham, T.	.. Madras-cum-Chingleput-cum-North Arcot Local Authorities.
38 Rajagopalachari, The Hon. Sri C. (Chief Minister).	Nominated.
39 Ramaswami Reddiar, O. P.	.. Nominated.
40 Ranganathan, V. R.	.. Madras South Teachers.
41 Rangaswami, V.	.. Salem cum-Coimbatore-cum-Nilgiris Local Authorities.
42 Sankaranarayana Pillai, T. S.	.. Madurai-cum-Ramanathapuram cum-Tirunelveli Local Authorities.
43 Satyanarayana, M.	.. Nominated.
44 Sivagnana Gramani, M. P.	State Legislative Assembly.
45 Sivasubramania Nadar, S. P.	.. Madurai-cum-Ramanathapuram-cum-Tirunelveli Local Authorities.
46 Somasundara Reddiar, A.	.. South Arcot-cum-Tanjore-cum-Tiruchirappalli Local Authorities.
47 Srinivasa Rao, S.	.. State Legislative Assembly.
48 Subrahmanyam, B. V.	.. State Legislative Assembly.
49 Subbalakshmi, R. S.	.. Nominated.
50 Thiagaraja Reddiar, P. B. K.	.. Salem cum Coimbatore-cum-Nilgiris Local Authorities.
51 Venkatachalam, G.	.. Nominated.

THE MADRAS LEGISLATIVE COUNCIL.

Monday, 28th December 1953.

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

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

I.—CONDOLENCE RESOLUTION ON THE DEATH OF DR. T. S. S. RAJAN, AND MESSRS V. I. MUNISWAMY PILLAI AND S. ELLAPPA CHETTIAR.

* MR. CHAIRMAN :—“ I regret to inform the House of the death of Dr. T. S. S. Rajan and Messrs. V. I. Muniswamy Pillai and S. Ellappa Chettiar.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Chairman, Sir, I move that—

This House places on record its deep sense of sorrow at the demise of Dr. T. S. S. Rajan, former Member and Leader of this House whose services to the country in the national struggle and in diverse other ways were of an outstanding character and also at the demise of Sri V. I. Muniswamy Pillai, a former Member of the old Legislative Council and a Minister of the State and Sri S. Ellappa Chettiar of Salem, an old Member of the Legislative Council, and conveys its sympathy to the members of their bereaved families.’

“ Sir, in moving this resolution I must give expression to my personal feelings of grief for every one of these three gentlemen whose names have been included in this resolution. I had the good fortune of being most intimately connected with them. Every one knows my connexion with Dr. Rajan and a large number of people know also my intimate association with Mr. Muniswamy Pillai. But probably very few know that Mr. Ellappa Chettiar was a very old colleague of mine in Salem. He had done a great deal of work in the old Legislative Council where circumstances were far more difficult for a nationalist to render service in those days. Mr. Chettiar was one of those who took their office in the Legislative Council very seriously and with Sri B. V. Narasimham he rendered very great services against heavy odds in those days. I commend this resolution for the acceptance of the House.”

* DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Mr. Chairman, Sir, it is my melancholy privilege to associate myself with the Leader of the House in the sentiments he has expressed in the resolution that he has just moved. It has been my privilege to know all the three persons to whom this resolution refers. Of Dr. Rajan, I knew him quite intimately in his capacity as the Leader of the old Legislative Council and as a Minister in charge of the Food portfolio and later in charge of the portfolio of Medicine. Dr. Rajan impressed his personality on all with whom he

[Dr. A. Lakshmanaswami Mudaliyar] [28th December 1953]

came into contact and the way in which he handled all aspects of the questions referred to him earned for him the admiration of all. The liberal way in which he grasped the subject and presented it to the House cannot also possibly be understated. In him the medical profession has lost a great leader. I remember him with gratitude, for, he as Minister in charge of the Medical portfolio, when the Congress was first ushered into office, was responsible to abolish the old licentiate course which had been upgraded into the D.M.S., and there is now but one portal of entry for the medical profession. He was keen on effecting various improvements and on everything he did he impressed his personality.

"Mr. V. I. Muniswamy Pillai was a gentleman in the very real sense of the term. I have had the privilege of knowing him as a Member of the Senate and I can say from my personal contact with him that there can be no other hon. Member in any House who rendered silent service to the people. Mr. Chettiar was known to me ever since 1921 more through association with my brother who was then in the Legislative Council, than directly. I had the privilege of knowing him because he used to come to my house frequently. I should like to say that of him we all should be proud for the good services rendered by him to the people.

"Sir, once more on behalf of the persons sitting on this side of the House and on my own behalf I wish to associate myself in this melancholy privilege of paying our tributes to the three departed leaders."

* DR. V. K. JOHN :—"Mr. Chairman, Sir, I feel I must say a few words about Dr. Rajan because he was the Leader of the House for a few years when I was the Leader of the Opposition, and I am in a position to speak about the services he has rendered to this House and the public. As a doctor, as a patriot, as a parliamentarian, as a debater, as a statesman and as an administrator Dr. Rajan had few equals. In this House he displayed many rare qualities. He was never assuming and although old in years he was always receptive and showed a humility which few others among his colleagues did. He was one of the best debaters I have ever met. As a friend, he was so amiable and loyal that once you knew him you loved him. Although he died full of years and full of honour his death is a great loss to the nation, a great loss to this House and a great loss to his friends. I mourn his loss and associate myself with the sentiments expressed in the resolution moved by the Hon. Leader of the House."

SRI MAHOMED USMAN :—"Mr. Chairman, Sir, I associate myself with the sentiments expressed in the resolution moved by the Hon. Leader of the House. I knew all the three gentlemen who have passed away. In 1937, I think, when this Council met for the first time, Dr. Rajan was a Minister. I know with what dignity and with what ability he did his work in the Council. Sri V. I. Muniswamy Pillai was known to me very well from the early days of my official career. As a Member of the Madras Government it was I who was responsible for nominating him to

28th Decemer 1953] [Sri Mahomed Usman]

the Madras Council in the year 1928 or 1929—I forget the exact date. From that time he had been a very good friend of mine. It is a great loss that we have sustained in his death. Sri Ellappa Chettiar was a Member of the old Council. All these three gentlemen have rendered selfless service to the country and we are all sorry that they have passed away and it is but right that we should record our feelings of sorrow and also place on record the selfless services that these three gentlemen have rendered to the country and to this House."

SRI V. CHAKKARAI CHETTY :—"Mr. Chairman, Sir, I must join in the especial sorrow that has been expressed by the Hon. the Chief Minister and Sir Mahomed Usman. Unfortunately, I have not had the privilege of knowing these three gentlemen as the Members of the Legislative Council. I was not a Member of the Legislative Council in those days. But I had the privilege of knowing Dr. Rajan outside this House. He was not only a doctor of eminence but also a man of catholic tastes and sympathies. I used to meet him sometimes on labour platforms and still remember the last occasion I met him in a labour conference at Tiruchirappalli. He was a man with courage of his conviction and not of other people's convictions. He had strong likes and dislikes. Although sometimes I was not pleased with certain of his views on certain matters, all the same I used to respect him for expressing his views openly and frankly.

"It is indeed a great loss that in these days when we require 11-10 a.m.
men of experience and sterling character, he should have left us but we cannot now condemn the ways of Providence. They are beyond our scrutiny but, all the same, it is only right that we should have brought forward this resolution for the acceptance of this House."

"I used to hear about the other two gentlemen but I did not know them personally and, therefore, I would not say anything beyond saying that we feel very deeply the loss of these gentlemen. Especially about Dr. Rajan, I must add that I should have liked to meet him and discuss various matters of practical and political importance concerning our State and our country at present. Sir, once again, I express my feeling of sorrow at the passing away of these gentlemen and hope that the words of appreciation that we have said here will be conveyed to the members of the bereaved families. It will be a sort of consolation to them in their bereavement that, after all, their services have not been forgotten and their memories are held in reverence by all of us who used to know them personally and in the official capacity. I thank you, Sir, for giving me this opportunity of expressing my feeling of sorrow at the passing away of such distinguished gentlemen of the Madras State. As I said earlier, the speeches that have been made here—not merely the bare resolution—may also be communicated to the members of the bereaved families so that they may know exactly what the Hon. Leader of the House and other Members on this side of the House have felt about them and still feel about them."

[28th December 1953]

* DR. C. NATHAMUNI NAIDU :—“ Mr. Chairman, Sir, I echo the sentiments expressed by the Hon. Leader of the House and the hon. Leader of the Opposition and other Members with regard to the demise of these three great men. So far as Dr. Rajan is concerned, as one belonging to the profession to which I belong, he had introduced a very great reform in the medical curricula. As the hon. Leader of the Opposition has very clearly stated, when there was a regular cry from the general medical profession that the Diploma Course should either be mended or ended, he preferred the latter course and ended the Diploma Course and he upgraded it into a Degree Course. Apart from that, he was also holding the portfolio of Religious Endowments and even in that direction, he did a lot of good work.

“ With regard to Mr. Muniswami Pillay who belonged to the Congress group, he did very good work for the country in general and to the Harijan community in particular.

“ As regards the other gentleman, I do not know him but still I associate myself with the sentiments expressed by the other Members of the House.”

SRI MOHAMAD RAZA KHAN :—“ Mr. Chairman, Sir, I do associate myself with the sentiments expressed by the Hon. Leader of the House and the hon. Leader of the Opposition and others. I had come into close contact with Dr. Rajan as a Minister when I was a Member of the last Assembly. In spite of his old age, he was a notable figure in that Assembly and he did everything in the best manner possible. I may recall particularly, on this occasion, that when the food situation was serious in our State it was given to Dr. Rajan to give his best thought and solve the food problem which was a very, very difficult thing to do. He was also responsible for piloting the Hindu Religious and Charitable Endowments Bill in spite of the opposition from a very good section of the people of our State. It was his lot to sit for days and days together and see that the Bill was passed into law.

“ Now, a word about Mr. Muniswami Pillay. I knew him very well and on every issue whether it was constitutional or otherwise, he did contribute something to the uplift of the Harijans. He was never tired of bringing to the notice of the Government the hardships and difficulties experienced by the Harijans. Surely, his name will ever be remembered by the Harijan community in particular and our State in general. With these words, I also associate myself with the sentiments expressed by previous speakers.”

* SRI N. ANNAMALAI PILLAI :—“ கனம் தலைவர் அவர்களே, இந்த தேசத்தின் விடுதலைப்போராட்டத்தில் முக்கண்மையாக நின்று தலைவர் ராஜாஜி அவர்களுடைய உத்திரவை பின்பற்றி மகாத்மா காங்கி அடிகளின் கொள்கையை தேசத்தின் மண் பரப்பில் இந்நாடு பரீட்சிண சுதந்திரம் அடைவற்காகவும் ஜனநாயக சர்க்கார் ஏற்படுவதற்காகவும் பல முக்கியஸ்தர்கள் காரணமாக இருந்துவருகின்றனர். அவர்களில் டாக்டர் டி. எஸ். எஸ். ராஜன் அவர்கள் ஒருவர் ஆவர். இந்நாடு விடுதலை அடைந்தது என்றால் டாக்டர் ராஜனுடைய சேவை அதில் முக்கிய ஸ்தானம் பெற்றிருக்கிறது. அவர் 1919-ம் வருஷத்திலிருந்து இந்த நாட்டில் சமயம் நேர்ந்த போகெல்லாம் அங்கில அரசாங்கத்துடன் போராடி கடைசியில் வெற்றியையும் கண்டு ஜனநாயக சர்க்காரில்

28th December 1953] [Sri N. Annamalai Pillai]

மந்திரியாக இருந்து நல்ல சீர்திருத்தங்களைச் செய்தார். அவர் பெரிய சீர்திருத்தவாதி. தன் மனதில் தோன்றியதை பட்டவர்த்தனமாக மகாத்மா காந்தியின் மூன்றாம் தலைவர் ராஜாஜியின் மூன்றாம் தைர்யமாக மனம் விட்டு சொல்லி கடைசியில் தலைவரின் கருத்தை சிறைமேல் தாங்கி வேலைசெய்து வந்த பெரிய வீரர். அவரை நாம் இழந்துவிட நேர்ந்தது துர்பாக்கியமாகும். ஆனால் வயதாகிவிட்டது. அதாவது வயதானவர்கள் எல்லோரும் மறித்துப் போக வேண்டியவர்கள்தான். அவருக்கும் வயது அதிகமாகி விட்டது. அதனால் அவர் இறந்து போவதில் என்ன கஷ்டம் என்று சிலர் சொல்லலாம். அவர் வேலைகளையெல்லாம் நம் மனதில் வைத்துவிட்டு சென்றிருக்கிறார். அவர் இன்னும் சிறிது காலம் இருந்திருந்தால் நமக்கு உபயோகமாக இருந்து இருக்கும். டாக்டர் ராஜன் அவர்கள் பிரிந்து போனது நமக்கு பெரிய நஷ்டம். தேசத்திற்கு பெரிய நஷ்டம். நாம் பெற்ற சுதந்திரம் இன்னும் குழந்தைப் பருவத்தில் இருக்கிறது. ஆனால் ஸ்வராஜ்யத்தினுடைய அடிப்படையான நிர்மாண திட்டங்களை காந்தியின் திட்டங்களைக் கொண்டுவந்து அவைகளை இன்னும் நிறைவேற்றவில்லை. மற்றவர்கள் அதைச் செய்யலாம் என்று சொல்லலாம். சுதந்திரம் வாய்க்கிக்கொடுத்தவர்கள் இருந்தால்தான் அவர்கள் அதை நன்றாக எடுத்துச் செய்யமுடியும். அவர் இந்த சமயத்தில் இல்லாமல் இருப்பது நமது துரதிருஷ்டம்தான். அவரை இந்த சமயத்தில் நாம் இழந்தது நம்முடைய துர்பாக்கியம்தான். இப்பொழுது பேசுவதின் மூலம் நான் என்னுடைய அனுதாபத்தை இந்த சபையில் தெரிவித்துக்கொள்ளுகிறேன்.

“ இரண்டாவதாக கனம் வி. ஐ. முனுசாமிப் பிள்ளை அவர்களைப் பற்றி சிலவாத்தை சொல்ல விரும்புகின்றேன். அவர் இந்த தேசத்தின் ஹரிஜன பிரதிநிதியாக இருந்து பல காரியங்களைச் செய்திருக்கிறார். தேச விடுதலைக் காக அறிய போராட்டம் நடத்தி பல தியாகங்களைச் செய்த வீரர். இந்த நாடு சுதந்திரம் அடையும் தருவாயில் அவர் மந்திரியாக இருந்து வேலை செய்தார். அவருடைய வேலை எல்லாம் நம் முன்னே இருந்துக்கொண்டு இருக்கிறது. இன்னும் அவருக்கு பூர்ண வயது ஆகவில்லை. அவர் தனக்கு பூர்ண வயது ஆவதற்குள் நம்மை விட்டு பிரிந்து போகும்படியாகிவிட்டது. அது நமது துர்பாக்கியம்தான். ஹரிஜன மக்கள் எல்லோரும் துக்க சாகரத்தில் ஆழ்ந்து இருக்கிறார்கள் என்பதில் சந்தேகம் இல்லை. ஆண்டவன் அவருடைய ஆத்மா சாந்தி அடைய அனுக்கிரகம் செய்யவேண்டும். அவருடைய பிரிவினால் துக்கத்தில் ஆழ்ந்திருக்கிற ஹரிஜனங்களும், காங்கிரஸ் காரர்களும், மற்ற தேசத்தினுள்ள அனைவருக்கும் ஆறுதல் அளிக்க ஆண்டவன் அருள் புரியவேண்டும் என்று ஆண்டவனை பிரார்த்தித்துக் கொண்டு என்னுடைய வார்த்தையை முடித்துக்கொள்ளுகிறேன்.”

* SRI V. BASHYAM AYYANGAR :—“ Mr. Chairman, Sir, I ^{11 2} wish to associate myself with the tributes that have been paid to the deceased gentlemen, especially to Dr. T. S. S. Rajan and Sri V. I. Muniswamy Pillai. I had known Dr. T. S. S. Rajan even before the first Congress Ministry was formed and we had worked together on many platforms in regard to Harijan welfare. Both of us, along with others also, had worked together in the Ramanathapuram district where there was great trouble between the Maravars and the Harijans of that district. These troubles had attracted even the notice of Mahatma Gandhi. More than one attempt was made to settle these disputes and at last Dr. T. S. S. Rajan and myself toured the whole of the Ramanathapuram district visiting all the places where there were Maravars and Harijans and eventually succeeded in effecting a compromise between these two communities.

“ Dr. T. S. S. Rajan was a very sincere worker in the cause of the Harijans and I have fond recollections of the very good work that he had done for them. I knew Sri Muniswami Pillai also very

[Sri V. Bashyam Ayyangar] [28th December 1953]

intimately not only as a Harijan leader but also as one of the Ministers of this State. He was a great man with moderate and level-headed ideas on all questions including the uplift of the Harijans. He was not an extremist advocate on even Harijan problems and he always took up a well balanced position on such questions. I have not had the pleasure of knowing the third gentleman but I join in paying my tributes to all the three who have been mentioned by the Hon. the Leader of the House."

* MR. CHAIRMAN :—" Hon. Members of the House, I wish to associate myself with this Resolution of Condolence on the demise of the three estimable Members we had in this House before. Belonging to the medical profession, I had opportunities of knowing Dr. T. S. S. Rajan fairly intimately and particularly so when he was a Minister of this Government. I was always struck with the very firm views he had on things and there was no changing him when he had taken some decision. He knew exactly where he stood and for this people always respected him. He was a great figure in the medical profession particularly from the way in which he rose from nothing to the highest level in the profession to which anybody can aspire to in our country.

" Sri V. I. Muniswami Pillai was also known to me fairly well and I had great regard for him, for his personality and his character. He was a very charming man and we mourn his loss now.

" I did not know Sri S. Ellappa Chettiar but from the reports I have seen in the papers and from the sentiments expressed here, he too was an estimable man and we have lost him also.

" I shall now request the Members to stand for a minute."

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

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Candidates appointed under rule 9 (a) (i) of the service rules.

* 1 Q.—SRI G. KRISHNAMURTHI: Will the Hon. the Chief Minister be pleased to state—

(a) whether candidates appointed under General Rule 9 (a) (i) are allowed to appear for Departmental Tests; and

(b) if not, the reasons therefor?

THE HON. SRI C. RAJAGOPALACHARI :—" (a) No.

" (b) The Departmental Tests are open only to persons appointed on a regular basis by the Commission or other competent authority to posts for which such tests are prescribed as a part of probation or for promotion or for increment, etc. As appointments of persons made under rule 10 (a) (i) [original rule 9 (a) (i)] of the General Rules for the Madras State and Subordinate Services are purely temporary they are not eligible to appear for the Departmental Tests."

28th December 1953]

SRI G. KRISHNAMURTHI :—" Sir, may I know whether there is no possibility of some at least of these 9 (a) (i) candidates being absorbed by the process of regularization of their services? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, we have been trying our best to absorb them but the question of departmental tests is a different thing."

SRI G. KRISHNAMURTHI :—" Sir, may I know, why there should be a ban on these 9 (a) (i) candidates from appearing for these departmental tests when they themselves knowing fully well that there is no guarantee of their being absorbed take the risk? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, the competition is already too great. We cannot go on simply adding to the number of competitors."

SRI G. KRISHNAMURTHI :—" Sir, may I know whether the Government are aware of the fact that there is a feeling among these candidates, that this being an educational qualification, there should not be any ban on their acquiring it when they are young and without any encumbrances? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, it is just the point that requires examination. This is not to be treated as some sort of an educational examination for a degree or the S.S.L.C. and things like that. It is a departmental test which should be imposed on those who have a good chance of utilizing that qualification."

SRI T. PURUSHOTHAM :—" Sir, may I know whether the rules relating to the appointment of the Backward Classes of citizens in Public Services are observed in the case of recruitment of these 9 (a) (i) candidates? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I do not think that hereafter there will be any such recruitment. A large number of them are already waiting to be absorbed. If there is any further recruitment, I shall keep the hon. Member's suggestion in mind."

SRI M. ETHIRAJULU :—" Sir, may I know whether it is a fact that hard cases of 9 (a) (i) candidates were considered already they were allowed to sit for the Service Commission Examination and absorbed in the service? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, it is true."

Scales of pay of nursing orderlies, stretcher bearers, etc.

* 2 Q.—SRI S. B. ADITYAN: Will the Hon. the Minister for Health be pleased to state the salary paid to (i) male nursing orderlies; (ii) female nursing orderlies; (iii) stretcher bearers; (iv) lascars; and (v) sweepers employed in Government Hospitals in Madras City?

[28th December 1953]

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

SRI S. B. ADITYAN :—" Sir, I suppose the Hon. the Minister for Public Health is aware of the fact that minimum salaries for menials under municipalities and local boards are fixed under the Minimum Wages Act. Sir, may I know whether the Government propose to pay the full-time Government servants mentioned in the answer to this question at least the minimum wages paid to the menials under local boards which are fixed under the Minimum Wages Act? If not, will the Hon. Minister enlighten us as to why the Government do not enforce the Minimum Wages Act in regard to their own employees while asking the local bodies to do so? "

THE HON. SRI A. B. SHETTY :—" Sir, there is no proposal to enhance the scales of pay. It is a matter which involves finance and it has been considered and dropped."

SRI S. B. ADITYAN :—" Sir, may I know whether the Government consider that these persons can maintain themselves and their families and also their prestige as Government servants on the pittance of a salary that is paid to them? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, most people do not depend entirely on the salary they get from the Government."

SRI S. B. ADITYAN :—" Sir, may I know whether it is the policy of the Government to encourage Government servants to depend on other sources of income besides their salaries? "

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I have been completely misunderstood. What I meant was that these young gentlemen depend upon their family resources and get a little more money by entering jobs like these."

DR. V. K. JOHN :—" Sir, are these full-time jobs? "

THE HON. SRI C. RAJAGOPALACHARI :—" Yes, Sir."

SRI V. CHAKKARAI CHETTY :—" May I know whether, in every case of employment by the Government, the fact that employees have other sources of revenue is taken into consideration? "

11-30 a.m. THE HON. SRI C. RAJAGOPALACHARI :—" There are some jobs which are more in the nature of physical work. To that class of jobs, what I said applies."

DR. V. K. JOHN :—" May I know whether a sweeper who is paid Rs. 15 and who has to do a full-time job is getting a living wage and should not the Government set an example to other employers by giving a living wage to their own employees? "

^a Printed as Appendix I on page 31 infra.

28th December 1953]

THE HON. SRI C. RAJAGOPALACHARI :—" We are entering into a discussion on the general financial structure of our Government administration. It is true that in some cases the whole family depends upon the job. In other cases the members of the family also work and earn. These various facts are facts even if we argue academically in a different way, and we must take these facts into account. An ordinary sweeper's family earns quite a substantial amount in these days whether they are employed in hospitals or whether they are employees of municipalities and district boards."

SRI V. CHAKKARAI CHETTY :—" It is stated here that while the Government servants are not getting minimum wages the Government compel local bodies and municipalities to pay minimum wages to their servants. May I know whether the Government are at liberty to throw over-board the recommendations of the Advisory Committee set up under the Minimum Wages Act and are not the Government bound to carry out their recommendations? "

THE HON. SRI C. RAJAGOPALACHARI :—" The advice is applied from time to time according to capacity of the Government, the local bodies, the industrialists, etc. The advice should not be deemed as a legislative enactment."

SRI S. B. ADITYAN :—" I find from the answer that municipalities and district boards are asked to pay a lascar Rs. 23 a month under the Minimum Wages Act, while the Government themselves pay only Rs. 18 a month. Thus it will be seen from the answer that this Government pay less to a lascar than what they themselves ask the local boards and municipalities to pay. May I know whether the Government will see the anomaly of it and make proposals to put an end to it? "

THE HON. SRI A. B. SHETTY :—" In addition to pay and dearness allowance, these people are given a house rent allowance of Rs. 7 a month or they are provided with quarters. They are given free clothing—two sets of uniform per year. They get also the medical and educational concessions to which all non-gazetted officers with salaries below Rs. 300 are entitled."

SRI T. PURUSHOTHAM :—" May I know whether the Government will extend all these concessions to the servants of the local boards and municipalities also? "

THE HON. SRI C. RAJAGOPALACHARI :—" Yes, when we get more surplus in the Budget."

DR. V. K. JOHN :—" May I know whether the Government realize the payment of these very low wages demoralises Government servants? "

SRI MOHAMAD RAZA KHAN :—" May I know, Sir, whether these people are not very much happy when they get an extraordinary increment of annas eight per year quite apart from their initial salaries of Rs. 15, Rs. 18, Rs. 19 and Rs. 22? "

[28th December 1953]

THE HON. SRI C. RAJAGOPALACHARI :—" I appreciate the irony in the question. But eight annas is not a small matter when it is multiplied by a very large figure, viz., the number of people, concerned."

National Extension Scheme.

* 3 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the new blocks taken up for development under the National Extension Scheme this year and the amount allotted for each such area; and

(b) the establishment of officers and staff sanctioned for each National Extension Scheme area?

THE HON. SRI M. BHAKTAVATSALAM :—" (a) The National Extension Service has been launched in 28 blocks during the current financial year. The programmed cost of working a National Extension Service block for a period of three years is as follows :—

	RS.	LAKHS.
Recurring expenditure	--	1.5
Non-recurring expenditure	--	2.0
Loans -- -- --	--	4.0
		7.5

" (b) The following staff have been sanctioned for each of the selected blocks :

One Block Development Officer.
One Extension Officer for Agriculture.
One Extension Officer for Animal Husbandry.
One Extension Officer for Co-operation and Panchayats.
Two Social Education Organizers (one man and one woman).
One Extension Service Supervisor-cum-Junior Engineer.
Three Gramasevaks (Grade I).
Seven Gramasevaks (Grade II).
One Accountant-cum-Store-keeper.
One typist-cum-clerk.
Eight peons.
One Jeep driver."

SRI T. PURUSHOTHAM :—" May I know whether these Block Development Officers are given the same scales of pay as other officers? "

[28th December 1953]

THE HON. SRI M. BHAKTAVATSALAM :—" Generally, yes, Sir. But in the case of some of these categories of officers an extra allowance of 10 per cent is given."

SRI T. PURUSHOTHAM :—" May I know from the Hon. Minister what are the reasons for this grant of extra allowance of 10 per cent? "

THE HON. SRI M. BHAKTAVATSALAM :—" It has been suggested by the Departments concerned that these officers are not willing to go over to this specialised work and as they would suffer from certain disadvantages, an extra allowance was recommended which the Government have accepted."

SRI T. PURUSHOTHAM :—" May I know from the Hon. Minister if any special training is given to the officers employed for this special work? "

THE HON. SRI M. BHAKTAVATSALAM :—" Officers of the various technical departments do not require any training and therefore no training is proposed to be given."

SRI T. PURUSHOTHAM :—" May I know whether there is any justification for the grant of any extra allowance to these officers especially when no special training is given to them? "

THE HON. SRI M. BHAKTAVATSALAM :—" The Government have considered all aspects of the question and have come to the conclusion that there is some justification for giving this extra allowance for these officers in order that they may not suffer on account of their transfer to these specialised posts."

SRI G. KRISHNAMURTHI :—" May I know whether the Government have any proposal to select for these posts of social workers and gramasevaks members of the teaching profession? "

THE HON. SRI M. BHAKTAVATSALAM :—" I cannot say, Sir, whether there are any specific proposals to recruit officers from the teaching profession? "

DR. S. MUTHULAKSHMI REDDI :—" May I know, Sir, whether maternity and midwifery services to the rural population are included in these National Extension Schemes? "

THE HON. SRI M. BHAKTAVATSALAM :—" Yes, Sir, that will be included."

DR. V. K. JOHN :—" May I know whether the Government have made any estimate of the benefits, financial or otherwise, that resulted by the expenditure of such a large amount of money on these National Extension Schemes? "

THE HON. SRI M. BHAKTAVATSALAM :—" I am unable to say how the benefits that are expected to accrue can be

[28th December 1953]

estimated in terms of money. But I can tell the hon. Member that the object of this scheme is to raise, before the end of the first Five-year Plan, the standard of living of the people in the villages to at least three times the present level as a result of the various services that are proposed to be done under the National Extension Service Schemes."

Gambling cases in Tiruchirappalli.

* 4 Q.—SRI M. K. M. ABDUL SALAM: Will the Hon. the Minister for Finance and Education be pleased to state the number of cases of gambling in the name of playing cards that have been booked in Tiruchirappalli district in the year 1952?

THE HON. SRI C. SUBRAMANIAM:—"One thousand, six hundred and forty-seven cases of gambling with playing cards were booked in Tiruchirappalli district in the year 1952."

SRI K. BALASUBRAMANYA AYYAR:—"May I know, whether the Government will furnish statistics with regard to gambling cases in other districts also, particularly the City of Madras?"

THE HON. SRI C. SUBRAMANIAM:—"Certainly we will supply the figures if a separate question is put on the subject."

SRI M. K. M. ABDUL SALAM:—"May I know whether the Government are aware whether gambling is going on in almost all the clubs and if so, what steps have the Government proposed to take against such clubs?"

THE HON. SRI C. SUBRAMANIAM:—"The various forms of gambling which is done in clubs do not generally offend the law. For example, token coins are used. These matters should be left to the good sense of the people."

SRI S. B. ADITYAN:—"May I know whether the Hon. Minister for Finance and Education is also booking rich gamblers just as the Hon. the Minister in charge of Prohibition has very rightly been booking rich offenders against the Prohibition Act?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, some of the people charged in gambling cases are also rich people."

SRI M. K. M. ABDUL SALAM:—"May I know, Sir, whether the Hon. the Chief Minister has ever played cards?"

THE HON. SRI C. RAJAGOPALACHARI:—"Not on stakes, Sir."

SRI ALEXANDER GNANAMUTTU:—"May I know, Sir, whether poker which is played in every officers' club comes under 'gambling'?"

SRI T. PURUSHOTHAM:—"Poker is a harmless game."

[28th December 1953]

THE HON. SRI C. SUBRAMANIAM:—"I do not think it comes under gambling."

DR. S. MUTHULAKSHMI REDDI:—"May I know whether betting on horse racing is included in this?" 11.40 a.m.

THE HON. SRI C. SUBRAMANIAM:—"No, Sir. This refers only to gambling with playing-cards."

Land colonization scheme for Todas.

* 5 Q.—DR. C. NATHAMUNI NAIDU: Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state—

(a) whether the Government have introduced any land colonization scheme for the Todas in the Nilgiris; and

(b) if so, the extent of land brought under cultivation under this scheme?

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

" (b) The question does not arise."

DR. C. NATHAMUNI NAIDU:—"May I know whether a seven man committee was appointed in the year 1947 to make a survey of the Toda area and also make all possible arrangements for cultivation and creation of colonies in the Toda area?"

THE HON. DR. U. KRISHNA RAO:—"I am not aware of the seven man committee of 1947. I am aware that one Mr. Sri-kant, Commissioner for Scheduled Castes and Tribes, made certain suggestions in 1951 for ameliorating the conditions of the Todas. The formation of two Land Colonization Societies in a block of 154 acres in Ootacamund was suggested. But the lands in question were situated in Wenlock Downs, which the State Government had decided to preserve as a national park. We could not get a block of 100 acres of Government waste land either in Ootacamund or Coonoor. The Todas were not willing to settle in Gudalur. In view of that the proposal was dropped."

DR. C. NATHAMUNI NAIDU:—"May I know whether the Todas will be given the same preference as the Scheduled Castes in this case?"

THE HON. DR. U. KRISHNA RAO:—"I said that there is no proposal to start any colony at present. If and when we arrive at a definite conclusion in this regard, the suggestion of the hon. Member will be considered."

[28th December 1953]

Registration of marriages in the State.

* 6 Q.—DR. S. MUTHULAKSHMI REDDI: Will the Hon. the Minister for Law be pleased to state whether the Government have any proposal:

(i) to register all marriages in the state as in the case of births and deaths; and

(ii) to insist upon medical examination of the couple by a Registered Medical Practitioner or a Civil Surgeon before the registration of their marriage?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"The answer is in the negative."

DR. S. MUTHULAKSHMI REDDI:—"Will the Government consider the suggestion to get all marriages registered under an Act, as is done in the case of births and deaths?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"It is too early for us to consider it now. According to some other Acts, the registration of certain marriages is made compulsory. In some cases we have to bring in a legislation because those marriages were not registered. We have got to see whether society would accept all those marriages till we bring in an appropriate legislation to legalise them."

DR. C. NATHAMUNI NAIDU:—"May I know whether the marriages performed by the Dravida Kazhagam and the Dravida Munnetra Kazhagam will be recognized by Government?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Those marriages were not registered. That is why we are contemplating enacting a legislation to legalise those marriages."

DR. S. MUTHULAKSHMI REDDI:—"May I know, Sir, if any private member of this House were to introduce a Bill that all marriages should be registered, the Government would give their support to that Bill?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"If and when such a Bill is brought before the House, we will consider the clauses of the Bill and then only we shall be able to come to any decision."

SRI K. BHASHYAM:—"Is the Hon. Minister for Law aware of the fact that in the Bill recently introduced in Parliament for the reform of the Hindu Law of marriage, there is a special provision for registration of marriages?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Yes, Sir. The State Government have got to consider whether any legislation on that line has to be undertaken and it will take some time before any such Bill is brought."

[28th December 1953]

DR. S. MUTHULAKSHMI REDDI:—"May I know whether the State Government have given their opinion on the Hindu Code Bill now before Parliament?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"On this point there was no occasion for us to give our opinion."

SRI MOHAMED USMAN:—"Supposing Government come to the conclusion that all marriages should be registered, would it affect the marriages performed in accordance with Hindu, Muslim or Christian Law?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Those marriages are of course legal. Any future legislation would apply only to future marriages."

SRI MOHAMED USMAN:—"I am speaking of future marriages only. Supposing some people do not register marriages performed according to the customary Hindu, Muslim or Christian law, will those marriages be considered illegal?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Of course if the customs and manners of any particular sect do not warrant compulsory registration, that aspect will be duly considered."

DR. V. K. JOHN:—"How long will it take for the State Government to consider this matter and how long will they take to ascertain whether the public opinion is favourable to the suggestion made or not?"

THE HON. SRI C. RAJAGOPALACHARI:—"The question of ordering a universal registration of all marriages irrespective of the caste, community or custom of the people concerned is engaging the attention of Parliament and of the Government of India. There is nothing to be gained by entering into a discursive discussion now. There are two aspects of the problem. Hon. Members should not confuse one with the other. One aspect of the problem is whether marriages should be performed only after registration. The second aspect is whether registration is to be made compulsory in respect of all marriages performed according to the prescribed laws and as such for the failure to get registration of those marriages, a duty or penalty may be provided."

SRI V. CHAKKARAI CHETTY:—"May I know from the Hon. Chief Minister whether he is not aware that compulsory registration of marriages is confirmed only to certain sections of Indians, viz., the Indian Christians?"

THE HON. SRI C. RAJAGOPALACHARI:—"The question that is engaging attention is the general law as regards registration. There are various kinds of registration. For instance, under the Christian Act, the priests who perform the marriages can themselves register and it is enough if they

[28th December 1953]

send a report of the proof of the marriage that took place to the Registrar of Marriages. The question is whether in respect of other customary marriages where there is no such register, any compulsory registration should be imposed."

Opening of additional District Munsifs' Courts in North Arcot.

* 7 Q.—DR. C. NATHAMUNI NAIDU: Will the Hon. the Minister for Law be pleased to state—

(a) whether any additional District Munsifs' Courts are opened once in two years at Tiruppattur and whether any suits are transferred from Tiruppattur to Vellore on account of large pendency at Tiruppattur; and

(b) whether the Government have any proposal to open a permanent District Munsif's Court either at Ambur or at Gudiyatham to relieve the congestion?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“(a) An Additional District Munsif was appointed to the District Munsif's Court, Tiruppattur, during the years 1943-44, 1948-49 and 1953 to relieve congestion.

In December 1951, 58 old suits relating to the Gudiyatham taluk and the Ambur firka, which are nearer to Vellore, were transferred from the District Munsif's Court at Tiruppattur, to the District Munsif's Court at Vellore, in view of the large pendency and the need for immediate relief. Of the 58 old suits referred to, 13 suits were later re-transferred to the District Munsif's Court, Tiruppattur.

“(b) There is no proposal to open any District Munsif's Court either at Ambur or at Gudiyatham.”

DR. C. NATHAMUNI NAIDU:—“May I know whether the Hon. Minister is aware of the fact that there was no presiding Judge on duty at Vellore immediately after the re-opening of the Court after the summer recess for over fifteen days, thereby causing great inconvenience to the clients?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“A separate question may be put.”

Repairs to Kondangi lake in Cuddalore.

* 8 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government received any mahazar from the ryots of Cuddalore, South Arcot district, in the month of June 1952 to repair Kondangi lake in Cuddalore and to dig a new canal from Arisiperiangkuppam to Kondangi lake; and

(b) if so, the action taken thereon?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“(a) Yes.

[28th December 1953]

“(b) Repairs to the sluices of the Kondangi tank have already been carried out. Deepening the tank, is reported to be unnecessary as the difficulties experienced are only due to inadequate supply and not due to insufficient storage capacity. Proposals for diverting the course of the Kondangi tank supply channel have been formulated and are under examination by the Chief Engineer in consultation with the Collector.”

SRI T. PURUSHOTHAM:—“Will the Government consider the question of digging the canal in question under Local Development programme?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“The Collector has been asked to report on the Grow More Food aspects of the diversion proposals and his report is awaited.”

Purchase of portraits of national leaders.

* 9 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the local bodies desirous of putting up statues and portraits of national leaders are required to purchase the same from prescribed agencies, and if so, who they are and how they have been selected and under what conditions;

(b) who prepared the model of Mahatma Gandhi (bust or statue) and why it is supplied to local bodies through foreign manufacturers; and

(c) what is the cost prescribed for supply of Mahatma Gandhi bust or statue to local bodies and in what proportion the cost is credited to Government and manufacturers?

THE HON. SRI K. RAJARAM:—“(a) Local bodies have freedom to purchase portraits of national leaders from whatever agency they choose. Government have never compelled any local body to buy them from any particular artist, though they have commended the work of certain artists.

“(b) The original model of the bust of Mahatma Gandhi was prepared by Sri D. P. Roy Chowdhury, Principal, School of Arts and Crafts, Madras, and from that model, castings in bronze were made in Italy. The technique of bronze casting as practised in India is hardly reliable for a faithful representation of the original work, particularly where touches are emphasized. Bronze statutory casting is best made in Italy. In fact all the really important statues in this country have been cast in Italy. The original bust produced by Sri D. P. Roy Chowdhury was therefore sent to Italy for casting.

“(c) The cost prescribed for the supply of a bronze bust of Mahatma Gandhi to local bodies, etc., is about Rs. 2,248.

[28th December 1953]

No portion of the cost of the bust has been credited to Government. The proportion in which the cost is credited to (1) Sri D. P. Roy Chowdhury and (2) the manufacturers and suppliers is as shown below :—

	RS.	A.	P.
(1) Sri Roy Chowdhury	823	3	7
(2) Manufacturers and suppliers ...	1,423	13	5
	2,247	1	0

11-50 a.m. SRI T. PURUSHOTHAM :—“ With reference to the answer to clause (b), are the Government aware that there is not much of likeness of the great personage in the statutes supplied to the various local bodies? ”

THE HON. SRI K. RAJARAM :—“ There is no such information, Sir. The Government are satisfied that this bronze statue is better than any other.”

SRI T. PURUSHOTHAM :—“ Has not any representation been made in this regard by the Chairmen of the Municipal Councils, especially by the Chairman of the Chingleput Municipal Council when a statue of Mahatma Gandhi was unveiled by the Hon. Minister for Agriculture? ”

THE HON. SRI K. RAJARAM :—“ I think no such representation was made.”

SRI T. PURUSHOTHAM :—“ May I know whether the Government would take steps to see that Indian manufacturers are encouraged to do this work by grant of State subsidies, if need be, instead of unblushingly acknowledging on the floor of this House that bronze casting done in Italy only is good? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ The hon. Member who put this supplementary question indicated dissatisfaction with the resemblance. I do not think that it is a question of manufacture in India or Italy. The original bust is responsible for the resemblance either being good or bad.”

SRI T. PURUSHOTHAM :—“ Will the Government be pleased to encourage sculptors and artists in this country by entrusting such work to them? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ When the original does not give satisfaction to hon. Members or others, inexpert casting will make the mistake double-fold or triple-fold.”

SRI S. SRINIVASA RAO :—“ May I know whether the bust is in Italy or in Madras? ”

THE HON. SRI K. RAJARAM :—“ It is in Madras.”

[28th December 1953]

SRI S. B. ADITYAN :—“ With reference to clause (a), may I know who are the approved national leaders and whether the list includes the names of any living persons? ”

THE HON. SRI K. RAJARAM :—“ A separate question may be put, Sir.”

SRI T. PURUSHOTHAM :—“ Is there any proposal to install the portraits of national leaders in the Art Gallery in this State? ”

THE HON. SRI K. RAJARAM :—“ A separate question may be put.”

Appointment of Special Magistrates for trial of prohibition cases.

* 10 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Law be pleased to state whether the Government have any proposal to appoint Special Magistrates for trial of prohibition cases in this State?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ There is no such general proposal, but in the past Government have appointed some Magistrates exclusively for the trial of prohibition cases in a few districts to reduce the pendency of such cases.”

SRI M. ETHIRAJULU :—“ As the trial of prohibition cases now being conducted by the ordinary Magistrates along with the other cases has proved to be a farce because of the fact that prohibition cases are taken only in late hours when the witnesses are not generally expected to wait, a day long, may I request the Hon. Minister to reconsider the question of appointing Special Magistrates or to instruct the Magistrates to take up prohibition cases prior to other cases? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ The suggestion will be considered.”

SRI K. BHASHYAM :—“ Will the Hon. the Minister for Law take care to see that the Magistrates who try prohibition cases do themselves believe in prohibition and that the Government do not appoint persons who do not believe in prohibition or who are at least indifferent about it? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ We cannot interfere with the judicial activities of Magistrates, much less can we interfere with their private activities.”

SRI K. BHASHYAM :—“ Deciding prohibition cases is not a private activity. It is a public duty.”

DR. A. LAKSHMANASWAMI MUDALIYAR :—“ Will this policy be applied to the trial of the other cases also? Supposing there is a zamindar-tenant case, should the trying Magistrate be one who believes in that particular legislation? ”

[28th December 1953]

SRI K. BHASHYAM :—“ He must be one who believes in the payment of rent regularly.”

THE HON. SRI C. RAJAGOPALACHARI :—“ The hon. Member should think for a moment whether we are considering the procedure at the trial when the case goes on or whether we are considering the appointment of the Magistrates concerned. I think that we are putting unnecessary questions without grasping the real difficulties involved.”

DR. V. K. JOHN :—“ What is the average number of prohibition cases in a month in the State and is it increasing or decreasing? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ A separate question may be put, Sir.”

III.—PRIVILEGE OF THE HOUSE *RE* PRESENTATION OF BUDGET.

* SRI T. PURUSHOTHAM :—“ Mr. Chairman, I wish to raise a point affecting the privilege of this House, namely, the presentation of the Budget here 15 days after it has been presented in the other House. Article 202 (1) of the Constitution lays down that the ‘ Governor shall in respect of every financial year cause to be laid before both the Houses of Legislature a statement of the estimated receipts and expenditure for the year.’ The Budget should have been, I contend, presented in both the Houses simultaneously.”

THE HON. SRI C. SUBRAMANIAM :—“ There is no mention of the word ‘ simultaneous ’ in the Article.”

* SRI T. PURUSHOTHAM :—“ It has been the convention so far, that the Budget should be presented to both the Houses at least within a few hours on the same day. This question was raised in this House when Sri R. B. Ramakrishna Raju was in the Chair and I find in the proceedings that on behalf of the Government an assurance was given that not only the annual statement of expenditure but also the supplementary financial statements would be presented to both Houses on the same day. As it is, the Budget is presented in this House after it has gone through all the stages in the other House. If the Budget discussion had been held in this House at least before the voting on Demands for Grants in the other House, the Government as well as the Members of the Assembly would have had an opportunity to have the views of this House while disposing of the Budget demands and to a certain extent could have shaped their policies. Now I do not think any useful purpose will be served by going through the formality of presenting the Budget and discussing it in this House. I have raised this question, Sir, to bring to your notice and to the notice of the Leader of the House that the privileges of this House should be safeguarded and that this should not, in any case, be made a precedent for the future.”

[28th December 1953]

THE HON. SRI C. RAJAGOPALACHARI :—“ I shall deal with this matter in the course of my reply to the debate.”

* DR. A. LAKSHMANASWAMI MUDALIYAR :—“ I wish to associate myself with the observations made by my hon. Friend Sri T. Purushotham. I cannot say whether it can be taken as a question of privilege. I am rather doubtful of it. But I certainly agree that the usefulness of the House and the dignity of the House should be the concern of the Government benches. I have been here for some years and also in the old Council. I have followed the proceedings. I don't think there was any occasion when the Budget was not presented more or less simultaneously. I am not concerned with the simultaneous presentation of the Budget but I am concerned with the stage at which the Budget is presented to the House. That stage at present is after even the Appropriation Bill has been passed by the other House. I fail to see what useful purpose will be served by hon. Members participating in the general discussion on the Budget. Surely the object of the general discussion being completed in both the Houses before the Demands are voted is to enable the members of the other House, who have certainly a greater amount of financial power over the Government, to know what the opinions of the Members of this House are and to so shape their activities—whether it be in consonance with their opinions or against their opinions—that they could take part in the discussion in a more, I won't say, intelligent manner, but with fuller information before them. The discussion in this House of the Budget which is going to be presented to-day and discussed to-morrow and the day after seems to me to be like enacting the play of Hamlet without the chief person being present. We have no power whatsoever so far as the financial estimates are concerned. All that we have is the privilege to express our opinions and criticisms on the Budget proposals and to bring such other matters as we think are relevant and pertinent in the consideration of the Budget. We do so in the full hope and belief that our representatives in the other House—after all they are our representatives as much as we are representatives of the electorate in this House—will be in a position to see whether the criticisms made in this House are such as to demand their attention in the detailed discussion and the voting on Demands for Grants. Very often we are complimented on the fact that we give very important consideration to all questions and that some of our arguments and conclusions are very valid. I hope the Government will see that something more purposive than the paying of mere compliments is done to enable the Members of this House to take an useful part in the discussions. The Hon. Finance Minister almost whispered that this would not be a precedent. There are other things also which, I hope, will not be a precedent and to which I shall refer in the general discussion of the budget. On this issue as it has been raised, I do feel that we must make our position quite clear that we do not appreciate discussing the Budget after the passing of the Appropriation Bill,

12
noon.

[Dr. A. Lakshmanaswami Mudaliyar] [28th December 1953]

as no useful purpose will be served except to this limited extent that the discussion on this Budget will perhaps influence the next year's Budget which the Hon. Finance Minister will present within a very short time. But for this particular trend, I myself would not have been quite prepared to participate in the Budget. I hope this aspect of the question will be fully considered by the Government in future."

* SRI K. BALASUBRAMANYA AYYAR :—" Sir, it was said that the word 'simultaneously' does not occur in article 202 of the Constitution. I agree that that word is not there. The article says: 'The Governor shall in respect of every financial year cause to be laid before the Houses of the Legislature of the State a statement of the estimated receipts and expenditure of the State for that year'. Though this clearly means that the presentation need not be simultaneous, it should be construed to mean that the presentation and discussion in the Council should at least be before the Demands for Grants are voted and the Appropriation Bill is passed in the Assembly. After the voting on Demands for Grants and the passing of the Appropriation Bill, the annual financial statement presented ceases to be the 'estimated' receipts and expenditure. Therefore I say that the action of the Government is quite wrong and opposed to the spirit of Article 202."

THE HON. SRI C. SUBRAMANIAM :—" The Appropriation Bill has to be passed by this House also."

* SRI K. BALASUBRAMANYA AYYAR :—" This House has no power to pass the budget; it can only discuss."

SRI M. P. GOVINDA MENON :—" Sir, I associate myself very strongly with the sentiments expressed by the hon. Members on this side of the House regarding the great insult offered to this august body and to you, Sir, as the Chairman of that body, by presenting the Budget after all the processes have been gone through in the other House. As a student of logic, I have learnt the syllogism that the Upper House either agrees or disagrees, if it agrees it is superfluous, if it disagrees it is mischievous and that in either case it is unnecessary. Of course, there is a fallacy in this argument. The Upper House does serve a purpose. Constituted as this House is with Members of experience and leaders in various walks of life, they will be very reasonable in their criticisms. By their discussion, they will be able to influence the Government to modify their proposals and also very effectively influence the decision of the other House on the various proposals. That opportunity has been lost. Discussing the Budget after the Demands for Grants and the Appropriation Bill are passed is nothing but a farce. This House, if it is to exist, must really have some authority. This House is there not only for the purpose of having a distinguished countryman of ours nominated so that he may be made the Chief Minister or for the purpose of enabling defeated Ministers to come back by indirect methods. This House

28th December 1953] [Sri M. P. Govinda Menon]

should not be there merely to enable persons like M. P. Govinda Menon to come back by indirect methods. It has got a definite function. I do protest against the way in which the Government have treated this House. I hope they will take a lesson from this protest of ours."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, before feelings rise higher, I should like to submit that I entirely appreciate the points raised, in a general way. If this procedure were to be adopted by the Government ordinarily, all the remarks made by the hon. Gentlemen who have objected to this procedure would have been correct and fully admitted by me. A Parliamentary Act has already dealt with practically the whole matter contained in this Budget. It is only in the light of this special circumstance that we did not consider it reasonable to convene the Council for discussing the budget, then adjourn it and again convene it after business was got ready for this House. It is only the background of the Parliamentary Act that we plead for the procedure we have followed in respect of this Budget. I anticipated this objection and in fact I had intended to apologise to this House for adopting this procedure. In theory, there is no point of privilege. According to ordinary rules of procedure and convention, simultaneous presentation is the practice and that will continue, except where it is merely a case like the one with which we are now dealing. I have explained the position. May I suggest that hon. Members need not raise any point of order and that I may be allowed to proceed with the presentation? "

* DR. V. K. JOHN :—" Even after hearing the Hon. Chief Minister, I do not think the House is satisfied that there is any special reason for not presenting the Budget on the same day in the House as well. Nobody can make any mistake in interpreting Article 202 of the Constitution of India. If the intention of the Constitution was that the budget should be presented in the Council on a later day, the Constitution would have said so. The truth is that the Government, though the Chief Minister happens to be a Member of this House, are showing scant courtesy to this House. Mr. Chairman, you are the custodian of the dignity and usefulness of this House and you should not allow the Government to depart from the salutary practice of simultaneous presentation and discussion of Budget in both the Houses. The procedure now adopted is against the Constitution, against convention and practice and against the dignity and usefulness of this House. This belated presentation and discussion of the Budget in this House should not have taken place. The Hon. Finance Minister is smiling, and I think that even now he is happy that this House has been treated in the manner in which it has been treated. I submit that every section of this House—not only the Opposition but also the Congress and the Independent Parties—must join in the protest and condemn and condemn strongly the treatment accorded to this House by this Government which, I say, is illegal, irregular and improper."

[28th December 1953]

* THE HON. SRI C. RAJAGOPALACHARI :—“ Just one word, Sir, before you decide the matter. I am sorry that my explanation does not satisfy hon. Gentleman Dr. John. I would like some other points also to be taken into account, if it is seriously contended that we intended any insult. As a matter of fact, hon. Members had Budget copies in their possession round about the 14th of December and they were also in possession of the fact that they were going to be called to meet to-day and not earlier. If these hon. Gentlemen, who are now raising the point with so much heat, really felt that this was a wrong practice, they could have written to the Leader of the House and the Chairman, and we would have even agreed to convening this meeting earlier. I am saying this not by way of explanation. I agree that ordinarily the presentation should be simultaneous and that we should follow the convention. Here it is a case where most of the money has already been spent. Hon. Members had an opportunity to protest even earlier.”

* DR. V. K. JOHN :—“ We cannot protest because the Budget dates are fixed by the Governor on the advice of the Cabinet.”

IV.—ANNOUNCEMENTS BY THE HON. CHAIRMAN.

(1) PANEL OF CHAIRMEN.

* MR. CHAIRMAN :—“ I have to announce to the House that, under rule 15 of the Madras Council Rules, I have nominated the following four Members of the Council to be the panel of Chairmen for the fifth session of the Legislative Council under the Constitution :—

- (1) Mrs. Mary Clubwala Jadhav,
- (2) Sri T. M. Narayanaswamy Pillai,
- (3) „ B. V. Subrahmanyam and
- (4) „ N. Annamalai Pillai.”

(2) MESSAGES FROM THE ASSEMBLY.

MR. CHAIRMAN :—“ I have also to announce to the House that I have received the following messages, dated the 15th December 1953 and the 26th December 1953, from the Hon. the Speaker, Madras Legislative Assembly :—

(1) ‘In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the Madras Co-operative Societies (Amendment) Bill, 1953 (L.A. Bill No. 25 of 1953), as passed by the Assembly on the 15th December 1953, and signed by me, for the concurrence of the Council.’

(2) ‘In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the Madras Appropriation (No. 2) Bill, 1953 (L.A. Bill No. 26 of 1953, as passed by the Assembly on the 26th December 1953, and signed by me for the recommendations of the Council.’

“ 2. I certify that this is a Money Bill within the meaning of Article 199 of the Constitution of India.”

28th December 1953]

V.—PRESENTATION OF THE BUDGET FOR THE SECOND SIX MONTHS OF 1953-54.

THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Chairman, Sir, I present the Budget of Estimates for the second half of the current Financial Year to this House. It has already been before the public for a fortnight. The practice by which the Budget is presented to both Houses on the same day has been departed from on this occasion only because the present Budget is almost in the nature of a Supplementary Demand. Much of the appropriation has already been expended, and the balance is intended for the mere continuance of the services, already in operation.

“ I have no doubt hon. Members have followed the discussions in the lower House and as appearing in the Press. Our revenues for the half-year are estimated at Rs. 23,71 lakhs and expenditure at Rs. 23,48 lakhs, leaving a small surplus of Rs. 23 lakhs. Satisfaction has been expressed in certain quarters, that after a series of deficit budgets, we have at last managed to show a surplus, but there are others who think that the surplus was smaller than anticipated. Let me caution that it is not correct to draw either inference from the figures for a six-month period. Our expenditure, such as on grants, public works, and debt charges, is more heavily spread over the closing months of the year covered by the present Budget. As against this factor, some of our major sources of revenue come in bulk towards the end of the year. We can have a correct picture of our financial position after partition, only when the Budget for a whole year is compiled and let us therefore, defer judgment till next February, when the Budget for 1954-55 will come up for consideration.

“ An analysis of the Revenue Account shows that of the total proposed outlay of Rs. 23,48 lakhs, we have set apart Rs. 744 lakhs, or 32 per cent on security services like Police, Judiciary, Prisons, District Administration, etc. Rs. 719 lakhs or 30½ per cent on social services like Education, Health, Harijan Uplift, Co-operation, etc., Rs. 727 lakhs or 31 per cent on public utilities and other services like Agriculture, Irrigation, Electricity, Roads, etc., and Rs. 158 lakhs or 6½ per cent on debt (redemption) charges. With the ideal of the Welfare State before us, no reduction in public expenditure can be expected. The security services take up only 32 per cent of our total expenditure as against 48 per cent in the pre-war budgets. Still, the sums we are spending on social services and public utilities are far below the expectations of the people. We have, however, to reckon with reality. In the nature of things, a poor people cannot get all that they want immediately. Much hard and sustained work will have to precede an appreciable increase in national wealth and the general standard of living. There is no use asking for a miracle. An improvement in the general standard of living, when no one is prepared to work more than he did before and no one is prepared to reduce cost of production so far as he himself is to benefit by the cost, is nothing

* A copy of the Budget speech presented to Assembly is printed as Appendix II on page 31-37 *infra*.

[Sri C. Rajagopalachari] [28th December 1953]

short of expecting a miracle to happen. Mathematical and other laws of nature cannot be altered. The living standards of a nation cannot improve on temporary help received from outside. What begins sweetly will finally end in bitterness and ill-will. We must depend on ourselves although it may not be pleasant to do so.

“ Our Capital Budget is not a bad one. We have made adequate provision for all our irrigation and electricity works, now in progress. We were able to meet the heavy demand of Rs. 680 lakhs under this head, only because of the splendid response of the public to the loan we floated last July. The larger items in our Development Programme, such as the Bhavani, Malampuzha and Pykara Plant Extensions, are now in their last lap, and our trained personnel and equipment will soon have to be switched on to new works. Hon. Members will be pleased to note that our representations to the Planning Commission and the Government of India in this respect, have evoked response. The Amaravathi Reservoir Scheme has been just sanctioned and a new reservoir on the Vaigai to impound the surplus waters of the Periyar lake, will soon be sanctioned. We may also hope to build some storage capacity on the Ponnar, where our Engineers seem to locate some surplus water. We have obtained the Commission's approval for both Krishnagiri and Sathanur so that we may examine the position further. On the electricity side, we have just been permitted to launch the Periyar Hydro-Electric Scheme and to continue the extensions to the Madras Thermal Plant according to plan. These new works may go some way to absorb our trained technical personnel as well as to relieve general unemployment. We have been promised some loan assistance from the Centre on this new programme and for the balance we will have to depend on the continued co-operation of the public to our loan floatations.

“ Hon. Members may do well to remember that we have really exhausted our great and dependable water sources. The new projects, now being sanctioned, are marginal ones, involving considerable non-productive outlay. We cannot justify these works before the general tax-payer who has to pay ultimately for all the interest on borrowed capital, unless the individuals benefiting from these works, agree to bear a reasonable portion of the capital cost. There is no use talking in terms of districts or other areas and thinking this district has got it and that district has got it. In the same district or other area numerous people do not reap any advantage and the difference between the individuals who benefit and those who do not get any benefit from the project cannot be ignored in the distribution of obligations. In the main our further efforts towards food production should largely be by practising more intensive methods of cultivation in the existing cultivable areas. The Community Projects and the National Extension Service Schemes which are now being organized are intended primarily to turn the people to more intensive agriculture. I personally believe we should hereafter turn our attention to the numerous minor sources of water and try to conserve whatever rain falls occasionally, for the benefit of these scattered areas where

[28th December 1953] [Sri C. Rajagopalachari]

now life is nothing but continual privation of all kinds. Of course the conservation of water all over in renovated tanks and by efficient bunding of water courses may mean reduction of the total drainage into our rivers. But for long the lower riparians have been enjoying the benefit of silted tanks and ruined anicuts above. It is but fair and just that we should now do something for the long-suffering people in the upper regions. And nothing can be done too fast and therefore there will be time for adjustment.

“ No State can afford to be rigidly constrained by old-fashioned laws to the detriment of progress and the more even distribution of wealth. Large scale conservation and repair as well as initiation of new small works must be taken up. We should draw on the enlightened self-interest of people—local patriotism as we may call it—for enabling ourselves to carry out these works. There is great scope in my opinion for evoking and tapping local public spirit in the restoration and improvement of minor works. Some can pay and many can work for wages as well as for patriotism. We have had good and timely rains this year, to put spirit and courage in us in new lines of endeavour.

“ The salient points of the present Budget, have been explained in the speech of the Finance Minister in the lower House, copies of which have been circulated to the hon. Members. As stated by the Finance Minister, the Government have not had time to readjust programmes and policies after the Partition and the Budget for 1954-55 will be presented to the House soon and that will be the appropriate occasion for the detailed consideration of the commissions and omissions of the present Government. I hope hon. Members will bear this fact in mind, during the deliberations on the present proposals.”

MR. CHAIRMAN :—“ The House will now adjourn and meet again at 11 a.m. to-morrow.”

The House then adjourned.

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

1. Amendments to the Madras Motor Vehicles Taxation Act, 1931—

* (a) Notification No. 689 issued with G.O. No. 2007, Home, dated the 23rd June 1953, regarding exemption of two trailers belonging to the American Consulate-General at Madras from payment of tax.

* (b) Notification No. 717 issued with G.O. Ms. No. 2222, Home, dated the 9th July 1953, regarding exemption of international pick-up van belonging to the American Embassy at New Delhi from payment of tax.

* (c) Notification No. 832 issued with G.O. No. 2636, Home, dated the 17th August 1953, regarding exemption from payment of tax under Madras Motor Vehicles Taxation Act in respect of Jeep Station Wagon belonging to World Health Organization assigned to Madanapalle Field Tuberculosis Research Station.

[28th December 1953]

¹ (d) Notification No. 858 issued with G.O. Ms. No. 2703, Home, dated 25th August 1953, regarding cancellation of Notification No. 1265, Home, dated 17th November 1952, under Madras Motor Vehicles Taxation Act, 1931.

² (e) Notification No. 962 issued with G.O. Ms. No. 3073, Home, dated the 29th September 1953, regarding further continuance of concessional rates of tax for vehicles plying solely within limits of erstwhile Pudukkottai State.

³ (f) Notification No. 1047 issued with G.O. No. 3233, Home, dated the 23rd October 1953, regarding exemption of lorry MSZ 8027 belonging to Department of Industries and Commerce from payment of tax.

⁴ (g) Notification No. 1061 issued with G.O. No. 3309, Home, dated the 30th October 1953, regarding exemption of Stage Carriages owned by the Travancore-Cochin State and plying on inter-State routes from payment of tax under Madras Motor Vehicles Taxation Act, 1931.

⁵ 2. G.O. No. 1889, Public (Services), dated the 18th July 1953, regarding the exclusion of the post of Private Secretary to the Governor from the purview of the Madras Public Service Commission [Laid on the table under Article 320 (5) of the Constitution of India.]

⁶ 3. Notification issued with G.O. No. 1570, L.A., dated the 18th July 1953, regarding the inclusion of certain villages within the jurisdiction of the Bellary District Board.

⁷ 4. Notification issued with G.O. No. 1709, L.A., dated the 12th August 1953, regarding the supersession of the Coonoor Municipal Council for two years.

⁸ 5. Notifications issued with G.O. No. 1624, L.A., dated the 29th July 1953, regarding the changes in the villages within the jurisdiction of the Krishna District Board.

⁹ 6. Notification issued with G.O. No. 1674, L.A., dated the 7th August 1953, regarding the inclusion of certain villages within the jurisdiction of the Chittoor District Board.

¹⁰ 7. Notifications issued with G.O. No. 1683, L.A., dated the 10th August 1953, regarding the changes in the villages within the jurisdiction of the Salem District Board.

¹¹ 8. Notifications issued with G.O. No. 1684, L.A., dated the 10th August 1953, regarding the changes in the villages within the jurisdiction of the Malabar District Board.

¹² 9. Appropriation Accounts of the State of Madras for 1950-51 and the Audit Report, 1952.

¹³ 10. Finance Accounts of the State of Madras for 1950-51 and the Audit Report, 1951.

28th December 1953]

¹⁴ 11. Report of the Public Accounts Committee on the accounts of the State of Madras for the year 1949-50.

¹⁵ 12. The Requisitioning of Buildings (Andhra Area), Ordinance, 1953 (Madras Ordinance No. 1 of 1953).

¹⁶ 13. The Madras State Co-operative Societies (Reconstitution and Formation) Ordinance, 1953 (Madras Ordinance No. II of 1953).

¹⁷ 14. The Madras General Sales Tax (Amendment) Ordinance, 1953 (Madras Ordinance No. III of 1953).

¹⁸ 15. The Madras Preservation of Private Forests (Amendment) Ordinance, 1953 (Madras Ordinance No. IV of 1953).

¹⁹ 16. The Madras Indebted Agriculturists (Temporary Relief) Ordinance, 1953 (Madras Ordinance No. V of 1953).

²⁰ 17. The Tenants and Pannaiyal Protection (South Arcot) Rules, 1953.

²¹ 18. G.O. No. 2856, Public (Services), dated the 19th October 1953, regarding the amendment to the Madras Public Service Commission Regulations, 1950. (Laid on the table of the House with reference to Article 320 (5) of the Constitution of India.)

19. Amendments to Madras Motor Vehicles Rules [Laid on the table of the House under sub-section (3) of section 133 of the Motor Vehicles Act, 1939 (Central Act IV of 1939)]—

(a) Notification issued with G.O. Ms. No. 2265, Home, dated 15th July 1953.

(b) Notification issued with G.O. Ms. No. 2266, Home, dated 15th July 1953.

(c) Notification issued with G.O. Ms. No. 2385, Home, dated 27th July 1953.

(d) Notification issued with G.O. Ms. No. 2530, Home, dated 10th August 1953.

(e) Notification issued with G.O. Ms. No. 2565, Home, dated 11th August 1953.

(f) Notification issued with G.O. Ms. No. 2673, Home, dated 20th August 1953.

(g) Notification issued with G.O. Ms. No. 2704, Home, dated 26th August 1953.

(h) Notification issued with G.O. Ms. No. 2831, Home, dated 5th September 1953.

(i) Notification issued with G.O. Ms. No. 2857, Home, dated 8th September 1953.

(j) Notification issued with G.O. Ms. No. 2863, Home, dated 8th September 1953.

[28th December 1953]

(k) Notification issued with G.O. Ms. No. 3301, Home, dated 29th October 1953.

(l) Notification issued with G.O. Ms. 3324, Home, dated 2nd November 1953.

¹ 20. The Mangalore Port Trust Act, 1953.

² 21. Report of the Parulekar Committee on the Modified Scheme of Elementary Education in Madras.

22. Amendments to the Madras Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953 —

(a) Notification issued with G.O. Ms. No. 2023, Home, dated 23rd June 1953.

(b) Notification issued with G.O. 3097, Home, dated 3rd October 1953.

^a Sent by post on the 8th August 1953.		
^b	Do.	2nd September 1953.
^c	Do.	28th do.
^d	Do.	4th November 1953.
^e	Do.	13th do.
^f	Do.	14th do.
^g	Do.	19th do.
^h	Do.	24th do.
ⁱ	Do.	26th do.
^j	Do.	14th December 1953.
^k	Do.	18th do.

28th December 1953]

APPENDIX I.

[Vide answer to starred question No. 2 asked by Sri S. B. Adityan at the meeting of the Legislative Council held on 28th December 1953, page supra.]

Scales of pay.

	RS.
Male and Female Nursing Orderlies, Grade I ...	24— $\frac{1}{2}$ —30
Do. Grade II ...	19— $\frac{1}{2}$ —25
Ambulance Attendant (formerly Stretcher Bearers) ...	18— $\frac{1}{2}$ —25
Lascars ...	18— $\frac{1}{2}$ —25
Sweepers ...	15— $\frac{1}{2}$ —20

In addition to pay, the Nursing Orderlies, Grade I, and Nursing Orderlies, Grade II, Ambulance Attendants and Lascars whose pay exceeds Rs. 20 are paid a dearness allowance of Rs. 19 per mensem and all others are paid a dearness allowance of Rs. 18 per mensem. A house-rent allowance of Rs. 7 per mensem is also allowed to all of them.

APPENDIX II.

[Vide item V on page 25 supra.]

Sir, hon. Members are well aware of the circumstances under which we have assembled to consider the Budget for the second half of the current financial year 1953-54. The budget proposals which we discussed last March did cover the financial transactions for the whole year, but we then took only a 'vote on account' to meet the anticipated expenditure for the first six months. The Andhra State Act has since regularized the expenditure of the composite State for these six months and has also provided for the authorization of the expenditure by the Governor for the first four months of the second half-year. That Act, however, stipulates that the expenditure for the second half-year should be voted by the Legislatures of the respective States even though a good portion of it had already been incurred before the Legislatures could meet. The present budget cannot, therefore, contain surprises. The proposals are

Introductory

[28th December 1953]

substantially the same, as were placed before the House last March, with modifications, only to the extent rendered unavoidable under altered conditions.

Partition of
the State.

2. The partition has affected our fortunes in many ways. As we look round the House, we miss many familiar faces and voices, which used greatly to enliven our discussions. Our regret is softened in the thought that we did our very best to make the transition smooth for them and in the hope that they will soon get over initial troubles at Kurnool. As a concession to Andhra sentiment, we had agreed to retain on our side, all non-Andhra officers employed by the composite State, even though we knew that the decision would cause us some embarrassment. The logical course would have been to retrench the surplus personnel, but in view of the distress it would cause, the Government decided not to resort to that solution on a general scale. This may result in some immediate uneconomic outlay, but the Government are making suitable administrative changes to minimize the wastage and to make the best use of these trained personnel. One other consequence of the partition is on the Food-front. Under our existing zonal arrangement, the City of Madras draws its supply of rice from the Circars. The continuance of this arrangement will require the agreement of the Andhra Government.

Seasonal
conditions.

3. But, our anxieties on the Food-front have been reduced to an appreciable extent, by the timely rains we had throughout the State. Grain prices are falling and for the first time after the War, rice is available in the city market at prices even below the Fair Price rate. Seasonal conditions in Andhra and other neighbouring rice-producing States have also been good and therefore, we may face our rice deficit with greater confidence than last year. These rains have enabled us to close down most of the famine relief works and the few that are still on in some of the dry taluks of Tirunelveli, Madurai and Coimbatore districts may also be closed, as the standing crops in those areas mature.

[28th December 1953]

4. In revising the budget for this half-year, we have taken due note of the present favourable turn in the season. The revenue for this half-year is now estimated at Rs 23,71 lakhs and expenditure at Rs 23,48 lakhs, leaving a small surplus of Rs 23 lakhs. Credit is being taken for the receipt of about Rs 281 lakhs under Taxes on Income and Rs 91 lakhs under Union Excise Duties from the Central divisible pool. The Estate Duty Bill has since been passed into law and we are entitled to a share from its proceeds. But it may take some time before the Act produces revenue and, therefore, no credit has been taken under this head in this budget. Land Revenue may be expected to bring in about Rs 375 lakhs in view of the improved seasonal conditions. Under 'Stamps', the original estimate of this year took credit for an additional revenue from a revision of the Court Fees Act. As the necessary legislation has not yet been introduced, this credit has been omitted in the present budget. The receipts from the General Sales Tax have now been estimated at Rs 490 lakhs, on the basis of the actual collections in the first half of this year. The partition of the State and the operation of Article 286 of the Constitution have, at the moment, led to a measure of uncertainty in the yield from this tax. However, the present favourable season may result in some improvement in the purchasing power of the ryot and it is, therefore, hoped that there will be no further fall in this revenue. The receipts from the new State tax on tobacco which came into force from the beginning of this year have been rather slow in coming but as the departmental machinery is soon expected to get into full gear, a revenue of not less than Rs 25 lakhs may accrue in this half-year.

On the side of Expenditure, one special point to be noted is that the present budget provides for the disbursement of salaries to Government servants, only for five months. The salaries of all Government servants for September 1953 were paid to them in that month itself, so that the expenditure, which was legitimately a charge on the revenues of the composite State, might be met before the accounts of the composite State were closed. Our debt charges are fast growing and this will be an increasingly substantial

[28th December 1953]

feature in our future budgets. No doubt, our borrowings have all been invested on useful irrigation and electricity works, but the benefits derived by agriculturists from these investments are not passed on to the Government in full measure. Better justice to the general tax-payer would be achieved by the levy of a reasonable betterment fee from the persons benefited, spread over, if necessary, in easy instalments. The question may soon come up for the consideration of the House. The total provision made in the budget for payment of interest and repayment of debt is Rs 180 lakhs, of which a sum of about Rs 20 lakhs is expected to be recovered from the Andhra and Mysore States. This estimate is provisional, as the allocation of the debt of the composite State of Madras among the three States of Madras, Andhra and Mysore, is bound to take some time. Under new items of expenditure, the National Extension Service is just under way with a provision of Rs 18 lakhs under the head "General Administration". There is another provision of Rs 20 lakhs under the same head for expenditure on local development works and of Rs 42 lakhs for community projects. A provision of Rs 21 lakhs has been made under 'Famine', a good portion of which is to cover the expenditure already incurred. Let us hope that with the improvement of seasonal conditions, the total expenditure may prove to be much less than budgeted for. Full details of the estimates of Revenue and Expenditure will be found in Appendix III to the printed copy of this speech.

New
Schemes.

5. Even though we did not think it would be possible to sanction new schemes during the year, we have actually sanctioned many new development schemes in pursuance of the Five-Year Plan. Particulars of these new schemes and the amount included in the budget for them will be found as an Appendix to the Detailed Budget Estimates. The new National Extension Service Scheme, spread over all the districts, several urban water-supply schemes a few irrigation and electricity extension schemes and grants to a few educational institutions are the more important items of new sanction.

Five-Year
Plan.

6. The Five-Year Plan for the composite State of Madras is now being broken up as between the

[28th December 1953]

Madras, Andhra and Mysore States. Of the total plan of Rs 140 crores for the composite State, the schemes benefiting the new Madras State, add up to about Rs 79 crores or 56 per cent of the total, which is short of the population ratio by 6 per cent. This was so because, in deference to the wishes of our Andhra friends, we had given greater emphasis to irrigation and electricity works in that area. We have drawn the attention of the Planning Commission and the Government of India to this matter and they have since agreed to include the Amaravathi and Vaigai irrigation projects immediately in the Plan. They have also promised to finance these schemes with earmarked Central loans, as also the balance of work on the Mettur canals scheme, on which we were hitherto going slow for lack of funds. The Amaravathi scheme has just been sanctioned and the Vaigai scheme will be sanctioned presently, and execution of all these works will be expedited to the extent practicable. Our trained surplus personnel will not all be absorbed by these new sanctions. It is very desirable that we should take up a few more medium-sized irrigation schemes as also the Periyar and the Kundah Hydro-Electric Schemes. Representations to this effect are being made and let us hope the Planning Commission will agree. In the meanwhile, we are recasting our Plan in the light of our present needs and resources and a full picture will be placed before the House as soon as practicable.

7. The provision made for capital expenditure in the second half of this year is Rs 686 lakhs, which includes Rs 256 lakhs on Irrigation, Rs 355 lakhs on Electricity, Rs 52 lakhs on buildings, Rs 12 lakhs on industrial development and Rs 11 lakhs for the payment of compensation for the abolished Zamindari estates. The work on the Lower Bhavani project is almost completed and the expenditure estimated to be incurred in this half-year is only Rs 13 lakhs. Adequate provision has been made for the expenditure in the half-year on the Malampuzha project—Rs 79 lakhs, Manimuttar project—Rs 60 lakhs, and Mettur canals—Rs 33 lakhs. The provision for Tank Improvement schemes in the present budget is only

[28th December 1953]

Rs 25 lakhs, as with all the tanks full, the work has necessarily to be slowed down. Our Electricity schemes are also making satisfactory progress and the budget provision includes Rs 104 lakhs under Pykara, Rs 98 lakhs under Madras Thermal, Rs 82 lakhs under Mettur, and Rs 70 lakhs under Papanasam schemes. Appendix IV to the printed copy of this speech gives full particulars of the provision made for each work in the capital account.

Ways and Means.

8. The total ways and means requirements for the second half of this year are now estimated at Rs 721 lakhs, made up of Rs 686 lakhs under capital expenditure (excluding State Trading schemes), and Rs 35 lakhs for net disbursements under Loans and Advances by this Government. Happily, we met with a considerable measure of success in our public loan for the year. A sum of Rs 617 lakhs was credited to this Government's account on the 1st October 1953, as our share of the proceeds of this open market loan and this has come in very useful towards meeting the capital expenditure in this half-year. The balance of our requirement of about Rs 1 crore is expected to be met from loans from the Government of India. In fact, the budget takes credit for a total loan of Rs 222 lakhs from the Government of India, comprising Rs 157 lakhs for specified irrigation projects, Rs 40 lakhs from the Handloom Cess Fund and Rs 25 lakhs for Housing schemes and the like. The transactions under State Trading schemes and deposit accounts are expected to result in a net withdrawal of about Rs 101 lakhs. Allowing for all these and taking into account the small revenue surplus of Rs 23 lakhs and the opening cash balance in treasuries of about Rs 5 lakhs, our closing balance for this year is estimated at Rs 45 lakhs.

Conclusion.

9. In presenting this budget, I have thought it best to give only a brief outline of the estimates, without digressing into programmes and policies.

28th December 1953]

As I mentioned earlier, we are only just settling down to work after the upheaval caused by the partition. We shall have another opportunity to discuss policies almost immediately when the budget for the year 1954-55 comes up before the House towards the end of February. I hope the House will not take much time over the details of the present Budget, so that we may pass on quickly to other urgent items of work, standing over for consideration in the present session."

APPENDIX III. REVENUE AND EXPENDITURE ON REVENUE ACCOUNT OF THE MADRAS STATE. A. REVENUE.

Major heads of revenue.	(1)	1939-39.	1945-46.	1946-47.	1947-48.	1948-49.	1949-50.	1950-51.	1951-52.	1952-53.	1953-54.	
		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	Budget as presented to the Legislature for the second six months as now presented.	Budget Estimate for the second six months as now presented.
Union Excise Duties ..		RS	RS	RS	RS	RS	RS	RS	RS	RS	RS	RS
Taxes on Income other than Corporation tax.		LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Land Revenue ..		22.50	4,31.25	4,43.05	5,35.32	8,42.22	8,23.32	8,20.15	9,15.43	2,88.75	2,89.54	90.94
Gross receipts including portion due to Irrigation.		7,00.78	7,97.33	8,53.19	8,08.42	7,68.79	8,12.09	9,50.71	9,20.82	8,70.85	10,08.30	3,75.00
Stamps ..		3,72.23	16,79.50	14,67.99	10,99.18	3,66.54	53.82	55.28	40.74	47.26	41.88	14.33
Forest ..		1,73.37	3,74.20	4,97.74	3,35.92	4,05.57	4,32.93	4,88.49	4,54.97	4,51.88	5,47.73	1,38.00
Registration ..		45.63	1,43.24	1,61.39	1,32.81	1,59.57	1,65.70	1,83.56	2,08.92	1,58.17	1,65.61	1,38.00
Receipts under Motor Vehicles Act.		32.70	69.83	75.96	78.90	86.55	85.47	1,07.97	1,08.59	1,01.08	1,04.49	40.00
		81.82	97.96	1,31.11	1,06.64	1,97.45	3,00.73	3,48.74	3,90.14	4,25.95	4,90.65	1,71.01
Other taxes and duties—												
General sales tax ..		3.19	5,82.70	6,95.90	8,31.26	13,03.01	15,24.35	15,86.87	15,59.10	13,23.18	14,00.00	4,90.00
Other items ..		3.19	1,45.33	1,49.38	1,95.52	2,29.32	2,85.54	3,08.61	3,02.50	3,78.67	4,13.21	1,43.00
Total ..			7,23.03	8,45.28	10,29.78	15,32.33	18,09.89	18,95.48	19,21.60	17,01.85	18,13.21	6,38.00
Irrigation—												
Direct receipts ..		6.31	11.73	12.82	11.88	12.04	13.78	14.29	14.19	15.52	14.58	2.32
Deductions—Working expenses.		38.89	70.00	79.35	91.08	1,03.44	1,17.86	1,14.94	1,20.50	1,56.77	1,19.05	9.06
Net receipts ..		32.06	58.27	66.56	79.20	91.88	1,04.08	1,00.65	1,06.81	1,41.25	1,05.07	6.54

[28th December 1953]

Major heads of revenue.	(1)	1939-39.	1945-46.	1946-47.	1947-48.	1948-49.	1949-50.	1950-51.	1951-52.	1952-53.	1953-54.	
		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	Budget as presented to the Legislature for the second six months as now presented.	Budget Estimate for the second six months as now presented.
Union Excise Duties ..		RS	RS	RS	RS	RS	RS	RS	RS	RS	RS	RS
Taxes on Income other than Corporation tax.		LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Land Revenue ..		22.50	4,31.25	4,43.05	5,35.32	8,42.22	8,23.32	8,20.15	9,15.43	2,88.75	2,89.54	90.94
Gross receipts including portion due to Irrigation.		7,00.78	7,97.33	8,53.19	8,08.42	7,68.79	8,12.09	9,50.71	9,20.82	8,70.85	10,08.30	3,75.00
Stamps ..		3,72.23	16,79.50	14,67.99	10,99.18	3,66.54	53.82	55.28	40.74	47.26	41.88	14.33
Forest ..		1,73.37	3,74.20	4,97.74	3,35.92	4,05.57	4,32.93	4,88.49	4,54.97	4,51.88	5,47.73	1,38.00
Registration ..		45.63	1,43.24	1,61.39	1,32.81	1,59.57	1,65.70	1,83.56	2,08.92	1,58.17	1,65.61	1,38.00
Receipts under Motor Vehicles Act.		32.70	69.83	75.96	78.90	86.55	85.47	1,07.97	1,08.59	1,01.08	1,04.49	40.00
		81.82	97.96	1,31.11	1,06.64	1,97.45	3,00.73	3,48.74	3,90.14	4,25.95	4,90.65	1,71.01
Other taxes and duties—												
General sales tax ..		3.19	5,82.70	6,95.90	8,31.26	13,03.01	15,24.35	15,86.87	15,59.10	13,23.18	14,00.00	4,90.00
Other items ..		3.19	1,45.33	1,49.38	1,95.52	2,29.32	2,85.54	3,08.61	3,02.50	3,78.67	4,13.21	1,43.00
Total ..			7,23.03	8,45.28	10,29.78	15,32.33	18,09.89	18,95.48	19,21.60	17,01.85	18,13.21	6,38.00
Irrigation—												
Direct receipts ..		6.31	11.73	12.82	11.88	12.04	13.78	14.29	14.19	15.52	14.58	2.32
Deductions—Working expenses.		38.89	70.00	79.35	91.08	1,03.44	1,17.86	1,14.94	1,20.50	1,56.77	1,19.05	9.06
Net receipts ..		32.06	58.27	66.56	79.20	91.88	1,04.08	1,00.65	1,06.81	1,41.25	1,05.07	6.54

28th December 1953]

Major heads of revenue.	(1)	1939-39.	1945-46.	1946-47.	1947-48.	1948-49.	1949-50.	1950-51.	1951-52.	1952-53.	1953-54.	
		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	Budget as presented to the Legislature for the second six months as now presented.	Budget Estimate for the second six months as now presented.
Union Excise Duties ..		RS	RS	RS	RS	RS	RS	RS	RS	RS	RS	RS
Taxes on Income other than Corporation tax.		LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Land Revenue ..		22.50	4,31.25	4,43.05	5,35.32	8,42.22	8,23.32	8,20.15	9,15.43	2,88.75	2,89.54	90.94
Gross receipts including portion due to Irrigation.		7,00.78	7,97.33	8,53.19	8,08.42	7,68.79	8,12.09	9,50.71	9,20.82	8,70.85	10,08.30	3,75.00
Stamps ..		3,72.23	16,79.50	14,67.99	10,99.18	3,66.54	53.82	55.28	40.74	47.26	41.88	14.33
Forest ..		1,73.37	3,74.20	4,97.74	3,35.92	4,05.57	4,32.93	4,88.49	4,54.97	4,51.88	5,47.73	1,38.00
Registration ..		45.63	1,43.24	1,61.39	1,32.81	1,59.57	1,65.70	1,83.56	2,08.92	1,58.17	1,65.61	1,38.00
Receipts under Motor Vehicles Act.		32.70	69.83	75.96	78.90	86.55	85.47	1,07.97	1,08.59	1,01.08	1,04.49	40.00
		81.82	97.96	1,31.11	1,06.64	1,97.45	3,00.73	3,48.74	3,90.14	4,25.95	4,90.65	1,71.01
Other taxes and duties—												
General sales tax ..		3.19	5,82.70	6,95.90	8,31.26	13,03.01	15,24.35	15,86.87	15,59.10	13,23.18	14,00.00	4,90.00
Other items ..		3.19	1,45.33	1,49.38	1,95.52	2,29.32	2,85.54	3,08.61	3,02.50	3,78.67	4,13.21	1,43.00
Total ..			7,23.03	8,45.28	10,29.78	15,32.33	18,09.89	18,95.48	19,21.60	17,01.85	18,13.21	6,38.00
Irrigation—												
Direct receipts ..		6.31	11.73	12.82	11.88	12.04	13.78	14.29	14.19	15.52	14.58	2.32
Deductions—Working expenses.		38.89	70.00	79.35	91.08	1,03.44	1,17.86	1,14.94	1,20.50	1,56.77	1,19.05	9.06
Net receipts ..		32.06	58.27	66.56	79.20	91.88	1,04.08	1,00.65	1,06.81	1,41.25	1,05.07	6.54

(a) Includes fishery receipts which were shown under "Industries" in previous years.

APPENDIX

A. REVENUE—cont.

Major heads of revenue.	1938-39.	1945-46.	1946-47.	1947-48.	1948-49.	1949-50.	1950-51.	1951-52.	1952-53.	Budget as presented to the Legislature in March 1953.	Budget Estimate for the second six months as now presented.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	RS	RS	RS	RS	RS	RS	RS	RS	RS	RS	RS
	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Miscellaneous—											
Gross Receipts from Bus Service (b).	..	..	..	..	..	..	..	..	..	..	..
Other items	14.58	41.34	87.53	28.85	95.88	..	..	..	..	..	..
Total	14.58	41.34	87.53	28.85	95.88	1,39.22	1,65.52	1,04.42	92.14	1,03.31	77.51
Receipts from Road Transport Schemes—											
Gross Receipts	..	..	..	..	..	..	..	..	..	..	..
Net Receipts	..	..	..	..	..	..	..	..	..	..	..
Working expenses (c).	..	..	..	..	..	..	..	..	..	..	..
Grants-in-aid from the Central Government.	..	..	..	..	..	..	..	..	..	..	..
Miscellaneous adjustments between Union and State Governments.	..	..	..	..	..	..	..	..	..	..	..
Extraordinary Receipts.	0.27	0.13	0.14	0.10	0.21	0.22	0.20	0.25	0.88	0.61	0.17
Transfer from Reserve Fund.	..	0.18	2,36.47	2,98.05	2,70.25	3,26.22	..	..	..	..	..
Civil Defence	..	..	5,06.00	..	5.00	..	..	..	74.05	1,51.66	60.01
Grand total	16,13.45	47,90.99	57,95.08	50,70.16	53,83.52	55,80.49	58,16.34	59,48.16	58,50.82	65,74.71	23,70.98

(b) The receipts are shown under "Receipts from Road Transport Schemes" from 1949-50.

(c) Prior to 1949-50, the receipts were included under the revenue head "Miscellaneous" and the Working Expenses were shown under the expenditure head "Miscellaneous."

B. EXPENDITURE ON REVENUE ACCOUNT.

[illegible]

[28th December 1953

Major heads of expenditure.	1953-54.										
	Budget as presented to the Legislature in March 1953.	Budget Estimate for the second six months as now presented.									
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.
Appropriation for reduction or avoidance of debt.	5-13	55-90	57-00	1,42-78	69-68	75-47	75-68	1,02-30	1,06-01	1,23-56	21-40
General administration.	2,76-76	4,27-24	6,13-86	5,60-40	5,92-05	6,26-32	6,54-90	7,45-71	7,25-69	6,98-93	2,04-46
Administration of Justice.	90-63	1,28-80	1,42-42	1,45-64	1,50-03	1,58-34	1,95-56	1,76-09	1,84-47	1,76-53	51-69
Jails and convict settlements.	23-22	61-50	65-78	79-63	1,10-22	1,18-52	1,20-37	1,33-35	1,42-68	1,27-07	55-02
Police	1,60-96	2,98-03	4,05-71	4,64-81	6,51-97	6,89-39	6,98-89	7,37-42	7,16-88	7,00-25	2,14-18
Ports and Pilotage		5-00	4-56		0-01						
Scientific Departments.	0-96	1-53	1-21	1-37	1-52	1-58	1-64	2-33	2-30	2-05	-95
Education	2,61-96	4,59-72	5,90-27	7,03-70	8,85-94	9,53-41	10,42-65	11,01-10	11,96-02	12,05-34	4,70-87
Medical	98-14	1,80-00	2,15-98	2,38-50	2,76-54	2,96-18	3,14-87	3,53-12	3,80-33	3,56-09	1,24-89
Public Health	26-57	54-48	87-32	(a) 1,90-55	- 90-54	(b) 1,14-42	1,04-06	1,65-26	1,96-12	1,27-23	49-72
Agriculture	20-62	74-06	1,05-74	1,16-93	1,26-74	1,82-74	2,75-35	3,16-49	2,60-07	(c) 3,72-98	(c) 1,14-53
Veterinary	12-35	23-64	26-96	31-81	40-53	49-67	56-69	62-93	60-63	59-57	17-89
Co-operation	13-82	30-93	44-33	42-69	53-41	73-64	76-48	76-39	77-81	77-05	24-21
Industries	27-54	72-49	96-60	1,12-71	1,20-80	1,29-00	1,57-46	2,01-67	1,87-93	2,54-31	94-11
Capital outlay on Industrial Development.		22-10		0-02	0-06	0-32	0-25	0-39	-80	-13	-07
Aviation						0-59	-75	-43	-35	-60	-80
Miscellaneous departments (d).	21-11	71-93	87-50	1,19-82	1,15-55	1,31-99	1,49-34	1,67-29	1,72-77	1,73-23	74-59

**Gross expenditure on
Hartian Welfare.
Amount met from the
Fund for Village
Reconstruction and
Hartian Uplift.**

* Revised estimate figures. Accounts figures not yet finalised.

Net amount

28th December 1953]

28th December 1953

Civil Works	1,19-70	2,81-66	3,97-72	4,06-69	5,88-84	7,80-05	8,27-83	7,62-59	9,77-26	6,02-42	2,20-00
Interest on capital outlay on Electricity Schemes.	18-92	35-96	39-45	49-92	66-92	87-41	1,14-86	1,48-81	1,88-71	2,22-76	1,58-47
Other revenue expenditure connected with Electricity Schemes.	..	1-18	2-32	2-92	0-11	—	0-84	2-90	5-92	— 2-84	1-74
Famine	16-04	6-32	..	..	..	..	..	..	..	..	..
Territorial and Political Functions.	..	..	..	3-80	4-75	25-08	8-00	13-06	51-56	22-98	26-10
Superannuation allowances and Pensions.	97-12	1,88-19	1,43-30	1,57-53	1,56-86	1,65-44	1,85-24	1,97-29	2,12-55	2,06-98	64-86
Contingencies of Stationery and Printing.	..	8-59	2-68	1-83	4-87	8-13	9-59	17-18	..	18-10	5-68
.. ..	27-07	43-07	51-66	49-42	71-98	94-51	87-10	1,05-10	1,02-14	88-70	27-98

(a) Includes Rs. 100 lakhs representing contribution to the Rural Water-supply Fund.
(b) Includes Rs. 10 lakhs representing contribution to the Rural Water-supply Fund.
(c) Includes the expenditure of the Fisheries department, previously shown under "Industries."
(d) Includes expenditure on Harijan Uplift, Labour and other items. The details of expenditure under Harijan Uplift are shown below :—

	1938-39.	1945-46.	1946-47.	1947-48.	1948-49.	1949-50.	1950-51.	1951-52.	1952-53.*	1953-54.
(1)	..	..	..	..	..	..	..	..	..	..
(2)	..	..	..	..	..	..	..	..	..	..
(3)	..	..	..	..	..	..	..	..	..	..
(4)	..	..	..	..	..	..	..	..	..	..
(5)	..	..	..	..	..	..	..	..	..	..
(6)	..	..	..	..	..	..	..	..	..	..
(7)	..	..	..	..	..	..	..	..	..	..
(8)	..	..	..	..	..	..	..	..	..	..
(9)	..	..	..	..	..	..	..	..	..	..
(10)	..	..	..	..	..	..	..	..	..	..
(11)	..	..	..	..	..	..	..	..	..	..
(12)	..	..	..	..	..	..	..	..	..	..
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RS LAKHS.	..	..	..	..	..	..	..	..	..	..

(a) Includes Rs. 100 lakhs representing contribution to the Rural Water-supply Fund.

(g) Includes Rs. 100 lakhs representing contribution to the Rural Water-supply Fund.

(b) Includes Rs. 10 lakhs representing contributions under "Industries." The details of expenditure under Harijan Uplift are shown in Table I, column 1, above and other items, in Table II, column 1, above.

(d) Includes expenditure on Harijan Uplift, Labour and other matters below :—

APPENDIX

B. EXPENDITURE ON REVENUE ACCOUNT—cont.

Major heads of expenditure	1938-39.	1945-46.	1946-47.	1947-48.	1948-49.	1949-50.	1950-51.	1951-52.	1952-53.	1953-54.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	Budget as presented to the Legislature in March 1953 (11) RS LAKHS.
Miscellaneous—										Budget as presented to the Legislature in March 1953 (12) RS LAKHS.
Expenditure on Bus Service.	..	..	..	..	..	..	..	..	..	..
Other items ..	4.30	1,52.66	5,21.98	12.44	90.31	..	..	..	..	..
Extraordinary charges—										
Net outlay on State Trading Schemes transferred to the Revenue Account.	..	-1,40.35	12,20.77	1,06.86	1,33.24	43.53	29.76	26.58	26.27	..
Other items ..	..	..	..	-16.04	2,03.43	..	..	..	..	..
Total ..	..	-0.02	2,15.60	1,84.53	78.61	118.41	1,06.29	97.05	70.13	(a) (a)
Community Development Projects.	..	-1,60.37	14,36.67	1,68.49	2,82.24	1,13.41	1,06.29	97.05	70.13	50.25
Transfer to Revenue Reserve Fund.	..	..	..	..	..	..	..	..	..	12.45
Civil Defence ..	..	17,31.00	..	..	..	..	..	..	..	12.45
..	..	1,62.64	38.79	4,90.00	..	..	..	..	..	..
Grand total ..	16,09.72	47,98.74	57,04.65	50,69.98	53,33.42	56,54.01	59,45.21	64,43.84	63,36.83	65,74.51
Final Revenue Surplus (+) or Deficit (-).	+2.73	+0.15	+0.37	+0.22	+0.10	+35.48	-1,28.87	-5,00.89	-9,86.01	+23.29
										23,47.64
										+23.29
										50.00

(a) Shown under Capital Account. The figures are :
 * Working Expenses of the Madras City Bus Service are taken in deduction of the receipts from 1949-50.

[28th December 1953]

APPENDIX IV.
DETAILS OF CAPITAL EXPENDITURE.

Description of schemes.	1946-47.		1947-48.		1948-49.		1949-50.		1950-51.		1951-52.		1952-53.		1953-54.	
	(1) RS LAKHS.	(2) RS LAKHS.	(3) RS LAKHS.	(4) RS LAKHS.	(5) RS LAKHS.	(6) RS LAKHS.	(7) RS LAKHS.	(8) RS LAKHS.	(9) RS LAKHS.	(10) RS LAKHS.	(11) RS LAKHS.	(12) RS LAKHS.	(13) RS LAKHS.	Budget presented to the Legislature in March 1953.	Preliminary accounts for the first six months.	Budget Estimate for the second six months as now presented.
A. IRRIGATION, NAVIGATION, ETC., SCHEMES.																
Tungabhadra Project (Irrigation Schemes).	19,70.00	52.40	1,07.92	1,83.27	2,42.01	2,23.51	8.45.00	3,78.29	15,37.49	1,61.51	78.34	..	..	..	..	..
Lower Bhavani Project.	9.61.00	..	1.85	29.38	1,02.05	2,55.99	2,70.20	2,35.76	9,55.23	50.95	41.59	12.59	..	..	..	..
Mettur Canal Scheme.	2,45.00	..	..	..	5.07	13.39	38.68	27.88	74.52	26.14	8.90	33.08	..	..	..	..
Muthurambasam Project ..	3,50.00	..	..	..	18.40	60.93	87.62	95.35	2,62.60	1,08.01	22.73	..	..	..	..	..
Madhavaram Project ..	3,98.00	..	0.61	..	4.60	2.74	6.15	21.13	10.59	23.76	78.64	..	..	..	..	..
Godavari Delta System.	..	9.57	20.79	..	..	6.09	21.13	10.59	23.76	78.64	78.64	..	..	..	..	..
Godavari Delta System.	..	1.29	14.94	..	(6)	3.40	9.71	13.41	17.82	1,14.85	29.42	..	..	..	..	..
Krishna Delta System.	..	2.60	..	..	(6)	22.69	6.66	13.41	17.82	1,14.85	29.42	..	..	..	..	..
Krishna Drainage Schemes.	96.00	..	..	..	2.17	1.26	4.23	..	..	1,03.70	19.77	..	..	..	..	..
Task Improvement Schemes.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Arundhar Project	95.00	..	..	..	..	1,05.58	85.63	98.35	2,39.51	40.00	15.07	..	..	..	..	..
Wahayar	1,09.00	..	..	..	..	..	0.08	7.19	8.12	11.62	3.37	..	..	..	..	..
Mangalam	45.00	..	..	..	..	..	0.20	0.42	0.42	10.97	3.97	..	..	..	..	..
Annavasathi Project ..	2,72.00	..	..	..	..	..	0.37	1.25	1.62	10.97	1.07	..	..	..	..	..
Valasai Reservoir Project.	2,60.00	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Other Irrigation Schemes (Productive and Un-productive).	..	..	7.70	29.62	19.91	62.72	83.60	46.70	2,69.91	62.76	46.57	..	..	..	..	..
Pro-rata charge on Establishment and Tools and Plant.	..	1.04	3.67	3.55	1.75	7.07	5.49	..	22.48	2.92	..	..	..	..	..	..
Transfer from the Deposit Account of Procurement Bonds given by the Government of India.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total ..	..	61.58	1,56.88	2,43.66	4,78.48	6,62.49	9,54.80	9,91.32	85,79.19	6,52.69	2,49.08	..	..	..	..	..
(a) Consists of several works some of which have been completed while others are in progress. Hence no estimated cost is given.																
(b) Included under "Other Irrigation Schemes."																
(c) Figures not available now.																

(a) Considera of several works some of which have been completed while others are in progress. Hence no estimated cost is given.
 (b) Included under "Other Irrigation Schemes."
 (c) Figures not available now.

* Does not relate to the Madras State now.

APPENDIX

28th December 1953]

28th December 1953]

(c) Included in Vijayavada Scheme.
(b) Does not relate to the Madras State now.

1953-54.												
Description of Schemes.	Budget as presented to the Legislature in March 1953.											
	1946-47.	1947-48.	1948-49.	1949-50.	1950-51.	1951-52.	1952-53.	Total (1946-47 to 1952-53.)	(9)	(10)	(11)	(12)
(1)	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.	RS LAKHS.
C. INDUSTRIAL DEVELOPMENT SCHEMES.												
Cinchona Plantations ..	13.71	13.04	17.23	21.52	12.44	8.53	8.08	94.50	4.70	3.00	3.00	3.28
Kerala Soap Institute ..	..	..	..	..	..	0.04	0.26	0.30	..	0.22	..	..
Madras Industrial Engineering Works. ..	..	..	..	-0.2	..	..	0.30	4.82	..	0.08	..	..
Fish Liver Oil Industry ..	..	..	..	0.5	0.06	0.20	0.07	4.87	3.00	..	..	1.50
Madras Vegetable Ghee Factory. ..	27	67	2.91	4.25	3.16	1.30	5.22	16.88	..	0.36	0.40	..
Government Silk Filatures ..	..	..	..	1.36	0.14	2.04	0.78	4.32	..	0.08	..	..
Polyscience (Buildings and Scaffolds Plant). ..	..	..	..	9.68	2.47	22.25	11.84	46.14	18.83	3.67	6.80	..
Arjuna Wells ..	..	..	..	..	9.89	4.55	6.74	21.09	..	2.51	..	..
Shree In Fertilisers and Chemicals Limited, Travancore. ..	..	..	20.40	..	1.00	..	..	21.00	..	..	..	..
Shree In Madras Industrial Investment Corporation, Madras. ..	..	..	51.00	..	51.00	..	..	1,02.00	..	..	..	..
Other Schemes ..	..	..	..	..	2.40	..	..	1.50	..	..	..	..
Cosmopolitan Industry ..	..	..	42	..	0.16	0.01	1.57	1.78	7.02	0.15	..	..
Andhra Paper Mills ..	..	..	26.95	..	4.43	..	0.04	25.98	1.25	0.15	..	..
Total ..	13.98	13.71	1,15.41	36.94	88.69	33.16	34.85	3,36.14	34.78	10.22	11.96	..
D. CAPITAL OUTLAY ON ROAD TRANSPORT SCHEMES.												
Madras City Bus Service ..	2.76	30.63	26.65	12.95	8.83	-4.32	10.37	87.92	13.28	9.81	0.28	..
E. CAPITAL OUTLAY ON CIVIL WORKS.												
Original Works—Buildings ..	10.72	9.89	33.86	61.09	84.51	1,14.42	93.86	4,07.65	1,39.42	31.13	52.24	..
F. COMPENSATION TO ZAMINDARS.												
Advance Compensation and Interim Payments. ..	..	..	..	1,32.16	1,17.87	2,03.69	85.13	5,38.30	75.00	37.74	10.90	..

* Does not relate to the Madras State now.

Does not relate to the Madras State now.

[28th December 1953]

APPENDIX V.

STATEMENT OF THE DEBT POSITION OF THE MADRAS GOVERNMENT
(EXCLUDING REPAYABLE DEPOSITS AND SIMILAR LIABILITIES) AS ON 31ST
MARCH 1953.

I. OPEN MARKET LOANS.

When issued.	Description of loan.	Total amount issued.	Amount outstanding on 31st March 1953.
(1)	(2)	(3)	(4)
		RS	RS
		LAKHS.	LAKHS.
September 1937 and September 1940.	3% Loan, 1952, I and II issues.	2,33.54	1.84
September 1938 ..	3% Loan, 1953.	1,51.29	1,42.08
June 1939 ..	3% Loan, 1959.	1,50.00	1,23.96
September 1942 ..	3% Loan, 1955.	1,25.00	1,23.25
September 1943 ..	3% Loan, 1956.	1,25.10	1,25.10
August 1944 ..	3% Loan, 1958.	1,10.00	1,07.95
September 1945 ..	3% Loan, 1960.	3,00.00	2,78.44
September 1946 ..	2½% Loan, 1961.	4,09.30	3,81.77
July 1950 ..	3% Development Bonds, 1960.	4,39.75	4,38.26
September 1951 ..	3½% Loan, 1962.	3,01.49	3,01.49
August 1952 ..	4% Loan, 1964.	5,24.81	5,24.81
	Total, I. ..	28,70.28	25,48.95

II. LOANS FROM THE CENTRAL GOVERNMENT.

When obtained and description of loan.	Total amount.	Amount outstanding on 31st March 1953.	Remarks.
(1)	(2)	(3)	(4)
	RS	RS	
	LAKHS.	LAKHS.	
(1) Pre-autonomy consolidated debt (1st April 1937).	7,56.71	3,14.57	The Madras Government's debt to the Government of India after certain adjustments amounted to Rs. 7,56.71 lakhs on 1st April 1937. This debt was consolidated into a 4½ per cent loan and made repayable by 1981-82 by half-yearly equated instalments.

28th December 1953]

When obtained and description of loan.

Total amount.
(2)
RS
LAKHS.Amount outstanding on 31st March 1953.
(3)
RS
LAKHS.

Remarks.

(1)

II. LOANS FROM THE CENTRAL GOVERNMENT—cont.

(2) Post-autonomy debt—
1947-48

6,00.00

1948-49

3,00.00

These are loans given by the Government of India for capital expenditure on Irrigation and Electricity Schemes when the Madras Government did not raise any market loan. Interest is payable half-yearly at 2-7/8 per cent per annum. The principal is repayable after 15 years in each case.

1950-51—

Fisheries Programme—
For giving a loan to the South Madras Fishermen Co-operative Society.

1.33

As there was no likelihood of the loan being utilized for the purpose, it was repaid to the Government of India in full with interest at 3½ per cent per annum in October 1951.

Tractor Reclamation.
Oil Engines, Electric Motors, etc., Hire purchase.30.00
20.00

Loans given by the Government of India in connexion with the Intensive Cultivation Schemes. Interest at 3½ per cent per annum is payable half-yearly. Principal is repayable after 15 years.

Oil Engines, Electric Motors, etc., Hire purchase.
P.W.D. Irrigation and Tank Improvement Schemes.40.00
45.00

Loans given in connexion with the Intensive Cultivation Schemes. Interest at 3½ per cent per annum is payable half-yearly. Principal is repayable after 15 years.

Purchase of cotton seeds from Madhya Pradesh for expansion of cotton cultivation.

10.00

The loan was free of interest and the principal was repaid on the 31st March 1952.

1951-52—

Purchase and distribution of manure to the ryots.

1,00.00

This was a short-term loan repaid on the 31st March 1952.

To finance capital expenditure on Tungabhadra and Lower Bhavani Projects.

6,00.00

Loan from the Special Development Fund repayable by annual equated instalments commencing from 1955 and ending in 1961. For the first three years, i.e., 1952-53, 1953-54 and 1954-55, interest alone at 3½ per cent per annum to be paid.

[28th December 1953]

When obtained and description of loan.	Total amount.	Amount outstanding on 31st March 1953.	Remarks.
(1)	(2)	(3)	(4)
	RS LAKHS.	RS LAKHS.	
II. LOANS FROM THE CENTRAL GOVERNMENT—cont.			
(2) Post-autonomy debt—cont.			
1951-52—cont.			
P.W.D. Irrigation Schemes.	23.00	21.83	Repayable in fifteen annual equated instalments with interest at $3\frac{1}{2}$ per cent per annum.
River Pumping Schemes.	9.00	20.13	Repayable in ten annual equated instalments with interest at $3\frac{1}{2}$ per cent per annum.
Tractor Cultivation Schemes.	13.00		
Purchase and distribution of oil engines, and electric motor pump sets.	12.00	9.75	Repayable in five annual equated instalments with interest at $3\frac{1}{2}$ per cent per annum.
Industrial Housing Schemes.	9.00	..	This loan was free of interest and repayable after 25 years. As, however, the industrial concerns which applied for the loans dropped out of the scheme, preferring another scheme sponsored by the Government of India, the loan was repaid in 1952-53.
1952-53—			
Purchase and distribution of manure to the ryots.	100.00	..	This was a short-term loan repaid with interest at 3 per cent on 31st March 1953.
Purchase of cotton seeds from Madhya Pradesh for expansion of cotton cultivation.	10.00	..	This loan was free of interest and was repaid on 31st March 1953.
To finance capital expenditure on Tungabhadra, Lower Bhavani and Melampurba Irrigation projects.	734.00	734.00	Loan from the special development fund repayable in annual equated instalments commencing from 1953 and ending in 1961. For the first two years, 1953-54 and 1954-55, interest alone at 4 per cent per annum to be paid.
To finance famine relief expenditure.	200.00	200.00	Repayable in ten annual equated instalments with interest at 4 per cent per annum.

28th December 1953]

When obtained and description of loan.	Total amount.	Amount outstanding on 31st March 1953.	Remarks.
(1)	(2)	(3)	(4)
	RS LAKHS.	RS LAKHS.	
II. LOANS FROM THE CENTRAL GOVERNMENT—cont.			
(2) Post-autonomy debt—cont.			
1952-53—cont.			
For being lent to the Madurai Municipality for extension of the Madurai Municipal sewage farm.	2.26	2.26	Repayable in eight equated annual instalments with interest at $3\frac{7}{8}$ per cent per annum.
P.W. Irrigation schemes.	21.00	21.00	Repayable in 15 annual equated instalments with interest at $4\frac{1}{8}$ per cent per annum.
River Pumping schemes.	9.00	9.00	Repayable in ten annual equated instalments with interest at 4 per cent per annum.
Tractor reclamation ..	17.58	17.58	
Supply of oil-engines and electric motors and installation of oil-engine pumpsets.	41.25	41.25	
Construction of tube-wells with filter points.	2.60	2.60	Repayable with interest at $3\frac{1}{8}$ per cent per annum in two equated annual instalments commencing from December 1953.
Construction of tube-wells with filter points.	15.26	15.26	Repayable in ten annual equated instalments with interest at 4 per cent per annum.
Special Minor Irrigation schemes.	25.00	25.00	Do.
Scheme for urban compost.	3.52	3.52	Repayable with interest at $3\frac{1}{8}$ per cent per annum in five equated annual instalments.
Loan for Community Projects—Thuliyabhaga Electricity Extension Scheme, Ramachandrapuram taluk.	1.00	1.00	Repayable with interest at $3\frac{5}{8}$ per cent in five annual equated instalments.
Periyar Project Irrigation Programme.	2.97	2.97	Repayable with interest at 4 per cent per annum in ten annual equated instalments.

[28th December 1953]

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, 29th December 1953.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Revision of the Five-Year Plan for the residuary Madras State.

* 11 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Chief Minister be pleased to state—

(a) whether the Five-Year Plan relating to this State has been revised consequent on the separation of the Andhra State; and

(b) if so, whether the Government will be pleased to lay on the table of the House a list of schemes in this State included in the Five-Year Plan as now revised, showing the estimated cost of each of the items?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) & (b) Consequent on the formation of the Andhra State, the Five-Year Plan of the composite Madras State has to be split up as for the ‘Andhra’, ‘Mysore’ and ‘Madras’ States and revised, where necessary. This is now being done. After the plan for the residuary Madras State is finalized, action will be taken to inform the Members of the Legislature of the progress made so far.”

SRI V. CHAKKARAI CHETTY:—“May I ask, Sir, whether in view of the revision of the Plan as between the Andhra State, Madras State and the Mysore State, it will be the same more or less as it was previously or it will be detrimental to the progress of the Madras State?”

THE HON. SRI C. RAJAGOPALACHARI:—“It cannot be detrimental, Sir. We are trying our best to see that all the component parts get justice. Roughly I might say that the Plan may be broken into 51½ crores of rupees for Andhra, 78·80 crores for Madras and 5·54 crores for Mysore.”

SRI V. CHAKKARAI CHETTY:—“So, it is not disadvantageous.”

Appointment of women officers to arrest women offenders and criminals.

* 12 Q.—DR. S. MUTHULAKSHMI REDDI: Will the Hon. the Chief Minister be pleased to state—

(a) whether any women officers are appointed to arrest and escort women offenders and women criminals to respective police stations and to look after them, during their stay under remand; and

When obtained and description of loan.	Total amount.	Amount outstanding on 31st March 1953.	Remarks.
(1)	(2)	(3)	(4)
	RS	RS	
	LAKHS.	LAKHS.	
II. LOANS FROM THE CENTRAL GOVERNMENT—cont.			
(2) Post-autonomy debt—cont.			
1952-53—cont.			
Loan for rehabilitation schemes—For financing the education expenditure of displaced students from Pakistan.	·06	·06	Repayable with interest at 3·5/8 per cent per annum in five annual equated instalments.
Total, II		30,76·78	
III. TEMPORARY ADVANCES.			
Ways and Means Advances from the Government of India.	17,00·00	17,00·00	Terms have not yet been decided.
Temporary accommodation from a Commercial Bank.	1,03·00	1,00·00	Repaid with interest at 3½ per cent per annum in September 1953.
Ways and Means Advance from the Reserve Bank.	80·00	80·00	Repaid in July 1953.
Total, III		18,80·00	
IV. SPECIAL IRREDEEMABLE LOANS.			
		Amount.	
		RS.	
(1) Four bonds bearing interest at 8 per cent per annum issued between the years 1796 and 1807.		1,33,000	
(2) Two bonds bearing interest at 8 per cent per annum issued in the years 1795 and 1817.		10,500	
(3) A deposit bearing interest at 8 per cent per annum received in 1817.		41,770	
(4) A deposit bearing interest at 4 per cent per annum (now treated as an Endowment for the Stanley Hospital, Madras).		66,878	
Total, IV		2,52,148	
		or	
		2·52 lakhs.	
		RS.	
		LAKHS.	
Grand total—Loans outstanding on the 31st March 1953 (I + II + III + IV).		75,08·25	

[29th December 1953]

(b) if the answer to clause (a) is in the negative, whether the Government have any proposal to train and appoint women officers for the above purpose?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) & (b) There are no women Police in our State as yet. There has been a suggestion but we have deferred consideration of the subject.”

SRI V. CHAKKARAI CHETTY:—“In some other States, women police are employed. When such is the case, why should not our Government also employ women police?”

THE HON. SRI C. RAJAGOPALACHARI:—“It is true that in some States, they have started such schemes. We are also likely to do it. But it is one of the very good things that unfortunately has to wait for some time.”

SRI T. PURUSHOTHAM:—“May I ask why there is discrimination against women in this State in the matter of recruitment to the Police force?”

THE HON. SRI C. RAJAGOPALACHARI:—“The discrimination is based on physical nature.” (Laughter.)

DR. S. MUTHULAKSHMI REDDI:—“May I know from the Government whether, in view of the fact that even innocent women without any proof of any offence are arrested and taken to the police station by men officers, it is desirable that this Government should take up the consideration of this very important question at once?”

THE HON. SRI C. RAJAGOPALACHARI:—“The delay is more or less due to inadequate financial resources and not to any issue as to the desirability of having women police to deal with women offenders. I have looked up the whole file and I find—I cannot give the name—an old Minister has written ‘May be dropped for the present. We have no money to spend on colourful facilities.’” (Laughter.)

SRI T. PURUSHOTHAM:—“Are women lawyers employed to defend women offenders?”

THE HON. SRI C. RAJAGOPALACHARI:—“Women lawyers are not necessarily better for women than men lawyers. Perhaps it may be said that in both cases it is the other way about, for, a woman lawyer may carry more weight even in the defence of men. But the question is not about lawyers. The question is one dealing with the earlier stages of investigation, arresting for trial and the like, and, therefore, it may be very desirable that women should deal with women. But all depends upon how we arrange it. We cannot rush them about wherever they are suddenly wanted. The total number of women awaiting trial—that is woman criminality—will be considerably large and we have got to attend to all these offenders. Further, the expenses of dealing with

29th December 1953]

women as Police officials, in the matter of housing accommodation and other services specially required, if we introduce a new element will be much greater than we expect and so this scheme has to wait.”

SRI V. CHAKKARAI CHETTY:—“Do the Government think that employment of women police will increase the number of women criminals?”

THE HON. SRI C. RAJAGOPALACHARI:—“I think so. The hon. Member has given us very good thought for consideration. In fact one of the main deterrents of crime is the fear of having to be dealt with by the Police. This may be reduced if we introduce women police. Apart from other things, I think we should not coddle criminals too much. Criminality may increase as suggested.”

SRI T. PURUSHOTHAM:—“Are there any women executive officers in other Departments of Government?”

THE HON. SRI C. RAJAGOPALACHARI:—“There are some in some other departments. The hon. Member is looking at the question from the point of view of employing women in all directions in the Police and not as the main questioner intends. So far as dealing with the question, irrespective of women offenders, is concerned, there is room for considerable difference of opinion.”

DR. S. MUTHULAKSHMI REDDI:—“The Hon. the Chief Minister has said that the former Minister for Home wrote that the scheme should be deferred. May I know why the new Ministry under Rajaji should not consider the question immediately in view of its importance?”

THE HON. SRI C. RAJAGOPALACHARI:—“I referred to that file only by way of self-defence and it is not particularly my own prejudice. It seems to me there has been a longstanding fear as to the proportion between the utility and the amount of money required to be spent for this proposal.”

SRI MOHAMAD RAZA KHAN:—“As women have got too much of a tendency for discussion, does not the Hon. the Chief Minister feel, if women are appointed in the Police Department, investigations will go on indefinitely without producing any results?” (Laughter.)

THE HON. SRI C. RAJAGOPALACHARI:—“That is also true. But I would like to submit to hon. Members that the likelihood is that women will be harsher in their dealings with women.”

DR. S. MUTHULAKSHMI REDDI:—“I object to the statement of the hon. Gentleman opposite that investigations will be prolonged if women were employed in the Police Department. We must then apply this to our household first and see whether women could be dispensed with in the domestic circle.”

[29th December 1953]

SRI G. KRISHNAMURTHI :—“ May I know, Sir, whether the Government are aware of the fact that especially in the case of Hindi Pandits where they have only two periods a week per class this works a great hardship and no Pandit is able to get the first-grade salary? ”

THE HON. SRI C. SUBRAMANIAM :—“ That is why we considered the matter. Otherwise, we would never have considered it at all.”

DR. S. MUTHULAKSHMI REDDI :—“ Though the Government have stated that both B.T. and the Pandit's grades are the same, is there any discrimination made in the salary actually paid to them? ”

THE HON. SRI C. SUBRAMANIAM :—“ A separate question may be put, Sir.”

Free educational concessions to the children of the Vannar Community.

* 16 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the Government have received a copy of any resolutions passed at the conference of Vannar Community requesting the grant of free educational concessions to their children; and

(b) whether there is any proposal under consideration of the Government to grant full fee concession to children belonging to Vannar Community?

THE HON. SRI C. SUBRAMANIAM :—“ (a) & (b) The Government have issued instructions authorizing the grant of full fee concessions to the children and dependants of members belonging to the barber, fisherman, dhobi and potter communities subject to certain conditions. Copies^a of the orders are laid on the table of the House.”

SRI M. ETHIRAJULU :—“ Sir, in view of the fact that the concessions are restricted only to those who reside in rural areas and those who practise their hereditary occupation and as such the concession has become virtually of no use to this class of people, may I request the Hon. Minister to extend the concessions to Municipal areas also? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, the matter has been fully considered and we have extended the concessions only to rural areas. I do not think it is necessary for the urban areas. As a matter of fact, their conditions are much better than many of the other classes of people.”

SRI M. ETHIRAJULU :—“ In view of the fact that the practice of hereditary profession has been made the condition

^a Printed as Appendix I on page 73-75 infra.

29th December 1953]

for the receipt of the scholarship, may I request the Hon. Minister whether it is the intention of the Government that a washerman should live only as a washerman throughout his life? ”

THE HON. SRI C. SUBRAMANIAM :—“ No, Sir.”

THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, this deals with elementary education and elementary education should not be looked upon as an education for a particular profession, namely, Government service.”

SRI M. ETHIRAJULU :—“ May I invite the attention of the Hon. Minister in this connection to the fact that this community has been classified as Scheduled class in almost all northern States and as this classification unfortunately has not been followed in this State, may I request the Government that as a special case this community may be given the privilege to get free scholarship as Harijans? ”

THE HON. SRI C. SUBRAMANIAM :—“ We do not want to downgrade any particular community. Our attempt should be to upgrade communities.”

SRI T. PURUSHOTHAM :—“ May I know whether these people applied for inclusion of their community in the list of Scheduled classes? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, it is not easy to say whether a community has applied or not. Certain members belonging to the community tempted by the fact that certain special privileges are available for particular classified communities have asked to be classified as Scheduled class people. But it is very wrong in principle for the sake of a few concessions to ask for something which will lead to a considerable difference in status.”

SRI T. PURUSHOTHAM :—“ Sir, with regard to the answer given to the main question, may I know, Sir, whether the income foregone by the local bodies and aided institutions by the grant of these concessions has been made good by the Government? ”

THE HON. SRI C. SUBRAMANIAM :—“ Yes, Sir. When we issue instructions, it will be made good to the local bodies.”

Representation from the Udumalpet Salavaiyalar's Sangham.

* 17 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Religious Endowments and Registration be pleased to state—

(a) whether the Government have received any representation from the Udumalpet Salavaiyalar's Sangham; and

(b) if so, the action taken thereon?

THE HON. SRI K. VENKATASWAMI NAIDU :—“ (a) A representation, dated 17th July 1952, has been received by the Government from the Udumalpet Salavaiyalar's Sangham;

[29th December 1953]

"(b) The matter has been referred to the Head of Department concerned and his report is awaited."

SRI T. PURUSHOTHAM :—" May we know what is the request made in the representation? "

THE HON. SRI K. VENKATASWAMI NAIDU :—" The request made was that the particular choultry should be given to them free of cost."

SRI M. ETHIRAJULU :—" In view of the fact that the washermen are utilizing this place for generations and practising their profession, and as there are no other suitable places for washing, may I request the Hon. Minister to assign the choultry to the Association for the purpose of washing the clothes of the general public? "

THE HON. SRI K. VENKATASWAMI NAIDU :—" This is a choultry intended for the use of the general public. That being so, I do not know how it could be assigned to a particular community for their own purpose. But still the matter is under examination by the Head of the Department and his report is awaited."

SRI T. PURUSHOTHAM :—" To what use has the choultry been put so far? "

THE HON. SRI K. VENKATASWAMI NAIDU :—" The matter is under investigation and the report of the Head of the Department is awaited."

SRI K. BALASUBRAMANYA AYYAR :—" May I know the name by which the community is called—Washerman or Salavai-karar or Dhobi? "

SRI MOHAMAD RAZA KHAN :—" Is the request contained in the resolution for washing the clothes there or for washing away the choultry? "

THE HON. SRI K. VENKATASWAMI NAIDU :—" They want to have the choultry for storing the clothes and for washing."

Fixation of minimum salary for local board employees.

* 18 Q.—SRI S. B. ADITYAN : Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state the minimum salary fixed for local board employees under the Minimum Wages Act, 1948?

THE HON. DR. U. KRISHNA RAO :—" A copy * of G.O. No. 1355, Development, dated 29th March 1952, in which the minimum wages for employment under any local authority were fixed is placed on the table of the House."

29th December 1953]

SRI S. B. ADITYAN :—" Sir, may I know from the Hon. Minister whether it is not a fact that many employees in the lower grades of the Government service are paid less than the wages fixed for local board employees and if so, whether the Government will look into the matter and do unto their employees what they require the local boards to do to their employees? "

THE HON. DR. U. KRISHNA RAO :—" This is a question which has special reference to local boards. The hon. Member is asking for information about some other subject. I should like him to put a separate question so that I may be able to answer it."

SRI G. KRISHNAMURTHI :—" May I know, Sir, why in local boards wages are not being paid according to the Government Order laid on the table of the House in respect of Higher Grade Teachers, Grade III? "

THE HON. DR. U. KRISHNA RAO :—" So far as my information goes the Committee that was appointed looked into the question from all aspects and fixed the salary of all categories coming under Grade III at Rs. 40 a month. If the hon. Member points out any particular variation from this, I shall look into the matter."

SRI G. KRISHNAMURTHI :—" May I submit to the Hon. Minister that the teachers in the district boards and municipalities are not paid the salary of Rs. 40 fixed in the Government Order but only paid Rs. 30."

THE HON. DR. U. KRISHNA RAO :—" I shall look into the matter, Sir."

Alleged deficit in the Central Co-operative Stores, Arni Branch, North Arcot.

* 19 Q.—SRI T. PURUSHOTHAM (on behalf of Dr. C. Nathamuni Naidu) : Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state whether there was any deficit in cash balance at the time of inspection of the Arni Branch of the Central Co-operative Stores, North Arcot, in July 1953 by the Departmental head; if so, how much, and the action taken against the person responsible for it?

THE HON. DR. U. KRISHNA RAO :—" A deficit of Rs. 1,900 was noticed in the cash balance of the Arni Branch of the Central Co-operative Stores, North Arcot, when the Secretary of the Stores and the Deputy Registrar visited the Stores on 20th April 1953. The Manager of the branch Sri M. Venkatesan was removed from service by the Stores with effect from 1st May 1953."

SRI K. BALASUBRAMANYA AYYAR :—" Was the money recovered? "

[29th December 1953]

THE HON. DR. U. KRISHNA RAO :—" Yes, it was recovered in full."

Prohibition cases filed in courts.

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

(a) the number of prohibition cases filed in courts from 1st April 1952 to 31st March 1953; and

(b) the number of cases that have been dismissed by the courts for want of evidence?

THE HON. SRIMATHI JOTHI VENCATACHELLUM :—

" (a) 118,234 cases.

" (b) 6,888 cases."

SRI M. K. M. ABDUL SALAM :—" Are the Government aware that while dismissing certain Prohibition cases, the magistrates have severely condemned the prosecuting authorities for foisting false cases and if so, what steps have the Government taken against such officials? "

THE HON. SRIMATHI JOTHI VENCATACHELLUM :—

" The Government have no information to that effect."

SRI M. K. M. ABDUL SALAM :—" May I know whether the Government are aware that a prohibition case was dismissed on the first day of the hearing in Perambalur taluk, Tiruchirappalli district, and what steps have the Government taken against the officer for filing such unsustainable cases? "

THE HON. SRIMATHI JOTHI VENCATACHELLUM :—

" A separate question may be put, Sir."

MR. CHAIRMAN :—" Questions are over."

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

II.—ELECTION OF DEPUTY CHAIRMAN.

11-20 a.m. MR. CHAIRMAN :—" The next item in the List of Business is the election of Deputy Chairman.

" Under sub-rule (4) of rule 14 of the Madras Council Rules, I have first to read out to the House the names of the persons who have been duly proposed, together with the names of their proposers and seconders. They are—

Member nominated.	Proposer.	Secunder.
(1)	(2)	(3)
1 Sri A. M. Allapichai ..	Sri T. G. Krishnamoorthy ..	Sri G. Venkata- chalam.
2 Sri A. M. Allapichai ..	Sri M. P. Sivagnana Gramani ..	Sri T. Purusho- tham.
3 Sri A. M. Allapichai ..	Sri S. Narasapayya ..	Sri K. Bhashyam.

29th December 1953] [Mr. Chairman]

" As only one Member has been proposed for election, namely, Sri A. M. Allapichai, I declare him duly elected as Deputy Chairman." (Cheers.)

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" Sir, while I am exceedingly glad that the election of the Deputy Chairman has been unanimous, may I now bring to the notice of the Hon. Leader of the House the convention that is usually followed on such occasions. I venture to submit that the election of the Chairman or the Deputy Chairman is of importance to all Members of the House and it is the usual Parliamentary practice to consult the Opposition before putting up the name by the Treasury Bench. I do not object to it on this occasion because there were circumstances to which the Hon. Chief Minister would refer and say that Mr. Allapichai was the Deputy Chairman before, but I do feel that it will be a healthy convention to follow in future, if the Government would also consult the Opposition and it would come with good grace when the election is conducted unanimously."

* THE HON. SRI C. RAJAGOPALACHARI :—" The observations of the Hon. Leader of the Opposition will be kept in mind."

SRI V. CHAKKARAI CHETTY :—" After all, what happens is the majority party in the House, the Congress Party, chooses its own nominee and any other Member who does not belong to the Congress Party has no opportunity of standing for election. Not that I object to the election of hon. Member Mr. Allapichai as the Deputy Chairman—in fact he is a very good gentleman and we all like him very much—but I am only stating that it is a matter for the Hon. Chief Minister to consider whether the majority party should carry away all the prizes."

* THE HON. SRI C. RAJAGOPALACHARI :—" No, Sir, it is neither the intention nor is it a prize for that matter. It is not the intention that all these elections should be in favour of candidates selected by the majority party. It is the intention to make an even distribution and to get the best of the whole House and not only from one party. In this particular case, it was a technical vacancy that was created. The gentleman had been already elected and, but for that accidental technicality, he would have continued even now. Hence, the Government did not think it very important to discuss the matter but, the claim made by the other side is right and every effort will be made hereafter to have previous consultation before putting up any candidate for any particular Committee or office."

* SRI T. PURUSHOTHAM :—" Sir, may I express a word of congratulation on the unanimous election of the hon. Member Sri Allapichai, as the Deputy Chairman of the House. He was the Deputy Chairman for one year previously and earned the goodwill of all sections of the House. The hon. Members would remember that when the Madras Motor Vehicles (Taxation of Passengers and Goods) Bill was discussed in this House, he

[Sri T. Purushotham] [29th December 1953]

deputised for you and conducted the proceedings so ably well. The post of the Deputy Chairman fell vacant one year ago. If I remember aright, it fell vacant on 12—12—1952. Article 182 of the Constitution specifically lays down that the election should be held as soon as the office falls vacant and the responsibility is cast on the House to elect the Deputy Chairman as soon as a vacancy occurs. It took one year for us to have this election. I hope at least in such matters, in future, we will have greater regard for the Constitution and the Council Rules.

“ I learn that hon. Member Sri Allapichai did not draw any pay previously and I hope he will draw the same from now on. The salary of the Deputy Chairman of this House and of the Deputy Speaker of the Legislative Assembly is far too low and it should at least be on a par with that of the Parliamentary Secretary and I hope the Government will take necessary steps to enhance the pay of the Deputy Chairman of the Council and the Deputy Speaker of the Assembly accordingly.”

MR. CHAIRMAN :—“ I have also to congratulate the hon. Member Sri Allapichai on his unanimous re-election and I welcome him as the Deputy Chairman.”

SRI A. M. ALLAPICHAIR :—“ Mr. Chairman, Sir, I am highly grateful to every one of the Members of this House for having shown me such a great affection and I think, it is nothing but affection which has been responsible for my unanimous re-election. I shall do my best to deserve their affection.”

III.—GOVERNMENT MOTION RE ELECTION OF TWO MEMBERS TO THE COMMITTEE OF PRIVILEGES.

* THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, I move—
‘ That, with reference to rule 143 (3) of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. the Chairman to elect two members to be members of the Committee of Privileges for the financial year 1953–54 in the vacancies caused by the vacation of seats of Sri S. Ramakrishnayya and Sri S. Chengalraya Chetti, consequent on the formation of the Andhra State.’ ”

The motion was put and carried.

MR. CHAIRMAN :—“ I have to inform the House that, in accordance with the regulations framed for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 3 p.m. on Thursday, the 31st December 1953 as the time within which nomination of candidates for the election of two members to the Committee of Privileges should reach the Secretary. There will be an election, if the number of candidates nominated exceeds two. The date and time of election would be intimated later on.”

29th December 1953]

IV.—GOVERNMENT BILL.

THE MADRAS CO-OPERATIVE SOCIETIES (AMENDMENT) BILL, 1953
(L.A. BILL NO. 25 OF 1953) (AS PASSED BY THE ASSEMBLY).

* THE HON. DR. U. KRISHNA RAO :—“ Mr. Chairman, Sir, I move—

‘ That the Madras Co-operative Societies (Amendment) Bill,* 1953 (L.A. Bill No. 25 of 1953), as passed by the Legislative Assembly, be taken into consideration.’ ”

Sir, as explained in the Statement of Objects and Reasons, according to rule XV (1-A) and (7-B) of the rules issued under the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), the provisions of the Indian Limitation Act, 1908, apply to debts due to co-operative societies and also to the recovery of such debts in execution. Prior to the 1st April 1949, the law of limitation did not apply to debts due to co-operative societies in the Pudukkottai territory. But, consequent on the application of the Madras Co-operative Societies Act and the rules made thereunder to that territory from the 1st April 1949, the provisions of the Indian Limitation Act became applicable to debts due to co-operative societies in Pudukkottai also. As a result, over 500 loans advanced by co-operative societies in the Pudukkottai territory to the tune of Rs. 40,000 have become time-barred by limitation. To remove this bar and make the loans recoverable, the Act has to be suitably amended. This Bill carries out this object. It provides (1) for the recovery of the loans aforesaid by proceedings instituted in that behalf within a period of one year from the date on which the Bill comes into operation. (2) Orders, decisions and awards passed before that date may also be re-opened, if applications are made in that behalf within six months therefrom.

“ Sir, this Bill has been the result of applications from many people in Pudukkottai that a chance may be given to the Co-operative Societies to make the debts recoverable. I think, this is a harmless and a very desirable enactment. I do hope that the House will give their unanimous consent to the passing of the Bill.”

MR. CHAIRMAN :—“ Motion moved—

‘ That the Madras Co-operative Societies (Amendment) Bill, 1953 (L.A. Bill No. 25 of 1953), as passed by the Legislative Assembly, be taken into consideration.’ ”

SRI V. CHAKKARAI CHETTY :—“ Sir, I am not able to understand why the Government want to circumvent the law as it stands. So far as the co-operative societies are concerned, I do not think they stand on a higher pedestal than ordinary individuals who have to go to courts of law. I do not think the co-operative societies should be exempted from this disability which applies to all other people.”

[29th December 1953]

* DR. V. K. JOHN :—“ Mr. Chairman, Sir, this is an illustration or an example of the inefficiency of the Government because this Bill ought to have been brought forward in 1949 and not now in 1953 so many years afterwards. But, I am very pleased that the Government have woke up at last. There was a change in the Congress Government in 1952 and this Government could have done this in 1952. Anyway, I am glad they are doing it at the end of 1953.

“ Sir, I think the Government should have taken this opportunity to consider the question of the applicability of the Indian Limitation Act to claims by co-operative societies. The limitation of a claim by the Government against anybody is sixty years because the Government is a public body. Co-operative societies are quasi-public bodies and I do not agree with the previous speaker that the law of limitation should be strictly applied in regard to claims due to co-operative societies. Speaking for myself, I would not have the law of limitation apply to claims due to co-operative societies because the genius of our people is such that we pay off our debts without pleading limitation. The Law of Limitation was introduced into this country as a piece of law which was prevalent in Great Britain and we had no such law before that. Personally, I think the law of limitation should not be applied to co-operative societies and it was right that in Pudukkottai they did not apply it to claims due to co-operative societies.

“ Anyhow, I am glad that the Government have brought this Bill and I support the principle underlying it. At the same time, I would suggest to them to consider the question of the applicability of the law relating to bar of limitation to claims made by co-operative societies against others as well as against their own members. I say this because the future of our country depends on the development of co-operative institutions. If we have to change the economic structure of society as it is to-day based on competition and exploitation, we have to depend more and more on co-operative societies. Co-operative societies are quasi-public bodies if not public bodies. If the period of limitation for a claim to be made by the Government is 60 years, I would put it that for co-operative societies it should be at least thirty years. It may be argued that the co-operative societies should be vigilant as if the Government need not be vigilant. Why is it that the Government have a period of sixty years within which to make a claim? It is because the Government are a public body and even if one is not vigilant the moneys due to that public body should not be lost. Similarly, debtors should not be allowed to apply the bar of limitation to defeat the claims of co-operative institutions. I therefore suggest that this question must be thoroughly examined and, if the Pudukkottai law is made applicable to Madras, I would be very pleased indeed. At any rate, I would suggest that the period of limitation should be longer and no co-operative society in the State should be told that its claims are barred by limitation on the expiry of three years. I once again ask the Government to reconsider this question.

29th December 1953] [Dr. V. K. John]

“ Sir, only one word more and here also I find that this Bill, with due respect to the draughtsmen, is very badly drafted. Even for a trained lawyer it is very difficult to follow its provisions. The language ought to have been more simple and I do not want to take up the time of the House in pointing out how badly the Bill has been drafted. I would only ask the lawyer Members of this House to read this Bill and honestly say whether they have followed its sections. The Hon. the Minister in charge, not being a lawyer might be able to follow it and follow it wrongly too!”

THE HON. SRI C. RAJAGOPALACHARI :—“ Let us not fight over this. There is no question of jealousy.”

* DR. V. K. JOHN :—“ But, Sir, the point is that you have set down in the Order Paper that the final reading of the Bill will also be taken up to-day. When this House met last time we pointed out to you, Mr. Chairman, and emphasized that under rule 107 of the Rules of Procedure of this House you must give us three days' time after the introduction of a Bill in this House so that the Members might consider whether any amendment should be introduced. It may be said that this is not a very important Bill. Important or unimportant we must insist that the exception should not be made the rule and the relevant rule must be enforced. The rule is that when a Bill is introduced and its principles are to be discussed, three days' time should be given.”

MR. CHAIRMAN :—“ I invite the hon. Member's attention to rule 114 under which I can dispense with notice.”

* DR. V. K. JOHN :—“ Sir, rule 107 reads as follows :—

‘ Unless the Chairman otherwise directs, no such motion shall be set down in the list of business for any day which is less than three days from the receipt of the notice.’

Three days time must also be given for amendments to be brought in and that is the usual practice. I do not think, Sir, that even in this regard you must depart from the rule. The Council is sitting and the principles are being discussed and somebody may have an amendment to suggest. I myself am not moving any amendment because I know that any amendment moved in this House on a Bill which has come from the Assembly will never be accepted by the Congress Party and it would therefore be a waste of time to move any amendments here. Anyhow, I would suggest that the rules should be followed in every case and the exception should not be made the rule. I protest against the procedure adopted, namely, of getting through the first, second and third reading of the Bill finished in one minute. I think if this procedure is adopted in regard to every Bill this House will, become a post office and the proceedings a mere farce.”

MR. CHAIRMAN :—“ I have got discretion under rule 114 to waive notice.”

* DR. V. K. JOHN :—“ But rule 114 does not say that a Bill must be taken up and disposed of immediately. I am not saying

[Dr. V. K. John] [29th December 1953]

that the Chairman has got no discretion but I am only saying that this discretion should not be used to make the exception the rule every time. An urgent Bill may be brought in and the Chairman could say that he would use his discretion and lay down that the Bill be passed through every stage in one minute or in half an hour at one sitting but not in every case. This is what I am protesting against. We made out this point when the House met in April last and I would request you again, Sir, to adopt the normal procedure in the case of every Bill whether it originates in this House or it is passed on to us by the Assembly so that the Members may have the time to discuss the principles of the Bill and may bring in amendments.

* SRI K. BALASUBRAMANYA AYYAR :—“ Mr. Chairman, Sir, may I make it clear why the Government have brought forward this Bill. When Pudukkottai became merged in this State, there was no provision by which the law of limitation was made applicable to co-operative societies there in regard to suits instituted by them or execution petitions filed by them in respect of moneys due to them. But, in our Madras Co-operative Societies Act, under rule 7-B of the rules issued thereunder, we have a provision that article 182 of the Limitation Act and section 48 of the Civil Procedure Code both apply to debts due to co-operative societies. My hon. Friend, Dr. V. K. John, forgets that there is no question of limitation applicable to suits and it is applicable only in regard to execution of decrees. If the co-operative society institutes a suit and gets a decree there is nothing which prevents it from executing that decree. This law of limitation applies only in so far as execution of decrees are concerned. Therefore, under rule 7-B of the rules issued under the Madras Co-operative Societies Act, 1932, both section 48 of the Civil Procedure Code and section 182 of the Indian Limitation Act fixing the period of limitation are also applicable to all co-operative societies. Since Pudukkottai territory has become part of this State and since a declaration has been made by the Government that the Madras Co-operative Societies Act and the rules made thereunder will be applied to that territory also, all the co-operative societies there will come under the jurisdiction of the Registrar of Co-operative Societies in Madras. But unfortunately the law of limitation was not made to apply to debts due to co-operative societies in the Pudukkottai territory. As a result many decrees have become barred by limitation. To remove this difficulty this Bill has been brought before this House. This is only an enabling measure. We need not discuss now whether the provisions relating to limitation should at all be applied to co-operative societies or not. I feel the law of limitation is a law of justice and is part of the jurisprudence of any civilized society.”

* THE HON. DR. U. KRISHNA RAO :—“ Mr. Chairman, Sir, I am indeed grateful to the hon. Gentleman Sri K. Balasubramanya Ayyar for having clarified the legal position and for having answered the hon. Members Sri V. Chakkarai Chetti and

29th December 1953] [Dr. U. Krishna Rao]

Dr. V. K. John. I have only to refer to one or two matters, namely, that to me, as a lay man, as Dr. John put it, the language of the Bill is simple. I find no difficulty. It has been drafted by another lawyer and, perhaps, the hon. Gentleman Dr. John reads too much in between the lines. Anyway I shall convey his views to the other lawyer who has drafted it. As regards notice, I can only say that the hon. Gentleman Dr. John is not going to give any amendment because he has nothing to amend. The Bill is so perfect, so good, so just and reasonable and that is why he does not want to give any amendment. Anyway his observations will be taken into account by those concerned. I hope and trust that in view of what I said this Bill will be accepted unanimously.”

MR. CHAIRMAN :—“ The question is—

‘ That the Madras Co-operative Societies (Amendment) Bill, 1953 (L.A. Bill No. 25 of 1953), as passed by the Legislative Assembly be taken into consideration.’ ”

The motion was carried.

Clauses 2 and 1 and the preamble were put and carried.

* THE HON. DR. U. KRISHNA RAO :—“ Sir, I beg to move—

‘ That the Madras Co-operative Societies (Amendment) Bill, 1953 (L.A. Bill No. 25 of 1953), as passed by the Legislative Assembly, be read a third time and passed.’ ”

SRI M. P. GOVINDA MENON :—“ Mr. Chairman, Sir, I heartily support the Bill. All co-operative societies must be helped because they stand for the community at large. I wish to bring to the notice of the Hon. Minister for Co-operation that some co-operative societies are doing more harm to the society than good, and in this connection I want to bring to the notice of the Hon. Minister the example of a particular society at Varod near Ottappalam. I understand that some of the people in charge of that society are trying to collect money through forged notes. I request the Hon. Minister who has a soft heart for all co-operative societies to see that these societies are not worked as engines of oppression.”

SRI V. CHAKKARAI CHETTY :—“ My hon. Friend has brought a very serious charge against the functioning of co-operative societies. I hope the Hon. Minister in charge of Co-operation will take note of it, enquire into the matter and find out whether co-operative societies are used as engines of oppression.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ The particular shape that the charge took is that suits are filed on forged notes. It is difficult for the Registrar of Co-operative Societies to deal with the merits of such a charge. The Courts will take care of such a charge.”

[29th December 1953]

MR. CHAIRMAN :—“ Motion moved—

‘ That the Madras Co-operative Societies (Amendment) Bill, 1953 (L.A. Bill No. 25 of 1953), as passed by the Legislative Assembly, be read a third time and passed.’ ”

The motion was carried and the Bill was read a third time and passed.

V.—GOVERNMENT RESOLUTION.

AMENDMENTS TO NOTIFICATIONS UNDER SECTION 8 OF THE COTTON TRANSPORT ACT, 1923 (CENTRAL ACT III OF 1923).

THE HON. SRI M. BHAKTAVATSALAM :—“ I beg to move—

‘ This Council recommends to the State Government that the following notifications submitted to it for approval under section 8 of the Cotton Transport Act, 1923 (Central Act III of 1923), be issued in the form submitted :—

NOTIFICATION I.

In exercise of the powers conferred by section 3 of the Cotton Transport Act, 1923 (Central Act III of 1923), the Governor of Madras hereby makes the following amendments to Development Department Notification No. 278, dated the 19th September 1928, published at pages 1455-1461 of Part I of the Fort St. George Gazette, dated 25th September 1928, as subsequently amended :—

AMENDMENTS.

In the said notification—

(i) in clause (3), the words “ into the Northern and Westerns area and ” shall be omitted;

(ii) in Schedule I—

(a) clause (1) shall be omitted;

(b) clauses (2) and (3) shall be renumbered as clauses (1) and (2) respectively;

(c) in clause (1) as so renumbered, the word “ Chittoor ” shall be omitted;

(iii) in Schedule II—

(a) clause (1) shall be omitted;

(b) clauses (2) and (3) shall be renumbered as clauses (1) and (2) respectively;

29th December 1953] [Sri M. Bhaktavatsalam]

(c) in clause (1) as so renumbered—

(1) after the words “ Madukarai both inclusive ”, the words “ except Manur and Tiruvelangadu ” shall be inserted;

(2) for the word “ Mamunduru ” the word “ Ichiputhur ” shall be substituted;

(3) the words “ from Renigunta to Akurti both inclusive from Renigunta to Katpadi both inclusive, from Pakala to Mulacalacheruvu both inclusive ” shall be omitted;

(4) for the word “ Gudupalle ” the word “ Patchur ” shall be substituted.

NOTIFICATION II.

In exercise of the powers conferred by section 7 of the Cotton Transport Act, 1923 (Central Act III of 1923), the Governor of Madras hereby makes the following amendments to the rules published with the Food and Agriculture Department notification, dated the 7th December 1950, at pages 575-583 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 26th December 1950 :—

AMENDMENTS.

In clause (a) of the “ Instructions ” under Form A in the Annexure to the said Rules—

(i) the words “ Northern and Westerns area ” occurring in the second sentence shall be omitted; and

(ii) the words “ Northern and Westerns area and ” occurring in the third sentence shall be omitted.

“ Sir, these amendments relate to certain notifications issued under the provisions of the Cotton Transport Act, 1923. As hon. Members are aware, the object of that Act is to safeguard the quality and reputation of cotton that is grown in certain areas in the State. Under that Act, Sir, notifications had been issued prohibiting the import of cotton in certain zones like Northern and Western zones and also in certain areas like Cambodia and Tirunelveli cotton areas except without a licence. After the formation of the Andhra State, the boundaries of these zones and areas have to be altered. These amendments relate to the adaptation of the notifications already issued in accordance with the present boundaries of the Madras State and to certain definitions relating to protected areas and also certain railway stations. I, therefore, request the House to accept these amendments.”

The motion was put and carried.

[29th December 1953]

MR. CHAIRMAN :—“ The House will now adjourn and meet again at 11 a.m. to-morrow.”

The House then adjourned.

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

Bill passed by the Assembly and received therefrom in the Council—

** The Madras Co-operative Societies (Amendment) Bill, 1953 (L.A. Bill No. 25 of 1953).*

[29th December 1953]

APPENDIX I.

Vide answer to starred question No. 16 asked by Sri M. Ethirajulu at the meeting of the Legislative Council held on 29th December 1953, page 58 supra.]

I

G.O. No. 1265, Education, dated 27th May 1953.

[Educational concessions—Children and dependants of certain Backward communities—Grant of—In elementary and secondary schools—Orders passed.]

Read—the following paper :—

From the Director of Public Instruction, dated 20th March 1953, Roc. No. 258E-4/53.

Order —No. 1265, Education, dated 27th May 1953.

Under the Madras Educational Rules, pupils belonging to the Barber, Fisherman, Dhoby and Potter communities are at present allowed fee concessions at half the rates in educational institutions. The Government have had under consideration for sometime the question of adopting measures for allowing children and the dependants of persons belonging to these four occupational communities larger educational facilities than hitherto.

2. The Government after considering the above question have decided that children and dependants of persons who belong to these four communities and practise their hereditary occupations in rural areas, i.e., areas other than municipalities and major panchayats be exempt from the payment of fees in elementary schools and in secondary schools up to and inclusive of the III Form.

3. For the purpose of obtaining the fee concessions, the parent or guardian of the pupil is required to make an application to the headmaster of the school in which his child or dependant is to be admitted or is studying together with a certificate duly signed by the village munsif, in the form prescribed in the appendix to these proceedings. The headmaster of the school on receipt of the application with the certificate is required to admit the applicant's children or dependants without the levy of school fees. The pupil will thereupon be eligible for the fee concession until he completes the elementary school course or the secondary school course up to and inclusive of the III Form. The concession will be withdrawn from the pupil if he is detained in any class; but it will be revived as soon as the pupil secures promotion to the next higher class or form.

4. No conditions as to the religion of the pupil should be raised in granting the concessions sanctioned in this order. The departmental authorities should ensure that the conditions mentioned in the form in the annexure are strictly enforced.

* Sent by post on the 16th December 1953.

[29th December 1953]

ANNEXURE.

I. Application to be filled by parent or guardian of a child for purposes of full fee concessions in elementary and secondary schools ordered in G.O. No. 1265, Education, dated 27th May 1953.

I belong to the hereditary Barber/Dhoby/Fisherman/Potter occupational community and live by practising the said occupation as barber/dhoby/fisherman/potter in village in the taluk of the

district. My son/daughter or other dependant's relation to be stated aged years is living with me and under my care and guardianship and is to be admitted in Class or Form in the school,

Full fee concession is applied for on behalf of the child with reference to the orders in G.O. No. 1265, Education, dated 27th May 1953.

I am very poor as per the certificate of village munsif hereunder and the child depends on me for support.

Signature of applicant.

II. Certificate of the village munsif.

I village of the taluk/district hereby certify that is a Barber/Dhoby/Fisherman/Potter and is living by practising that profession as a hereditary occupation. The person is very poor and the child on whose behalf the fee concession is sought for depends on him/her for support.

Signature of village munsif.

III. Orders of the headmaster.

Admitted as full free scholar.

Signature of headmaster.

II

Memorandum No. 47050-D/51-12, Education, dated 30th June 1953.

[Educational concessions to the children and dependants of members of certain occupational communities—Clarification of orders—Issued.]

Memorandum—No. 47050-D/51-12, Education, dated 30th June 1953.

Under G.O. No. 1265, Education, dated 27th May 1953, children and dependants of members belonging to the Barber, Fisherman, Dhoby and Potter communities should be allowed full-fee concessions in elementary schools and in secondary schools

[29th December 1953]

up to and inclusive of III Form provided that the members reside in rural areas and practise their hereditary occupations. Children and dependants of members of these four occupational communities will be eligible only for half-fee concessions in secondary schools (i) if the members reside in rural areas but do not practise the hereditary occupation; or (ii) if the members reside in urban areas (whether they practise their profession or not).

2. The Government direct that such of the children of the Paravan community in the Tirunelveli, Madurai and Ramanathapuram districts as are not eligible for the full fee concessions under G.O. No. 1265, Education, dated 27th May 1953, be granted half-fee concessions without the production of the conversion certificates. The poverty certificate laid down in Rule 92 of the Madras Educational Rules should as usual be insisted on in the case of these Paravan children before the fee concessions are granted.

APPENDIX II.

[Vide answer to starred question No. 18 asked by Sri S. B. Adityan at the meeting of the Legislative Council held on 29th December 1953, page 60 supra.]

G.O. No. 1355, Development, dated 29th March 1952.

[Labour—Minimum Wages Act, 1948—Minimum rates of wages for employment under any local authority—Fixed—Notification issued.]

READ—the following papers :—

G.O. Ms. No. 4256, Development, dated 24th October 1950.

From the Commissioner of Labour, dated 5th November 1951, No. M.W. 61651/51.

Order—No. 1355, Development, dated 29th March 1952.

The Superintendent, Government Press, is requested to publish the appended notification in English and in the languages of the State in three successive issues of the *Fort St. George Gazette* and in the chief languages of the districts in all the district gazettes. The notification in English should be published in an extraordinary issue of the *Fort St. George Gazette*, dated 31st March 1952. The Senior Translator to Government is requested to supply the Superintendent, Government Press, with the requisite translations of the notification.

[29th December 1953]

NOTIFICATION.

In exercise of the powers conferred by sections 3 (1) (a) and 5 (2) of the Minimum Wages Act, 1948 (Central Act XI of 1948), His Excellency the Governor of Madras having considered the advice of the Committee appointed under section 5 (1) (a) of the said Act in regard to the fixing of minimum rates of wages for employment under any local authority, hereby fixes with effect on and from the 31st March 1952, the minimum rates of wages specified in column (2) of the schedule below as payable to each class of employees specified in column (1) thereof and employed in the said employment.

SCHEDULE.

Employment under any local authority.

<i>Class of employees.</i>	<i>All inclusive of minimum rates of wages.</i>
(1)	(2)
	RS. A. P.
Grades I and II	25 0 0 per mensem.
Grades III, IV and V	40 0 0 „

Categories of employees under the grades mentioned above and employed under local bodies.

I. CORPORATION OF MADRAS.

Grade I.

1 Mazdoor.	10 Gardeners.
2 Sweepers.	11 Servers.
3 Scavengers.	12 Maid servants.
4 Cleaners (Health).	13 Switchers.
5 Lascars.	14 Kerosene lighters.
6 Thoties.	15 Jointers.
7 Conductress.	16 Syringes.
8 Ayahs.	17 Operators.
9 Watchmen.	18 Barbers.

Grade II.

1 Cleaners (motor).	24 Ward Attendants.
2 Peons.	25 Pumpman.
3 Guides (swimming bath).	26 Drivers (Mech. Engr.).
4 Duffadar.	27 Muchi.
5 Harakaras.	28 Weighmen.
6 Fitters.	29 Women guards.
7 Blacksmith.	30 Sergeants.
8 Driller.	31 Animal Keepers.
9 Turners.	32 Fireman.
10 Carpenter.	33 Drivers (rubbish-cart).
11 Engraver.	34 Breakers.
12 Moulders.	35 Turn-cocks.
13 Hammerman.	36 Night patrol.
14 Welders.	37 Mates painter jointer.
15 Mechanics.	38 Helpers.
16 Tinkers.	39 Blue-printers.
17 Rivetter.	40 Warders.
18 Painters.	41 Ferro-painters.
19 Furnace-man.	42 Assistant Superintendent (Health).
20 Bricklayer.	43 Lighting Inspectors.
21 Attenders.	44 Reference suppliers.
22 Care-takers.	45 Attendance checkers.
25 Fisherman.	46 Jumpers.

Grade III.

1 Time-keeper.	4 Tax-collectors (Health Water-works and Revenue).
2 Incinerator (Health).	
3 Mahouts.	5 Rent-collectors (Works).

29th December 1953]

Categories of employees under the grades mentioned above and employed under local bodies—cont.

I. CORPORATION OF MADRAS—cont.

Grade III—cont.

6 Jamedar (General)	9 Teachers (Lower Grade).
7 Groundsman (Works).	10 Conservancy Inspectors (Health).
8 Overseers (Stegomiah), Assistant Overseers (Works and Water-works).	

Grade IV.

1 Maistri (Special Works, Water-works and Electrical).	9 Tracers (Works, Special Works and Electrical).
2 Assistant pumpers (Special Works).	10 Process-servers (Special Works, etc.).
3 Steam disinfectors (Health).	11 Instructors (Playground).
4 Wireman (Health, Electrical and Education).	12 Manual Training Inspectors.
5 Jaggala player (Electrical).	13 Swimming Pool Inspectors.
6 Compounder (Health, Works).	14 Drawing Master.
7 Nursery School Supervisors.	15 Matron.
8 Technicians (Health).	16 Vaccination Inspectors.

Grade V.

1 Overseers (Health, Works, Water-works and Special Works).	10 Shorthand typists.
2 Drivers (lorry, car).	11 Computer.
3 Writers.	12 Telephone operators.
4 Shroffs.	13 Drummer.
5 Clerks.	14 Electrician.
6 Clerks-typists.	15 Malaria Supervisors.
7 Store-keeper.	16 Surveyor.
8 Store-checker.	17 Drill Teacher.
9 Typists.	18 Midwives.
	19 Music Mistress.
	20 Teachers (Secondary grade).

II. MUNICIPALITIES AND METTUR TOWNSHIP.

Grade I.

1 Sweepers.	23 Watchman.
2 Scavengers and thottis.	24 Conductress.
3 Cleaners (Public Health).	25 Dhobi.
4 Cart-drivers (Public Health).	26 Sweepers in Schools.
5 Trenchers.	27 Temple priest.
6 Rubbish-pickers.	28 Elementary school attendants.
7 Gang mazdoors.	29 Lascars.
8 Anti-malaria mazdoors.	30 Camel boy.
9 Lighters.	31 Meat carrier.
10 Mazdoors.	32 Delivery boy (dairy farm).
11 Gardeners.	33 Calf boy (dairy farm).
12 Waterman.	34 Dispensary servant.
13 Avenue mazdoors.	35 Lorry cleaners.
14 Hammerman (Grade II), cleaner, helper for carpenters, fitter, mazdoors, turner helper and tyre-retreading helper.	36 Travellers' bungalow and choultry cook.
15 Bellow bops.	37 Cooks in medical institution.
16 Cooks.	38 Gracier.
17 Park chits.	39 Pumpman.
18 Bull-keepers.	40 Care-taker.
19 Boatman.	41 Masalchi.
20 Ayahs.	42 Tom-Tom wallah.
21 Nursing orderlies (unqualified).	43 Boy peon.
22 Rate-catchers.	44 Valveman.
	45 Paper boy and punkah-puller.

Grade II.

1 Chainman.	3 Cleaners, W.W. mazdoors.
2 Oilman, oilers, oil-cum-cleaners and oil cleaners.	4 Helpers, meter, cleaver switcher and cleaner.

[29th December 1953]

Categories of employees under the grades mentioned above and employed under local bodies—cont.

II. MUNICIPALITIES AND METTUR TOWNSHIP—cont.

Grade II—cont.

- | | |
|---|-----------------------------------|
| 5 P.W. Maistri. | 29 Moulder. |
| 6 Fireman or cleaner. | 30 Sewing gauge roador. |
| 7 Compounder (Indigenous), Grade II. | 31 Drain maistri. |
| 8 Library and laboratory attendors. | 32 Painter. |
| 9 Librarian. | 33 Clock repairer. |
| 10 Head gardener. | 34 Market maistri. |
| 11 Butler. | 35 Swimming instructors. |
| 12 Turn-cock. | 36 Cattle Depot Superintendent. |
| 13 Switch board operator (water-works). | 37 Tinker. |
| 14 Oiler and power-house mazdoor (Electrical). | 38 Dog watcher. |
| 15 Nursing orderlies (qualified). | 39 Grass cutting (dairy farm). |
| 16 Burial-ground registrars. | 40 Milkman (dairy farm). |
| 17 Laboratory attendants. | 41 Salesman (dairy farm). |
| 18 Market Accountant and Market Supervisors and Lighting Superintendents. | 42 Dairy boy (dairy farm). |
| 19 T.B. and Choultries Municipal Accountant. | 43 Broom boy (dairy farm). |
| 20 Malaria and Sanitary maistri. | 44 Compost maistri. |
| 21 Vehicle Inspectors. | 45 Borowell attendant. |
| 22 W.W. watchman. | 46 T.B. matty. |
| 23 Sewage farm maistri. | 47 Forest guard. |
| 24 Headworks fitter. | 48 Manager (chatram). |
| 25 Peons. | 49 Ward maistri. |
| 26 Attenders. | 50 Mechanic helper. |
| 27 Duffadar. | 51 Hammerman, Grade I. |
| 28 Telephone Operators. | 52 Sundry fitters. |
| | 53 Mechanic helpers. |
| | 54 Fitters. |
| | 55 Fitter mate (Mettur Township). |

Grade III.

- | | |
|--|--|
| 1 Blacksmith (Grade II), carpenter, painter, tyre-retreading plant operators, millwright fitter (Grade I). | 9 Music instructors (untrained). |
| 2 Switchboard operator, instrument repairer, wireman, foreman, line men and meter cleaners. | 10 Vocational instructors. |
| 3 Tracer. | 11 Lascar (Vypin Ferry). |
| 4 Tube-well mechanics. | 12 Ferry Ticket Checkers. |
| 5 Pipe line fitter. | 13 Compounders (Indigenous), Grade I. |
| 6 Bill-collectors. | 14 Compounders (Rural Medical Institutions). |
| 7 Lower Elementary Grade teachers. | 15 Higher Elementary Grade teachers. |
| 8 Craft instructors qualified by III Form standard. | 16 Untrained teachers. |
| | 17 Headworks fitter, Grade II (Water-works). |
| | 18 Encroachment Inspector. |
| | 19 Field Assistants. |

Grade IV.

- | | |
|---|---|
| 1 Road-roller driver. | 17 Electrician and driver (Electrical). |
| 2 Electrician (II Grade, W.S.). | 18 Laboratory Assistants and Technicians. |
| 3 Maternity Assistants. | 19 Mechanic, Radio and Line operators and Skilled servants (P.H.). |
| 4 Compounders (Allopathic). | 20 Laboratory Assistants (Malaria). |
| 5 Lorry driver. | 21 Mechanic, Foreman, Turner, Grade II. |
| 6 Filter-bed operators and headworks fitter, Grade I. | 22 Blacksmith, Grade I, carpenter-cum-core maker and pattern maker. |
| 7 Water-works driver (III Grade). | 23 Physical Training Instructors, Grade III. |
| 8 Physical Training Instructors. | 24 Craft Instructors (Higher Grade). |
| 9 Pandits and Munshis. | 25 Music Instructors, Grade II. |
| 10 Manual Training Instructors, Grade II. | 26 Librarians in secondary schools with library training. |
| 11 Ghurka watcher. | 27 Librarians in secondary schools without training. |
| 12 Jetty Maistris. | |
| 13 Syringe. | |
| 14 Tap Inspector. | |
| 15 Hindustani teachers. | |
| 16 Meter mechanic. | |

29th December 1953]

Categories of employees under the grades mentioned above and employed under local bodies—cont.

II. MUNICIPALITIES AND METTUR TOWNSHIP—cont.

Grade V.

- | | |
|---|--|
| 1 Draughtsman. | 14 Town-planning Surveyor and Building Draughtsman. |
| 2 Clerks. | 15 Secondary Grade teachers. |
| 3 Commercial, Weaving and Carpentry Instructors. | 16 Physical Training Instructors, I Grade. |
| 4 Y.M.C.A. Physical Training Instructors. | 17 Physical Training Instructors, II Grade. |
| 5 Typists. | 18 Hindustani teachers, Craft Instructors (Secondary Grade). |
| 6 Shorthand typists. | 19 Hindustani teachers, S.S.L.C. certificate. |
| 7 Engraving Instructors. | 20 Music Instructor, Grade I. |
| 8 Revenue Inspector. | 21 Drawing Masters, Grades I and II. |
| 9 Water-works Driver, II Grade. | 22 Manual Training Instructors, Grade I. |
| 10 Health Assistants. | 23 Market Superintendent. |
| 11 Electrician, I Grade. | |
| 12 Electricity Accountants in smaller municipalities. | |
| 13 Licence Inspectors without Sanitary Inspector's qualification. | |

III. PANCHAYAT BOARDS.

Grade I.

- | | |
|----------------------------|---------------------------------|
| 1 Sweepers. | 9 Lighters (ordinary). |
| 2 Scavengers. | 10 Gardeners. |
| 3 Cleaners. | 11 Bull-keeper. |
| 4 Cart drivers. | 12 Gang mazdoors. |
| 5 Malaria mazdoors. | 13 Watchman. |
| 6 Drain flusher. | 14 Switchman. |
| 7 Trenching ground-keeper. | 15 Masalchi. |
| 8 Waterman. | 16 Cattle Depot Superintendent. |

Grade II.

- | | |
|---|--|
| 1 Ayah. | 6 Oiler, power-house mazdoor and helper. |
| 2 P.W. maistry. | 7 Peons (Office and Library). |
| 3 Tube-well repairer. | 8 Librarian. |
| 4 Attenders. | 9 Library attendant. |
| 5 Bill-collectors (in panchayats with an income of Rs. 3,000 to Rs. 5,000). | 10 Turn-cocks, oilman. |
| | 11 Fitter. |

Grade III.

- | | |
|--|---------------------------------|
| 1 Clerks (in panchayat boards with an income of Rs. 3,000 to Rs. 5,000). | 4 Clerk-cum-bill-collector. |
| 2 Store clerk. | 5 Field Assistants. |
| 3 Bill-collectors in panchayats with an income of over Rs. 5,000. | 6 Lower Grade trained teachers. |

Grade IV.

- | | |
|---|----------------------------------|
| 1 Clerks (in panchayats with an income of above Rs. 5,000). | 4 Mechanics. |
| 2 Switch board operators. | 5 Pipe line fitter. |
| 3 Maternity Assistants. | 6 Engine driver. |
| | 7 Higher grade trained teachers. |

Grade V.

- | | |
|---------------------------------------|---|
| 1 Electricity Accountant. | 8 Overseer (Water-works). |
| 2 Clerks with special qualifications. | 9 Revenue Inspector. |
| 3 Line Inspectors. | 10 Sanitary Inspector in panchayat boards with an income of Rs. 20,000 to Rs. 40,000. |
| 4 Driver (Electrical). | 11 Secondary grade trained teachers. |
| 5 Laboratory Assistants (Malaria). | 12 Health Assistants. |
| 7 Electricians. | |
| 6 Driver and fitter (Water-works). | |

[29th December 1953]

Categories of employees under the grades mentioned above and employed under local bodies—cont.

IV. DISTRICT BOARDS.

Grade I.

- | | |
|-------------------------|-------------------------------------|
| 1 Gardeners. | 18 Village guides. |
| 2 Toti or scavenger. | 17 Charcoal-man. |
| 3 Sweepers. | 18 Dhobi. |
| 4 Masalehi. | 19 Ayahs. |
| 5 Menials. | 20 Nursing orderlies (unqualified). |
| 6 Waterman. | 21 Watchman. |
| 7 Mazdoors. | 22 Conductress. |
| 8 Avenue mazdoors. | 23 Temple pater. |
| 9 Cooks. | 24 Market and ferry maistri. |
| 10 Ward boy. | 25 Chatram headman. |
| 11 Lighters. | 26 Maniyam. |
| 12 Cleaners. | 27 Nirgetti. |
| 13 Dispensary servants. | 28 Agricultural maistri. |
| 14 Rat-catchers. | 29 Punka puller. |
| 15 D.D.T. mazdoors. | |

Grade II.

- | | |
|-----------------------------|-------------------------------------|
| 1 Compounders (Indigenous). | 7 Library and Laboratory attenders. |
| 2 Attenders. | 8 Chatram hukdar. |
| 3 Peons. | 9 Maistris. |
| 4 Bill-collectors. | 10 Wardens. |
| 5 Duffadar. | 11 Turn-cock. |
| 6 Librarian. | |

Grade III.

- | | |
|------------------------|-------------------------------------|
| 1 Vaccinators. | 4 Lower Elementary Grade teachers. |
| 2 Thana karnam. | 5 Higher Elementary Grade teachers. |
| 3 Water-works drivers. | |

Grade IV.

- | | |
|----------------------------------|---|
| 1 Compounders (Allopathic). | 7 Urdu Munshis. |
| 2 Maternity Assistants. | 8 Tamil Pandits. |
| 3 Lorry driver. | 9 Manual Training Instructors (II Grade). |
| 4 Mechanics. | 10 Music Instructors (II Grade). |
| 5 Physical Training Instructors. | 11 Librarians in Secondary schools. |
| 6 Hindi Pandits. | |

Grade V.

- | | |
|--|-----------------------------|
| 1 Clerks, typists, steno-typists. | 4 Secondary Grade teachers. |
| 2 Commercial Instructors. | 5 Health Assistants. |
| 3 Senior Grade Librarian in Secondary schools. | |

APPENDIX III.

[Vide item IV on page 65 supra.]

L.A. BILL No. 25 OF 1953.

(As passed by the Assembly.)

A Bill further to amend the Madras Co-operative Societies Act, 1932.

WHEREAS it is expedient further to amend the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), for the purposes hereinafter appearing; It is hereby enacted as follows :—

1. *Short title.*—This Act may be called the Madras Co-operative Societies (Amendment) Act, 1953.

29th December 1953]

2. *Insertion of new section 57-BB in Madras Act VI of 1932.*—After section 57-B of the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), the following section shall be inserted, namely :—

“57-BB. *Recovery of certain debts due to Pudukkottai societies.*—(1) Where, on the 1st April 1949, any debt or demand was due to any registered society in the area which formerly formed part of the State of Pudukkottai and in respect of which the Registrar has made a declaration in pursuance of section 62, sub-section (1), then, notwithstanding anything contained in this Act or in any rule made thereunder or in any other law relating to limitation for the time being in force, the debt or demand may be recovered by instituting proceedings in that behalf before the expiry of one year from the commencement of the Madras Co-operative Societies (Amendment) Act, 1953.

(2) If, in any proceeding instituted for the recovery of any such debt or demand, any order, decision or award has been passed which would not have been passed if sub-section (1) had been in force at the time, the authority who passed the order, decision or award shall, on application made in that behalf within six months from the commencement of the Madras Co-operative Societies (Amendment) Act, 1953, vacate the said order, decision or award and pass a fresh order, decision or award as if such proceeding had been instituted after the commencement of that Act.”

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, 30th December 1953.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Number of conspiracy cases withdrawn by the Government.

* 21 Q.—SRI M. K. M. ABDUL SALAM : Will the Hon. the Chief Minister be pleased to state—

(a) the number of conspiracy cases that have been withdrawn by the Government from 1st April 1952 to 30th September 1953;

(b) the grounds on which they have been withdrawn; and

(c) the total amount of money spent on those cases?

THE HON. SRI C. RAJAGOPALACHARI :—“(a) Four.

“(b) In view of the present attitude of the political group to which most of these accused owe allegiance and inasmuch as they are not now resorting to violence but are concentrating on work in the Legislature and on agitation in the press and platform, Government felt that it was desirable to show clemency and encourage them to adhere to a peaceful policy and ordered withdrawal of the conspiracy cases referred to in clause (a) above.

“(c) The total expenditure incurred by the Government in connexion with these conspiracy cases is nearly Rs. 37,000.”

SRI M. K. M. ABDUL SALAM :—“Is there any proposal to withdraw the appeal preferred against the conviction of the followers of the Dravida Munnetra Kazhagam, in view of the fact that there is a big agitation from the public in this regard?”

THE HON. SRI C. RAJAGOPALACHARI :—“Sir, I have given the utmost consideration which led to the withdrawal of the cases referred to by me. I do not think the consideration now proposed, namely, public agitation, should be taken into account in matters of crime.”

SRI S. B. ADITYAN :—“May I know from the Hon. the Chief Minister, in view of the very good reasons he had stated in his answer for the release of prisoners, whether the Government will also release those prisoners who have been convicted in the conspiracy case and who are now still in prison?”

[30th December 1953]

THE HON. SRI C. RAJAGOPALACHARI :—“ If the reference in the supplementary question is to persons who have been convicted in the conspiracy case involving grave crimes, I submit, Sir, that the position does not stand alike.”

SRI V. CHAKKARAI CHETTY :—“ I would like to know from the Hon. the Chief Minister as to what exactly was the nature of the conspiracy? Was it to subvert this Government or any particular Minister or was it an attack on the Government as a whole or against some Ministers, because from the answer given by the Hon. the Chief Minister it appears that the cases involved in the conspiracy are not of the same type? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I do not know which conspiracy the hon. Member Sri Chakkarai Chettiar refers to. If he is referring to the conspiracy involved in the case that I had just referred to, that conspiracy was to commit grave and serious crimes involving violence and was simply politics.”

SRI V. GURUNANDAN ROW :—“ May I ask the Hon. the Chief Minister whether there were not cases of conspiracy involving graver crimes than this wherein the sentences have been commuted by the Government? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ There are reasons for commutation and when there are sufficient reasons for commutation, such commutation is done by the Government.”

SRI S. B. ADITYAN :—“ Coming to a particular case, viz., the Tirunelveli Conspiracy case, wherein Baladhandayutham and others were recently convicted, would the Government reduce their sentences or reconsider their case in view of the policy now enunciated by the Hon. the Chief Minister? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ With reference to the case just now mentioned, which was concluded the other day, the prisoners concerned began to resort to hunger-strike for the purpose of getting their release. The Government could not tolerate prisoners going on fasts with the definite object of forcing the Government to release them from undergoing the punishment imposed on them after a full trial. The particular case just referred to involved a very bad type of murder. A person who left their party was hacked to pieces and the members of the body were distributed in several places. I need not go further into the details. They took over the function of the State. They held a trial and disposed of their enemy in that manner. This is a very serious case. Anyway we cannot go into the merits of the case. They have been convicted and there is no appeal and they are undergoing their sentences and when the time comes, Government will not be too harsh but will examine even such cases.”

30th December 1953]

SRI V. GURUNANDAN ROW :—“ Does the Hon. the Chief Minister know that the hunger-strike of the prisoners just now mentioned was resorted to not for release but only for release on bail? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ No, Sir, it was definitely for release altogether. I wish it were only for release on bail as stated. But there is no question of release on bail after conviction, when there is no appeal.”

SRI MOHAMAD RAZA KHAN :—“ May I know who is responsible for effecting this radical change over these people who have left violence altogether and have taken to constitutional agitation either outside or within the Legislatures? Who has brought about this magical change, Sir, in their minds? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I think the hon. Gentleman Mr. Gurunandan Row was making a mistake confusing some other hunger-strike of some prisoners with the present one. The prisoners involved in the present case went on a hunger-strike after refusing to appeal against their conviction and for total release. I am glad to say that they have given it up under the advice of their party leaders. But as regards Balathandayutham I cannot say anything definitely. I have no information on hand whether he had accepted the advice of his party or not. I wish he accept his party's advice. It is possible.

As regards the supplementary question as to what had been responsible for the change in the party's attitude, I think experience and wisdom come to ordinary human beings in course of time in every case.”

Allotment of non-Andhra personnel to Andhra State.

* 22 Q.—SRI A. GAJAPATHY NAYAGAR : Will the Hon. the Chief Minister be pleased to state whether the Government propose to follow any principle of age group among the non-Andhra personnel to be allotted to the Andhra State?

THE HON. SRI C. RAJAGOPALACHARI :—“ The allocation of officers to the Andhra State was made in accordance with the policy which was endorsed by both the Houses of the Legislature of the composite State. Non-Andhras were taken only to the extent that was considered unavoidable by the Special Officer for Andhra affairs and his Committee consisting of three Andhra leaders. The question of taking Non-Andhra officers in different age groups did not, therefore, generally arise. In regard to the All-India Services, however, an attempt was made to take, as far as possible, officers at different levels of seniority.”

DR. A. LAKSHMANASWAMI MUDALIYAR :—“ May I know, Sir, whether there was any similar arrangement between the residuary Madras State and Mysore State with regard to transfer of personnel to either State? For instance, taking Bellary district,

[30th December 1953]

which was handed over to Mysore Government without their request, may I know whether there was any understanding between Madras and Mysore in regard to transfer of personnel?"

THE HON. SRI C. RAJAGOPALACHARI :—" There was no discussion in the Committee on that part of the matter. But every attempt is being made to accommodate the Mysore Government in a proper way. I think there has been fairly easy disposal of the difficulties and the matter is still pending. If the hon. Member were to put a separate question, I will be able to answer with better information."

11-10 a.m. SRI V. CHAKKARAI CHETTY :—" May I ask the Hon. the Chief Minister whether the Andhra State responded by adopting a policy of reciprocity in regard to Tamilian officers, if any, in the Andhra State? What is the attitude of the Andhra Government towards them? Is it on the lines of the attitude of this Government, Sir?"

THE HON. SRI C. RAJAGOPALACHARI :—" The question and the answer related to non-Andhra officers in Andhra."

SRI V. CHAKKARAI CHETTY :—" I am talking of Tamilian officers in the Andhra State, if there are any."

THE HON. SRI C. RAJAGOPALACHARI :—" I have answered about non-Andhra officers including the Tamilian officers in the Andhra State and I have given the correct information. I do not exactly follow what the hon. Member has in his mind."

Reorganization of the Madras Secretariat.

* 23 Q.—SRI ALEXANDER GNANAMUTTU: Will the Hon. the Chief Minister be pleased to state the number of clerks affected by the recent reorganization of the Madras Secretariat?

THE HON. SRI C. RAJAGOPALACHARI :—" No clerk appointed regularly has been affected by the recent reorganization of the Secretariat. About 75 clerks appointed under the emergency provisions had to be ousted immediately after the reorganization, but almost all of them have since been absorbed in temporary vacancies."

Subsidy to Rural Medical Practitioners of Modern Medicine.

* 24 Q.—DR. C. NATHAMUNI NAIDU: Will the Hon. the Minister for Health be pleased to state whether there is any proposal to increase the subsidy given to the Rural Medical Practitioners of Modern Medicine?

THE HON. SRI A. B. SHETTY :—" The answer is in the negative."

DR. C. NATHAMUNI NAIDU :—" May I know how many rural dispensaries have been closed during this year for want of Rural Medical Practitioners on account of poor subsidy?"

30th December 1953]

THE HON. SRI A. B. SHETTY :—" I have no information regarding this year. But so far 31 Rural Dispensaries of Modern Medicine and 31 Rural Dispensaries of Indigenous Medicine are said to be remaining closed for want of medical men."

Quarters to the Medical Officers of the Tuberculosis Sanatorium, Tambaram.

* 25 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Health be pleased to state—

(a) whether any quarters have been allotted by the Government to the Medical Officers of the Tuberculosis Sanatorium, Tambaram,

(b) whether the Superintendent and other Medical Officers of the Sanatorium are residing at Tambaram; and if not, why not;

(c) the number of female wards in the Sanatorium and the average number of women in-patients for a month; and

(d) the number of women Medical Officers working in the Sanatorium?

THE HON. SRI A. B. SHETTY :—" (a) Two quarters have been allotted by the Government for two Assistant Surgeons. One room has been provided for T.D.D. students and four rooms are also provided for four paid house surgeons.

" (b) The Superintendent and the Medical Officers of the Sanatorium except those mentioned in the answer to clause (a) above are not residing at Tambaram as no quarters are provided for them.

" (c) Eight wards and one hundred and fifty patients respectively.

" (d) Only one Senior Woman Assistant Surgeon is at present working in the institution."

SRI T. PURUSHOTHAM :—" With reference to the answer to clause (b), may I know what steps the Government are taking to provide quarters in the Sanatorium compound for the Superintendent and other Medical Officers?"

THE HON. SRI A. B. SHETTY :—" Quarters for hospital workers are considered more urgent than quarters for Medical Officers, since the majority of hospital workers have to come from long distances."

SRI T. PURUSHOTHAM :—" Is not the efficiency of the Sanatorium highly affected by the non-residence of the Superintendent and other Medical Officers at Tambaram? I learn that the Superintendent is daily going from Madras to the Sanatorium."

THE HON. SRI A. B. SHETTY :—" No, Sir. The Superintendent has got a phone and at any moment of emergency he can go within twenty minutes to the Sanatorium."

[30th December 1953]

SRI T. PURUSHOTHAM :—“ The Hon. Minister stated in his reply that there was only one Woman Medical Officer for the whole Sanatorium. May I know whether the Government have considered the desirability of posting adequate number of Women officers? ”

THE HON. SRI A. B. SHETTY :—“ A Senior Woman Assistant Surgeon was posted on the 25th July this year. There is a proposal to appoint another Woman Medical Officer.”

SRI G. KRISHNAMURTHI :—“ Is it a fact that the incidence of tuberculosis is more in the case of ladies than in the case of men? If so, will the Government kindly make it their policy to provide more wards for ladies? ”

THE HON. SRI A. B. SHETTY :—“ Less number of women patients are seeking admission, Sir.” (Laughter.)

Reservation of seats for students of Scheduled and Backward classes in the Arts and Professional Colleges.

* 26 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether there are any rules for the reservation of seats for Scheduled classes and Backward communities in regard to admissions to all State-aided Arts and Professional Colleges; and

(b) if so, whether these rules are being strictly followed?

THE HON. SRI C. SUBRAMANIAM :—“ (a) & (b) No specific percentage has been fixed for reservation of seats for the Scheduled castes, Scheduled Tribes and other Backward Classes in the private colleges and the Universities in receipt of aid from the Government but the managements of aided Colleges and the Universities have been requested to extend their fullest co-operation in the matter of encouraging the higher education of the Scheduled Castes, the Scheduled Tribes and the other Backward Classes. Most of the managements are co-operating with the Government.”

SRI A. GAJAPATHY NAYAGAR :—“ Will the Hon. Minister furnish figures regarding the number of students of Backward Communities who have been admitted into these Professional Colleges? ”

THE HON. SRI C. SUBRAMANIAM :—“ I have got the figures. If the hon. Member is interested, he may put a separate question or if he asks for information, I will supply him.”

Child Beggars in the City.

* 27 Q.—DR. S. MUTHULAKSHMI REDDI: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether it is a fact that a large number of child beggars are found in thoroughfares and in places of heavy traffic in the City of Madras;

[30th December 1953]

(b) whether the Government have issued any instructions to the police to take them into the custody of the Madras Children Aid Society; and

(c) whether the Government are contemplating on any comprehensive legislation to put down public begging by the able-bodied, diseased and disabled beggars and to provide work houses for the able-bodied and hospitals and infirmaries for the disabled and the diseased beggars, respectively?

THE HON. SRI C. SUBRAMANIAM :—“ (a) The answer is in the affirmative.”

“ (b) Children under 14 years of age found begging in public places are rounded up by the Police and dealt with under the provisions of the Madras City Police Act and the Madras Children Act, i.e., they are taken to the Reception Homes (which were hitherto under the management of the Madras Children Aid Society and which have since been brought under Government management) and detained there, till their cases are disposed of by the Juvenile Courts. Apart from this provision, no special instructions have been issued by the Government to the Police in the matter.

“ (c) The answer is in the negative.

“ The existing provision in the City Police Act dealing with beggar problem is adequate and no new legislation on the subject is contemplated. The Government have under consideration a proposal to open a Special Home and a Work House for beggars in or near Madras City, in addition to the ‘ Work House ’ and ‘ Special Home ’ already established under the management of the Corporation of Madras.”

DR. S. MUTHULAKSHMI REDDI :—“ It is stated in the answer that children under 14 years of age are rounded up by the Police and admitted in the Reception Homes. Some of us have noticed that even children under the age of 5 are allowed to beg in public places and in places of heavy traffic. I have seen this myself and I hope hon. Members would have noticed this. Even nursing babies are allowed to beg. May I know from the Hon. Minister whether strict instructions will be issued to the Police to carry out the provisions of the Madras Children Act, as we find that these provisions are not now strictly enforced? ”

THE HON. SRI C. SUBRAMANIAM :—“ The Government are aware that some of these young children are being utilised by elders for the purpose of begging and we are trying to tackle that problem.”

SRI S. B. ADITYAN :—“ Is the Hon. Minister aware that according to a survey conducted in the City on the 8th of November by the Madras School of Social Work, 1,888 children below the age of 12 were found begging in the streets of the Madras City? Now, if there is adequate provision as mentioned by the Hon. Minister, how does it come to pass that so many thousands of children are still begging in the streets? ”

[30th December 1953]

THE HON. SRI C. SUBRAMANIAM :—“ Sir, the City is a large one. It is rather difficult to tackle every beggar going about. As a matter of fact, these children show a disinclination to go to the Special Homes. That is why we find that these boys and children are begging even now.”

11-20 a.m. SRI V. CHAKKARAI CHETTY :—“ Are these children born of parents living in Madras or do they migrate from surrounding districts on account of the prevalence of famine conditions there? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ The impression of the Government is that these children do not belong to the City but come from outside. They are attracted by the upper and the middle classes, who are available for being asked to give charity, being concentrated in Madras.”

SRIMATHI MARY C. CLUBWALA JADHAV :—“ Is the Hon. the Chief Minister aware that though these children come to the juvenile courts, for want of accommodation we just give them a reprimand and send them back to the poor homes in their districts if there are any and in other cases, we simply give them a scolding and send them back, and they repeat this over and over again and that some facilities should be provided for these children, Sir? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ We are thinking of providing more space and of expanding the scope for putting these unfortunate people in care homes.”

SRI G. KRISHNAMURTHI :—“ Is the large influx of children into the City due to the non-existence of proper beggar homes in the districts and, if so, will the Government force every local body, especially municipal councils, to open beggar homes at least in the district headquarters? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ We can do that along with a cheque to make up for their deficit.”

DR. C. NATHAMUNI NAIDU :—“ Is it a fact that the children beg because they get a fairly large income from begging? ”

DR. S. MUTHULAKSHMI REDDI :—“ I was an Honorary Secretary of the Madras Children's Aid Society for a period of ten years when the Society was being organized and may I say that if the children are properly sheltered, protected and trained for earning some livelihood, they will never resort to begging at all? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ If the children are looked after as they are looked after in the Avvai Home, they will not resort to begging. But it costs a great deal.”

SRI MOHAMMAD RAZA KHAN :—As the Hon. the Chief Minister said that most of these children came from the mufassal will the Government think of levying some tax on the mufassal people so that those coming from the mufassal may be provided with proper beggar homes in the City of Madras? ”

30th December 1953]

THE HON. SRI C. RAJAGOPALACHARI :—“ That most of the people who earn a livelihood and have occupations are living in Madras and are inclined to continue to live in Madras is the reason for attracting these people who depend upon charity from them. That is a natural law. As a matter of fact, the Government are taxing the mufassal people in all matters.”

SRI S. B. ADITYAN :—“ Do the Government realise that begging is only a symptom, the root evil being poverty, and will they take active action for eradicating poverty? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ The thesis of the hon. Member is accepted. But that is only a partial one. We must add to it this, viz., that the resources of the Government depend upon the prosperity of the people.”

SRI K. BALASUBRAMANYA AYYAR :—“ May I know whether begging is not a habit? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ All things become a habit.”

DR. C. NATHAMUNI NAIDU :—“ May I know whether begging has not been in vogue ever since the world came into existence? ”

SRI M. P. GOVINDA MENON :—“ There is a large increase in the number of child-beggars in the mufassal also and how will the Government explain it? Is it due to migration from the City? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ There is an increase everywhere—in the small towns, in the big towns and in the Cities also. Comparatively the City of Madras has a very much larger number and people coming from very great distances are found here.”

Principles regarding re-employment of retired officers.

* 28 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the general principles followed in the re-employment of retired officers of Government; and

(b) whether the availability of qualified men in service is taken into consideration before ordering such re-employment of retired officers?

THE HON. SRI C. SUBRAMANIAM :—“ (a) The general policy of the Government is not to re-employ retired Government servants. In view, however, of the paucity of persons with the requisite technical knowledge and experience in

[30th December 1953]

certain specialized departments of Government, re-employment of retired technical personnel is allowed at present in the Public Works (including Electricity and Highways), Survey, Medical and Health Departments and in Treasuries.

"(b) Yes."

SRI T. PURUSHOTHAM :—" May I presume that re-employment will not be followed as a general rule in the departments other than those mentioned by the Hon. Minister? "

THE HON. SRI C. SUBRAMANIAM :—" That is not the general rule in other departments."

The North Arcot Co-operative Pumpset Society at Vellore.

* 29 Q.—DR. C. NATHAMUNI NAIDU : Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state—

(a) when the North Arcot District Co-operative Pumpset Society at Vellore was formed; and what its share capital is; and

(b) the number of pumpsets purchased by the society so far?

THE HON. DR. U. KRISHNA RAO :—" (a) The Society was registered on 3rd February 1941 and started work on 16th February 1941. Its share capital on 20th November 1953 was Rs. 93,650.

"(b) Fifty-six pumpsets have been purchased by the Society."

DR. C. NATHAMUNI NAIDU :—" May I know whether it is a fact that many members in the Gudiyatham taluk have taken loans for purchasing pumpsets and submitted false reports of purchase of pumpsets from bogus companies (which never existed) and without actually purchasing them? "

THE HON. DR. U. KRISHNA RAO :—" There have been complaints with regard to the working of this Society and counter-petitions to say that these allegations are wrong. The Government are examining the matter very carefully."

DR. C. NATHAMUNI NAIDU :—" May I know whether a supersession notice has not been served on the President of the Society? "

THE HON. DR. U. KRISHNA RAO :—" I should like to have notice of this question."

DR. C. NATHAMUNI NAIDU :—" I have already given notice of this question also. May I know whether loans have been granted to members of this Society without taking legal opinion on them? "

THE HON. DR. U. KRISHNA RAO :—" That is one of the allegations. That is why I said that we were looking into the matter."

[30th December 1953]

DR. C. NATHAMUNI NAIDU :—" Is it a fact that the President has given unauthorized loans to most of his relatives? "

THE HON. DR. U. KRISHNA RAO :—" These are common allegations with regard to the working of every co-operative society in this State. This allegation has been made with regard to this particular Society also. We are investigating the matter to find out if there is any truth in it."

DR. C. NATHAMUNI NAIDU :—" How many members of this Society have become defaulters? "

THE HON. DR. U. KRISHNA RAO :—" I should like to have notice of this question."

Power laundries in the Tamil districts.

* 30 Q.—SRI M. ETHIRAJULU : Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state—

(a) how many power laundries are in the Tamil districts of the Madras State; and

(b) whether any investigation has been made in regard to the durability of the cloth washed by power laundry; and if so, with what result? .

THE HON. DR. U. KRISHNA RAO :—" (a) There are ten power laundries in the Tamil districts of this State.

"(b) No investigation has so far been made on this subject."

SRI M. ETHIRAJULU :—" May I know whether the Government have received any representation from the public to the effect that the clothes washed by power laundry are damaged and, if so, what action do the Government propose to take? "

THE HON. DR. U. KRISHNA RAO :—" We have no such information."

SRI T. PURUSHOTHAM :—" Is there not a power laundry in the Madras General Hospital? I believe the washing of the clothes there is excellently done? "

THE HON. DR. U. KRISHNA RAO :—" There is one power laundry in the Madras General Hospital."

Number of palmyra trees dried up in Tiruchendur taluk.

* 31 Q.—SRI S. B. ADITYAN : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether a large number of palmyra trees in Udangudi and Sattankulam firkas of Tiruchendur taluk, Tirunelveli district, have dried up and died owing to drought;

(b) if so, whether the Government will be pleased to lay on the table of the House a statement showing the number of palmyra trees (village-war) which have partly dried up and fully dried up in those two firkas;

[30th December 1953]

(c) whether the Government have taken any relief measures in those areas; and if so, what they are; and

(d) whether the Government have taken any relief measures tax in respect of the palmyra trees which are completely dried up and dead?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(d) It is a fact that some palmyra trees in the two firkas mentioned have dried up.

“(b) A statement is laid on the table of the House.

“(c) Four district board road works, three low scale famine relief works, eight minor irrigation works, 11 rural water-supply works and three food production works are being carried out to provide employment for the population affected by drought. Besides this the concession of giving Rs. 150 for deepening drinking water wells has been granted in 65 cases in the area. Multi-vitamin tablets and clothes are also being distributed to the needy people.

“(d) As the tree tax on the palmyras on patta dry lands is not subject to any revision during the currency of the present settlement, the pattadars are liable to pay the assessment already fixed at the time of re-settlement, even if the trees die. The Government have however since ordered that with effect from Fasli 1363 the tax on palmyra trees standing on dry lands in Tirunelveli district should be abolished altogether and that the dry assessments recoverable from the holders of lands hitherto paying tree tax in addition to land tax should be fixed at the highest dry rate per acre on the aggregate of the land tax plus the tree tax hitherto paid, whichever is less.”

SRI S. B. ADITYAN :—“I understood the Hon. Revenue Minister to say that the palmyra tree tax was abolished and that some other tax was imposed in its place. May I know what justification there is for this step? As long ago as 1948, a promise was made on the floor of this House that the Government would consider the abolition of the palmyra tree tax altogether. Is not the substitution of another tax in the place of the abolished palmyra tree tax merely a change in the form of the tax and a violation of the spirit of that promise?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“No, Sir, it is not changing the form. The palmyra tree tax is really abolished. Suppose a pattadar was paying Rs. 20 by way of land tax plus the palmyra tree tax. After the abolition of palmyra tree tax, he will have to pay only Rs. 2-13-0 at the

• Printed as Appendix on page 154 infra.

[30th December 1953]

most. Suppose the former land tax plus the palmyra tree tax was Rs. 1-8-0. Now the owner will have to pay only Rs. 1-8-0 and not Rs. 2-13-0.”

SRI S. B. ADITYAN :—“The hypothetical case taken by the Hon. Minister is very unreal. In fact what is prevalent in that area is that the land tax is in the region of 6 annas per acre and the palmyra tax is in the region of Rs. 2 per acre. By the abolition of the palmyra tax altogether, instead of reducing the tax to the level of the land tax, namely, six annas, the Government propose to keep it at the highest level. This is going against the promise of the Government given on the floor of the House.”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“No, not at all. The hon. Member will realize the position when I say that the Government, by this abolition of the tree tax, have lost a few lakhs of rupees of income.”

SRI S. B. ADITYAN :—“Sir, may I know whether the Government would simply abolish the palmyra tree tax and collect only the land tax, and leave it at that level?”

THE HON. SRI C. RAJAGOPALACHARI :—“The hon. Member who puts the question knows the conditions very well. But he does not put it quite clearly in this House. Where there are a number of trees on a bit of land, no cultivation can go on in that land, and the land revenue, so far as that land is concerned, is therefore, only nominal. But the tree tax was then being collected, and, therefore, it did not matter. Now, when we abolish the tree tax altogether, we cannot simply allow the owner of the land to have it both ways. He must at least pay the proper land revenue which in that area the land owner should pay. But it is difficult to go through the course of a re-settlement for this purpose, and so a formula was evolved by which he would have the best advantage out of it—and not an unjust advantage. He must pay either the amount he was paying, or the highest rate of dry assessment whichever is less. That is the formula. If it is properly examined, the hon. Member will see that there is no injustice in it. In no case is a man made to pay more than what he has been paying hitherto.”

SRI S. B. ADITYAN :—“Sir, is it not a fact that the peasant is being asked to pay something in place of the palmyra tax, the abolition of which was promised by the Government on the floor of the House long ago? Is it not also a fact that the imposition of the palmyra tax is illegal according to the new Constitution, and the Government are merely adopting a new method in order to impose the unconstitutional palmyra tax?”

THE HON. SRI C. RAJAGOPALACHARI :—“The exposition is entirely wrong, Sir.”

[30th December 1953]

Protection for poor young women and girls in the City.

* 32 Q.—DR. S. MUTHULAKSHMI REDDI: Will the Hon. the Minister for Law be pleased to state—

(a) whether it is a fact that a number of young women and girls between the ages of 14 and 18, stray into the City in search of employment, food and shelter and that they very often fall into the hands of traffickers; and

(b) if so, whether the Government have any proposal to appoint women-patrols to direct them to places of safety or restore them to their guardians or relations, if any?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“(a) There have been instances of young girls straying into the Madras City due to the present economic conditions, who eventually fall into the hands of traffickers. Four such girls were saved and sent to the Vigilance Home, Madras.

“(b) The Madras Suppression of Immoral Traffic Act, 1930 and the rules made thereunder contain provisions in regard to the rescue of girls, by the Police, from the hands of traffickers in women and girls. Under the rules, the Chief Inspector of Certified Schools and Vigilance Service, also admits into rescue homes or shelter, girls who have been in immoral surroundings or who have been exposed to moral dangers, etc., whenever he is made aware of such cases by respectable persons and philanthropic bodies, provided that the girls in question volunteer to be in such homes. There is no proposal to appoint women-patrols for the purpose as indicated in the question.”

DR. S. MUTHULAKSHMI REDDI:—“Sir, may I know whether the Madras Suppression of Immoral Traffic Act, 1930, will apply only when the girls are found in houses of ill-fame, and that then only the Police will go to the rescue of such girls? May I know whether the police will not take care of girls roaming about in the streets?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“Giving power indiscriminately will lead to difficulties. That is why, only when they are able to spot out such girls, the Police have to produce them before the magistrate and get them remanded.”

DR. S. MUTHULAKSHMI REDDI:—“Sir, we want the prevention of girls—innocent girls—coming into the City either for employment or for getting admission into the Service Homes, or for some education, from going into the houses of ill-fame. Prevention is better. Do not the Government feel the need for employing women-patrols? We were doing this work through the old Vigilance Association. Now that has been given up. May I also bring to the notice of Government that many such girls who have come into such homes, when they applied for admission, were refused admission. Even at midnight admission was refused, and we had to take them into our care.”

[30th December 1953]

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“Men personnel will be able to tackle this question more efficiently, because they may have to be out at nights and raid houses. So it is better that the Act is worked as it is now worked.”

DR. S. MUTHULAKSHMI REDDI:—“We want a better administration of the Act, because many girls have been forced to enter houses of ill-fame for want of guidance and protection in the City.”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“If that is brought to the notice of the Government, prompt action will be taken.”

SRIMATHI MARY C. CLUBWALA JADHAV:—“Sir, is the Hon. Minister aware that there is an organization called the Madras Vigilance Association, which founded and started a Home—just now called the Government Vigilance Home? This organization has been ignored by the Government when it came forward, after the Government have taken over the Home, to offer its services in this line. Repeated requests have met with no help from the Government. Yet this organization is trying to do its best by these girls. Rules and regulations are so tightened that many a girl would go astray if this Association does not come to the rescue. The Association is now suffering from lack of funds. Will the Hon. Minister give an assurance that the Government will take the assistance of this well known organization?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“The request will be considered.”

MR. CHAIRMAN:—“Questions are over.”

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

II.—MESSAGE FROM THE GOVERNOR.

MR. CHAIRMAN:—“I have to announce to the House that I have received the following message, dated the 16th December 1953, from the Governor of Madras:—

“In pursuance of Article 207, Clause (3) of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Appropriation Bill, 1953.”

III.—GENERAL DISCUSSION ON THE BUDGET FOR THE SECOND SIX MONTHS OF THE YEAR 1953-54.

* DR. V. K. JOHN:—“Mr. Chairman, Sir, it is very kind of you to give me the privilege of opening the budget discussion. I am quite sure that this discussion will be of a very high level and will keep to the standards which this House has been accustomed to in the past. It is my hope—but I am not quite sure about it—that the Government also will give due consideration to the suggestions and criticisms made on the floor of this House on the 11.30 a.m.”

[Dr. V. K. John] [30th December 1953]

budget which has been presented. With a copy of the Appropriation Bill in my hand, I feel that this discussion is a post-mortem examination of the budget. Nevertheless, criticisms on the budget, I feel, will be of very great assistance to the Government—if the Government would like to take into consideration those criticisms—in preparing the next budget. Therefore, I invite hon. Members to give their criticisms and suggestions on this budget. It is very regrettable that the Hon. the Finance Minister should have said in his budget speech, although it is supplemented in this House, that he would not digress into the policies and programmes of the Government. He thought that it was a digression. I think he must know that a budget ought to reflect the policies and programmes of the Government. To call it a digression is not to do justice either to the budget, to himself, or to the House. I may say—if he does not know—that the budget ought to represent the principles and programmes of the Government. Or, he finds that there are no principles, policies and programmes. Probably the latter is the case. Sir, I would not deal with the figures given in this budget. The budget is only a statement of treasury account, and not a real budget at all. But Rajaji in presenting a supplementary speech in this House, in his most inimitable style, corrected one defect in the figures given in the budget presented by the Hon. the Finance Minister. Apparently, Rajaji was not quite satisfied with the way in which the budget was presented in the other House. He said that we must not rely entirely on the figures of income and expenditure given in this budget. That is really the truth. Sir, when this budget was presented in March 1953, the Hon. the Minister for Finance . . .

THE HON. SRI C. RAJAGOPALACHARI:—“Is it the suggestion that I said that the figures were wrong?”

11-40 a.m. DR. V. K. JOHN:—“I will clarify, Sir. When the budget was presented in March 1953, the Hon. the Finance Minister said that there would be a deficit of Rs. 540 lakhs. The Government, according to him, were in such great straits that they even went to the extent of finding new sources of revenue. Consequently, they decided to impose a cut of 10 per cent on the pay of officers drawing more than Rs. 300 per mensem. But now, the Hon. the Finance Minister has said in his speech that there will be a surplus of Rs. 23 lakhs. I thought that the deficit had been transferred in full to the Andhra State. But, I find that the Finance Minister of the Andhra State had yesterday presented a Budget to the Andhra Legislative Assembly, with a very small deficit of Rs. 50 lakhs. Then, where has the sum of Rs. 500 lakhs gone? It has really disappeared by some magic.”

THE HON. SRI C. SUBRAMANIAM:—“A deficit of Rs. 540 lakhs was forecast for the whole year and not for a six-month period.”

DR. V. K. JOHN:—“I am referring to the whole year. In spite of the fact that the deficit forecast for the whole year was

30th December 1953] [Dr. V. K. John]

more than Rs. 5 crores, the Hon. the Finance Minister has been able to tell the House now that there will be a surplus of Rs. 23 lakhs for the current six-month period. In this connexion, credit is being taken for the receipt of about Rs. 281 lakhs under taxes on Income and Rs. 91 lakhs under Union Excise Duties, being the share of this Government from the Central divisible pool. Therefore, it is stated that this huge sum of Rs. 281 lakhs plus Rs. 91 lakhs is available for this half-year. Then, the receipts from the General Sales Tax have now been estimated at Rs. 490 lakhs. The Hon. the Finance Minister has, however, said that this estimate is on the basis of the actual collections in the first half of this year. But, he has said in another portion of his speech that the receipt from the sales tax is going down. I say, Sir, this is only a camouflage of figures. Somehow a surplus of Rs. 23 lakhs has been arrived at. It is possible that there might be a deficit of a few crores of rupees. But I am not quarrelling with it because in the circumstances under which the Budget has been presented, particularly after the partition of the State, one cannot be absolutely sure about the figures. The Hon. the Chief Minister has suggested that we must not rely very much on the figures given either of income or of expenditure. I quite agree with the suggestion. The House should not complain of the figures given by the Hon. the Finance Minister. But it should have been said in the other House and in this House that these figures might not be relied upon. (Interruption.) I have gone through the speech of the Hon. the Finance Minister once, twice and thrice, but there is no mention of this anywhere.

“On the side of expenditure, I find a statement made by the Honorary Educational Adviser to the Government for Elementary and Basic Education that the Government are going to spend half a crore of rupees on education. But I do not see anything like that in the Budget that has been presented to us. That being so, I do not know how a responsible officer of the Government can come out with a Press statement like that. I leave it at that. My real complaint is that the Government do not appear to follow any principle, programme or policy, in the matter of a rational tax-structure, in the matter of borrowings and in the matter of expenditure and the benefits derived from expenditure on revenue account as well as on capital account. They also do not seem to follow any policy or principle in implementing the Directive Principles of State Policy embodied in our Constitution. They do not further appear to have any dynamic policy towards the solution of pressing problems which face us to-day, namely, unemployment, underemployment, poverty and hunger. I may also add that they are still continuing the fads on which they are wasting large sums of money.

“Now, Sir, I turn to the tax-structure. I think it is a universally accepted principle of taxation that the tax-structure of a Government must give an incentive to work and to invest, must not be oppressive on the poor and must be rational. Now, if one

[Dr. V. K. John] [30th December 1953]

looks at the tax-structure of this Government, one will find hardly any item of taxation which can be said to be rational. I shall take only three instances. One of them is sales tax. I think it is a most immoral tax to be imposed and collected. It is not based on any economic principles whatsoever. When a man puts money into a business or trade, he is asked to pay to the Government a portion of his turnover although he might possibly incur a loss. The Government do not share the loss but take away a portion of the turnover. If there is a loss, the Government collect their dues from the capital. I think this is a very irrational tax. It is neither a sales tax nor a purchase tax, but it is a concealed tax. A man who buys an article on which the so-called sales tax has to be paid must certainly know how much he has paid to the Government. A man purchasing an article for Rs. 100 must have paid not one rupee or two rupees as sales tax but probably Rs. 20 or Rs. 25, because although it may be only one or two rupees according to the invoice given to him, this tax is collected at multiple points and, therefore, it will be about Rs. 25. But, the consumer, the ultimate purchaser, does not know how much he has paid to the Government. Therefore, I call it a 'concealed tax', and a concealed tax is irrational and immoral. Sir, the Government have been asked many times to reconsider the means and methods of collecting this tax. I remember the former Finance Minister once saying on the floor of this House that the sales tax was a 'Kamadhenu' and I, on the Opposition side, then said that it was a blood-sucking leech. It is this tax that has been responsible for the bringing about of the high cost of living, that has destroyed trade and industry in the State and that has made the people poverty-stricken. This multi-point tax has been an object of criticism not only in the Legislature but all over the State. It has been criticized by great economists throughout the state. Now, there is not one word in the Budget speech of the Hon. the Finance Minister about the question whether the Government are reconsidering the structure of taxation in this State with particular reference to, what they call, the sales-tax. I won't call it sales tax; it is a concealed tax.

11-50 a.m. "No doubt it was promised in the other House after very serious criticisms were levelled against the Government that a Committee would be appointed to go into the question of sales tax, and let me tell hon. Members that nothing was mentioned about this fact in the budget speech of the Hon. the Finance Minister. I am afraid that the promises made on the floor of both the Houses that they would do this or do that are only promises which are rarely implemented. If we take the Budget speeches for the last few years—I have got the copies of Budget speeches made by the Hon. the Finance Minister in the last two years—we will find no continuity of policy at all. During the discussion on the Budget, when many suggestions are made by hon. Members, the Hon. the Finance Minister, the Hon. the Chief Minister and all other Hon. Ministers used to get up and say, 'We will consider those suggestions, we will do this and we will do that.' But, when the next

30th December 1953] [Dr. V. K. John]

year's budget is presented, one will never find even a word about how they have considered those suggestions, whether they have considered those suggestions at all, and what they have done on those suggestions. One cannot find any continuity of policy at all.

"Sir, I wish to point out that the tax-structure adopted by this Government is irrational, and the Government had not considered it their duty and obligation to consider the tax-structure which is now obtaining. They simply collect as much money as they possibly can, they put their hand here, there and everywhere and collect all the available money and appropriate it, and I must add they waste the money thus collected.

"I have already given one example, namely, the so-called sales tax. Now, let me come to the tax on vehicles. Sir, this Government have earned a notoriety for levying the highest tax on buses. This Government's tax on buses is the highest on record, not only in India, but all over the World. It ought to be the policy of any civilized Government to keep the cost of passenger traffic as low as possible. If one is in Paris and buys a ticket worth one anna, one can travel the whole day and can go as one pleases, and cover 200 miles or so for a comparatively very cheap fare. There, trams and buses are running at a profit and still they are able to provide cheap transport. Here, taxation has gone up to a very great extent. I have with me certain figures relating to the tax on buses, and I must say that the Government have been levying a huge amount as tax on buses. In 1949, the tax was Rs. 17 per seat, now it is Rs. 42-8-0 per seat. It will be seen that the increase in the tax has been 250 per cent. What is the result? There is the law of diminishing returns. According to the figures given by the Central Road Traffic Board, on 30th September 1952, the number of buses on the road was 6,327, but on 30th June 1953, it was only 5,827. This means that 500 vehicles have gone off the road. (The Hon. Sri C. Subramaniam: 'I definitely say that there has been an increase in the number of buses.') Whatever it is, I have given the figures of the Central Road Traffic Board. The Hon. the Finance Minister now contradicts my statement and says that there has been an increase. I know he made a statement elsewhere also that more permits had been granted during this year. I want to tell the Hon. the Finance Minister that this does not necessarily mean that there has been an increase in the number of buses. He ought to have known this. Not knowing this he made the statement that more permits were issued this year, and so there were more vehicles on the road this year. Let me explain this point a little further. A person owning a bus and who has to pay something like 35 per cent of the gross revenue as tax to the Government is actually unable to run it. Therefore, he transfers the bus to somebody in whose favour a new permit is issued. In this way, the number of permits issued by the Government increases, but let me remind the Hon. the Minister for Finance that the number of buses put on the road has not

V27, 32 N53 N54-6

[Dr. V. K. John] [30th December 1953]

increased. I challenge the Hon. the Finance Minister to prove that my figures are not correct. I am sorry he is ignorant of the real state of affairs when he says that there has been an increase in the number of buses put on the road consequent on the issue of a greater number of permits. He knows only the number of permits issued by the Government and not the actual number of buses put on the road. We must take into account the actual number of buses that are on the road to-day and not the number of permits issued. There is the law of diminishing returns. I hope the Hon. the Finance Minister will agree with me that even in the matter of the replacement of vehicles, it has dwindled to 300 from 1,200. Why should the cost of passenger traffic be kept at such a high rate? Why should the Government go on taxing the poor people who are using these vehicles? The Hon. the Finance Minister once said that the tax is imposed only on the operator and not on the passengers. No operator will himself bear this heavy tax, and incur a loss. He will surely shift the burden to the poor people who use his vehicles. Sir, it is a great pity that this Government have not recognized the fact that we have a capitalist structure of society and the present structure of society is based on competition and exploitation and not on co-operation and service. If they tax the rich, the tax is passed on to the poor people. In the present economic structure of society, one can never say that the rich will not pass on the tax imposed on them by the Government to the poor people. The Hon. the Finance Minister ought to have known that the tax, which is payable by the operator, is passed on to the travelling public, the poor travelling public, who have necessarily to use these vehicles and not to the rich people who never use their vehicles. The Madras Government, as I said before, have earned a notoriety of having so many irrational taxes as these.

"When I refer to the sales tax and the tax on vehicles, I do so only by way of illustration to point out that the Government have not got a rational taxation structure. I want to give one more illustration. (The Hon. Sri C. Subramaniam: 'Show us some source where we can lay our hands on'.) You must have the brains for it. I shall deal with that subject straightway. There is another tax to which I wish to refer and, that is, the tax on land. It is an old tax and it is also an irrational tax. The Government must levy a tax on agricultural income. People who get agricultural income must be taxed and not those who do not get any income at all. Simply because a man owns one or two acres of land, he should not be taxed. As a matter of fact, such people get hardly anything. Now, the Chief Minister or anybody cannot ask these people to pay a heavy tax. It is not at all reasonable. You must have experts in the Government. The Hon. the Finance Minister interrupted me just now. I must say a word about this Government. When Rajaji accepted office and became the Chief Minister of the Madras Government after the general elections, everybody expected that this Government would be constituted by persons who were experts on various subjects. I am

30th December 1953] [Dr. V. K. John]

sorry to observe that, except in one case, Rajaji has not found men for the job, but only jobs for the men. When I say this, I say with due respect and regard for him. For instance, Hon. Sri Bhaktavatsalam has experience of the Public Works Department. That department has not been put under his charge. Again, the Health Department has not been given to Dr. U. Krishna Rao, who is a medical man. Some other portfolio has been given to him. The Government must have experts. They do not have them now. It is a great pity that Rajaji has not found men for the job. In fact, in all civilized countries, as in England, there is what is called an Inner Cabinet. Distinguished persons like Sir C. P. Ramaswamy Ayyar and Sir A. Ramaswamy Mudaliar and others could have been brought into the cabinet and a sort of Inner Cabinet could have been formed. They will be in a position to give ideas and advice to the Government. I have to make this suggestion as I was interrupted by the Hon. the Finance Minister. We must have in the Cabinet people who can think about things and who can introduce measures.

"But the Government have found jobs for men and not men for jobs except in one case to which I shall come at the end of my speech. At this rate, you can never find means and measures for introducing a rational structure of taxation. Now take the borrowings. I have figures of borrowings. The Government had 43½ crores of rupees on the 1st April 1946 in the Revenue Reserve Fund. This is a huge amount. I hope the Government will not contradict this figure and also those figures which I am going to furnish presently to the House, because I have taken them from the Budget speeches of the Finance Minister himself. On the 31st April 1952, when this Government took over, they had 14½ crores of rupees in the Revenue Reserve Fund. They have now depleted everything. The borrowings were Rs. 301.41 lakhs of rupees in 1951, Rs. 524.81 lakhs in the open market in 1952, and Rs. 617 lakhs in 1953. And there is now a threat in the Finance Minister's speech that borrowings will continue. How long and how far? Are you going to borrow thousands of crores of rupees in the open market? If the Government do it, then a time will be reached when a substantial portion of their revenues will go to pay only the interest on the loans. Then, we must turn to the other side. The Government have borrowed from the Government of India an equally large amount or even larger amount and these loans are repayable many years later. Interest has to be paid on these loans. This is an irrational way of borrowing. In all limited companies, you will find in the Articles of Association a clause that they cannot borrow more than the paid-up capital of the company concerned. So, there must be a limit. I am not saying that there is a 'paid-up capital' for the Government. But they must put a limit to this kind of borrowing. And then what is this borrowing for?"

THE HON. SRI C. SUBRAMANIAM :—"I thought you were going to suggest a limit."

12
noon.

[30th December 1953]

DR. V. K. JOHN :—" I will not suggest. After all, it is for the Government to think over. I say 'stop'; the limit has been reached. But the Finance Minister in his grace and wisdom will decide what should be the limit, whether the Government should stop with 100 crores of rupees in the open market or more. I will leave this matter there.

" And now what has happened to these borrowings? It is said that it is all invested on capital expenditure on irrigation, electricity and other schemes. But the question is, what is the benefit of this investment. The Hon. the Finance Minister in one of his speeches made last year said that he was expecting an immediate return. But his Budget speech does not show—there is no figure given in his speech to indicate—what advantage the general tax payer has got in finding this money for the Government to invest on capital schemes. I think that the Chief Minister in his Budget speech felt the force of this argument—probably he might have argued it within himself—and, therefore, referred to the question of betterment contribution. Have the Government at any time taken into consideration the cost of the scheme when they took up irrigation projects for examination? Have they ever considered whether the work can be executed by them better than by private agencies, and what the return would be from the projects? Let us look at the return side. The composite Government provided for Rs. 17½ crores of rupees to be paid to the zamindars by way of compensation on the abolition of the zamindaris, and we are paying this amount in instalments. But who is getting the compensation? It is the *kutti* zamindar, the man next to the zamindar. Sir, in Uttar Pradesh, the Government have collected over a 100 crores of rupees from those who have benefited from the abolition of zamindaris. Here what do we do? We have abolished the zamindaris, and we have not paid the zamindars the market value of the lands taken over, though that might have been a reasonable amount of compensation. I do not, however, weep for that. Who is getting the compensation amount? The man next to the zamindar and not the zamindar whose estates have been taken over. And that man who has been given the land pays only ryotwari assessment. Why not the Government collect the value of the benefit he has received? The real point is, in 1949, there was no adult suffrage and the Congress Government were depending on the *kutti* zamindars who were their supporters. They said: 'Here are these supporters of ours; better give them the benefit of this abolition and catch their votes.' Then adult suffrage came and the position was reversed. But even then, why do not the Government find out how much money can be got from those who have benefited from this abolition? Why do the Government tax the general tax payer for purposes of paying the compensation amount? Why not these people be made to pay the betterment tax? But the Government are considering and thinking and there appears to be no end to their thinking and considering! The real fact is there is no sincerity on their part that betterment levy should be resorted to and justice should be done to the general tax payer. The revenues

[30th December 1953] [Dr. V. K. John]

of the Government are invested on schemes which give no benefit at all to the tax-payer. I understand that there are some projects which are completely non-productive and yet are taken up on the capital account. This is wrong. Non-productive schemes should be taken up on the revenue account. And then, Sir, what is meant by 'productive'? There must be some possibility of at least a portion of the capital investment being realized by the Government from those who stand to benefit by the scheme. Such a scheme can be called productive. But it is not the case now. There is no rational idea behind the expenditure on capital account.

" Then, Sir, I shall come to expenditure on the revenue account. The Government have given huge figures. They say that they will be spending 4½ to 5 crores of rupees on Education in the next six months. But do they tell us what will be the result of that expenditure? The Government must always remember that an expenditure can be wasteful and can be beneficial also. Therefore, they ought to satisfy this House that the expenditure incurred on the revenue account is one very well spent. Sir, I have had occasion to consider the expenditure on Education. Before the Congress took over office in 1946, the Advisers' Government spent nearly 4½ crores of rupees on Education. After the Congress took over, the expenditure was nearly doubled, they say. But when I asked for figures, I found that there was only a ten per cent increase in the provision of educational facilities. That means 90 per cent of the excess provision went to waste. Take item after item. The same is the case. The Government have not considered at all whether the increased expenditure on various accounts has produced any result at all. They must examine the figures furnished in the past and compare them with the figures they have now presented and see whether any increased facilities they have now presented and see whether any increased facilities have resulted so far as the people's needs are concerned. They have not done so, nor any results have been achieved. Is this a Budget? I can understand the Finance Minister asking us to keep quiet and not to discuss the principles or policy which the Government follow in framing their Budget. It is because they have no principle nor policy. They drift. All the time they drift. They can never think of an item of expenditure which will be beneficial. That is the case with 'Harijan Uplift'. That is the case with the well subsidy scheme on which nearly sixty lakhs of rupees have been spent. I have read in newspapers that Government have given grants to people who have had no wells or who have sunk no wells. These must be loans and nothing else.

" Then, Sir, I pass on to the Directive Principles of State Policy mentioned in the Constitution. Is there any indication in the Budget speech that the Government propose to implement the directive principles? There is Chapter III which deals with Fundamental Rights and these are enforced by Courts. Chapter IV also contains Fundamental Rights which are not enforceable in a Court and the Constitution depends on the State Governments to implement these.

[Dr. V. K. John] [30th December 1953]

12-10 p.m. "Let me read through the relevant portions of the Directive Principles of State policy. In Article 39 it is provided that the State shall, in particular, direct its policy towards securing

'Ownership and control of the material resources of the community are so distributed as best to subserve the common good, that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment.'

"Article 40 says that the State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government. Article 41 says that the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want. Article 45 deals with education and states that within a period of ten years free and compulsory education shall be provided for all children until they complete the age of 14. Article 46 provides for the promotion with special care the educational and economic interests of the weaker sections of the people and in particular of the Scheduled Castes and the Scheduled Tribes. Sir, is there any indication, I ask, in the Budget speech delivered in the other House or in the speech delivered by Hon. the Chief Minister in this House, to the effect that the Government are trying to realise the objectives set forth in the Directive Principles of State policy contained in the Constitution? (Interruption.) I will come to Prohibition later. The Government are doing nothing to achieve those objectives. They have no ideas at all on these things. They must try to follow the principles set forth in the Directive Principles of State policy.

"The Hon. the Minister for Finance asked me: 'Why don't you speak on Prohibition?'. There is provision in the Directive Principles for introducing Prohibition. But I want that it should be understood in the context in which it is given. I quite agree that it was in order, to try total Prohibition to find out whether it would be a success or not. But you must not ostrich-like put your head into the sand and refuse to accept realities when you find it is not a success. You must retrace your steps. What is the position today? Total Prohibition as opposed to partial Prohibition has demoralized the country. It has created a cottage industry for illicit distillation. I was shocked yesterday by the figure given by the Hon. the Minister in charge of Prohibition that in the year of grace 1952 there were as many as 1,18,235 prosecutions. How many magistrates ought to have been employed for trying these cases? And how many police officers? Perhaps only one out of a hundred is prosecuted. This has demoralized the whole country. Now, the Prohibition law exempts the Forces, Army, Navy and others. What sincerity could be expected of a Congress Government which exempts people who have to protect us from invasion and from disturbances, inside and outside? In New Delhi, the Capital of India from where the Congress rules the

30th December 1953] [Dr. V. K. John]

country, there is no Prohibition at all. The Andhra Government, I find, have grown wiser after they left this place. They have appointed a Committee to go into the question. Likewise I would ask this Government also to appoint a Committee to go into the whole question (Interruption) and then find out whether they must have total Prohibition or only partial Prohibition.

"Now, Sir, I want to make a constructive suggestion to deal with problems of unemployment, underemployment, poverty and hunger. These problems could be solved only by decentralizing power and authority. I am not sure whether this Government, and the present Chief Minister, will be interested in the decentralization of power and authority. Now there is always a tendency to concentrate power and authority in oneself. One way by which the Government can solve the problems facing the country is to create really self-governing local bodies—panchayats for every 5,000 people. It shall be the concern and responsibility, the pride and privilege of that body to create, promote and sustain the welfare of the people within its jurisdiction so that no man living within its jurisdiction shall carry a begging bowl, no man shall be without employment, without food, without clothing, without shelter, without education, without sanitary conditions of living, and without those social securities, which we know are prevalent in the West, namely, provision for old age, unemployment, sickness, widows, orphans and also provisions for those in need. To achieve these things you must have self-governing units. But it may be said that there will be factions in such units. I ask, Sir, are there not factions at State level? Is there no faction in the Congress Party which runs this Government? Are there not factions in the Centre? Factions are there always. A child cannot learn to walk unless it falls and tries to learn to walk. Therefore I say, first create self-governing local bodies and give them power and responsibility to create, promote and sustain the welfare of the people, so to say, to create a Welfare State, within their jurisdiction. The Government must render assistance, financial and other, to make these institutions a success.

"Then, Sir, they must have an agrarian policy. It should not aim at putting a ceiling on the holdings, but should try to see that every family is settled on the land, and that every family is given pecuniary assistance in the shape of loans granted by co-operative societies, so that the lands could be brought under cultivation. Sir, I believe in rehabilitation and not relief. I believe in self-help and not charity. If the Government have an agrarian policy which will enable people to buy land by paying the cost over a period of years, if there are multi-purpose co-operative societies to help these people financially, and if there are really self-governing local bodies, if power and authority are decentralized, then the problems of unemployment and poverty could easily be solved. But this Government cannot do all this. The reason why this Government cannot have such an agrarian policy is this. The Congress has a mixed economy. It consists of rich men, zamindars and

[Dr. V. K. John] [30th December 1953]

poor people. The Congress is a mixed group, a mixed party. The Congress ought to have been liquidated on the very day we achieved independence. We must have parties based on economic ideologies. A great man as he is, the Hon. the Chief Minister should see to it that the Congress Party itself is liquidated and other parties on economic ideologies are allowed to come up. There may be a party for the 'haves'. There may be another for the 'have-nots'. Probably in the party for the 'haves', all the Ministers here including the Hon. the Chief Minister headed by the Hon. the Minister for Finance and also the Leader of the Opposition and others will be members. I will probably be a member in the party of the 'have-nots'. I may not be a leader in that party but may have a leading place. My submission is that parties must be formed on economic ideologies. Then only can we bring in agrarian reforms. The Hon. the Revenue Minister the other day was finding it difficult to answer a question on this subject and said that the Government were considering the question. When the Government say they are considering the question, it means they are putting it under redtape and then will shelve it. The only way in which the pressing problems of the country, the problems of unemployment, underemployment, hunger and so on could be solved is to bring in agrarian reforms, similar to those effected in China, but not nationalization. The Government should settle every family on land, and give them financial assistance to cultivate the land. Only with such an agrarian policy and with self-governing units and multi-purpose co-operative societies, can the Government solve the problems facing them.

"I put forward these suggestions for the consideration of the Government. But I am not hopeful that Government would consider my suggestions because the party of the Government consists of men who pull the Government on the left and on the right—in opposite directions. So long as the Congress Party continues to be constituted as it is to-day, consisting of Raja Sahibs, zamindars, rich men and also poor men, I am quite sure that that party cannot deliver the goods to the people of this country. Unless the ruling party, the Congress party, is reconstituted on the basis of an economic ideology, the country will go to ruins.

12 20
P.m.

"I, therefore, submit that the Government ought to consider whether they can at least introduce agrarian reforms, by which every family can be settled on land. Co-operative societies should function to help these families. Self-Government should be given to local bodies. But I am quite sure that the Government, constituted as they are, will not be in a position to carry out this programme at all, and there is no purpose in my giving constructive suggestions. Nevertheless, I have offered these suggestions, and I have a great anxiety whether they will be considered by the Government. Anyway, it is my hope that when they introduce the next Budget—this Budget is a dead one and the present discussion is only a post-mortem examination—they will consider not only my suggestions but also the suggestions that may be offered by

30th December 1953] [Dr. V. K. John]

other hon. Members on the floor of the House, in the manner in which they ought to be considered, and put themselves in a position to implement those suggestions. At the same time they should have a constructive policy on taxation, expenditure, borrowings and other matters concerning the Government. Let us hope that the next Budget will not merely be a Budget of figures or a Statement of Treasury Accounts but a Budget which will reveal the principles, policy and programme of the Government. Let me also hope that when the Hon. the Finance Minister presents his next Budget he will not consider a digression from the Budget discussion. After all, the Budget is not one of figures but one of policies and programmes of the Government. Now, I see the Hon. the Finance Minister does not seem to have taken kindly to my suggestions, but if he ponders over the criticisms and suggestions that I have offered, he will become a little wiser, and present his next Budget in a different way altogether. Sir, I have taken a good deal of time, and now I thank you very much for the indulgence you have shown me."

* **SRI O. P. RAMASWAMI REDDIAR** :—“கனம் தலைவர் அவர்களே, வரவு செலவுத் திட்டத்தைப்பற்றி சர்ச்சை நடந்துகொண்டு வருகின்றது. இருக்கிற பணத்தைக் கொண்டு எவ்வளவு தூரம் காரியங்களைச் செய்ய முடியுமோ அவ்வளவு தான் செய்ய முடியும் என்பது எல்லோருக்கும் தெரியும். ஏனென்றால், ஆந்திர ராஜ்யம் ஒரு பக்கம் பிரிந்து சென்று விட்டது. நமக்கு எவ்வளவு பணம் வருகிறது, அதிலிருந்து எவ்வளவு செய்ய முடியும் என்று பார்த்தால், இப்பொழுது இருக்கிற நிலையில் அதிகமாகச் செய்ய முடியாது என்பது எல்லோரும் அறிந்த விஷயம். ஆனால், சில யோசனைகளும் சில விஷயங்களும் அரசாங்கத்தினுடைய ஆனால், சில யோசனைகளும் சில விஷயங்களும் அரசாங்கத்தினுடைய கவனத்திற்குக் கொண்டுவர வேண்டுமென்ற எண்ணத்துடன் நான் பேச முற்பட்டேனெயொழிய, யாரையும் குறைகூறுவதற்கோ அல்லது ஏதாவது தப்புத் தவறுகள் கண்டு பிடிப்பதற்கோ நான் முயற்சிக்கவில்லை. யென்பதை முதன் முதலில் தெரிவித்துக்கொள்கின்றேன். ஏனென்றால், இப்பொழுது அரசாங்கத்தை நடத்துவது, யாராயிருந்தாலும், ரொம்பவும் கஷ்டம். பல அபிப்பிராயங்கள், பல கட்சிகள், பல விதமான எண்ணங்கள் இவைகளெல்லாம் தாண்டவமாடிக்கொண்டிருக்கிறது நம்முடைய நாட்டில். இவைகளையெல்லாம் சமாளித்துக் கொண்டு போவது ரொம்பவும் கஷ்டம். ஆனால், வரவு செலவுத் திட்டத்தில் ஜனங்களுடைய நிலை, அரசாங்கத்தின் ஆனால், வரவு செலவுத் திட்டத்தில் ஜனங்களுடைய நிலை, அரசாங்கத்தின் திணுடைய நிலை நாம் எவ்வளவு தூரம் செய்யமுடியும், இதற்குமுன் இப்பொழுது அதை இன்னும் அதிகமாகச் செய்யமுடியுமா அல்லது இருந்து கொண்டிருந்ததையாவது குறைக்காமல் இருக்க முடியுமா என்பதையும் யோசிக்கவேண்டியிருக்கிறது. ஏனென்றால், ஒரு பக்கம் பஞ்சத்தால் ஜனங்கள் அதிகக் கஷ்டப்பட்டுக் கொண்டுவந்தார்கள். கடவுள் அருளினால் இப்பொழுது ஏதோ கொஞ்சம் மழை பெய்திருக்கிறது. பெரும்பான்மை யான ஜில்லாக்களிலே மழை பெய்திருந்தாலும், சில இடங்களில் மழை குறைவாகத்தான் பெய்திருக்கிறது என்பதையும் நாம் கவனிக்க வேண்டியிருக்கிறது. பல தொல்லைகளிடையே இவைகளை யெல்லாம் சமாளித்துக் கொண்டு போகவேண்டித்தான் இருக்கிறது.

“குறிப்பாக, விவசாய முன்னேற்றத்தை எடுத்துக் கொண்டோமானால், மழை பெய்ததிலிருந்து ஜனங்களுக்கு ஒரு உற்சாகம் வரவேண்டும். அதிகமாக ஜனங்கள் கஷ்டப்பட்டதனால், அந்த உற்சாகம் அநேக இடங்களிலே இல்லை. சில இடங்களில் இருக்கிறது. பல இடங்களில் இல்லை. பூராவும் இல்லையென்று வேண்டுமோ அவ்வளவு உற்சாகம் இல்லை.

30th December 1953] [Sri O. P. Ramaswami Reddiar]

கம் இருக்கிறதென்பதைத் தான் சுட்டிக்காட்ட விரும்புகிறேன். ஆகையால், அனாதையம் கவனித்து தகுந்த முறையிலே அந்த ஏழைகளுக்கு எவ்வளவு தூரம் சலுகை காட்ட முடியுமோ, அதற்குத் தகுந்த முறையில் காட்டுவார் கள் என்று நம்புகிறேன்.

கள் என்று நம்புகிறேன்.
“ வரிவஜா விஷயத்தில் ஒரு பாகுபாடு. 100 ரூபாய்க்கு மேற்பட்ட
பட்டாதாரர்களுக்கு வஜா கிடையாது என்று ஒரு பாகுபாடு இருக்கிறது. அது
தவறு என்று நான் நினைக்கிறேன். ஏனென்றால், நமது மாகாணத்தை
எவரு எடுத்துக்கொண்டால் 10-க்கு 9 மழையை எதிர்பார்த்த பிரதேசங்கள். ஒரு
ஜில்லாதான் மழையை எதிர்பார்த்த பிரதேசம். அந்த ஒரு ஜில்லா
விஷயம் சில இடங்கள் மழையை எதிர்பார்த்த பிரதேசம் என்பதை நாம்
மறந்துவிட முடியாது. ஆகையால், அதிகமாக செல்வு செய்து நஷ்டம்
அடைந்திருக்கிற விவசாயிகளுக்கு ஒரு வருஷம் மட்டு மல்ல, பல வருஷங்
களாக இருக்கிறது. எங்கெங்கே நல்ல ஊற்றுக் கிணறுகள் இருக்
கின்றனவோ, அந்த இடங்களிலே அவர்கள் தங்களுடைய வாழ்க்கையை
நடத்தலாம்.

[illegible][illegible]

“ Land Revenue Policy இல் ரொம்ப சிக்கல்கள் இருக்கின்றன. அது விஷயம் தெரிந்தவர்களுக்குக்கூட சரியாகப் புரிந்துகொள்வது ரொம்ப கஷ்டம் இன்னும் அதிகமான சிக்கல்களை (Complications) ஆரம்பித்து விட்டால், அங்கே இருக்கிற அதிகாரிகளும் விவசாயிகளும் சரியாகப் புரிந்து கொள்ளாமல், தாங்கள் ஒன்றும் அறிந்துகொள்ள முடியாத வரி வசூல் செய்யாத நிலையிலே இருக்கிறார்கள். விஷயம் நன்றாக தெரிந்தவர்கள் ஒன்றிரண்டு பேர்கள் இருக்கலாம். இதை வேண்டுமென்று செய்தார்கள் என்று நான் சொல்லவில்லை. அதனால் விவசாயிகளுக்கு வரி வசூல் இல்லாமல் அங்கே பாத்

[Sri O. P. Ramaswami Reddiar] [30th December 1953]

அரசாங்கத்தால் கடன் கொடுக்கப்பட்டது. இவ்வாறு இவ்வளவு எக்ஸ்சுரேஜ் மேல் இருந்தால் கடன் கொடுப்பது இல்லை என்று சொல்லப்படுகிறது. அதுவும் நியாயமா? தர்மமா? என்பதையும் போரிக்ஸ் வண்டும். ஒரு பக்கம் அதிக உற்பத்தி செய்யவேண்டும். ஆனால் இன்னொரு பக்கம் இருக்கும் வசதிகளை வாங்குவது என்பது நியாயமா என்பதைப் பார்க்கவேண்டும். கூட்டுறவு சொசைட்டி மூலமாக கடன் கொடுக்கவேண்டும். நமது மாகாணத்தில் தமிழ் நாட்டில் மாதிரி விவசாயிகளுக்கு சாகுபடி சிலவற்றை வருடந்திரம் சுமார் 28% கோடி ரூபாய் கடனாக வேண்டி இருக்கிறது. ஆனால் கூட்டுறவு மூலமாக அவர்களுக்கு டைப்பிடு சுமார் ரூ. 5, 6 கோடிக்கு மேல் இருக்காது. மற்ற வகைகளில் டிபோஸ்ட் மூலமாக எவ்வளவு என்றால் 70 அல்லது 80 கோடி ரூபாயாகும். அதில் விவசாய சம்பந்தமாக டைப்பிடு காமோசிப் பிராவின்களுக்கு 11 கோடி ரூபாய். இந்த மாகாணத்திற்கு இப்பொழுது டைப்பிடு கடன் அதற்குக் குறைவாகத் தான் இருக்கும். ஆகையினால் நமது மாகாணத்திற்கு விவசாய காரியங்களுக்கு இன்னும் எவ்வளவோ அதிகமாக கடன் சப்ளை செய்யவேண்டியதாக இருக்கிறது. அரசாங்கம் சிலருக்குக் கொடுக்கமுடியும். ஆனால் அதற்கு அநேகம் தொந்தரவுகள் இருக்கின்றன. இப்பொழுது கடன் நிவாரண சட்டம் வந்தது. அது எப்படி வேலை செய்கிறது என்று பார்க்கும்போது அது நேர்மாருகத்தான் ஜனங்களுடத்தில் வேலை செய்து கொண்டிருக்கிறது. எண்ணம் நல்லதுதான். ஆனால் சமூகம் எப்படி இருக்கிறது என்று பார்க்க வேண்டும். அதைப் பார்க்கும்போது சமூகம் போகைப் பிடித்த சமூகமாகத் தான் இருக்கிறது. விவசாயிகளுக்கு கடன் எவ்வளவு கொடுத்தாலும் அரை வட்டியாக எழுதி வாங்கிக்கொண்டு மூன்று வட்டி வசூலிக்கிறார்கள். குறைவாகக் கொடுத்துவிட்டு அதிகமாக எழுதி வாங்கிக்கொண்டு வருகிறார்கள். அத்துடன் வட்டியை அதிகமாக முக்கால்வாசி வட்டியை முன்னதாகவே வாங்கிக்கொண்டு விடுகிறார்கள். இப்பொழுது விவசாயத்தில் விவசாயிகளிடையேயும் லேவாடேவிக்கார்கள் இருக்கிறார்கள். அவர்களும் அப்படித்தான் செய்கிறார்கள். மற்றவர்களைப் பற்றி சொல்ல வேண்டாம். இந்த நிலைமையில் இப்பொழுது சமூகம் இருக்கிறது. நாம் எவ்வளவோ சட்டம் இயற்றி இருக்கிறோம். அவைகள் எப்படி வேலை செய்கிறது என்று பார்த்தால் தெரியும். நாம் எவ்வளவோ சட்டம் செய்தும் அவைகள் ஜனங்களுடத்தில் நேர்மாருகத்தான் வேலை செய்கின்றன. ஆனால் பெரும்பான்மையான சட்டங்கள் அப்படி இல்லை. சில சட்டங்கள்தான் நேர்மாருக வேலை செய்கின்றன. இந்த நிலையில் அநேகமாக அதிகம் பேர்கள் லேவாடேவி செய்துகொண்டு வருகிறார்கள். ஆகவே அரசாங்கம்தான் கடன் கொடுத்து உதவவேண்டும். ஆனால் அரசாங்கத்தால் கடன் கொடுக்கமுடியவில்லை. அவர்கள் கடன் வாங்கிக்கொடுக்கலாம். அதுதான் இப்பொழுது நடக்கிறது. ஆகையினால் இந்த மாதிரியான சட்டம் போடாமல் இருந்தாலும் நல்லது. நேர்மாருக இருக்கும்போது அதை ஏன் போடவேண்டும்? இவ்விதம் போடாமல் இருப்பதுதான் நல்லது என்று நான் நினைக்கிறேன். ஜனங்களுடத்தில் பார்த்தால் ஒரு பக்கத்தில் துவேஷம், ஜாதி, மதக்குழப்பம். இன்னொரு பக்கம் பலவித தொல்லைகள். நாம் இப்பொழுது ஜனங்களுக்கு அதிகமான தொல்லைகளுக்கு இடம் கொடுக்கிறோம். நாம் நம்முடைய உத்தரவுகளால் அவர்களுக்கு அதிகமான தொல்லைகளையும் அதிகமான தொந்தரவுகளையும் கொடுக்கிறோம் என்பதைச் சொல்லுகிறேன். இந்த நிலைமையில் அரசாங்கம் கவனித்துச் செய்யவேண்டும். எனக்குத் தெரியும் நன்மையைக் கொடுக்கக்கூடிய அநேகம் சட்டங்கள் இருப்பது. ரெவினியூ ஆபீசரிடம் தக்காவி கடன் வாங்குவதற்குள் எவ்வளவோ கஷ்டங்கள் இருக்கின்றன. நூறு பேர்களுக்குள் ஒருவனுக்குக்கூட கடன் கிடைக்க முடியாமல் சட்டங்கள் இருக்கின்றன. இதை அரசாங்கம் கொஞ்சம் கவனித்து ஆவன செய்யவேண்டும். ஏற்கனவே விவசாயிகளுக்கு அதிகமான தொந்தரவுகள் இருக்கும்போது இன்னும் அதிகமான தொந்தரவுகளை அரசாங்கம் அவர்களுக்கு கொடுக்கக்கூடாது.

“அடுத்தபடியாக நீர்ப்பாசனம் இருக்கிறது. நீர்ப்பாசன வசதி ரொம்பவும் குறைவாக இருக்கிறது. தமிழ் நாட்டில் ஜீவநதிகள் கிடையாது. ஒன்றிரண்டு இடங்களில் தான் இருக்கின்றன. மற்ற இடங்களில் கிடையாது.

30th December 1953] [Sri O. P. Ramaswami Reddiar]

வைகை நீர்ப்பாசனத்தில் லட்சத்தி ஐந்தாயிரம் ஏக்கர். காவேரி பாசனத்தில் 12 லட்சம் ஏக்கர், தாமிரவருணி நீர்ப்பாசனத்தில் 50 அல்லது 60 ஆயிரம் ஏக்கர்கள் இருக்கின்றன. மற்ற இடங்களில் கிடையாது. இதை வைத்துக் கொண்டு 3½ கோடி ஜனங்களைக் காப்பாற்ற வேண்டியதாக இருக்கிறது. இந்த நிலையில் இப்பொழுது இருக்கும் குளங்களை அதிகமாக துரஸ்து செய்ய வேண்டும். அநேகம் குளங்கள் மழையை நம்பிக்கொண்டு இருக்கின்றன. சுமார் 30 வருஷத்திற்கு முன்னமே இருந்த நிலையைச் சொல்லுகிறேன். இப்பொழுது இருப்பவர்களைப்பற்றி குறை கூறவில்லை. அப்பொழுது ஜனங்களுக்கு ஏரி எதுவாயில் தர்க்காஸ்து நிலம் கொடுக்கமாட்டார்கள். இப்பொழுது வருவாயைப் பெருக்குவதற்கும் உணவு உற்பத்தி செய்வதற்கும் அதிகமான தர்க்காஸ்து நிலங்கள் கொடுக்கப்படுகிறது. இப்பொழுது அநேகம் குளங்கள் துரஸ்து செய்யப்பட்டாமல் துந்து போய் இருக்கின்றன. அந்தக் காலத்தில் ஒரு செவி மழை பெய்தாலும் ஏரி எதுவாய் நிலங்கள் கரம்பையாக இருந்தால் குளங்களில் தண்ணீர் தேங்கி விவசாயத்திற்கு உபயோகப்படும். இப்பொழுது ஐந்து அங்குலம் மழை பெய்தாலும் குளங்கள் நிரம்புவது கிடையாது. நிலங்களிலேயே ஊரிப்போய் விடுகிறது. ஏனென்றால் நிலம் புழுதியாக உழுதிவிடப்பட்டிருக்கிறது. மணல் வேறு அடித்து மேட்டில் புழுதியாக உழுதிவிடப்பட்டிருக்கிறது. இதை அரசாங்கம் கவனிக்கவேண்டும். இப்பொழுது அரசாங்கத்திற்கு அதிகமான நிலங்களை பொதுஜன பிரயோஜனத்தை எதிர்பாராமல் வருவாயைப் பெருக்கவேண்டும் என்ற எண்ணத்துடன் அதிகமாக பட்டா கொடுத்துக் கொண்டு வருகிறார்கள். இப்பொழுது குளங்களில் மழை பெய்தும் தண்ணீர் நிரம்பி இல்லாததால் அதன் உள்வாய்களிலும் ஜனங்களுக்கு பயிரிடுவதற்கு நிலம் கொடுக்கப்படுகிறது. இது என்னவாகிறது. அதனால் ஏரி உள்வாய்களில் பயிரிட்டவர்கள் தங்கள் நிலங்கள் விளைய வேண்டுமென்று கீழ் இருக்கும் ஆயக்கட்டிற்கு விருத்தமாக கரைகளைத் திருட்டுத்தனமாக ஏரி பூராவும் ஜலம் பிடிக்க முடியாமல் வெட்டி சாலியாக்கி விடுகிறார்கள். நாம் அதிகம் உற்பத்தி செய்ய வேண்டும் என்று சொல்லும் போது ஆயக்கட்டுகள் பூராவும் போய்விடுகிறது. அதனால் 100, 200 ஏக்கர் நில ஆயக்கட்டுகள் பூராவும் போய்விடுகிறது. இதையும் அரசாங்கம் கவனிக்கவேண்டும். ஏனென்றால் ராஜாஜி அவர்கள் ரொம்பவும் அனுபவம் உள்ளவர். ஆகையால் இந்த விஷயத்தையும் அவர் கவனிப்பார் என்று நான் எதிர்பார்க்கிறேன்.

“பேசுவதற்கு நேரம். இருந்தால் எவ்வளவோ சொல்லிக்கொண்டு போகலாம். ஆனால், பேசுவதற்கு இப்பொழுது நேரம் இல்லை. எதற்காகச் சொல்லுகிறேன் என்றால், குறை கூறுவதற்காக அல்ல; நமக்கு இருக்கிற கெடுதல்களை, நமக்கு ஏற்பட்டிருக்கிற தொல்லைகளை எப்படி நீக்கிக் கொள்ள வேண்டும் என்பதற்காகத்தான் இவைகளைச் சொல்லுகிறேன் தவிர, வேறு எதற்காகவும் சொல்லவில்லை.

“அடுத்தபடியாக, கதர் அபிவிருத்தி விஷயமாக, முன்னாடியே அவர்களுக்கும் தெரிவித்திருக்கிறேன். கிராமங்களில் உள்ள ஏழை எளியவர்களும், மிழம், குருடு போன்றவர்களும் ஏதோ ஒரு வேலை செய்துப் பிழைப்பதற்காக மகாத்மா காந்திஜி அவர்கள் கதர் திட்டத்தை ஏற்படுத்தினார். இதற்கு முன் இருந்த அரசாங்கம் கதருக்காக ஒரு திட்டம் வகுத்திருக்கிறது. அந்தத் திட்டம் சரியாக வேலை செய்யாமல் போலிக் கதர் அதிகமாகி விட்டது. அம்மாதிரி போலிக் கதர் உற்பத்தி செய்வதைத் தடுக்க அதிகமாகி விட்டது. அம்மாதிரி போலிக் கதர் உற்பத்தி செய்வதைத் தடுக்கவும், சர்க்காருடைய திட்டம் சரிவர வேலை செய்யவேண்டும் என்பதற்காகவும் சில உத்தரவுகள் அனுப்பப்பட்டிருந்தன. அந்த உத்தரவுக்குப் பிறகு போலிக் கதர் உற்பத்தி குறைந்து விட்டது என்று சொல்லலாம்.

“இந்த மாகாணத்தில் முதன் முதல் ராஜாஜி அவர்கள் தலைமையில் தான் இந்தக் கதர் உற்பத்தி செய்யப்பட்டது. அது மட்டும் அல்ல. கதர் இலாகா எப்படி வேலை செய்கின்றது என்பதைப் பார்த்து, அதைவிட இன்னும் எப்படி நன்றாக வேலை செய்யவேண்டும் என்ற ஒரு முறையில் ராஜாஜி அவர்கள் ஒரு ஆச்சிரமத்தை வைத்து நடத்திவந்தார். ராஜாஜி அவர்களுடைய தலைமையில் அந்தக் காலத்தில் வேலை செய்து வந்தோம். அப்படி இருந்தும் அதற்கு விதித்து இருந்த அந்தச் சலுகையை வாபஸ்

30th December 1953] [Sri O. P. Ramaswami Reddiar]

30th December 1958] [Sri O. P. Ramaswami]

யாக இருக்கிறோம். கிராமத்தில் இருக்கிறவர்கள் விழித்துக்கொண்டுவிட யார்கள். எப்படியோ படித்துவிட்டு உத்தியோகம் பார்க்கவேண்டுமென்ற ஒரு எண்ணத்தில் கிராமத்திலுள்ளவர்களும் இன்றைக்கு நினைக்கிறார்கள். அவ ரவர்களுடைய தொழில் அவர்களுக்குத் தெரிந்தாலுங்கூட, படித்துவிட் டிருக்கும் செய்யாமல், மாணாமைப் பூராவும் இந்தக் கொள்கை பரவும்படி யாக விட்டதினால் என்ன ஆய்விட்டது? எல்லா ஜனங்களிலும் நம்மைப்பற்றி யாக விட்டதினால் என்ன ஆய்விட்டது? என்னென்றால், எந்தக் கட்சியாக அவசியம் சொல்லித்தான் ஆகவேண்டும். ஏனென்றால், எந்தக் கட்சிகளாக இருக்கட்டும்; காங்கிரஸ் கட்சியாக இருந்தாலும் சரி, மற்றக் கட்சிகளாக இருந்தாலும் சரி, எல்லாக் கட்சிகளும் ஜனங்களுடைய நன்மைக்காகத்தான் இருந்தாலும் சரி, எல்லாக் கட்சியைவிட இன்னும் கொஞ்சம் பாடுபட்டேக்கொண்டு, ஒரு கட்சி, மற்ற கட்சியைவிட இன்னும் கொஞ்சம் அதிகமாக ஜனங்களுடைய குறைகளை கவனிப்பதாகச் சொல்லி, ஜனங் களுடைய கவனத்தை கவர்ந்து, அதிலிருந்து அதிகாரத்தை (power) கைப் பற்ற முயற்சித்திருக்கின்றன. இப்பொழுதிற்குறி நிலையிலே வசதி செய்து கொடுக்காமல், அதை நாம் 'introduce' செய்ததினாலே, என்ன ஏற்பட் டிருக்கிறது? கிராமங்கள் பூராவும் அதிக துவேஷம் ஏற்பட்டு வருகிறது. அந்த துவேஷத்தைக் குறைத்துக் கொள்ளவேண்டும். இல்லாவிட்டால், காங்கிரஸ் அரசாங்கம் வருகிற தேர்தலிலே தோல்வியடைந்து ரொம்ப வும் தொந்தரவுக்குள்ளாகும். இன்றே நான் அவர்களை எச்சரிக்கின்றேன். நண்பர்கள் அதை யோசிக்காவிட்டால் ரொம்பவும் கஷ்டந்தான் உண்டாகும்.

நண்பர்கள் அதை யோசிக்காவிட்டால் சொல்வது
“வேறு கட்சிகளாவது எல்லோரும் சேர்ந்து நம்மைவிட அதிகமாக
வேலை செய்வதற்கு வந்தால் செய்யட்டும். அதுவும் இப்பொழுது இருக்கிற
நிலையில் எந்த கஷ்டமும் ஒன்று சேர்ந்து அரசாங்கத்தை நடத்தும் படியான
நிலையிலே கிடையாது. அதிகத் தொந்தரவுகளுக்கு ஆளாகும்படியான
சூழ்நிலையை நாமே உண்டாக்கவேண்டாம் என்பது தான் என்னுடைய
தாழ்மையான அபிப்பிராயம். ஏதோ நான் அதிகம் தெரிந்தவன் என்று
நினைத்துக்கொள்ளவேண்டாம். நான் கிராமங்களுக்குச் செல்கிறேன்.
கிராமங்களிலே என்ன பேசிக்கொள்ளுகிறார்கள், எந்தெந்த முறையிலே
நம்மைப்பற்றிக் கூறுகிறார்கள் என்பது எனக்குத் தெரியும். அது மட்டு
மல்ல, ஜாதியைக் கிளப்பிவிட்டு இருக்கிறார்கள். அதையும் நான் ராஜாஜி
அவர்களுக்குச் சொல்ல விரும்புகிறேன். இம்மாதிரி அவசியமாக
நல்லதைச் செய்யப்போய், அதற்கு இந்த மாதிரி தொந்தரவுகளை நாம்
விஷைக்கு வாங்கிக்கொள்ள வேண்டுமா என்பது தான். இது தனி மனிதனை
பொருத்த விஷயம். அரசாங்கத்தை மெஜாரிடி பாண்டி நடத்திக்கொண்டு
வரும்போது, இன்னும் கீழே போய்க்கொண்டிருந்தால் நன்றாக இல்லை
என்பதற்காகத்தான் இதை சொல்லுகிறேன். அதிகமாக நான் இதைப்
பற்றி சொல்லவேண்டாம். சொல்லவேண்டுமானாலும் அதிகம் சொல்ல
லாம். யாரையும் குறை கூறவேண்டுமென்று நான் நினைக்கவில்லை.
இந்த விஷயத்தை நாம் கவனித்து, தகுந்த முறையிலே இன்னும் அதிக
கோளாறுகள் உண்டாகாத நிலையிலே ராஜாஜி அவர்கள் அதிக பிடிவாதம்
பிடிக்காமல் இந்த விஷயத்தை அவசியம் கவனிப்பார்கள் என்று
அவரைத் தாழ்மையுடன் கேட்டுக் கொள்ளுகின்றேன்.”

* SRI M. P. GOVINDA MENON :—“ Mr. Deputy Chairman, Sir, before I begin my speech on the budget, I wish to congratulate you on your re-election as the Deputy Chairman and I am glad that I am speaking when you are presiding over this House.

“ The present budget is not an ordinary budget and anyone who takes part in the discussion need not touch upon points which one generally does when a regular Budget is presented. This is what the Hon. Chief Minister said when he presented this Budget:—

[Sri M. P. Govinda Menon] [30th December 1953]

'This present Budget is almost in the nature of a Supplementary Demand. Much of the appropriation has already been expended, and the balance is intended for the mere continuance of the Services, already in operation'. Sir, as far as the present budget for six months is concerned, it is not an ordinary budget and therefore the debate need not take place on ordinary lines. But, on this occasion, I should like to impress upon the Government the salient features of the administration which we have in this State. The Hon. Chief Minister, a great leader, says:

'We have, however, to reckon with reality. In the nature of things, a poor people cannot get all that they want immediately.'

I agree with him in this respect. He goes further and says:

'There is no use asking for a miracle.'

Sir, we are not in the days of Miracles. However much we may hope to solve all the problems facing our country, we cannot solve them by miracles. Even if the mightiest Gods from the Heaven come down to this State and govern this country, they will not be able to alleviate the sufferings of the people which this country has inherited from the foreign administration for a century and a half. There are big problems for us to face. Nobody can afford to be impatient over the ills and difficulties which cannot be remedied quickly. We do not expect miracles to happen. As far as I and the Party to which I have the honour to belong and persons who take a real interest in the welfare of this State are concerned, the only complaint is that a right approach has not yet been made. We are enjoying the Independence we got in 1947 for the last six years. The whole administration is not being run on right lines. If it is run on right lines, we would have been patient and the millions of our people would have been patient and would have given a long time for the Government to remedy matters. Unfortunately, we have inherited from the foreigners a top-heavy, over-centralized and bureaucratic administration. I ask, in all earnestness, is there any change in the tone of the administration and in the method of the administration from what it was when the foreigners were ruling this country? Sir, we have distinguished gentlemen sitting on the Treasury Benches, headed by one of the greatest countrymen this country had ever produced. Every nook and corner of Mother India is proud of Rajaji. He has done great things after he took charge of the administration of this State. I ask in all humility and respect the persons concerned in the administration, is there any change in the tone of the administration from what it was before 1947? The Government have got the same kind of officers. We have got twelve Hon. Ministers sitting on the Treasury Bench eleven gentlemen and one lady. What is the necessity for increasing the strength of the Cabinet after the formation of the Andhra State? That is a matter for the Hon. Chief Minister to consider, and I do not want to say anything more on this matter. If he thinks it is necessary to increase the number of Ministers, he may do so. But my only grievance is that our leaders who had taken part in the freedom struggle and achieved freedom from the Britishers and who are now sitting on the Treasury Bench, have not

30th December 1953] [Sri M. P. Govinda Menon]

made any change in the administration. Still, we have the same overcentralized administration, the same top-heavy administration and the same red-tapism running from head to foot. We are carrying on our affairs in the same way as we did before we got our freedom. The man-in-the-street feels that in spite of the achievement of freedom, there has not been any change in the administration of this State. Look at the Revenue Board. Ever since I became a Member of the Madras Legislature, I have been crying hoarse in every budget debate both in the last Assembly and in this House, that the Revenue Board should be abolished. It exists only for checking all new measures of reform. A Board which does not make people move in the right direction must be abolished at all costs. Last time when I urged the Government to abolish it, the Hon. the Chief Minister, though at first he appeared to be against my proposal, said that he was going to abolish it. Still, no change has been made and the Board of Revenue still continues. What is the difficulty in abolishing it? I cannot understand why even our great Rajaji is not able to effect any change. Of course, I agree with my hon. Friend Dr. John that the Congress Party has come to a stage of stagnation where it is not humanly possible to improve it. I am not speaking against my parental organization in which I had worked for thirty years and shed my blood. But unfortunately that organization now consists of persons who do not move in the right direction, and our Rajaji is not allowed to move on and abolish the Board of Revenue. Not only the Board of Revenue but also other unnecessary posts are retained. There are innumerable posts in this State which are not necessary for carrying out the day to day administration of this State. For instance, if we have one Registrar, we have a Joint Registrar, an Additional Joint Registrar, a Deputy Registrar and a Sub-Deputy Registrar not to mention other subordinates. There is no need to have such a large number of posts. If we want a real change and if we want a miracle to happen, a definite approach should be made and that approach is decentralization. Therein lies the miracle. In this respect, I agree with hon. Member Dr. John. Even the great Father of our Nation had been harping upon this decentralization and he wanted that our villages should be governed as self-sufficient Republics, autonomous republics and *grama sangams*. We must have that ideal before us. My plea is to decentralize the whole administration. We can have a decentralized economy also. My great leader, Sri O. P. Ramaswami Reddiar, was dealing with khadi this morning. What has happened to khadi is a painful thing. During the days of the struggle for freedom many people had devoted the whole of their lives to the spreading of the message of the charka. There were people who were prepared to suffer any amount of insults and even physical assault to carry on propaganda for prohibition. They were patiently picketing before toddy and arrack shops receiving insults. Now, it is a wonder that when the Congress Party has come into power we have not got the men to carry out the policy of khadi, the policy of prohibition and the policy of encouraging cottage industries. Mr. Deputy Chairman, so far as the policy of prohibition is concerned, I am wedded to it and will stand by it till the last drop.

1 p.m.

[Sri M. P. Govinda Menon] [30th December 1953]

of blood in me. Whatever people may say, we must see that we carry on with prohibition. Of course, I know that it is not being properly worked and has resulted in illicit distillation being established as a cottage industry."

DEPUTY CHAIRMAN :—"The hon. Member can continue his speech in the afternoon. The House will now rise for lunch and meet again at 2-30 p.m."

(After lunch—2-30 p.m.)

(Mr. Chairman was in the Chair.)

* SRI M. P. GOVINDA MENON :—"Mr. Chairman, Sir, I was referring to the failure in regard to the working of prohibition. It does not mean that I am against prohibition as such. According to me the failure is due to the lack of enthusiasm among the people. During the course of the freedom struggle there were thousands of young men and women who were prepared to make sacrifices for the cause of prohibition. It is a wonder to me that when we have got the administration in our own hands we are unable to create the same enthusiasm among the people. That is why I said that the approach of the Government towards big problems was not proper. If it had only been the correct approach there could never have been any difficulty in carrying out the great reforms which had been thought of by the Father of the Nation and which he had been preaching for a long number of years. Let us hope that where men have failed a woman may succeed. Till now the Hon. Ministers who had been in charge of Prohibition had not been completely successful in carrying out the Prohibition policy. Let us hope that the lady Minister in charge of Prohibition now will be able to turn out better work.

"We have now got Five-Year Plans, Community Projects and what is known as the National Extension Scheme besides many other schemes. In spite of all these schemes, and in spite of the crores of rupees spent on the schemes, Mr. Chairman, what is the position of the country to-day? Unemployment has increased by leaps and bounds. Just now, this morning during question hour there was a question about child-beggars in the City of Madras. It is so not only in Madras. I know the conditions in Malabar. In every nook and corner and in every village of Malabar there are swarms of unemployed people. Men, women and children have been thrown out of employment and have been driven to the necessity of begging to eke out their livelihood. Of course, when Hon. Ministers visit these places, these beggars are removed from the streets. I know that when the Hon. the Chief Minister, our great Rajaji, visited Palghat last year, the Police and the Congress people were anxious that Rajaji must not see any beggar in the streets of the town of Palghat. Therefore they took them in lorries to a distance of about 40 or 50 miles and left them in the midst of forests as if Rajaji does not know the conditions in our country! Rajaji was our great leader in the freedom struggle and he knew the conditions of the millions of down-trodden people in our country.

30th December 1953] [Sri M. P. Govinda Menon]

Yet, these people were anxious to keep the beggars away from his view. Begging has increased in Malabar and it is a wonder that poor Malabar has been subjected to invasion by large numbers of beggars from even the remotest parts of Tamilnad. It is probably so because of the failure of the handloom industry. May I ask whether we are a nation of beggars or are we converting ourselves into a nation consisting only of beggars? It is high time that we found a remedy."

SRI N. ANNAMALAI PILLAI :—"கனம், தலைவர் அவர்களே, இந்தப் பிச்சைக்காரர் பிரச்சினை, சென்ற ஒரு வருஷமாகத்தான் இருக்கிறதா அல்லது இதற்கு முன் இருந்தே தொடர்ந்து இருக்கிறதா?"

* SRI M. P. GOVINDA MENON :—"பல வருஷங்களாகத்தான் இருக்கிறது; ஆனால் இப்பொழுது அதிகமாய் இருக்கிறது.

"I am not saying all these just for criticism's sake but because I have a soft corner for the party which is now ruling the country and also because I feel the pinch of these things. People can see for themselves that begging has increased by leaps and bounds because people have no employment. I will just give an example. In Palghat taluk there are 110 villages and there are 130 rice mills working in that area. In the olden days the women in our villages were eking out their livelihood by pounding paddy into rice. Pounding of rice was a profession in which they were engaged. Now they are deprived of this means of livelihood by the coming into existence of a large number of rice mills. Why should not the Government stop licensing these mills? Are the Government existing for the purpose of enriching the already rich people? Do they exist only for industrialisation and for replacing human labour by machinery? Why cannot we go back to the days of the cottage industries and give protection to these cottage industries? The other day Sri V. K. Krishna Menon, our great Ambassador representative in the United Nations, speaking in the Council of States on the Malthusian theory that the means of livelihood cannot meet the increase in population said that when God created mouths he also created two hands and with the two hands available one mouth could easily be fed. It is quite all right but it is also a fact that Satan has created machinery in anticipation of God creating two hands. Mechanisation has increased by leaps and bounds in our country. We are borrowing American and foreign machinery for increasing the wealth of our country with the result that the villages are going to dogs. The villagers have no scope for employment and this Government have converted the already hopeless villages into villages of beggars though mechanisation might have enriched a few cities and towns. This is the kind of wrong approach which I want to place before this House.

"Coming to irrigation, I must thank this Government and also the Central Government for giving the people of Malabar the Malampuzha Project. I am sorry the Hon. Sri M. Bhakthavatsalam is not here. While he was the Minister in charge of Public Works he did us a great service by initiating this Project and helping to push it through. For so many years Malabar has been neglected in

[Sri M. P. Govinda Menon] [30th December 1953]

regard to irrigation projects. The next important irrigation scheme is the Kanchirapuzha Project and I hope this Government will take it up as early as possible. I also wish to place before this House the views which we the people of Malabar have in regard to irrigation. The Hon. the Chief Minister has also referred to this aspect when he presented the Budget. He says, 'I personally believe we should hereafter turn our attention to the numerous minor sources of water and try to conserve whatever rain falls occasionally, for the benefit of these scattered areas where now life is nothing but continual privation of all kinds.' I have no objection to big irrigation schemes but as far as Malabar is concerned big irrigation schemes alone cannot solve our problems. Malabar has always been a deficit district and even a sane politician like the hon. Member Sri O. P. Ramaswami Reddiar has said that Malabar is a curse or a burden on the State. I am sorry to say this but I must say that your forefathers have cheated us and deprived Malabar of irrigation facilities and you must therefore atone for the sins of your forefathers. The topography of Malabar is very very difficult for the execution of big irrigation schemes. If cultivation is to be improved in Malabar we want smaller irrigation schemes for each village. I would request the Government to chalk out a programme of minor irrigation works for each village in Malabar. I am sure the Hon. the Chief Minister will be able to carry out such small irrigation schemes through village organizations or village councils in a decentralised form of Government. I hope the Government would seriously think about it as it is the best way of tackling the minor irrigation problems of Malabar.

"Sir, I congratulate the rest of the State, especially Tamilnad, on the very good monsoon it had. Here again, my district has been very unfortunate. Though the north-east monsoon began with great promises it unfortunately failed terribly this year as regards Malabar. When the Hon. the Chief Minister came to Malabar he was struck by the green appearance of the district. He complimented and congratulated us and said that we were assured of a good harvest.

2-40 p.m. "The Hon. the Chief Minister is not here and I do not wish to say anything in his absence. After the Hon. the Chief Minister returned from Malabar, the tables have been turned and there is not even a drop of rain. (Laughter.) I do not wish to suggest that there was 'Thrishti Thosham' but the fact that there was no rain after his visit to Malabar is there, and this has resulted in the terrible failure of the crops. The people of Malabar are in a very bad condition. The price of paddy is shooting up like anything. I do not know how the Government are going to curb the present trend of rising prices. The Government have recently changed the old food zonal system and have made the district of Malabar a separate zone which has resulted in the people having to pay increased price for rice. I request the Hon. the Minister in charge of Finance who comes from my neighbouring district—Coimbatore—to remove the present zonal system of constituting the district of Malabar into a separate zone. I see the Hon. Minister for Finance shaking

30th December 1953] [Sri M. P. Govinda Menon]

his head. If he is not willing to remove it, then the people of Malabar district will have to suffer. I am sure, if he is a Malayalee, he will certainly appreciate the sufferings of lakhs of people of my district. Unfortunately he is not very much impressed by my appeal. I hope events will compel him to change his views on the present zonal system and will make him abolish it."

THE HON. SRI C. SUBRAMANIAM :—"I have an open mind in the matter."

* SRI M. P. GOVINDA MENON :—"I thank the Hon. Minister and I feel there is still some hope."

"Coming to educational policy, I have nothing to say about the modified scheme of elementary education. I hope there will be a discussion on that scheme on another occasion. I have got a soft corner for this scheme, and there is something revolutionary in it. I want that scheme to be worked. Whatever be the scheme—the modified elementary education scheme or any other—the Government themselves must work the scheme and not entrust it to private agencies, under the Grants-in-aid system. The grants-in-aid system which is prevalent in my district of Malabar is working havoc among teachers and managers of aided schools. The teachers and managers of aided schools are always quarrelling. After all, as the Paruleker Committee on Elementary Education has pointed out, 93 per cent of the money spent on elementary education is borne either by the Government or by the local bodies and only 7 per cent of expenditure is borne by the aided managements. I do not know why the Government should not take courage in both hands and themselves take charge of elementary education. If the finances of the State cannot permit it, at least they can make a beginning with my district of Malabar where there are a large number of elementary schools and where also the relations between the teachers and managers of aided schools are very much strained, and run all elementary schools as Government institutions."

THE HON. SRI C. SUBRAMANIAM :—"This is the kind of decentralization the hon. Member wants."

SRI M. P. GOVINDA MENON :—"I am all for complete decentralisation. I want that panchayats and village councils should be given enough powers to run these schools and that the Government should give money to these bodies to run them."

"Only one word more and that is about the functioning of communal organizations. This country had already enough trouble from the communal organizations. It is very unfortunate the present Government are encouraging communal organizations in the State. I am coming from the district of Malabar and I know that Government always encourages the Muslim League party. The All-India Muslim League is only an All-India organization in name and does not function anywhere in the State except in the district of Malabar and even there only in two taluks—Ernad and Walluvanad. In the Assembly, there are five Members representing the

[Sri M. P. Govinda Menon] [30th December 1953]

Muslim League Party. As a result of the activities of this party, branches of the Hindu Mahasabha and the R.S.S. are springing up there. Recently there was a conference of the All-India Muslim League Party at Palghat in my district wherein very many nasty things were stated and even our great Prime Minister Pandit Nehru was insulted in bad language. There was great agitation over this and immediately after this conference, Sri Rajaji came to Malabar and things were pacified. I am told that Muslim League Members were even invited to attend Congress Party meetings and if this is so, I can only say there will be more and more communal trouble. With these words, I thank you, Sir, for giving me an opportunity to say a few words on the Budget."

SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, the Finance Minister in his Budget Speech has stated that we will have another opportunity to discuss State policies and that we need not take much time over the details of the present Budget. All the same, I wish to offer a few remarks so that the Government may consider them in framing the Budget for the next year. At the outset, I should like to congratulate the new Ministers who have been recently appointed and the Woman Minister among them. The Deputy Leader of the Opposition questioned about the distribution of various portfolios among the Ministers. That, of course, is a matter within the competence of the Hon. the Chief Minister and this House may not discuss it. But I may say, that as far as Hon. Sri M. Bhaktavatsalam is concerned the rich experience he has had as Minister in charge of Public Works Department will stand him in good stead in tackling the great problems relating to agriculture and community projects. Already he has taken up these subjects very seriously and I know these subjects of rural importance will be handled by him thoroughly well. The Deputy Leader of the Opposition also referred to the fact that the Hon. Dr. U. Krishna Rao was entrusted with subjects like Industries, Labour and Co-operation and not Medical. May I point out that there are many doctors just as lawyers who fill places such as Vice-Chancellor, Mayor, etc., eminently well and that a doctor is now the Chairman of this Council and that they are discharging their duties with great credit. I think, Sir, the remark made by the Deputy Leader of the Opposition is not quite appropriate and that Dr. U. Krishna Rao is administering the portfolios entrusted to him magnificently well. We should congratulate ourselves that the estimated budget for this half year leaves a surplus of Rs. 23 lakhs and that we are on a fair way to ensure financial stability in our State. The revision of the Court Fees Act was expected to yield a substantial revenue and it is a pity that the Government have not yet taken up the necessary legislation. As far as I know, a Special Officer is put on the job in the Home Department for the last two years. The Government should expedite the introduction of the Bill, so that we may have the benefit of the measure at least in 1954-55. The Finance Minister has envisaged the possibility of the levy of a betterment fee in special localities benefited by Irrigation and Electricity schemes. I believe the levy of a reasonable betterment fee

30th December 1953] [Sri T. Purushotham]

from persons benefited should not be viewed as a fresh taxation measure and this will not with any justification be objected to by anyone.

" With the formation of the Andhra State, I expected drastic retrenchment and reorganization of the Government departments in the Residuary State but no steps have been taken so far. True the Madras Secretariat has been reorganized in a way, but I am constrained to remark that the reorganization has not been done on a satisfactory basis. Some of the Departments as now reconstituted are too big, and the work in some departments is comparatively less. In one unwieldy department, it is learnt more Deputy Secretaries are to be appointed. Instead of appointing additional Deputy Secretaries it would be more economical to have separate Departments with one Secretary and one or two Assistant Secretaries for each Department. The Secretariat procedure should be radically changed by the devolution of all routine powers on the heads of departments. Only references relating to ministerial policies and top level administrative sanctions should be dealt within the Secretariat.

2-50
p.m

" The Government have proposed the reorganization of the Board of Revenue. It is understood that instead of the present functional distribution of work among the members of the Board of Revenue, a scheme of regional distribution would be introduced as a measure of administrative convenience. Whatever may be the justification for this scheme, I should emphatically warn Government against any increase in the present strength of the members of the Board of Revenue. My friend Mr. Govinda Menon had spoken just now and pressed for the total abolition of the Board of Revenue. In the light of his speech, there is no justification at all for any further increase in the strength of the Board. I should also like to add that the proposed redistribution of duties among the members of the Board would be unworkable and land in confusion. It has been stated that young and inexperienced Collectors are posted to the districts and that they need guidance and supervision by senior officers. If that is so, the Government ought to take away the senior hands from the Secretariat and the offices of the heads of departments and post them as Collectors, for after all the success of the Government depends on the efficiency of the district administration. Junior administrative officers may be drafted to the Secretariat. The Secretariat after all is governed by set business rules and precedents and the permanent staff in the Secretariat is highly efficient and thorough in administrative matters and the practice of posting senior I.A.S. officers to the Secretariat could well be given up. Though a few seniors may be kept as Secretaries, experienced Collectors need not be drafted as Deputy Secretaries.

" The policy of re-employment of retired officers needs revision. Such re-employment blocks the chances of promotion of younger men in service who are thus denied the chance of getting the higher posts in their respective departments and damps their enthusiasm. This undesirable feature is largely evident in the recent appointment of Chief Engineers in the P.W.D. I do not deny that the

[Sri T. Purushotham] [30th December 1953]

officers concerned are highly capable and efficient, and that their services would be really useful to the State. In such cases, instead of constituting them in the regular cadre as heads of departments they may be constituted into a P.W.D. Advisory Board and their services may be utilized by Government on reasonable terms and they could advise Government with their rich experience on matters relating to the execution of several public works schemes, scrutiny and revision of plans and estimates at Government level and so on. Such an expert body is highly necessary and would act as a check on the Department too.

"In the list of new schemes included in the present Budget, a recurring expenditure of Rs. 7,12,100 is provided for reorganization of the Commercial Taxes Department. The details of the proposed reorganization have not been furnished. I hope the Government would place a copy of the Government Order sanctioning the reorganization scheme for the information of this House. Serious allegations have been made against Sales Tax administration. It is stated that harassment and oppressive measures are common features of this Department. The Government ought not to allow such practices to go unchecked. This should be thoroughly investigated and public confidence in the department should be restored.

"It is learnt that general amendment of the Constitution of India is under active consideration and that the State Government have been asked to state their views. The Government are perfectly aware that there is a certain amount of reasonable public discontent that in the matter of appointments to offices under the State and admission to Government educational institutions and more particularly the professional colleges, justice is not being done to all classes of citizens in the State and that equal opportunities are not given to them in view of the present constitutional difficulties. The social conditions in this State are peculiar and certain protection is called for in the interests of progress of all classes of citizens. I would therefore urge that necessary changes in the Constitution should be effected and that the State Government should convey this to the Central Government. Articles 15 (5), 16 (6) and 29 (3) of the Constitution should be amended by addition of a clause to the effect that nothing in the said Articles shall prevent the State from making special provision for the reservation of appointments or posts or seats in educational institutions in favour of any class of citizens in proportion to the strength of its population. Such a clause may, if necessary, be in operation for a stated period.

3 p.m. "Speaking of the Constitution, I wish to refer to legislative procedure in this House. Article 196 (1) provides that Bills 'may originate in either House of the Legislature of a State which has a Legislative Council'. I would suggest that the Government should first introduce some of the Bills in this House. A convention should be set up that Bills to be moved by Ministers who are members of this House should first come up in this House. This wholesome practice is, I believe, followed in the Central Legislature and a similar convention may be set up here. I appeal to you and the Leader of the House to consider this. In the matter of constituting

30th December 1953] [Sri T. Purushotham]

Public Accounts Committee also a few members of this House should be put on it. Under Article 204 of the Constitution, Appropriation Bills have to be passed by both Houses of Legislature and it is evident that this House has its share of financial responsibility and I hold that there should be representation of this House on the Public Accounts Committee. I have noted in the papers that recently in the Central Legislature such a scheme has been introduced.

"The educational policy of government has come in for good lot of criticism and was referred to by my hon. Friend Sri O. P. Ramaswami Reddiar. I really expected much from the Parulekar Committee, but I find the report is a glorious annotation of the 'Guide book on the Modified Scheme of Elementary Education' issued by the Madras Government. No one denies the importance of craft work and manual training in any scheme of education. Even a reduction of school hours may not be objected to. But a thorough scheme of class room learning and manual work under the guidance of the school authorities should be evolved. Even the Parulekar Committee is emphatic that without radical improvements and modifications the scheme would be unworkable. The scheme has been hastily introduced and it should be suspended pending further consideration and evolution of a satisfactory system. The rural public are against it. Instead of an increase in the strength of school going population, deterioration has set in. The pupils are withdrawn and sent to unorganized pial schools in certain localities. The Government should not stand on prestige. The scheme should be withdrawn and a better scheme should be introduced. Also the costly establishment of special officer and gazetted and non-gazetted assistants sanctioned for implementation of the scheme should be disbanded.

"We find in to-day's papers that in Andhra State, a Committee has been constituted with the permission of the Prime Minister of India to study the working of Prohibition and report on the steps to be taken to remedy the existing conditions. The conditions in our State are the same, the result of the Prohibition Scheme of the composite State. This State Government also should appoint a Committee to go into this question."

DR. C. NATHAMUNI NAIDU :—"With regard to the formation of a Committee by the Andhra State, I would like to be enlightened by the hon. Member whether the statement, that a Committee has been constituted with the permission of the Prime Minister of India, is correct."

SRI T. PURUSHOTHAM :—"That is what I learn from the papers, Sir.

"There is a drive for 'Bhoodan Yagna' in the country and the response has been good in our State. Vigorous Bhoodan Scheme should be implemented by Government in respect of their own lands. The assignment of lands to landless poor should be undertaken on an organized basis. As it is, the process of land assignment is tedious. The Government should not wait for applications. The

[Sri T. Purushotham] [30th December 1953]

Government should list out vacant lands for assignment in each village and assign them to the deserving poor in the village and encourage them to improve and cultivate them by giving them free gift of seeds and also loan for purchase of bulls, etc.

"Turning to the Ministry of Local Administration, it is stated that the Government propose to appoint a high level Committee to go into the whole question of the future structure of the local bodies in the State. Two Committees went into these matters, Ratnasabapathy Mudaliar Committee relating to Municipalities and Kuttikrishna Menon Committee on the future of district boards and the reports of the two committees have not been published and no orders have been passed so far. The Government should tell the public why the reports have been shelved. The proposal to revive the taluk boards should be considered thoroughly and no hasty legislation, half-baked and ill-digested, should be undertaken. The financial aspect of the proposal should be seriously considered. Instead of creating taluk boards, with all the powers of the district boards, I would commend the creation of functional boards. We may have Taluk Education Boards to deal with elementary education. If the district boards are to be abolished, all the District Board Secondary Schools and Local Fund Dispensaries should be taken over by Government. The taluk boards would not be able to maintain them efficiently. I am glad provision has been made in the budget under the head '50. Civil Works' for grants-in-aid to local bodies for five water-supply schemes and one drainage scheme. But meagre amounts have been provided for expenditure this year. For instance, as against a scheme of Rs. 4.85 lakhs for Thiruvettipuram Panchayat Water-supply Scheme a sum of Rs. 10,000 has been allotted for expenditure this year. Adequate amounts should be provided and the schemes should be pushed through expeditiously and completed according to plan.

3-10 P.M. "The question of providing railway over-bridges in Madras City has not been tackled. The Central Government have stated that the State Government should take up the question with the Madras City Corporation. The financial arrangement for providing the over-bridges should be settled between the Central Government, the Madras Government and the Corporation of Madras. If the Corporation is unable to find its share, the Government should give the amount as loan to the Corporation and address the Central Government for early action.

"The Hon. Dr. U. Krishna Rao, Minister for Transport in his speech winding up consideration of the Madras Motor Vehicles (Taxation of Passengers and Goods) Bill, 1952, in this House said: 'The budget is only for one year. Whether a measure is permanent or not depends on how we look at things. I look at this measure as a temporary measure. It will be watched carefully and if any special hardships arise, we will consider them'. The bus operators are hard up and the surcharge has affected them badly. The Government ought to consider their case and see that adequate relief is given to them. In a recent case questioning the validity of this measure,

30th December 1953] [Sri T. Purushotham]

the High Court has held that the first proviso to section 3 of the Act is not valid and that the tax is a levy on passengers. But actually it is the motor owners who are obliged to pay this tax. This is opposed to the spirit of the judgment. It has been admitted by the Hon. Minister himself that the motor owners are not getting as much income as they were getting prior to the imposition of this tax. I hope the Government will consider the desirability of giving some relief to motor transport owners.

"Sir, with the passing of the Madras Estates (Abolition and Conversion into Ryotwari) Act, the estate villages and village establishments were taken over by Government. The village officers in the estates taken over should be granted pay and allowances on the scales applicable to those in ryotwari areas. There should be no disparity in the scales of pay, etc., among the village officers and the pay of the erstwhile estate village officers should be revised as in ryotwari villages with effect from the date the estates were taken over by Government. I request Government to examine this question and issue orders for revision of the salaries accordingly.

"On a perusal of the list of Police establishments I find a category of posts as 'Sergeants' and 'Sergeant-Majors'. These posts were in vogue to provide appointment for particular communities. In the changed circumstances there is no need for such categories designated after military ranks. They all do the same duties as Sub-Inspectors and Inspectors of Police. They are however given some extra concession as free supply of uniform, etc. There ought to be no such discrimination in the Police force. They may all be ranked as Sub-Inspectors and Inspectors and the separate categories 'Sergeants' and 'Sergeant-Majors' may be abolished.

"In moving the Madras Buildings (Lease and Rent Control) Amendment Bill 1953, the Hon. Rajah of Ramnad, Minister in-charge, assured this House that it was not the intention of the Government to continue the accommodation control beyond a very reasonable time. He said: 'The State is to be partitioned and it may be that there may not be any necessity to continue this Act and it is very likely we will be repealing the Act as early as possible'. I wish to invite the attention of the Government to this statement and request them to examine the position and if circumstances permit, the accommodation control may be removed. Whatever the justification for control of residential accommodation, I feel there is no need to apply such control to non-residential buildings. I believe that the Government would do well to take away non-residential buildings from control. In a free country, the right of private persons to use or lease their property without State interference should be respected subject to necessary safeguards against exploitation."

MR. CHAIRMAN:—"I fix a time-limit of fifteen minutes for each speaker."

* SRI T. G. KRISHNAMURTHI:—"Sir, we are supposed to be discussing the budget. I find from the newspapers that our friends of the Legislative Assembly are going about telling the

[Sri T. G. Krishnamurthi] [30th December 1953]

country that they have passed the budget. But we are in the stage of discussing the budget. It is usual for the Members of this House to call such a discussion as a post-mortem examination. It appears that this is not only a post-mortem examination, but a post-mortem examination after exhuming the body. That is the position we are in. Of course, this matter was discussed on the first day of the present session of this House. I was even thinking what exactly was the use of being a Member of this House unless it be to derive some satisfaction from the fact that I could call myself a colleague of eminent men like hon. Members Dr. Lakshmanaswami Mudaliyar and others. No other purpose seems to be served by this House at all. Some people think and even our revered Chief Minister thinks that this House has no other use except to serve as a vehicle to ride into the Cabinet. That is the treatment accorded to this House and there is no use of crying over spilt milk.

"Coming to the budget, hon. Members who spoke just before me have made references to so many facts. In the Hon. Chief Minister's speech, I find the following very nice and welcome sentence: 'No State can afford to be rigidly constrained by old fashioned laws to the detriment of progress and the more even distribution of wealth.' But I wonder if the present budget has been prepared in that spirit of progress and renovation. The excuse may be advanced that this is not a budget in the full sense of the term but just a demand for grant for expenses already incurred. But still, in respect of the budget for the ensuing year at least, we can give certain suggestions which the Government will do well to accept, if they are willing and if they prefer to go by the principle contained in the sentence which I have quoted from the speech of the Hon. Chief Minister.

"Hon. Member, Dr. V. K. John, referred to the tax structure of the State. Everybody has come to feel that there is something terribly wrong in the tax structure of our country and that some radical alteration is necessary. Of late we have been hearing that the multi-point sales-tax should be abolished and the single-point sales-tax should be introduced. Of course, it is a fact that so long as the merchants or commercial classes have been able to transfer the incidence of this tax to the consumer, they have been keeping quiet. But now times have changed and the incidence falls flat on their shoulders. Simply because the commercial community feel that they cannot transfer the incidence of this tax to the consumers but have to bear it themselves, they are grumbling. But on that ground we cannot say that their grumbling is not justified. What is a country if its commerce is at a standstill?

3-20 p.m. "The commerce and trade of a country should flourish if the country has to prosper. Now it appears that we are strangling the commercial community. The advocates of multi-point sales-tax seem to say that already there is plenty of evasion, and if we introduce a single-point sales-tax, even if we enhance the rate of tax, there will be a large evasion and we may not realise the Rs. 9

30th December 1953] [Sri T. G. Krishnamurthi]

crores or Rs. 10 crores which we are now realising every year from that tax. But there is evasion in every direction. I recollect the amusing definition in the Brewer's Dictionary of Phrase and Fable about 'pick-pockets'. Originally people had only purses, and they carried their purses in their belts, which the thieves used to cut, and they were called 'cut-purses'. So people abandoned the idea of purses and took to pockets, and promptly the 'cut-purses' became 'pick-pockets'. So, if the Government devise new means of preventing evasion, new means of evasion will be found by the commercial classes. Somehow or other we have to try and get our revenue. There is the danger of commerce getting stifled. What do we see in the country? Railway traffic has fallen down. The movement of goods is not there. Commodity movement is not there. The bus traffic has fallen down. The lorry traffic has fallen steeply. What does this show? It shows that the prosperity of the country goes to dogs. The taxable capacity of the people is very low, and the Government are helpless to increase their capacity. Have we any source untapped which we can tax?"

* THE HON. SRI C. RAJAGOPALACHARI :—"There are Members of the Legislature!"

* SRI T. G. KRISHNAMURTHI :—"Yes, there are Members and also Ministers!"

"Under the motor vehicles tax, I find that the Government realised Rs. 171 lakhs. This includes Rs. 27 lakhs realised under the Act that was passed this year, namely, the 'Taxation of Passengers and Goods Act, 1952'. We have collected Rs. 27 lakhs under this new Act. What are we doing thereby? We are collecting a pittance of Rs. 27 lakhs and the small bus operators are going to dogs. The Government seem to be afraid of bigger operators. As soon as the Congress came into power, they gave up the original Advisers' idea of large fleets and wanted to encourage the small operators. What is happening now? This Rs. 27 lakhs is the last straw on the back of the small operator who is disappearing from the field.

"Next we come to the question of how we can find a substitute for this tax and how we can keep up our revenues by giving some tax relief to the commercial classes and the people. In the field of agriculture, there may be some scope. Now we have what is called the kist collection. We collect from a man owning 50 cents the same rate which a man owning hundreds and thousands of acres pays. My suggestion is that small holdings can be exempted and larger holdings can be progressively taxed, and agricultural single-point sales-tax can be introduced. While all other classes of people are being taxed, richer agriculturists are not taxed properly to the extent they ought to be. The Government can think of this. Coming to the next point, I think that the profession of the hon. Gentleman Dr. V. K. John can be taxed. (Hear, hear.) They pay income-tax of course. I cannot say they will evade it.

[Sri T. G. Krishnamurthi] [30th December 1953]

(Interruption by Sri M. P. Govinda Menon.) Lawyers can be taxed at the rate at which they collect fees from their clients. This tax can be introduced. I suggest that the Government should find new ways of realising taxes. Hon. Member Dr. V. K. John seems to object to Government borrowing on a large scale. A Government that does not borrow is not following sound Public Finance. I would even go to the extent of saying that the present surplus budget is not a wise move. When we are passing through a period of special travail and when we need every source of revenue we can get hold of for our development projects, the Government are producing a surplus budget. The Government of India will say that we have no schemes and we have shown a surplus budget, and will ask us 'why do you ask for grants and assistance from us?' "

* SRI K. BALASUBRAMANYA AYYAR :—" This is a surplus budget after loans are given."

* SRI T. G. KRISHNAMURTHI :—" That is all right. We should have more schemes if the Government of India should come to our assistance. I am stating this in passing; not that no Government should produce a surplus budget. I do not mean that the Government should borrow. What is the meaning of Government borrowing? They are bringing out the hoarded savings of the people, and the hoarded savings of the people must be used by the Government for executing development projects. By undertaking the execution of any number of large projects, the Government can distribute money among, and increase the purchasing power of, the people. And then commerce will flourish. We have then a cycle of prosperity."

'Now I come to nationalization. The Government can augment their revenues by first of all nationalizing in the State all City Bus transports. The Government have nationalized the bus transport in Madras City alone. They seem to be getting a profit of Rs. 8 lakhs or Rs. 9 lakhs per annum. A private operator will definitely show three time more profit than the Government are able to show, because somebody defined the Government as an organization which has neither a body to be kicked nor a soul to be damned. Nobody takes responsibility in a Government organization. If something goes bad, nobody is responsible. We cannot fix the responsibility. If there is something good, even then we cannot fix the responsibility because there will be too many people to claim credit for the good work to themselves. If only we can manage the nationalized bus transport with better control, we can produce as much profit as even the private operators are able to do and increase the revenue of our exchequer. In the bus transport affair, I find a sum of about Rs. 20 lakhs set apart for repair and other charges. I learn from private operators that an operator having 300 buses will have to spend only Rs. 10 lakhs for repairs and other charges. There seems to be some waste in Government transport. If this is checked, nationalization of bus transport in the Cities in the first instance will come in handy. The Congress

30th December 1953]- [Sri T. G. Krishnamurthi]

organization, Mr. Chairman, is wedded to do good to the people, to grant relief to the people, to collect less taxes and do more work. That is the principle the Congress is wedded to. Our Chief Minister has stated that a more even distribution of wealth is his motto, and his objective. Towards that end we are progressing, and there is a feeling in the country that taxation is very heavy; it is ill-distributed, and it pinches where it ought not to. This is the position of our country. Some way ought to be found. It is of no use travelling along the old ruts in which we have been travelling.

"Coming to the Congress organization, Sir, the objective of achieving the goal of equitable distribution of wealth can be possible only if Government undertook proper legislation for taxation, the proper means of tapping the sources of revenue, and also large schemes calculated for the benefit of our people. Hon. Member Dr. V. K. John was sure that the Congress organization was not going to achieve all these things, because it was capitalistic, and there were zamindars in its ranks. He decided that he was going to be the leader of the 'have-nots'. It is a most amusing statement! When and how did he decide to espouse the cause of the 'have-nots'? I concluded later on, perhaps it was in his luxurious and palatial residence in Kodaikanal during the cool months, being satisfied with himself and the rest of the country, and being satisfied with his financial position, he suddenly decided that he should espouse the cause of the 'have-nots' and throw out the Congress organization, which had a very undesirable leader in Pandit Jawaharlal Nehru who was having the capitalistic habit of not owning even a house, not to speak of property! He wanted to do away with the Congress that did away with the zamindars, who were his rich clients, and, as a fair solution, offered one zamindar a Ministership, another a Rajapramukship and a third a Governorship. Of course, it is very fashionable to speak about 'haves' and 'have-nots'. But I am not surprised that hon. Member Dr. V. K. John and people of his liking feel that the Congress organization should go because they realise full well that the Congress organization while denouncing the ways of the Communists is gradually, surreptitiously, and irrevocably travelling towards a goal where even hon. Member Dr. John's Kodaikanal residence may be thrown open to the rabble of the Carnatic Mills for their holidaying."

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

SRI T. G. KRISHNAMURTHI :—" Mr. Chairman, Sir, I will take, just as hon. Member Mr. Purushotham did, five minutes more. (Interruption.) I am quoting the precedent."

"The next subject I want to deal with is the Modified Scheme of Elementary Education on which the hon. Members Sri O. P. Ramaswami Reddiar and Sri Purushotham spoke. Of course, much has been said about it here and elsewhere. But I am wondering why people call it a scheme at all. It was Gibbon who

[Sri T. G. Krishnamurthi] [30th December 1953]

said about the 'Holy Roman Empire' that it was neither holy nor Roman nor an Empire. Similarly, this is neither a scheme nor a policy nor a principle. What has been done is that simply the shift system has been introduced. The children are not looked after in their extra-curricular hours. Nothing has been done to help the pupils. At last, a wonderful committee was appointed, of course, composed of very erudite men who said, 'We saw nothing because there was nothing to see; we read nothing because there was nothing to read; we discussed nothing because there was nothing to discuss. Yet, we have come to a decision on the scheme—which is wonderful—which can be successfully implemented, provided the Government are prepared to spend a further sum of Rs. 10 crores on elementary education. On this basis, we have suggested some modifications to the scheme.' Unless one wants to stick to it as a fad, I do not think any useful purpose will be served by sticking on to a scheme that is doing good neither to the pupils whom it is intended to benefit nor to the Government who try to profit in popularity by the introduction of such a scheme. Anyway, so long as it is not going to cost the Government and the tax-payer any money, I have no objection for Government flirting with the idea for sometime longer. I have no objection to it in that way. But, I would appeal to the Government, in conclusion, that at least when they prepare the next Budget, they may take into consideration all these facts and announce to the oppressed people of the State of Madras tax relief. Hon. Member Dr. V. K. John will not then laugh so loudly as he does now because by then his profession will also have been taxed."

* SRI G. KRISHNAMURTHI:—"Mr. Chairman, Sir, I quite realise that this Budget relates only to the second half of the current financial year and that we have already spent the money relating to the first four months out of the six months under reference. I quite appreciate the statement of the Hon. the Finance Minister that excepting in respect of certain items, unavoidable items under the altered conditions, there cannot be any surprises in this Budget. But I do not know the reason why no provision has been made for an item consequent on a particular altered condition that crept in from the 1st of June 1953, namely, the introduction of the Modified Scheme of Elementary Education. An altered condition arose on account of this unavoidable item and the Government should have provided something for this particular item. Sir, the administration is headed by our revered Rajaji, a great administrator. He should certainly have brought in this scheme after making sufficient arrangements for personnel and finance. As, in the nature of the scheme, no extra personnel is needed now there ought to have been some provision made towards extra payment to teachers at least in respect of the extra work expected to be turned out by them as a result of the introduction of the new scheme. I do not know why an announcement was not made about the extra payment to teachers on the date of the introduction of the new scheme. Now, I see from the newspaper reports

30th December 1953] [Sri G. Krishnamurthi]

that the Government are viewing the question of enhancement of the salary of teachers in this way. They say that any extra remuneration at this juncture might be construed wrongly by sections of the public opposing the new scheme. Sir, education is above politics. Our revered Chief Minister has always been pointing out that this Modified Scheme of Elementary Education must be viewed not from a political angle but from an unbiased educational angle. But, why should the question of the salary of teachers alone be linked with politics? When once the scheme was introduced, it was but right on the part of the Government to have announced an enhancement of the salary of the teachers, at least commensurate with the extra work imposed on them on account of the introduction of the new scheme. Now, to say that some sections of the public would misconstrue an enhancement of the salary of the teachers consequent on the introduction of the new scheme is not proper. I hope the Government would immediately provide for an enhancement of the salary of the teachers who have put in at least 50 per cent of extra work from 1st June 1953, the date of introduction of the new scheme. Since then, our teachers have been shedding their blood; they have been working for six days instead of five days in a week and for six hours instead of four and a half hours a day. Naturally, they ought to get something extra. The Government have all along been showing their sympathy towards the teachers by stating on the floor of this House, 'They have our full sympathy but it is the question of finance that stands in the way. If only we have enough finance, we shall try to help the teachers.' Now, it was thought that the administration headed by Rajaji would have made some financial provision before introducing the new scheme. The factor of finance must have been considered, while this Budget for the six-month period was prepared, with reference to giving an enhancement of the salary of the teachers with retrospective effect from the 1st June 1953. This is a contingency that arose after the normal presentation of the Budget in March 1953. The new scheme was introduced on the 1st June 1953. All along the Government have been saying, 'The teachers have our full sympathy.' Now, they have just imposed extra work upon the teachers. They were already saying that they were prepared for paying higher salary to the teachers. Now, as they have made the teachers put in 50 per cent extra work, there ought to have been some provision made for additional payment, at least commensurate with the extra work imposed upon them. The scheme ought to be extended to municipal and other areas. I was really pained to hear a certain hon. Member remarking that this was not a scheme at all. This is a regular scheme. I do not claim credit for the introduction of the scheme. But I was really connected with the formulation of some such scheme in a certain way since the year 1945. This scheme is a scheme which just tries to transplant education from the foreign field to the indigenous field. This is a scheme which is going to revive cottage industries and resurrect village life. This is a scheme the necessity for which was long-felt. If we just want

[Sri G. Krishnamurthi] [30th December 1953]

3-40
p.m.

to continue the old 5-hour schooling scheme, we will only be contributing, to that extent, to the impoverishment, unemployment and distress of the poor. If the hon. Members argue the other way about and say that they do not want any school at all, I can understand it. But if they vote for the continuance of the old, useless scheme of 5-hour schooling which has been creating only unemployment and producing unemployed and unemployable people, I cannot understand the situation. If they just criticize the scheme on its merits, it is understandable. But the proposition that because the new scheme is not very attractive or has not produced so much of result in such a short span of time, we must continue the old system of education, is not acceptable. It is better for us to go into the scheme more calmly and see whether we have done any mistake by reducing the hours of instruction. Sir, I can appreciate the policy of the Government in just saying, 'You, teachers, must educate so many children within so many hours in so many working days.' But the details of the scheme must be worked out by teachers. I think much of the hatred against the scheme is attributable to the fact that the scheme does not attempt at reforming the content of education. Now, the Government have simply taken away eleven periods out of the thirty-five periods and said, 'Well, you have the old system of education minus certain items as play, music and craft which need not be taught within the school.' Now we have to allot 10 periods for language, nine periods for Elementary Mathematics, one period for Drawing and four periods for General Knowledge. This method will reform the pattern of education completely and show to the public that they are leading the people to a certain state of affairs which is the real foundation for the solution of the unemployment problem that is being tackled at the Centre now. That would create some public opinion. Really, this scheme ought to have been extended to municipal areas also. We will be creating a caste, a separate caste so to say, by our not extending this scheme to municipal areas and confining it only to the mufassal panchayat areas. Again, this scheme must be introduced in higher elementary schools also. Sir, the argument of the Government that we must wait for some more time for enhanced salaries till the scheme bears fruition does not hold water. There must be some provision for teachers at least for the extra work that they are expected to do after the introduction of this scheme.

"Coming to the question of the Government's sympathy towards teachers, I put certain points for their consideration. There are so many things which the Government could have done in the past 18 or 20 months for teachers and many of these things do not involve any finance at all. I would humbly entreat our revered Chief Minister and the Hon. Education Minister to see whether they cannot give security of service to all teachers. Can there be any profession where a member will feel insecure even after so many years of service? In other professions and services, as soon as a member is confirmed, he feels secure in his job. Unless he

30th December 1953] [Sri G. Krishnamurthi]

commits grave mistakes, such as, dereliction of duty or gross neglect of duty, he will not be sent out of his job. But, here is a profession, I mean the teaching profession, where even a well-placed Principal of an aided institution has to feel that the more his salary, the more insecure is his service. Sir, I do not know what stands in the way of the Government coming to the aid of the teachers and giving them security of service. The Government must look into the matter and see that when a teacher is confirmed in his post, he should not be displaced by any person simply for the sake of effecting some savings to the management.

"Even with regard to the question of uniform leave rules, nothing has been done by the Government. I earnestly entreat the Hon. Education Minister to look into these matters, viz., security of service and uniform leave rules which after all do not involve any finance and which can be done by a stroke of the pen and do something for the teachers.

"Sir, I cannot leave certain things on the administrative side of the Education Department uncriticized. Last year, the Government or I should say the department interfered in a particular affair and banned about 75 Hindi Pandits from appearing for the S.S.L.C. examination. At that time, I entreated the then Education Minister just to interfere in the matter and permit those Hindi Pandits to appear for the examination. This permission was not granted. Permission to appear for the October examination was also not granted. I entreat the present Education Minister to look into the matter and permit these Hindi Pandits to appear for the examination at least in March 1954. In the previous year, the department took a wrong step in refusing permission to these Pandits. They quoted some rule which ought not to be applied in the case of those Pandits. They recognized a Degree which is not recognized by the Government and they left unrecognized a Degree which has already been recognized by the Government. The department committed a great error. Instead of rectifying their own error, the department people stood on prestige and did not permit these Pandits to appear for the examination. I hope the revered Chief Minister will kindly look into the matter and see that the grievances of these 75 Hindi Pandits are redressed before March 1954 and they are given permission to appear for the S.S.L.C. examination.

"With regard to the untrained teachers at Pudukkottai, exemption has been promised by our Education Minister. Still, there are cases in which the department has been delaying the grant of exemption. I request the Hon. Education Minister to look into this matter also and see that such delays are avoided.

"In a particular institution in Tiruvadi, viz., the Oriental College of Studies, the Nyaya section has been abolished and two Professors have been sent away in the middle of the college year. The prospects of these two Professors have been affected. I do not know how they are justified in abolishing a certain section of

[Sri G. Krishnamurthi] [30th December 1953]

the Oriental College of Studies in the middle of the year and sending away two Professors. I humbly request the Hon. Education Minister to look into the matter and see that the grievances of these people are redressed.

"With regard to Provident Fund, something has been done to avoid delays in closure. I wish to bring to the notice of the Hon. Minister for Education that in a number of cases, there has been a delay of even one year. I request the Hon. Minister to look into the matter and see that such delay is avoided.

"As for general matters, several promises of relief for the teachers have been made in the past, such as provident fund-cum-insurance and so on. Our Chief Minister has been telling in his speeches elsewhere that paddy from the village produce would be set apart for the teachers. There has been a demand for house-sites for teachers. If nothing can be done for the teachers at this period when we have a great administrator at the head of the Government and when we have a Five-Year Plan according to which 2,800 crores of rupees will be spent for the whole country and something like 80 crores of rupees will be allotted for this State, I do not think this problem of teachers can ever be solved. I request the Government to look into this matter and see that the teachers of this State are afforded some substantial relief. I hope this point will be borne in mind when the budget for the next year is prepared. The Government need not spend even a pie from their exchequer. They can get revenue from the public by starting a fund, called the Teachers' Maintenance Fund. The Hon. Chief Minister gave an assurance in this regard on the floor of this sacred House on 8th April 1953. I do not know at what stage the implementation of that assurance is. I take this opportunity to request the Hon. Chief Minister and the Hon. Education Minister to kindly look into the matter and take such steps as are necessary towards the institution of the Teachers' Maintenance Fund.

"I think in one of my budget speeches last year, I remember to have expressed the hope that Varuna would shower His blessings on us as our Chief Minister would do the right thing at the right time in the right manner. We have had plenty of rains in the whole State and all are expected to be prosperous. Everybody expects a definite fall in prices. We are really glad, that these good effects will touch even the poorest section of the State and will do some good to them. But, what about the position of teachers? Should not something be done for their good and towards their relief? It is my feeling that this is the proper time to start the Maintenance Fund referred to by me for the benefit of the teachers of this State. I request the Hon. Chief Minister to look into this matter. I hope at least the next Budget will, provide some relief to the teachers."

* SRI MAMOMED USMAN :—"Mr. Chairman, I expected the budget to be a deficit one, but it is a matter for congratulation

30th December 1953] [Sri Mahomed Usman]

that the Hon. the Finance Minister has presented a surplus budget. It shows great ability and hard work on the part of the Hon. Finance Minister.

"Sir, reference has been made to one or two important matters by some of the hon. Members who spoke before me. There is a suggestion that Prohibition should be scrapped. I do not know why a good thing should be dropped. If Prohibition has not been a success or a thorough success, steps should be taken by the Government to see that Prohibition is made a great success and a thorough success. My hon. Friend Dr. V. K. John said that the Andhra Government have appointed a Committee to consider whether Prohibition should be continued or not. I do not think there is any reason why we should follow the Andhra Government. Let them do anything they like. I shall welcome a Committee, if it is appointed, not to recommend the dropping of the scheme, but to suggest ways and means by which Prohibition can be made a greater success than what it is today. Of course, when Prohibition was introduced, the Hon. Chief Minister knew the difficulties that would arise. These difficulties have appeared on the scene and statesmanship consists in not running away from these difficulties but in facing them and finding out ways and means to solve them. This is the spirit in which we should view this question. I am sure the Hon. Chief Minister will see to it that Prohibition is made a greater success.

"The Hon. Leader of the Opposition during his speech on the last Budget brought to the notice of the Government the film advertisements disfiguring the walls of many of the houses in the City of Madras. I do not know whether the Government have taken any action in the matter. Such disfigurement is still going on and I have myself seen cases of disfigurement of private-owners' buildings and school buildings. The owners of the houses do not know what to do, as the film advertisements are pasted on the walls of the houses at dead of night. I think the Government will bring an enactment to prohibit the sticking of film advertisements on the walls of the houses and schools so that this sort of disfigurement may disappear as early as possible.

"Sir, lot of criticism has been made about the modified scheme of education. I do not think that there should be so much of opposition to the scheme. After all, the chief object of the scheme is to see that the largest number of boys and girls are educated at the minimum cost, to put it succinctly and briefly. While other States are trying to copy what Madras has done, I see no reason why we should drop it. 3-50 p.m.

"I was very glad, Sir, that the Hon. the Minister for Education, soon after taking up the portfolio of Education, made an announcement that in all Government colleges, professors would be posted on a permanent basis and no transfers would be ordered every six or eight months as at present. I think that is a very

[Sri Mahomed Usman] [30th December 1953]

healthy reform. I was educated in a private College, the Madras Christian College. The professors had been there for years and so they had a greater chance of impressing their moral and intellectual personality on the boys, than professors who came to work for only three or four months and then cleared out.

"Sir, my hon. Friend, Dr. V. K. John, said that what we wanted in India was a large party run on economic lines. Well, I do not know what he exactly meant by that. I have been in politics for the last forty-five years and I know many parties have appeared and disappeared during this period. Even today, there are many parties other than the Congress which make no impression in the country. The biggest organized party today is the Congress Party and I do not know whether statesmanship and wisdom consist in dissolving that party and forming new parties. We should remember what is happening elsewhere. Pakistan is making common cause with America by entering into a military alliance with that country. That is a threat to India and perhaps to the whole world. Unless, therefore, there is a strong party in India, a well-organized party in India as the Congress is today, our freedom will be jeopardised. Therefore, instead of asking for other parties to be formed, the best thing that Dr. V. K. John should do is to join the Congress (Ministerialist cheers) or to support the Congress. I have told Dr. V. K. John times without number that what is wanted today is a strong organized party and that the Congress should be strengthened in all possible ways in order that it may serve the country to meet any situation.

"Sir, it is a matter for congratulation that in compliance with the request of the Congress High Command, Rajaji continues to be the Chief Minister to-day. He has held the highest office open to an Indian in this country—the post of Governor-General—and if he is still here, it is because he wants to serve the country. We should all be grateful to him for continuing to be our Chief Minister and I wish him long life and health."

* SRI ALEXANDER GNANAMUTTU :—"Mr. Chairman, Sir, in the closing paragraph of the speech made by the Leader of the House, a special request was made to the Members to be very brief in their remarks about the Budget. He said that an opportunity would be given at a later stage, when the big Budget is presented to the House, to discuss the acts of commission and omission, if I may call them so, of the present Government. I have taken the cue and I shall be brief in my remarks. But permit me, Sir, to invite the attention of the Hon. the Chief Minister to a few acts of omission and commission of the Administration, particularly the Police Administration, and request him to issue instructions to the police to be more human, more humane and more sympathetic in their attitude towards the public. I do not want the police to cold-shoulder any legitimate request made by a member of the public. I would give the House a very specific instance of what happened three weeks ago. Away in Ambala, a

30th December 1953] [Sri Alexander Gnanamuttu]

young Christian lad of 26 belonging to Tirunelveli, when he was taking a Jet Vampire solo crashed to death. He had put in seven years' service in the I.A.F. He was working in the Military Department and the Military authorities were generous enough to charter a special plane from Agra to fly his mutilated body down to Madurai where the boy's parents were living. I may tell the House for information that the boy's father is a Deputy Collector on the verge of retirement. I was informed of the tragedy as I happened to be the boy's uncle and rushed to Madurai. I asked the pilots, who brought the dead body, whether military honours were given to him. They said, 'No.; at this end they will be given.' I rushed up to the District Magistrate and also to the District Superintendent of Police to enquire whether military honours could be provided at Madurai and, if not, whether police honours could at least be given at the time of the funeral, in the absence of any Military unit at Madurai. Sir, the District Superintendent of Police refused police honours. He had plenty of sympathy."

THE HON. SRI C. RAJAGOPALACHARI :—"I am extremely sorry that the hon. Gentleman Mr. Alexander Gnanamuttu did not think it useful to send me a telegram as so many other people do in much smaller matters."

SRI ALEXANDER GNANAMUTTU :—"Permit me to say, Sir, that it was at 10-30 in the night that I called on the District Superintendent of Police and again on the District Magistrate. I said: 'Here is an Indian Christian boy of my own district who has given his life on duty. His body has been brought all the way, some 1,200 miles down to Madurai. Won't you give him Police honours at least for a short distance from the aerodrome to the graveyard?' They spread their hands in despair and said: 'Mr. Gnanamuttu, we would like to help you but the rules are not for it.' I asked them: 'Are the rules against such honours being provided?' 'No', they said: 'They are not against but we do not want to create a precedent.' I said again: 'Can't you consult your higher authorities and tell me?'. The District Superintendent replied: 'I just consulted the Deputy Inspector-General who is in station. He says nothing can be done.' Sir, may I request the Government respectfully that at least in future when young men give up their lives in this manner . . ."

THE HON. SRI C. RAJAGOPALACHARI :—"Exactly the same thing will not happen. I hope not."

* SRI ALEXANDER GNANAMUTTU :—"Yet another point relating to the Police."

THE HON. SRI C. RAJAGOPALACHARI :—"You do not answer my query. Why did not you telegraph to me?"

[30th December 1953]

* SRI ALEXANDER GNANAMUTTU :—“ On the other hand, the District Superintendent of Police felt the Government would take him to task if . . . ”

* THE HON. SRI C. RAJAGOPALACHARI :—“ I would certainly have been right in taking to task any policeman charging the regular practice, the warrants of precedence and the like. I would certainly not have taken to task any Member of the Assembly or the Council for sending information about his own nephew.”

4 p.m. * SRI ALEXANDER GNANAMUTTU :—“ I would therefore request the Hon. the Chief Minister to issue necessary instructions . . . ”

* THE HON. SRI C. RAJAGOPALACHARI :—“ I am rather angry you did not bring it to my notice on behalf of your nephew. That is not how you should protect the interests of your nephew, dead or alive.”

* SRI ALEXANDER GNANAMUTTU :—“ Sir, references were made in the speech of the Hon. the Chief Minister and in the Budget speech of the Hon. the Finance Minister about excellent monsoon conditions and how we were going to have a very prosperous time. Unfortunately many parts of Tirunelveli have not been benefited by the monsoon. As a result thefts and robberies are on the increase. In this connection I would invite the attention of Government to two recent occurrences of robberies which took place during the last eight weeks and the victims unfortunately happened to be two women, wives of officers of Palayamkottai. Exactly eight weeks ago when the wife of the Superintendent of the Borstal School was sitting outside on the veranda at about 7-30 in the evening, the chain and *thali* on her neck were snatched away by an assailant. On the 4th December when the wife of the District Medical Officer was chatting with her children after dinner at about 8 o'clock in the night, again an assailant came and snatched away all the jewels that the lady was wearing. In both the cases the assailants have not yet been detected. If this should happen to wives of officers in Palayamkottai, may I bring to the notice of the Government how scared the public of Palayamkottai are and how absolutely necessary that better *bundobust* should be given to the public of Palayamkottai in future.

“ I would like to refer to a point already referred to by my good friend Mr. T. Purushotham about the age of retirement of officers. Again and again on the floor of this House, questions were asked about this. Such questions were raised on the floor of the Assembly also. It is the view of most of us that the age of retirement should be raised to 58 or 60. But the Government are not in favour of such a proposal at all. All the same we find that a certain favoured few are being given extension of service year after year in almost every department of the Government. May I

30th December 1953] [Sri Alexander Gnanamuttu]

in this connection invite the attention of the Government to what the two previous Chief Ministers have said regarding this on the floor of this House as also on the floor of the lower House. They assured that retired persons will not be re-employed. But here we find in every department persons are being re-employed. I am not against those re-employments, but I would like to impress on the Hon. the Chief Minister the necessity of increasing the age of retirement to 58 or 60, for in every case of re-employment, may I inform the House that there is a great deal of bitterness, disappointment and frustration. There is demoralization among the Government servants, and many people who have been long waiting for promotion are denied that promotion just because certain persons belonging to a particular community are given extension year after year.

“ Now, Sir, turning to education, I say I belong to the University of Madras and I am a product of this University. I am proud of the fact that I belong to this University. For the last 20 years or more I have been closely associated with almost every authority connected with the University. I may therefore say that if our University holds its head high, higher than most Universities, if not all the other Universities of India, it is mainly due to the administrative genius of that great man sitting to my right, the hon. Leader of the Opposition Dr. A. Lakshmanaswami Mudaliyar. During the last 15 years, the University has been making rapid strides. The advance made by the University is phenomenal, and it is entirely due to the great Vive-Chancellor who has been guiding the destinies of the University for the last so many years. So much so many of us however experienced we may be as educationists feel honestly that we are unworthy to unloosen the latchet of his shoes. About such a University, a statesman of this Government even made a statement that something has gone gravely wrong. That statement was made by no less a person than the Hon. the Minister for Finance and Education in Udipi. He said Government must have some say in University matters.”

THE HON. SRI C. SUBRAMANIAM :—“ I have not made any statement that anything has gone wrong with the University. With regard to recognition I was wondering whether we should have some say. I was only thinking aloud. I had not come to any conclusion of my own in regard to this. As a matter of fact I had taken charge of the Education portfolio only recently. I did not make any charge and I did not say anything there as the conclusion which I had arrived at.”

* SRI ALEXANDER GNANAMUTTU :—“ I saw bold headlines in the ‘ Mail ’ ”.

THE HON. SRI C. SUBRAMANIAM :—“ ‘ Mail ’, of course ! ”
(Laughter.)

[30th December 1953]

* SRI ALEXANDER GNANAMUTTU :—“ And the word ‘some’ was given within quotations. Well, I am very happy, Sir, that the Governor of this State in a speech made by him recently has stated in so many words that the Government should not interfere with the affairs of the University.

“ Sir, one other word about educational institutions and organizations affiliated to the Madras University. Many of them as far as I know are starving for want of funds for expansion. Every time we apply to the Government for financial help they say that on account of the present financial position they are not in a position to render any further financial help. But I am surprised, Sir, when the Government are not able to help institutions which belong to this State, institutions which are affiliated to the University of Madras, they go out of the way to say that they will help an institution away in Udipi not affiliated to the University of Madras. Charity, they say, Sir, begins at home.”

THE HON. SRI C. SUBRAMANIAM :—“ They are at home, Sir, now.”

* SRI ALEXANDER GNANAMUTTU :—“ It is not affiliated to our University. There are many affiliated institutions which are in need of assistance and it is the duty of the Government to help them liberally.

“ According to a recent order issued by the Government, teachers and even elementary school teachers have been granted permission to seek election and become members of local bodies, municipalities, the Assembly and the Council. But there is a snag in it. It is stifling in its nature. It throttles the teacher and prevents him from seeking election to any of these bodies. The order says that the teacher must sign his appointment if he wants to stand for election to any of these bodies. Teachers who want to stand for election must either resign or take long leave.

4-10 p.m. “ There is a threat that if any management were to retain such a member of the staff who has won his election, then the grant on his salary would be cut. My humble suggestion is to forthwith recall that order and suitably amend it.

“ Now, let me refer to Prohibition, a subject on which I spoke on previous occasions also. Unfortunately, the Hon. the Chief Minister is not here. Every time he turns a deaf ear to my request. Now I am not going to speak on that subject but I would draw the attention of the charming Minister for Prohibition to two or three drawbacks in this Prohibition Scheme. I am sure, she will agree with me that some of the permit-holders have obtained their liquor permits on medical grounds and I do not know why the Government should ask these persons who want to have regulated doses of this liquid solace to pay a sum of Rs. 50 for obtaining a permit. I cannot understand why, for renewing a permit, the Government insist on the permit-holder to submit another medical

30th December 1953] [Sri Alexander Gnanamuttu]

certificate; thereby the man has to pay another 16 or 20 rupees to the doctor. Also, I do not know why the Government charge eight annas as purchase tax for every single rupee of liquor purchased. So much is said about ‘tainted money’ and is this not ‘tainted money’? Why should his tainted money be obtained by the Government?

“ Lastly, I may refer to my own town of Palayamkottai and the water-supply scheme. The scheme was sanctioned and taken up almost 2½ years ago but the progress made is so snail slow that it looks as if it will take another three full years for the scheme to be completed. I would request the Government to look into the matter and expedite the scheme so that the people who are so much in need of drinking water in Palayamkottai may get it within at least a year or two. I do not want to say anything more. I thank you for giving me so much time to make my observations.”

* SRI T. M. NARAYANASWAMY PILLAI :—“ Mr. Chairman, Sir, the House has just now listened to a finished speaker and I hope the Members on the Treasury Bench would have been moved greatly by his speech. I hope his words would not have fallen on deaf ears. I am afraid I shall not be as effective as the previous speaker, in putting forward my suggestions and, therefore, I crave your indulgence. The Hon. Chief Minister has given us an analysis of the ratio of expenditure on the several services. He has admitted that the expenditure on Social Services is below the people’s expectations. That implies two things: In a Welfare State, much more than 30 per cent ought to be spent on Social Services. Also, it indirectly implies that the expenditure on security services, which is said to be 32 per cent, is more than what ought to be spent on security services in a Welfare State. I tried to make a calculation for myself and so far as the expenditure on security services is concerned, according to my calculation, it comes to 40 per cent. It is immaterial for the present whether it is 40 per cent or 32 per cent. Whether it is 32 per cent or 40 per cent, what I wish to observe is the expenditure on security services in much more than that ought to be spent on them in a Welfare State. In regard to this matter, I followed the observations of the Hon. Chief Minister. In the observations there is a feeling of despondency and despair. He says, ‘there is no use asking for a miracle’. We do not ask for it. While we do not ask for a miracle, we are anxious that slowly but surely the wealth of the people should increase. The national wealth and prosperity of the people should increase and there should be an improvement in the standard of living of the people at large. In this connection I quote what the Hon. Chief Minister himself has said—

‘ We have, however, to reckon with reality. In the nature of things, a poor people cannot get all that they want immediately. Much hard and sustained work will have to precede an appreciable increase in national wealth and the general standard of living. There is no use asking for a miracle.’

[Sri T. M. Narayanaswamy Pillai] [30th December 1953]

And proceeding further he says—

'An improvement in the general standard of living, when no one is prepared to work more than he did before and no one is prepared to reduce cost of production so far as he himself is to benefit by the cost'

is nothing short of expecting a miracle to happen.

"These are two causes which he refers to. Now, if these are the causes, what is it that the Government in the Welfare State have offered in their Budget to remove these two difficulties? What is it that they have suggested to make people work more than they did? What is it that they have suggested to reduce the cost of production? Merely stating the causes and suggesting no remedy for them and no steps for removing them is not to perform the functions of the Welfare State. That is why I say there is feeling of despondency and despair in the speech of the Hon. the Chief Minister. There is no use merely making a statement and then keeping quiet, as though things could improve of their own accord. My submission is that the Government have themselves contributed to the operation of these causes in a large measure. If the people are now inclined to work less and are not inclined to work more than they did, is it not due, to a great extent, to the operation of several legislative enactments introduced by the Government in recent years and to the tax structure and its working? I shall not refer to the tax structure and its working at present. In my view the labour legislation of the Government is responsible for removing the incentive for work and for maintaining the cost of production at a high level. This should be examined by the Government. This is the time when the Government, before presenting the next Budget, should take stock of the whole situation. In 1930-31, when there was a similar shrinkage of revenue, the Finance Committee was turned into a Retrenchment Committee. They considered the whole position and arrived so to say—on a normal budget. What would be our normal revenue under the altered conditions and what should be our expenditure—and how should they be distributed as between Security Services, Public Utility Services and the Social Services. This is the time when some such thing should be done.

4-20 p.m. "I said that a greater percentage was spent on Security Services. In my view a reduction of expenditure on this item is possible. In this connection I would like to refer to the speech of the Hon. the Finance Member. He says 'As a concession to Andhra sentiment, we had agreed to retain on our side, all non-Andhra officers employed by the composite state, even though we knew that the decision would cause us some embarrassment.' This statement shows that deliberately they discriminated against the officers of the present residuary Madras State. The Finance Minister says further 'The logical course would have been to retrench the surplus personnel, but in view of the distress it would cause, the Government decided not to resort to that solution on a general scale. This may result in some immediate uneconomic

30th December 1953] [Sri T. M. Narayanaswamy Pillai]

outlay, but the Government are making suitable administrative changes to minimize the wastage and to make the best use of these trained personnel'. I submit that this passage tacitly admits that the present outlay on personnel is uneconomic, that it is possible to retrench and that Government wanted to retrench but they did not do so. The reasons for not taking the logical course cannot be supported. When the Government admits that they are spending more on services and when they admit that retrenchment is possible, why should not the Government set about the task in right earnest and avoid the uneconomic outlay? This is what I wanted to suggest.

"I wish to touch upon points which have not been so far referred to by other Hon. Members and the next point I would like to suggest is this: On account of the separation of the Andhra area, our State has become deficit in food and the City of Madras has to depend for its food on supplies from Andhra. Recently I saw in the newspapers that our Government have agreed to an arrangement with the Andhra and Central Governments whereby the Andhra Government would be permitted to undertake State trading in rice and supply to us at a cost which would be in excess of the market price by Rs. 3 or so."

THE HON. SRI C. SUBRAMANIAM:—"Sir, on a point of information, may, I submit that the difference in price is not Rs. 5. One lakh tons of rice to be supplied to our Government will be at the rate at which it is procured. The only advantage the Andhra State would get is the sales tax on this quantity. On the other lakh of tons of rice which would be supplied on a Government to merchant basis, they would be charging only twelve annas more. I request the hon. Member not to suggest any further increase."

* SRI T. M. NARAYANASWAMY PILLAI:—"Sir, I am not suggesting any increase but opposing an increase. I would like to say that in a transaction of this kind between our State Government, the Andhra State Government and the Central Government, our Government would be arming themselves with the authority of the public opinion expressed in the Houses of the Legislature and for that purpose we should be enabled to know the facts properly. What I wish to impress is that according to the Constitution, Part XIII, the Commerce is free throughout the Union; there are certain fundamental rights regarding freedom of movement and freedom to practise a trade; under Part XIII, commerce is free throughout the Union. I am not going to dilate on this subject having regard to the statement of the Hon. the Minister but let me say that in a matter of this kind, it is much better that the State Government should get the support of the people and we shall only be too ready to give them such assistance. The commerce of this country is, as I said, free and any restrictions on it could be imposed only by Parliament and even Parliament could not do certain things; certain actions are clearly

[Sri T. M. Narayanaswamy Pillai] [30th December 1953]

prohibited in the Constitution itself. No discrimination could be made against us as citizens of the Madras State. Certainly if our State Government have taken care to see that the Andhra State Government have not been allowed to make any discrimination against us as citizens of Madras, it is a different matter. I got disconcerted when I saw in the papers that the Andhra State Government were allowed to make a profit of 25 lakhs by imposing artificial barriers. That will be doing things prohibited by the Constitution. This is an important question and should be considered carefully by the Government. Otherwise, what is the use of having a common citizenship for the Indian Union? If we are to be discriminated against in spite of the provisions in the Constitution, the people in the State have certainly got the right to say that they shall not be members of this Union. I shall not dilate any more on this subject.

The next point which I wish to refer to is this. My hon. Friend, Sri T. Purushotham, was referring to Articles 15 and 16 of the Constitution and to the necessity for providing for the Backward Classes in Public Services in a more satisfactory way than at present. I shall not touch on the subject of reservation of posts in Public Services for the Backward Classes but what I wish to suggest is the establishment of a convention in regard to the composition of the Ministry. Under the Government of India Act, 1935, under the Instrument of Instructions the Governor of a State was instructed to see that due regard was paid to the claims of minorities of the different communities. The 1935 Act ushered in a democracy in the Provinces and it was parliamentary democracy. Even under the present Constitution, the claims of the minority communities like the Christians and the Muhammadans have to be provided for by a suitable convention. Sir, Muhammad Usman, the great leader of the Muhammadan community is now a great supporter of the Congress Government. The question is whether all Muhammadans are of that view. I know there is a feeling among them that their claims have been neglected. The question is, how to secure the whole-hearted co-operation of all Muslims? After all, everybody knows that in this State there is this question of castes and communities. We are in a state of transition; and we are desirous of moving towards a period when these differences are bound to disappear. But in this period of transition, we cannot afford to neglect the realities and ignore the claims of communities like the Muhammadans and the Christians who form a minority when constituting a ministry. They form a substantial portion of the population, culturally and intellectually, if not numerically. Providing them a place in the Ministry would not at all go against the spirit of the Constitution or democracy. Somebody was saying that the Hon. the Chief Minister was bargaining—not exactly bargaining—but trying to encourage and pat on the back members of the Muslim League in the Malabar district. The Muslim League would disappear if they are treated in the manner as suggested by me. What they

30th December 1953] [Sri T. M. Narayanaswamy Pillai]

feel is that their claims have not been recognised in a larger measure by the majority party. In this connection, I am reminded of the observation of a Persian traveller in respect of the Hindus referred to in one of the books of Sardar K. M. Panikkar that 'here are a fine people, a very nice people but the only draw-back against them is that they always think that their land is the best; their religion is the best and their language is the best'. This is what we suffer from. After all the majority of the population consists of Hindus and they are so complacent and would not see the other side of the picture unless they are forced to. The Muhammadans are not racially and ethnically different from us and therefore, if it is possible to give them their due share in the public life of this State, it will be doing a great service to the future. Political disdom consists in recognizing their claims and providing for them. There are also a few people who say that Pakistan was the result of not having duly recognized such claims.

"I welcome the statement that the Government of this State will appoint a committee for examining the working of the local bodies. I suggest that a committee may be similarly constituted for co-operation. Once in 1930, again in 1940, there was a committee. Things have altered considerably since 1940. These societies are passing through a very critical stage. Yesterday and to-day two cases of misappropriation in regard to co-operative societies were referred to. This disease is not peculiar to these two societies but appears to be more widespread; the working of the co-operative societies under altered conditions has to be examined. I would suggest that as in 1940 a committee be appointed to examine the matter and place these societies on a proper footing. Co-operation is going to play a very big part in our future. The Five-Year Plan has given it a very important place.

"Again, Sir, I should think that the Government have done a wrong thing in appropriating a sum of Rs. 40 lakhs which stood to the credit of the Hindu Religious Endowments Board at the time when the new Hindu Religious Endowments Act came into operation. This amount was collected from the public specifically for a definite purpose. It ought not to have been appropriated by the Government and it could not form part of the revenues of the State. The amount which stood to the credit of the Endowments Board at the time of its merger into the office of the Commissioner should have been set apart and should never have been appropriated. Even assuming that it had become the property of Government, it should have been earmarked and kept separately for the use of the temples and services therein.

"With regard to the Public Services Commission, two orders of the Government, one relating to exclusion of disciplinary cases dealt with by the Tribunal for Disciplinary Proceedings and another relating to the exclusion of disciplinary cases enquired into by a Judge of the High Court, from the purview of the Public

4-30
p.m.

[Sri T. M. Narayanaswamy Pillai] [30th December 1953]

Services Commission were laid on the table of the House day before yesterday. These are infringements of the power of the Public Services Commission. This kind of infringement began in 1949 or 1950 and more and more encroachments on the rights of the Commission have been made. The latest is with regard to the exclusion of cases arising as the result of enquiries by a Judge of the High Court. If precedent is a guidance, there was an enquiry against a Chief Presidency Magistrate held by a Judge of the High Court, the Commission was consulted in respect of it. The Government, the High Court and the Public Services Commission are entrusted with different functions under the Constitution. The Public Service Commission must be allowed to do its duties and the Government should not encroach on its powers. The Public Service Commission is an important limb and it is necessary for the proper functioning of democracy. The Government will be adding to their prestige and following the Constitution by leaving the powers of the Commission untouched.

"The powers of the Commission are derived from the practice in England. This question has been considered by Sir Samuel Hoare in the Joint Parliamentary Report when he dealt with the reforms of 1935. According to this, a convention ought to be established, which ought not to be departed from, to the effect that the advice of the Commission in matters in respect of which it has to be consulted under the Constitution should be adhered to by the Government. The Members of the Commission occupy an independent status and the Government can expect disinterested and dispassionate advice from such an independent body as the Commission. I may say that the Commission must be a sort of Judicial Committee of the Privy Council in regard to employees working under the Government in all departments. Therefore I request that the practice which was in existence from 1935 till 1949 may be adopted. The Government have not given satisfactory reasons for these exclusions.

"In conclusion, the suggestions I wish to make are these—

- (1) more money should be spent on social services;
- (2) less money should be spent on security services;
- (3) the Government should examine the labour laws and their working;
- (4) how much of their revenue should be spent on social services; and
- (5) how much on security services.

(6) In addition to a Committee to examine the working of local bodies, a committee to examine the working of co-operative societies must also be appointed and suggestions received."

30th December 1953]

MR. CHAIRMAN:—"As I propose to adjourn the House at ten minutes to 5 p.m. only one more hon. Member can speak. Hon. Member Sri M. Ethirajulu will now speak."

* SRI M. ETHIRAJULU:—"கனம் சபாநாயகர் அவர்களே, இந்த இடைக்கால வரவு செலவு திட்டம் சம்பந்தமாக இன்று விவாதம் நடைபெற்றுக்கொண்டு இருக்கிறது. அதை நான் ஆதரித்து சில வார்த்தைகள் பேச விரும்புகிறேன். அதாவது பொதுமக்கள் சுகாதாரத்திற்கும் அவர்களிடத்தில் தொத்து வியாதிகள் பரவாமல் இருப்பதற்கும் காலரா அடிக்கடி பட்டினங்களில் பரவாமல் இருப்பதற்கும் சலவைத் தொழிலாளர்களுடைய நலத்தைக் கருதவேண்டும். அவர்களுடைய தொழிலுக்கு அத்யாவசியமாக வேண்டிய டோபிகாஹு என்ற பிரச்சினையை எடுத்துக் கொண்டு இந்த பட்ஜெட்டில் எந்த வரவு செலவும் கணக்குக் காட்டப்படாமல் இருக்கிறது என்பதை நான் வருத்தத்துடன் தெரிவித்துக் கொள்ளுகிறேன். டோபிகாஹு விஷயத்தில் அது ஒரு சிறிய எண்ணிக்கையைக் கொண்ட சமூகத்தைச் சேர்ந்தவர்களுடைய பிரச்சனை என்பதால் அதை சர்க்கார் கவனிக்க வில்லை. காரணம் அவர்களுடைய எண்ணிக்கை மிகவும் குறைவாக இருக்கிறது. இந்த தாழ்த்தப்பட்ட மக்களை ஜனநாயக சர்க்கார் கவனிப்பதாகவே தெரிய வில்லை. காரணம் அவர்கள் ஜனத்தொகையில் மிகவும் குறைந்த மக்கள் என்று சர்க்கார் அலட்சியம் செய்கிறார்கள். இவர்களுக்கு சர்க்கார் என்ன செய்கிறது கார்ப்பரேஷன்கள் விஷயமாக அனுப்பும் மனுவை பெரும்பாலும் நகரங்களிலுள்ள அதாவது முனிசிபாலிட்டிகளுக்கும், கார்ப்பரேஷன்களுக்கும் அனுப்பி நகரங்களில் தான் இதைப் பற்றி கவனிக்க வேண்டும் என கருதுகிறார்கள். நகரங்களிலுள்ள முனிசிபாலிட்டிகளை நாங்கள் டோபிகாஹு கட்டிக் கொடுக்க சர்க்காரைக் கடன் கேட்டோம், கொடுக்கவில்லை. நாங்கள் என்ன செய்வது என கைவிட்டு விடுகிறார்கள். மீண்டும் வற்புறுத்தினால் என்ன செய்வது சர்க்காரைக் கடன் கேட்கிறோம். வரட்டும் கட்டிக் மீண்டும் நாங்கள் சர்க்காரைக் கடன் கேட்கிறோம். இம்மாதிரி வண்ணார்களிடையே கொடுக்கிறோம் என்று சொல்லுகிறார்கள். இம்மாதிரி வண்ணார்களுடைய நிலைமை நாளுக்கு நாள் மோசமாகிக்கொண்டு வருகிறது. தேச நலனுக்கு இது ஒரு முக்கியமான விஷயம் என்று அரசாங்கம் கருதவில்லை. நாட்டின் சுகாதாரத்திற்கும் தொத்துவியாதி பரவாமலிருப்பதற்கும் இந்த டோபிகாஹு வேண்டியது ரொம்பவும் அவசியம் என்று அரசாங்கம் இனியாவது முடிவு செய்யவேண்டும். பொதுமக்களிடம் தொத்து வியாதிகள் பரவாமலிருப்பதற்கு இந்த டோபிகாஹு ரொம்பவும் அவசியம். அவ்விதம் வியாதி பரவாமல் இருக்க இந்த சலவைத் தொழிலாளர்கள் பெருமூயற்சி யுடன் வெகுதூரம் சென்று துணிகளை சலவை செய்து வருகிறார்கள். பொதுமக்களின் துணியை எடுத்துக்கொண்டு போய் ஜனநெருக்கம் இல்லாத இடங்களில் ஆற்றிலும் குளங்களிலும் துணிகளை சலவை செய்து வியாதி வராத தடுக்கிறார்கள். இவ்விதம் செய்யாமல் சலவைத் தொழிலாளர்கள் ஜனநெருக்கமுள்ள அருகாமையிலிருக்கும் குளங்களில் துணிகளை துவைப்பதால் அந்த துணிகளிலுள்ள அழுக்குகள் எல்லாம் அந்த தண்ணீரில் தேங்கி நிற்கும் பொழுது அந்தத் தண்ணீரை ஜனங்கள் குடிப்பதற்கும் ஸ்நானத்திற்கும் உபயோகிக்கும் பொழுது தொத்துவியாதிகள் ஜனங்களிடம் பரவுகிறது. இவ்விதம் வியாதி பரவாமலிருப்பதற்குத் தான் 50 ஆயிரம் ஜனத்தொகை இருக்கக்கூடிய இடங்களில் ஒரு டோபிகாஹு ஏற்படுத்த வேண்டியது அவசியம் என்று சர்க்கார் அறிக்கை கூறுகிறது. அவ்விதம் இல்லாததால் இப்பொழுது சலவைத் தொழிலாளிகள் கஷ்டப்பட்டுக் கொண்டு இருக்கிறார்கள். இந்த டோபிகாஹு கோரிக்கை பற்றி 1919-ஆம் வருஷம் முதற்கொண்டு சலவைத் தொழிலாளர்கள் சர்க்காரை வற்புறுத்தி வந்திருக்கிறார்கள். இதை அறிந்த வெள்ளை அரசாங்கம் 1937-ஆம் வருஷத்தில் ஜி.ஓ. 1009-ன் படி டோபிகாஹுக்கள் கண்டிப்பாக கட்டவேண்டும் என்று நினைத்து சாதாரண அரசாங்கம் சில முக்கிய இடங்களில் கட்டிக் கொடுத்திருக்கிறார்கள். சுதந்தர அரசாங்கம் வந்த பிறகு ஒரு டோபிகாஹு இன்றைக்கு கோயம்பத்தூரில் அதாவது கனம் நிதிமந்திரி இருக்கும் அந்த ஒரு ஊரில்தான் கட்டிக்கொடுக்கப்பட்டிருக்கிறது. மற்ற எந்த இடங்களிலும் அந்த டோபிகாஹு பிரச்சனை எழவேயில்லை. ஆகவே கனம் நிதி மந்திரியை நான் ஒன்று கேட்டுக் கொள்ளுகிறேன். இது

[Sri M. Ethirajulu] [30th December 1953]

விஸ்தரித்தால் பலன் ஏற்படாது. நகரத்திற்கும் முனிசிபாலிட்டிக்கும் இடத்துச் சலுகையை விஸ்தரித்தால்தான் ஏதாவது பிரயோசனம் உண்டாகும் என்று உறுதியாக சொல்லமுடியும். இதைக் கண்டிப்பாகச் செய்துகொடுக்க வேண்டுமென்று அரசாங்கத்தை கேட்டுக்கொள்ளுகிறேன். இன்றைக்கு எங்கள் சமூகத்தில் மேல் படிப்பு படித்தவர்கள் ஒருவர் இருவர் ஸெர்வீஸ் கமிஷன் பரீட்சையில் தேர்வுபெற்று, viva voce பரீட்சைக்குப் போகும்போது கள்ளக்குரிச்சியில் பறக்கும் காக்காய் எத்தனை என்று கேட்டு அது எனக்குத் தெரியாது என்று பதில்கொன்னால், நீ லாயக்கில்லை யென்று சர்வீஸ் கமிஷன் முடிவு செய்துவிடுகிறது. அதுமட்டுமல்ல. ஜாதியின் பரம்பரையைப் பற்றி விசாரிக்கிறது. இந்தவிதமாக தாழ்த்தப் பட்ட சமூகத்தில் பிறந்த ஒருவன் மற்ற சமூகத்தாருடன் போட்டி போட்டு முன்னேற முடியுமா? காலமெல்லாம் தாழ்த்த சமூகத்தில் இருந்த ஒருவன் மற்ற சமூகத்துடன் முன்னேற வேண்டுமானால், அவர்களுக்கு ஏதாவது தனிச் சலுகை காட்டத்தான் வேண்டும். அதற்குக் காரணம் அந்த சர்வீஸ் கமிஷனிலே, தாழ்த்தப்பட்ட சமூகத்தைச் சேர்ந்த ஒருவர் மெம்பராக இருந்திருந்தால், சலவைத் தொழிலாளர்கள் போன்ற தாழ்த்தப்பட்டவர்களின் நிலைமையைத் தெரிந்துகொள்ள முடியும். ஆகவே, தாழ்த்தப்பட்ட சமூகத்தைச் சேர்ந்த ஒருவர் சர்வீஸ் கமிஷனில் மெம்பராக கண்டிப்பாக இருக்கவேண்டும். இதைச் சர்க்கார் உடனடியாகச் செய்யவேண்டுமென்று கேட்டுக் கொள்கின்றேன்.

“இதற்குப் பல ஆதாரங்கள் கொடுக்கலாம். சர்வீஸ் கமிஷனின் சோ மனாக இருந்த ஒருவர் இங்கு அங்கத்தினராக இருக்கிறார். வண்ணார் வகுப்பைச் சேர்ந்தவர்கள் யாரையாவது அவர்கள் காலத்தில் செலக்ஷன் செய்திருக்கிறாரா என்று கேட்கிறேன். இல்லவே இல்லை. அந்த நிலையில் சர்வீஸ் கமிஷன் இருக்கிறது.

“வண்ணார் சமூகத்தைப் பற்றிய நிலைமையை நன்கு அறிந்த நான் இதையெல்லாம் சர்க்காருக்கு எடுத்துச் சொல்ல வேண்டியிருக்கிறது. நான் இங்கு அங்கத்தினராக வந்திருப்பதனால், இவைகளையெல்லாம் எடுத்துச் சொல்ல முடிகின்றது. புண்ணியவசமாக இச்சமூகத்தின் குறைகளைத் தெரிந்தவரான தமிழ்நாடு காங்கிரஸ் கமிட்டித் தலைவர் ஸ்ரீ காமராஜ் நாடார் அவர்கள், எங்களுடைய சமூகத்திற்கு ஏற்பட்டிருக்கும் குறைகளை எடுத்துச் சொல்வதற்கு ஒரு ஆள் இருக்கவேண்டுமென்ற எண்ணத்தில், என்னை இந்தச் சபைக்கு காங்கிரஸின் சார்பாக கொண்டுவந்திருக்கிறார். கொண்டு வந்ததினால்தான், உங்கள் முன்னிலையில் இந்தக் குறைகளைப்பற்றி எடுத்துச் சொல்ல முடிகின்றது. இல்லையென்றால் இந்த யுகத்தில் கூட எங்கள் சமூகத்திற்கு இம்மாதிரி ஒரு வாய்ப்பு கிடைத்திருக்காது என்று குறிப்பிட வேண்டியிருக்கிறது. ஆகவே, கனம் நிதி மந்திரி அவர்களை மன்றாடிக் கேட்டுக் கொள்ளுகின்றேன். சலவைத் தொழிலாளர்கள் மிகவும் தாழ்ந்த நிலையில் இருக்கிறார்கள். அவர்கள் இந்த நாட்டிலுள்ள ஒவ்வொரு மக்களிடமும் தொடர்பு உள்ளவர்கள். ஒவ்வொரு குடும்பத்திற்கும் ஊழியம் செய்கின்ற அவர்கள் மிகவும் தாழ்த்தப்பட்ட நிலையில் இருக்கிறார்கள். அவர்களுக்கு கல்விச் சலுகையாவது உடனே கொடுக்கவேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன்.

“மத்திய சர்க்கார் கமிஷன் ஒன்றை நியமித்திருக்கிறது. அந்தக் கமிஷனும் இன்னும் ஒரு மாதத்தில் வந்து, இந்த ராஜ்யத்தில் ஒரு வாரம் தங்கி, இங்கு விசாரணை செய்துவிட்டுப் போய்விடுவார்கள். அவர்கள் வருவதற்குள் நாம் ஒரு கமிட்டி நிறுவி, இந்த மாகாணத்தில் இருக்கும் தாழ்த்தப்பட்டவர்களுடைய நிலைமையை அந்தக் கமிஷனுக்கு அரசாங்கம் நன்கு எடுத்துக் கூறவேண்டும். அந்தக் கமிஷனிடம் எங்கள் சமூகத்தினுடைய குறைகளை எடுத்துச்சொல்வதற்கு ஜனப் பிரதிநிதிகளாகிய எங்களுக்கும் ஒரு சந்தர்ப்பத்தை ஏற்படுத்திக்கொடுத்தால் மிகவும் நன்றாக இருக்கும் என்று நான் கேட்டுக்கொள்ளுகின்றேன்.

30th December 1953] [Sri M. Ethirajulu]

“ஆனால் அதுவரை காத்திராமல், உடனடியாக கனம் நிதி மந்திரி அவர்கள் மிகவும் கருணை கூர்ந்து, சலவைத் தொழிலாளர்களுக்கு குறைந்த பணம் எஸ்.எஸ்.எல்.ஸி. வரையில் கல்விச் சலுகை கொடுக்கும்படி கேட்டுக் கொள்ளுகின்றேன்.

“வேலையில்லாத திண்டாட்டம் என்பது படித்த பட்டதாரிகளுக்கும்மட்டும் தான் என்று சொல்ல முடியாது. எஸ்.எஸ்.எல்.ஸி. படித்தவர்களுக்கு மட்டும் தான் என்றும் சொல்லமுடியாது. முதல் பாரத்திலிருந்து ஐந்தாவது பாரம் வரையில் படித்தவர்களிடையேயும் வேலையில்லாத திண்டாட்டம் இருக்கிறது என்பதையும் சர்க்கார் தெரிந்துகொள்ள வேண்டும். அவர்களுக்கும் ஏதாவது வழி வகை செய்யவேண்டும்.”

MR. CHAIRMAN :—“The hon. Member may continue his speech to-morrow. The House will now adjourn and meet again at 11 a.m. to-morrow.”

The House then adjourned to-meet again at 11 a.m. on Thursday, 31st December 1953.

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

1. *Administration Report of the Madras City Improvement Trust for the year 1952-53 together with a copy of the resolution thereon of the Board* [Laid on the table of the House under section 172 (2) of the Madras City Improvement Trust Act, 1950].

* 2. *G.O. Ms. No. 3240, Public (Services), dated the 17th December 1953, regarding the exclusion of the disciplinary cases enquired into by a Judge of the High Court from the purview of the Madras Public Service Commission* [Laid on the table under Article 320 (5) of the Constitution of India].

[30th December 1953]

APPENDIX.

[Vide answer to starred question No. 31 asked by Sri S. B. Adityan at the meeting of the Legislative Council held on 30th December 1953, page 94 supra.]

Statement showing the number of palmyra trees on patta lands in Sathangulam and Udangudi villages.

Serial number and name of village.	Number of palmyras partly dried up.	Number of palmyras fully dried.	Total number affected.
(1)	(2)	(3)	(4)
1 Kudiraimoli	1,400	300	1,700
2 Manadutandupattu ..	350	75	425
3 Paramankurichi	1,200	500	1,700
4 Megnanapuram	430	275	705
5 Vemmarikulam	3,000	1,000	4,000
6 Lakshmipuram	200	150	350
7 Nangaimozhi	150	200	350
8 Udangudy	750	1,500	2,250
9 Kalankudiyirappu ..	250	350	600
10 Kulasekharapatnam ..	450	150	600
11 Manapad	250	75	325
12 Adiakurichi	1,000	250	1,250
13 Madavankurichi	1,050	150	1,200
14 Venkataramanujapuram	1,025	535	1,560
15 Chettiyapathu	2,000	550	2,550
16 Eluvaramukki	1,000	450	1,450
17 Pannamparai	700	350	1,050
18 Palankulam	2,000	500	2,500
19 Sathangulam	1,000	400	1,400
20 Pudukulam	2,000	800	2,800
21 Nanjungulam	1,050	500	1,550
22 Mudaloor	2,000	700	2,700
23 Pallakurichi	800	300	1,100
24 Komattikottai	700	400	1,100
25 Sasthavinattur	610	250	860
26 Naduvakurichi	550	200	750
27 Padukkappattu	700	400	1,100
28 Arasoor	2,200	800	3,000
Total	28,840	12,110	40,955

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, 31st December 1953.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Status of washermen employed in Government institutions.

* 33 Q.—SRI M. ETHIRAJULU: Will the Hon. the Chief Minister be pleased to state—

(a) whether the washermen employed in Government institutions such as hospitals, jails, hostels, etc., have been treated as Government servants eligible for leave, pension, etc.; and

(b) if not, why?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) & (b) Dhobies employed in Government medical institutions, being members of the Madras Last Grade Service, are eligible for leave, pension, etc. No paid dhobies are employed in the Jail Department. In hostels attached to Government educational institutions, dhobies are usually engaged by students themselves on mutually agreed terms. In the Government School for the Blind, Poonamalle, Chingleput district, dhobies are paid out of contingencies and hence are not eligible for leave, pension, etc., benefits. As dhobies are employed only occasionally in isolated Government institutions, it is not considered possible to absorb them as members of a regular service so as to make them eligible for those benefits.”

SRI M. ETHIRAJULU:—“In hospitals run by Government the dhobies are working full-time. May I know whether the Government will treat their service as regular Government service?”

THE HON. SRI C. RAJAGOPALACHARI:—“In Government medical institutions where they are employed they are eligible for leave, pension, etc.”

DR. C. NATHAMUNI NAIDU:—“May I know whether these people come under the non-pensionable category and their expenses are met out of office contingencies?”

THE HON. SRI C. RAJAGOPALACHARI:—“I have been informed that dhobies employed in Government medical institutions are eligible for leave, pension, etc., being members of the Madras Last Grade Service.”

[31st December 1953]

SRI K. BALASUBRAMANYA AYYAR:—" May I request the Government to arrive at a decision about the name of this community with the co-operation of the community? In three questions that are being put by Mr. Ethirajulu, in one the community is referred to as 'Vannar', in the second as 'Salavai-karar' and in the third as 'Washermen', and all the same, Government name them as 'Dhobies'? " (Laughter.)

THE HON. SRI C. RAJAGOPALACHARI:—" It is a professional name. It is an occupational name. It is not possible to invent and force a particular name upon the community. Those who speak Tamil call themselves 'Vannars'. Those who speak Telugu use the name *Sakalavadu*. 'Salavai-karar' is a Tamil-Telugu fusion. 'Dhobi' is a Hindustani term and is freely used all over the land. We call them 'Washermen' in English. If we try to insist on any particular name we will only have quarrels rather than settlement. It is better to leave things as they stand at present in each particular instance, rather than trying to invent a new name and force it on the community. Further the group is treated as a caste when they talk of certain privileges but it is really an occupation so far as the interests are concerned."

DR. V. K. JOHN:—" What is the Malayalam name, Sir." (Laughter.)

THE HON. SRI C. RAJAGOPALACHARI:—" I think 'Vannar' as in Tamil."

Modified Elementary Education Scheme.

* 34 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the names and official positions of the members of the Committee constituted in connexion with the new Elementary Education Scheme;

(b) the terms of reference to the Committee;

(c) when the Report of the Committee was received by the Government; and

(d) whether it will be placed before the Legislature for consideration; and if so, when?

THE HON. SRI C. SUBRAMANIAM:—" (a) (1) Professor R. V. Parulekar (Chairman), Director of the Indian Institute of Education, Bombay.

(2) Dr. B. B. Dey, Retired Director of Public Instruction.

(3) Sri M. Mujeeb, Vice-Chancellor, Jamia Milia, Delhi.

(4) Sri S. Govindarajulu Naidu, (Member-Secretary), Director of Public Instruction, Madras, now Director of Public Instruction (Andhra).

" (b) The terms of the reference to the Committee were:

(i) to examine the system of elementary education as it prevailed in the State till last year and the manner in

31st December 1953]

which the quality of that education can be improved and the number of pupils receiving education can be increased; and

(ii) to examine the Modified scheme of Elementary Education and its working particularly in relation to the objects stated in item (i) in all its implications, and make recommendations on the subject to Government.

" (c) On 25th November 1953.

" (d) Copies of the report have been placed on the Table of the House."

SRI T. PURUSHOTHAM:—" May I know, Sir, why no one from Madras State was appointed as a member of this Committee?"

THE HON. SRI C. SUBRAMANIAM:—" I think Mr. Govindarajulu Naidu, the previous Director of Public Instruction, belongs to Madras."

SRI T. PURUSHOTHAM:—" Was the Committee expected to visit any of the villages in the State to review the conditions of the schools there or was it instructed only to submit a theoretical commentary on the scheme?"

THE HON. SRI C. SUBRAMANIAM:—" They were left to work out their own procedure."

SRI T. PURUSHOTHAM:—" With reference to answer to clause (d) of the question, may I know when the report of the committee would come up for discussion before the Council?"

THE HON. SRI C. SUBRAMANIAM:—" The Government are considering the various recommendations of the Committee. As soon as the examination of the scheme in the light of the recommendations of the Committee is over, the scheme would be placed before the Council for discussion."

SRI V. CHAKKARAI CHETTY:—" May I ask the Hon. the Minister for Education whether the recommendations of the Committee are so reasonable as to be adopted by the Government?"

THE HON. SRI C. SUBRAMANIAM:—" We are still examining the proposals. Most of the recommendations are likely to be adopted."

SRI V. CHAKKARAI CHETTY:—" Are those recommendations of the Committee in agreement with the scheme that has been propagated by the Government so that no radical changes need be made in the scheme as it emerged from the Government?"

THE HON. SRI C. SUBRAMANIAM:—" I would request the hon. Member to go through the report of the Committee and draw his own conclusions."

DR. V. K. JOHN:—" What will be the approximate financial commitment to the State if all the recommendations of the Committee are carried out?"

[31st December 1953]

THE HON. SRI C. SUBRAMANIAM:—"That is being examined by the Government and the matter is under their active consideration."

Schemes to be financed from the Madras State Loan, 1963, floated in July 1953.

* 35 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Finance and Education be pleased to lay on the table of the House a list of schemes ordered to be financed out of the 4 per cent Madras State Loan, 1963, floated in July 1953 and the amount allotted to each of the schemes?

THE HON. SRI C. SUBRAMANIAM:—"On the basis of a provisional allocation, the net proceeds of this loan actually made available to the Madras Government is Rs. 617 lakhs. The Government have not issued any order allocating the proceeds for utilization on specific schemes. According to the latest forecast, the probable expenditure on schemes in progress in the current year to be financed out of the loan proceeds, is as shown below:—

Irrigation works—

	Amount in lakhs. RS.
Manimuthar Project	115
Mettur Canals Scheme	26
Araniyar Projects	12
Walayar Project	11
Mangalam Project	11
Other small works	10
Total ...	185

Electricity Schemes—

Pykara Hydro-Electric Scheme	203
Mettur Hydro-Electric Scheme	115
Papanasam Hydro-Electric Scheme	90
Madras Thermal Scheme	152
Compensation for acquired undertakings	1

Total ... 561

Grand total ... 746

The expenditure in excess of the proceeds of the open market loan will be met from the general balances of the Government."

DR. V. K. JOHN:—"What is the return expected under these development schemes both on irrigation and electricity? Have the Government carried out any investigation regarding the return they would get from these schemes?"

[31st December 1953]

THE HON. SRI C. SUBRAMANIAM:—"Before any scheme is taken up for execution, usually an estimate of the probable return of income from that scheme is prepared and that is taken into account. I do not know exactly the return from each project but if the hon. Member were to put a separate question, I might be able to answer."

Selection Committee for Government Basic Training Schools at Cuddalore.

* 36 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the tenure of office of the non-official members of the Selection Committee appointed for the selection of candidates to Government Basic Training Schools at Cuddalore; and

(b) whether the Members of the Legislature are given representation in such committees?

THE HON. SRI C. SUBRAMANIAM:—" (a) The tenure of office of the non-official members of the selection committees appointed for the selection of candidates to all Government Basic Training Schools including those at Cuddalore is normally three years. The term of office of the present selection committees has been fixed as one year on account of the recent partition of the State.

" (b) Members of the Legislature have been appointed to some of the selection Committees."

SRI M. ETHIRAJULU:—"May I know, Sir, who is the authority for appointing non-official members to this committee?"

THE HON. SRI C. SUBRAMANIAM:—"It is the Government who appoint the non-official members."

SRI M. ETHIRAJULU:—"May I know, Sir, whether a member of the Backward-Class Advisory Committee, Government of Madras, if available, will be appointed to this committee?"

THE HON. SRI C. SUBRAMANIAM:—"There are various committees for each district. I am sure there are many members belonging to the Backward-Classes in many of these committees."

Protection to washermen working under private individuals.

* 37 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state whether in view of the fact that washermen who are working under private individuals for a long time are removed suddenly, the Government have any proposal to extend the benefit of the Madras Shops and Establishments Act, 1947, to them?

THE HON. DR. U. KRISHNA RAO:—"No, Sir."

11-10
a.m.

[31st December 1953]

State aid to Agricultural Farms, Limited, Ramayyanpatti, Tirunelveli district.

* 38 Q.—SRI ALEXANDER GNANAMUTTU: Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state—

(a) the amount of State aid given to the Agricultural Farms Limited, Ramayyanpatti, Tirunelveli district;

(b) whether the concern is now functioning; if so, what has it produced during the last two years; and

(c) whether any portion of the aid has been repaid by the above company?

THE HON. DR. U. KRISHNA RAO :—“(a) No aid has been given to the Agricultural Farms, Limited, Ramayyanpatti, under the Madras State Aid to Industries Act.

“(b) The Government have no information.

“(c) Does not arise.”

Buses under the Madras State Transport System.

* 39 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state—

(a) when the “Red Ladies” (Guy and Leyland) were introduced in the Madras State Transport System and how many of them are working, and whether they have been found satisfactory;

(b) when the Guy chassis, purchased during 1952-53 are expected to be put on the road and why there has been so much delay in building bodies;

(c) how many light diesel buses are now in the Government Transport System and how many more of this type are proposed to be purchased and the amount sanctioned for the same; and

(d) whether the Government will be pleased to lay on the table of the House a comparative statement showing the particulars in regard to cost, life, performance and breakdowns during 1952-53 of the heavy and light types?

THE HON. DR. U. KRISHNA RAO :—“(a) The Guy and Leyland diesel buses were introduced in the Government Bus Service on 4th June 1951 and 21st December 1951 respectively. There are at present one Guy Arab, one Leyland and eight Guy Gardner vehicles. Their performance has been very satisfactory.

“(b) All the eight Guy chassis delivered in November 1952 were put in the road between April and July 1953. It needs some time to fabricate the appropriate special type of body kits and to assemble them and construct the bodies.

“(c) Thirty-five new diesel buses and forty-four old buses whose petrol engines have been replaced by diesel engines. The

[31st December 1953]

Government have recently sanctioned the purchase of 50 new light diesel engines at a cost of about Rs. 3.09 lakhs to be fitted to old long wheel base buses in replacement of an equal number of existing overaged petrol engines.

“(d) The heavy and light types of diesel vehicles operated by the Government Bus Service, are not capable of comparison as the light diesel vehicles except for the new buses are only petrol vehicles converted by fitment of light diesel engines after they had served for about four years with petrol engines. However, a strict comparison of the new light and the new heavy diesels might be possible later when they would have completed about 40,000 miles of service.”

SRI T. PURUSHOTHAM :—“Did the Government make any investigation as to the suitability of the heavy or light types for the City roads with particular reference to traffic demands, and what is their decision, Sir?”

THE HON. DR. U. KRISHNA RAO :—“After investigating the traffic demands, we have now come to the conclusion that it would be better, more economical and more beneficial to the public, if we put heavy diesel engines. Therefore, the latest order placed in the year 1953-54 is for nearly 45 to 50 heavy diesel engines.”

SRI K. BALASUBRAMANIYA AYYAR :—“Why are they called ‘Red Ladies’, Sir?” (Laughter.)

THE HON. DR. U. KRISHNA RAO :—“Because they are red and very attractive!” (Laughter.)

SRI T. PURUSHOTHAM :—“May I know what is the procedure adopted for purchasing the chassis required for the City Bus Service? Are tenders and quotations called for and what is the basis for the selection of particular types of chassis?”

THE HON. DR. U. KRISHNA RAO :—“On the advice given by expert technicians in the Government Bus Service, we make specifications. Then open tenders are invited and these tenders are scrutinised by a Committee consisting of the Hon. the Minister for Industries, the Secretary to the Home Department, the Secretary to the Public Works Department and the Transport Commissioner, who, according to the needs of the City, select buses, which are cheap and very useful.”

DR. V. K. JOHN :—“Have the Government any idea to give up nationalization of this Bus service and hand it over to private agencies, who will run it better than the Government?”

THE HON. DR. U. KRISHNA RAO :—“I do not agree that private agencies can do better than the Government. The Government have, however, no intention to give up nationalization.”

[31st December 1953]

DR. C. NATHAMUNI NAIDU :—“ Are the Government not making profits in the City Bus service? ”

THE HON. DR. U. KRISHNA RAO :—“ We are making a fairly good profit, Sir.”

SRI V. GURUNANDAN ROW :—“ Is there any proposal for increasing the number of buses in the City? ”

THE HON. DR. U. KRISHNA RAO :—“ Yes, Sir. This year we have put 40 new light diesel buses of the Commer type. Next year we propose to put 50 more heavy diesel buses of the Guy and Leyland type.”

DR. V. K. JOHN :—“ Is not the fare charged by the Government higher than that charged elsewhere? ”

THE HON. DR. U. KRISHNA RAO :—“ I do not think so, Sir. I think the rates in the City are certainly higher than the rates in the mufassal, because in the City roads the buses have to stop at frequent intervals and therefore much petrol is lost. But whatever applies to one City will apply to all Cities.”

DR. V. K. JOHN :—“ Are not the fares far higher than the fares when the vehicles were run by private agencies? ”

THE HON. DR. U. KRISHNA RAO :—“ I should like to have notice, Sir. I was not Minister when the transport service was taken over by the Government.”

SRI V. CHAKKARAI CHETTY :—“ Have the Government received any complaints about overcrowding in the buses? I myself had personal experience of it, Sir, a very sad experience indeed! ”

THE HON. DR. U. KRISHNA RAO :—“ I am aware of the fact that at the present moment, on account of the immediate suspension of the tramway, there has been an enormous amount of overcrowding. But, if I prevent overcrowding, the alternative will be that a large number of passengers will be stranded on the roads. I think it would be better, till we put adequate number of buses, to permit overcrowding rather than leave the passengers on the roads.”

DR. V. K. JOHN :—“ In what respects is nationalization better than transport by private agencies and from what point of view are the public benefited? ”

THE HON. DR. U. KRISHNA RAO :—“ I think, Sir, I can claim that nationalized transport is more efficient.”

SRI V. GURUNANDAN ROW :—“ Have any buses been transferred to the Andhra State, when the division of assets was made? ”

THE HON. DR. U. KRISHNA RAO :—“ If the hon. Member refers to buses belonging to the Government nationalized transport service, the answer is in the negative.”

[31st December 1953]

SRI G. KRISHNAMURTHI :—“ Will the Government kindly arrange to fix the number boards with bold numbers in front of the buses so that the public may be able to find out the number easily even from a distance? ”

THE HON. DR. U. KRISHNA RAO :—“ The hon. Member will certainly be aware that in the new buses, the number boards occupy a prominent place. But in the very old buses we are trying to replace them gradually.”

SRI T. PURUSHOTHAM :—“ Will the Government consider the desirability of putting the names in Tamil on the name boards in the buses? ”

THE HON. DR. U. KRISHNA RAO :—“ Most people are aware of the starting point and destination from the number itself. I think it would be better to restrict to numbers rather than to names.”

SRI A. GAJAPATHY NAYAGAR :—“ இதுவரை எத்தனை டீசல் பஸ்களை அரசாங்கத்தார் வாங்கியிருக்கிறார்கள்? அவைகளில் எத்தனை பஸ்கள் ஓடிக்கொண்டிருக்கின்றன? எத்தனை பஸ்கள் நேராய்வாய்ப்பட்டிருக்கின்றன? இந்த விவரங்களை கனம் மந்திரி அவர்கள் கொடுக்க முடியுமா? ”

THE HON. DR. U. KRISHNA RAO :—“ As I said, we purchased last year 45 light diesel buses and all of them are running very efficiently. We propose to purchase next year another 50 heavy diesel engines. Their performance has got to be watched. We have converted nearly 90 petrol buses into diesel buses on account of the fact that these buses have done their full term of five years. Even they are running satisfactorily.”

DR. V. K. JOHN :—“ May I suggest to the Hon. Minister to answer the Tamil questions in Tamil? ”

THE HON. DR. U. KRISHNA RAO :—“ I am sure my hon. Friend, Dr. V. K. John, will be in hot waters if I do so.”

SRI V. CHAKKARAI CHETTY :—“ Are the Government aware of the fact that these buses suddenly get sick just in the middle of a trip and we have to get down and push the buses. We are asked to do it and we do it sometimes.”

THE HON. DR. U. KRISHNA RAO :—“ Just as old men get sick, old buses also get sick. We cannot avoid it.”
(Laughter.)

THE HON. SRI C. RAJAGOPALACHARI :—“ Those hon. Members, who have seen Calcutta and Bombay, must bear with me when I say that our transport is doing very well and there is no gain in fouling our own nest in this matter.”

[31st December 1953]

Abolition of District Boards.

* 40 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have considered the abolition of district boards and the alternative agency to be set up in the place of the district boards; and

(b) if so, the decision taken thereon?

11-20
a.m.

THE HON. SRI K. RAJARAM:—“(a) & (b) The matter is under the consideration of the Government.”

SRI T. PURUSHOTHAM:—“Will the Hon. Minister tell us the circumstances in which the old taluk boards were abolished?”

THE HON. SRI K. RAJARAM:—“It is an old story; it is not a thing of the present.”

SRI M. P. GOVINDA MENON:—“May I request the Hon. Minister to have a settled policy once for all regarding local bodies before he begins to air about the possibilities of changes and thereby creating confusion?”

THE HON. SRI C. RAJAGOPALACHARI:—“I am intervening because it is a very general question applicable to all policies. I would like to tell hon. Members that in a democracy we have to fly a few kites before we know how the wind blows.”

Election of members to the District Boards.

* 41 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Local Administration be pleased to state—

(a) what steps have been taken by the Government to conduct the election of members to the district boards; and

(b) the programme of dates fixed for the same?

THE HON. SRI K. RAJARAM:—“(a) & (b) The matter is under the consideration of the Government.”

SRI T. PURUSHOTHAM:—“Was not a specific assurance given by the Hon. the Chief Minister that the elections would not be put off and that the newly-elected Boards would begin to function from 1st April 1953?”

THE HON. SRI K. RAJARAM:—“Yes, Sir, it was promised on the floor of the Assembly. But the Government are contemplating legislation to extend the term of Special Officers by three more months, and we expect the elections will be concluded before June next.”

SRI T. PURUSHOTHAM:—“As electoral rolls are ready, why should not the elections be held before March 1954?”

THE HON. SRI K. RAJARAM:—“There are several other things to be done before elections could be held.”

[31st December 1953]

SRI T. PURUSHOTHAM:—“May I know why preliminary arrangements have not been made already? When there is an Act limiting the term of Special Officers of the District Boards till the end of March 1954, why should not action have been taken in time for holding the elections?”

THE HON. SRI K. RAJARAM:—“We were in the midst of Andhra partition. Now we are making arrangements to hold the elections before June next.”

Constitution of the Panchayat Boards of Arkonam, Arcot and Ranipet into municipalities.

* 42 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Local Administration be pleased to state whether the Government have any proposal to constitute Arkonam, Arcot and Ranipet Panchayat Boards into municipalities, and if so, when?

THE HON. SRI K. RAJARAM:—“No, Sir. The latter part of the question does not arise.”

SRI T. PURUSHOTHAM:—“May I know the population and income of these panchayat boards?”

THE HON. SRI K. RAJARAM:—“When the proposal is not on hand, how can I be expected to have information about population and other things? When the proposal comes, we can find out the income, population and other things.”

SRI T. PURUSHOTHAM:—“Was there not a definite proposal mooted to constitute Arkonam into a municipality?”

THE HON. SRI K. RAJARAM:—“There was a proposal in 1949-50. But, because of protests made by the public and the Panchayat Board unanimously, the proposal was dropped in 1950.”

SRI T. PURUSHOTHAM:—“Is there no set principle as to the minimum income and population for upgrading panchayat boards into municipalities?”

THE HON. SRI K. RAJARAM:—“If the population is above 20,000 and if the income is nearly Rs. 1,00,000, we can form a municipality.”

UNSTARRED QUESTIONS.*Audit of the accounts of the Hindu religious institutions.*

1 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Religious Endowments and Registration be pleased to state—

(a) the arrangement made for the periodical audit of the accounts of the Hindu religious institutions in this State;

(b) whether any audit fee is levied for the above purpose and collected from the temple funds;

(c) for what period audit has been completed; and

[31st December 1953]

(d) the steps taken for prompt audit of the accounts of all the temples and mutts and to lay on the table of the House a list of temples, if any, for which audit has not been carried out up to date?

A.—(a) Accounts of religious institutions with an annual income of not less than Rs. 1,000 are being audited by the Examiner of Local Fund Accounts. Institutions with an annual income of Rs. 1,000 to Rs. 60,000 are subject to annual audit while institutions with an annual income exceeding Rs. 60,000 are subject to concurrent audit, that is, audit to take place as and when an expenditure is incurred. The accounts of institutions with an annual income of less than Rs. 1,000 are subject to audit by the staff of the Hindu Religious and Charitable Endowments (Administration) Department.

(b) Under section 76 (2) of the Hindu Religious and Charitable Endowments Act, 1951, every religious institution with an annual income of not less than Rs. 1,000 shall pay to the Government annually a sum not exceeding $1\frac{1}{2}$ per cent of its income, for meeting the cost of auditing its accounts. Audit fees at the rate of $1\frac{1}{2}$ per cent of their annual income are being collected from religious institutions.

(c) The accounts of a majority of the religious institutions with a higher income level have been already audited up to the end of fasli 1360. It will not, however, be possible to say precisely for what period, the audit has been completed in respect of all religious institutions.

(d) With a view to ensure prompt audit of the accounts of religious institutions the auditing of accounts has been now entrusted to the Examiner of Local Fund Accounts, a regular head of the department and he has been sanctioned the necessary staff, both non-gazetted and gazetted, for auditing the accounts of religious institutions.

A list* of temples for which audit has not been carried out up to date, that is, audit has not been done at any time so far, is annexed.

Application of Fundamental Rules to employees of municipal councils.

2 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Local Administration be pleased to state whether all the municipal councils adopt the Fundamental Rules for all the municipal employees; and if not, why not?

A.—All municipal councils except Dindigul have adopted the Fundamental Rules. The Dindigul Municipal Council has adopted the Civil Service Regulations.

* Vide Appendix on pages 250-283 infra.

[31st December 1953]

Payment of cycle allowance to municipal bill-collectors.

3 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Local Administration be pleased to state whether municipal bill-collectors are paid cycle allowance as in the case of other outdoor subordinates in the municipalities; and if not why not?

A.—The municipal bill-collectors are not paid cycle allowance. Judging from the nature of the work of bill-collectors who have to go from door to door for collection and the limited area assigned to each bill collector, the maintenance of a cycle by them and an allowance therefor are unnecessary.

Government transport buses in the City.

4 Q.—SRI V. GURUNANDAN ROW: Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to lay on the table of the House a statement showing—

(i) the daily average number of Government Transport buses on the road in the City of Madras from March to October 1953 (both months inclusive);

(ii) the average daily collections from sale of bus tickets for the above period; and

(iii) the daily average number of tickets sold for the above period?

A.—(i) to (iii) The information required is furnished below:—

Month.	Daily average number of buses on road.			Daily average collection from sale of tickets.	Daily average number of tickets sold.
	Buses.	Lorry buses.	Total.		
(1)	(2)	(3)	(4)	(5)	(6)
1953				RS.	
March ..	269	..	269	30,708	238,517
April ..	276	13	289	34,772	286,044
May ..	281	13	294	36,632	307,629
June ..	271	13	284	37,274	313,968
July ..	273	13	286	36,949	313,951
August ..	273	14	287	35,804	301,509
September ..	271	14	285	35,112	297,559
October ..	267	12	279	32,950	280,461

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

II.—BUSINESS OF THE HOUSE.

* DR. A. LAKSHMANASWAMI MUDALIYAR:—“ May I know from the Hon. Leader of the House what the programme for this House is and how long it will be sitting? I see that certain non-official resolutions and Bills have been ballotted for. I should like to know whether a non-official day will be allotted for the consideration of these resolutions and Bills.”

* THE HON. SRI C. RAJAGOPALACHARI:—“ We were thinking whether it would be more convenient for the Members to

[Sri C. Rajagopalachari] [31st December 1953]

adjourn after the budget to meet on the 9th or 10th January. But I find that there is the difficulty of finding time if we adjourn like that. But on the whole, I am feeling—I am still open to a little discussion in the matter before coming to a final conclusion—that we should continue to sit along with the Legislative Assembly without any break so that there will be time available for the purpose mentioned by the Leader of the Opposition."

III.—GENERAL DISCUSSION ON THE BUDGET FOR THE SECOND SIX MONTHS OF THE YEAR 1953-54 (LAST DAY).

MR. CHAIRMAN:—"The hon. Member, Sri M. Ethirajulu, will continue his speech. He has got five more minutes."

SRI M. ETHIRAJULU:—"கனம் சபாநாயகர் அவர்களே, இப்பொழுது சர்க்காரால் உபகாரச் சம்பளம் பிற்பட்ட இனத்தவர்களுக்கு கொடுக்கப்பட்டு வருகிறது. அந்த உபகாரச் சம்பளம் வெள்ளையர் காலத்தில் எப்படி நடைபெற்று வந்ததோ, அம்மாதிரியே இன்னும் நடைபெற்று வருகிறது. அது யாருக்குப் போய்ச் சேருகிறது என்றால், போதுமான வருவாய் உள்ளவர்களுக்கும், அதிகப் பணம் படைத்தவர்களுக்கும் தான் போய்ச் சேருகிறது. அது எப்படியென்றால், ஒவ்வொரு ஊரிலும் இருக்கும் மணியக்காரர், சொத்து இருப்பவர்களுக்கு சொத்து இல்லையென்றும், வருவாய் உள்ளவர்களுக்கு வருவாய் இல்லையென்றும், கொடுக்கும்படியான சர்டிபிகேட்டின் பேரில், தாசில்தார் அவர்கள் இது சரிதான் என்று எழுதி உடனே மாகாண ஹரிஜன் வெல்பேர் டைரக்டருக்கு அனுப்பிவிடுகிறார்கள். அதன் பேரில், ஹரிஜன் வெல்பேர் டைரக்டர் அவர்கள் யாருக்கு கொடுப்பது, யாருக்கு கொடுக்கக்கூடாதென்று அவரால் கண்டுபிடிக்க முடியாமல் சம்பள சலுகை கொடுத்துவிடுகிறார். உண்மையாகவே பிற்பட்ட இனத்தவர்களுக்கு சலுகை கிடைப்பதில்லை. இந்தச் சலுகைகளெல்லாம் பிற்பட்ட இனத்தைச் சேர்ந்தவர்கள் என்று சொல்லிக்கொள்ளும் 143 வகுப்பினருள் இருக்கும் எல்லா வசதியுடையவர்களுடைய குழந்தைகளுக்குப் போய்ச் சேருகிறதே தவிர, மிகவும் பிற்பட்ட இனத்தவராக இருக்கும்படியான குழந்தைகளுக்குப் போய்ச் சேருவதில்லை. ஹரிஜன இலாகா அதிகாரியானவர் உண்மையாகவே பிற்பட்ட இனத்தவர்களுக்கு இந்தச் சலுகைகள் போய்ச் சேருவதற்கான ஏற்பாட்டைச் செய்ய முயற்சி எடுக்கவேண்டும். உண்மையாகவே பிற்பட்ட இனத்தவர்களுக்குப் போய்ச் சேருகிறதா, அல்லது அதற்குமாறாக மணியக்காரர் சர்டிபிகேட்டின் பேரில், தாசில்தார் கையெழுத்திட்டு, கொடுக்கப்படுவது சரிதான், என்று சோதனைசெய்து, அவர்களுக்குத் தக்க தண்டனையை அளிக்க சர்க்கார் முயற்சிக்கவேண்டும். உண்மையாகவே சில பிற்பட்ட நிலைமையில் இருக்கிற குழந்தைகளுக்கு இந்தச் சலுகைகள் போய்ச் சேர்வதில்லையென்று நான் இந்தச் சபையின் கவனத்திற்குக் கொண்டுவர விரும்புகிறேன். இதை முக்கியமாக அரசாங்கம் கவனிக்க வேண்டும்.

"தென்னாற்காடு ஜில்லா சுமார் 11 தாலுகாக்களைக்கொண்ட ஒரு ஜில்லா. அத்தனை தாலுகாக்கள் இருக்கக்கூடிய ஒரு ஜில்லாவிற்கு, அதன் தலைநகரமாகிய கடலூரில் சர்க்கார் ஹெட் குவார்ட்டர்ஸ் ஆஸ்பத்திரி இருக்கிறது. குறிப்பாக, கடலூர் தாலுகாவைப் பொறுத்தவரை, சுற்றிலும் 200 கிராமங்களுக்கு மேல் இருக்கின்றன, இவ்வளவு கிராமங்களிலுள்ள ஜனங்களுக்கும் இந்த ஒரு ஆஸ்பத்திரிதான் இருக்கிறது. அதில் 160 படுக்கைகள்தான் இருக்கின்றன. இதிலும் சர்க்கார் ஊழியர்களுக்கும் அதே ஆஸ்பத்திரியில் சலுகை காட்டப்பட்டு வருகிறது. பொதுமக்கள் இப்பொழுது ரொம்பவும் நல்ல வைத்திய வசதியில்லாமல் கஷ்டப்படுகிறார்கள். அவர்களுக்கு ஆஸ்பத்திரியில் போதுமான படுக்கை வசதி கிடைக்கவில்லை. அதை விஸ்தரிக்கவேண்டுமென்று பொதுமக்கள் நெடுநாட்களாகச் சொல்லிக்கொண்டு வருகிறார்கள். சட்டசபை அங்கத்தினர்களும் சொல்லிக் கொண்டுவருகிறார்கள். இதைச் சென்ற மாதத்தில் கூட சுகாதார

[Sri M. Ethirajulu]

மந்திரி அவர்கள் நேரிலேயே வந்து பார்த்தார்கள். சர்க்கார் அதைக் கவனித்து படுக்கை விஸ்தரிப்பைக் கண்டிப்பாகச் செய்யவேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன்.

"முக்கியமாக, அந்த ஆஸ்பத்திரியில் ஸ்பெஷல் வார்டு கிடையாது. டாக்டர்களுக்கும் நர்சுகளுக்கும் போதுமான இடமிருந்தும் கூட (quarters) குடியிருப்பு வசதி கிடையாது. இவ்விதமான நிலையில் சுகாதாரவசதி மிகவும் குறைவாக இருந்தால், எப்படி பொது ஜனங்கள் நன்றாக வாழ முடியும் என்று கேட்கின்றேன். அதையும் கனம் மந்திரி அவர்கள் கவனிக்க வேண்டும்.

"கொண்டங்கி எரியும், திருவகிந்திபுரத்திலுள்ள அணைக்கட்டும் 2,000 ஏக்கருக்கு நீர்ப்பாசன வசதியுள்ளனவ. அது சரிவர இல்லை. இப்பொழுது விவசாய மந்திரியாக உள்ள மதிப்பிற்குரிய கனம் ஸ்ரீ பக்தவத்சலம் அவர்கள் கூட, அந்த இடங்களையெல்லாம் வந்து பார்த்திருக்கிறார். இவையனை இதை வருஷத்தில் பயிர் செய்யமுடியாத நிலை ஏற்பட்டிருக்கிறது. பயிர் சரியாக வந்துகொண்டிருக்கும்போது இரண்டு மாதத்திற்குப் போதுமான தண்ணீர்தான் வருகிறது. அந்த இரண்டு மாதத்திற்குப் பிறகு, தண்ணீர் இல்லாமல் அந்த இரண்டாயிரம் ஏக்கர் நிலமும் நடுமத்தியில் பாழடைந்து போகும் நிலையில் இருக்கிறது. சென்ற 10 வருஷங்களாக அரசாங்கத்திற்கு இதை எடுத்துக் காட்டி வருகிறோம். அரசாங்கம் இதை கவனித்து உடனடியாகச் செய்யவேண்டுமென்று பல கோரிக்கைகள் மூலமாகவும், நமது முதல் மந்திரி அவர்கள் கடலூர் வந்திருந்தபோதும், விவசாய சங்கத்தின் தலைவர்களும் மற்றவர்களும் நேரில் கண்டு குறைகளை எடுத்துச் சொல்லியிருக்கிறார்கள். ஆகவே, அதை உடனடியாகச் செய்யவேண்டும் என கேட்டுக்கொள்ளுகின்றேன். ஆனால், சர்க்கார், கவனித்துக் கொண்டிருக்கிறோம் கவனித்துக் கொண்டிருக்கிறோம் என்று சொல்லிக்கொண்டு வருகிறதே யொழிய, காரியத்தில் ஒன்றும் நடைபெறுவதாகத் தெரியவில்லை. ஜில்லாவின் தலைநகரமாகிய கடலூரில் இந்த அணைக்கட்டும், எரியும் இருப்பதால் விவசாய மக்களையும், ஏழை குடியானவர்களையும் பாதுகாக்கும் பொருட்டு முதல் மந்திரி அவர்கள் உடனடியாக நடவடிக்கை எடுத்துக் கொள்ளும்படி கேட்டுக்கொள்ளுகின்றேன்.

"மதுவிலக்குத் திட்டம் வெற்றி பெறவில்லையென்று சொல்லுகிறார்கள். ஆனால் வெற்றி பெற்றிருக்கிறது என்று நான் சொல்ல முடியும். ஏனென்றால் குடியால் நிசித்துப் போன குடும்பங்களும், இருக்கும் இடமே தெரியாது இருந்த ஏழை குடும்பங்களும் மதுவிலக்கால் இப்பொழுது மீண்டும் பிரகாசித்துக்கொண்டு வருகிறது. இந்தப் பெரும்பணியை முதல் மந்திரி ராஜாஜி அவர்கள்தான் செய்து வைத்தார் என்பதை யாரும் மறக்க முடியாது. அந்த மதுவிலக்கு இப்பொழுது வெற்றி பெறவில்லையென்று யார் சொல்லுகிறார்களென்றால், திருட்டுத்தனமாக கள்ளச் சாராயம் காய்ச்சுவார்களும், இதையே பிரதான ஜீவியமாக பின்பற்றுவார்களும் சொல்லுகிறார்களேதவிர, உண்மையிலேயே எண்ணப்போல் பிற்பட்ட இனத்தில் வந்த ஒருவன் நன்றாக அதைக்கண்டு சந்தோஷப் படுவதைவிட வேறு யாதும் மதுவிலக்கை குறை கூற முடியாது. இப்பொழுது மதுவிலக்கினால் கள்ளச் சாராயம் காய்ச்சி அதைத்தங்கள் ஊதியத்திற்கு பயன்படுத்துவதை ஒரு தொழிலாகக் கொண்டவர்கள் தான் மீண்டும் மதுவை வைக்க வேண்டுமென்று சொல்லுகிறார்கள். ஆந்திரர்கள் கூட வைக்கவேண்டுமென்று சொல்கிறார்கள் என்று மேற்கோள் காட்டுகிறார்கள். குடித்து அறியாதவர்கள், குடி என்பது என்னவென்பதைத் தெரியாதவர்கள் இதை மீண்டும் கொண்டுவர வேண்டுமென்று சொல்லுகிறார்கள். அப்படி மீண்டும் இதைக்கொண்டுவந்தால், ஏழை மக்கள் நிசித்துப் பேர்வர்கள், ஹரிஜனங்கள் நிசித்துப் போவார்கள் என்பதை நான் நன்றாகக் கூறமுடியும். அதற்காக என்ன விதமான கஷ்டம் வந்தபோதிலும் இந்த சர்க்கார் மதுவிலக்குத் திட்டத்தைக் கைவிடக்கூடாது. கைவிட்டால் ஆபத்து நேரிடும் என்று தெரிவித்துக்கொள்ளுகின்றேன்.

[Sri M. Ethirajulu] [31st December 1953]

11-30
e.m. “வேலையில்லாத திண்டாட்டம் அதிகரித்துக்கொண்டு வருகிறது. மத்திய சர்க்காரால் நமக்கு சமூக நலத் திட்டம், இன்னும் தேசிய அபிவிருத்தித் திட்டம், நீர்ப்பாசனத் திட்டம் எல்லாம் வந்திருக்கிறது. வேலையில்லாத திண்டாட்டத்தைப் பற்றி உயர்தரப் படிப்பு படித்து பட்டம் பெற்றவர்களும், எஸ்.எஸ்.எல்.ஸி. படித்தவர்களும் தான் சர்க்கார் கவனத்தில் வருகிறார்கள். ஆனால், 1 முதல் 5-வது பாரம் வரையில் படித்தவர்களுக்கு எந்தவிதமான ஒரு உத்தியோகமும் கிடைக்காது. அவர்களுக்கு உத்தியோகம் கிடைப்பதற்கு சர்க்கார் முன்வரவில்லை. தாழ்த்தப் பட்ட ஜனங்களும் மற்றப்படி சமூகத்தில் பின் தங்கியவர்களும் 5-வது பாரத்திற்கு மேல் படிக்க முடியாத நிலையில் இருக்கிறார்கள். அவர்களிடம் பணம் இல்லாத குறையினால், முதல் பாரத் தோடோ அல்லது 5-வது பாரத்தோடோ அதற்குமேல் போகமுடியாமல் நிறுத்திவிடுகிறார்கள். இந்த மாகாணத்தில் 14 ஜில்லாக்கள் இருக்கின்றன. அந்த ஜில்லாக்களில் அனேக தாலுகாக்கள் இருக்கின்றன. ஆனால், சர்க்கார் காரியாலயங்கள் எண்ணிறந்தவைகள் இருக்கின்றன.

“குறிப்பாக எடுத்துக்கொண்டால், ஒரு ரிஜிஸ்திரார் ஆபீஸ் எதிரில் நன்றாக எழுதத் தெரியாதவர்களும், ஓய்வு பெற்றவர்களும் பத்திரம் எழுதும் பழக்கம் நானாவரை நடந்து வருகிறது. எழுதப் படிக்கத் தெரியாதவர்கள் அனேக கிராமங்களிலிருந்து அங்கே வருகிறார்கள். அவர்களுக்கு பாண்டு பத்திரம் முதலியவைகள் எழுதிக்கொடுப்பதற்காக, அந்த ரிஜிஸ்திரார் ஆபீசுக்கு எதிரில் சுமார் 5, 6 பேர்கள் உட்கார்ந்துகொண்டு, இம்மாதிரி பாண்டு, பத்திரங்கள் முதலியன எழுதிக்கொடுத்து, ஒவ்வொருவரும் சுமார் 10 ரூபாய் வரையில் தினமும் பெறுகிறார்கள். கிராமத்து மக்கள் அனேகமாக எழுதப் படிக்கத் தெரியாதவர்களாக இருப்பதால், இம்மாதிரி எழுதிக்கொடுப்பவர்களுடைய உதவி வேண்டியிருக்கின்றது. அதற்காக பணம் செலவழிக்கின்றார்கள். அம்மாதிரி இடங்களில் எல்லாம் படித்த வாலிபர்களைக் கொண்டு வந்து, அவர்களுக்கு பயிற்சி அளித்து, சர்க்கார் அங்கீகாரம் அளித்து, ஒவ்வொரு ஆபீசுக்குச் சமீபத்திலே 5 பேர்களுடையவது நியமனம் செய்தால், கிராம வாசிகளுக்கு உதவியாக இருக்கும் வேலையில்லாத திண்டாட்டத்தை ஓரளவு போக்க முடியும். கிராமத்தாரிடமிருந்து ஒரு குறிப்பிட்ட தொகையைத்தான் ஊதியமாக வாங்கிக்கொள்ள வேண்டுமென்ற ஒரு ஏற்பாட்டையும் சர்க்கார் செய்ய வேண்டும். அப்பொழுதுதான் சர்க்கார் அதிகாரிகளுக்கு நல்லது. தகுந்த பயிற்சிபெற்றவர்களை அங்கு நியமிப்பதனால், பாண்டு, பத்திரங்கள் முதலியன ஒரு குறிப்பிட்ட முறையில் எழுதப்படும். அதனால், சர்க்கார் தஸ்தாவேஜுகள் சரிவர முறைப்படி இருக்க ஏதுவாக இருக்கும். சர்க்காருக்கு மனுக்கள் எந்த முறையில் இருக்கவேண்டுமோ அந்த முறையில் எழுதுவதன் மூலம் சர்க்காருடைய வேலை ஓரளவுக்கு செளகரியமாக இருக்கும். 1 முதல் 5-வது பாரம் வரையில் படித்தவர்களை இம்மாதிரி வேலைக்கு பயிற்சி அளித்து எடுத்துக்கொண்டால் உடனடியாக 5 ஆயிரம் முதல் 10 ஆயிரம் பேர்களுக்கு வேலை கிடைக்கலாம். அப்படி வேலை கிடைத்தால், படித்திருக்கும் வாலிபர்களும் மற்றவர்களும் வாழ்க்கையை நடத்துவதற்கு ஏதுவாக இருக்குமென்று கேட்டுக்கொண்டு, இந்த விஷயத்தைப் புனராலோசனை செய்யவேண்டுமென்று சர்க்காரைக் கேட்டுக் கொள்ளுகின்றேன்.”

* SRIMATHI MARY C. CLUBWALA JADHAV :—“ Mr. Chairman, Sir, I rise to congratulate the Hon. the Chief Minister, the Hon. the Minister for Finance and the Members of the Government on their being able to show a small surplus budget. In spite of the division of the State and the Rajahmundry floods and their relief, we have this happy result worthy of congratulation. I am also very happy to note that our Chief Minister has appointed a lady Minister, and I should like to congratulate the Government on the appointment of a lady Minister. I wonder

31st December 1953] [Srimathi Mary C. Clubwala Jadhav]

whether Rajaji remembers that last year during the budget discussion I asked for the appointment of a Minister for Social Service. You said that the Minister should naturally be a lady. Now you have appointed a lady, and why have you not added to her the portfolio of social service? If you think that the lady Minister has a heavy portfolio—you certainly have given a very responsible portfolio—there are social workers amongst your Ministers, namely, Dr. U. Krishna Rao, Mr. Venkataswami Naidu, Mr. Bhaktavatsalam, and Mr. Subramaniam, to one of whom you can add this portfolio of social service. I do hope that you will think it fit to have a portfolio for social service also.”

MR. CHAIRMAN :—“ The hon. Lady Member's speech must be addressed to the Chair.”

* SRIMATHI MARY C. CLUBWALA JADHAV :—“ I beg your pardon, Sir. It is of course very easy to criticize the Government. We know that our Government have been passing through hard times, and have been turning out many excellent works. Now referring to social service, Sir, I am very sorry to say that the Government do not think it necessary enough to take into their confidence many of our social workers. Madras State abounds in social workers not to be found anywhere else in India. I say this, because you know, Sir, that we have all sorts of conferences in our State. We also go to other States. We travel a great deal and we see a great deal. Wherever we go, we see that the Madras State gets a tribute for its great volunteer army, and Madras gets all credit. The Government also get credit. You did help us, Sir, by giving us lands, exemption from sales tax, and also help in other ways. But the Government do not give us finance, and they do not give us encouragement which will help us to expand our work. I would, therefore, like to plead for more consideration and help from Government to social workers.

“ The Women's Welfare Department, which to-day is well known, and which is copied by the Uttar Pradesh and Bihar States, was started by voluntary workers in this State. In the year 1946 when the Congress assumed office, there was a fear—in fact there was a real fear—that this department would be done away with. Because we had a lady Minister, we used our influence on her, and that department was retained. That department is now called the 'Department of Women's Welfare'.

“ I turn now to the Madras Vigilance Association. Human memory is very short. This Association was founded many years ago. One of the founder-Members is Dr. Muthulakshmi Reddi and also Sir Mohammed Usman who are here. She and many others have built up this Association against public criticism and financial difficulty, and gave succour and help to many girls. More and more girls came into our protection, and, therefore, we started enlarging our Home in many directions. The 50 per cent contribution got from the Government was not enough for our

[Srimathi Mary C. Clubwala Jadhav] [31st December 1953]

work, and we requested our Government to provincialize this Home. The Government did do so in 1948, and said that they would take our experienced social workers as their advisory panel. But what did they do? Overnight they provincialized the Home, and they had nothing to do with our experienced social workers. We went on a deputation to the Hon. the Minister for Law who promised to take our assistance. But nothing happened. Now that the rules of the Government Vigilance Home are hard and fast, the Vigilance Association are also carrying on their work. Yesterday, the hon. Member Dr. Muthulakshmi Reddi spoke about girls going astray, and she referred to the hard and fast rules of the Government Vigilance Home. Girls come into the City by trains. Many girls come into the City after running away from their unhappy homes. Still more girls are coming into the City because they are married to old, crotchety and undesirable husbands who ill-treat them. Girls do run away to cities for proper protection and attention. They go to the bus stops and railway stations. There are people ready for them at railway stations and bus stops to offer dangerous employment. Our Vigilance Association workers patrol the railway stations, we are taking away the girls to our shelter, and we are unable to send them to the Government Vigilance Home, because of the hard and fast rules. We cannot keep out a girl at night. We turn to the Salvation Army, a missionary association, to take care of these girls at very little cost. We send the girls there. The Police also girls to that organization. We have hardly enough funds. We have asked the Government to take the services of trained workers like us, and help us to open more homes and shelters. I have been repeating this request often. There are girls from all States in our Home. They are also our own daughters. Are we not to give them protection?

"When the Madras Association was started, Srimathi V. T. Lakshmi was working as the Superintendent, Manager, Matron and Patrol. She did excellent patrolling. Now there is no patrol. I do not understand why, when women in India occupy the highest places in our own home country and also abroad, it is not possible for them to be patrols?

11-40 a.m. "Turning to the question of Women Police, I want to ask, 'Why should we not have Women Police?' It will not involve any additional expenditure. In all seriousness, I want to submit to the Hon. the Chief Minister that, if in recruiting personnel for the Police Department, in the place of men police, at least a dozen women, older women, mature women and educated women, are recruited, they can be of very great assistance in escorting children to the Juvenile Courts, in escorting girls to the various rescue homes and jails, in entering houses of ill-fame and detecting cases. Women Police have done this kind of work very well in other parts of the country. Why should they not do it in this enlightened State of Madras which has introduced many welfare activities? Certainly, if they are given an opportunity, they will turn out very good work. We are not really happy about certain

31st December 1953] [Srimathi Mary C. Clubwala Jadhav]

things and women do need special care. I would, therefore, urge on the Government to consider this proposal which I have submitted, many, many times and do the needful. I do not believe in deputations if it can be helped.

"Our Ministers are very busy with their work and in issuing Press statements. But sometimes it becomes necessary and we do hope that we will not be put to the necessity of resorting to that method. I only request the Government to give fair consideration to this very important request of mine.

"Now turning away from justified feelings of frustration, on behalf of the Madras Women's Food Council, I offer to the Government our very grateful thanks for the great assistance and encouragement that they have given to that Council by giving it land-site and buildings. Above all, Mr. Chairman, I can tell you that the Honorary Propagandist of the Madras Women's Food Council, Mrs. Philip, who is attached to the Women's Christian College (Nutrition Department), has done a very fine piece of work. The Hon. the Chief Minister has himself paid tributes to the work done by her. We told him about the excellent work we had been doing here during the last three or four years. Visits from village to village, from hamlet to hamlet and from school to school, doing propaganda work and eating and sharing the food with others, have borne excellent results. The Hon. the Chief Minister said that if Mrs. Philips would go out at the height of the hot weather during the months of May and June to the famine areas of the southern districts, travel in third class and from village to village and do propaganda work, then he would feel that we had done something. Sir, we are really proud to say that we have been able to do it. Previously ration shops were not selling or were selling very little wheat. They were also not stocking wheat. But, as a result of our propaganda for wheat, they now stock wheat continuously and sell it. Therefore, I can say very good results have been achieved by our propaganda. We are grateful to the Government for recognising our work. We hope that they will help us to start a department for training propagandists for such work so that we may train more women to do this work under the leadership of Mrs. Philips. Sir, the Food Council was subjected to much criticism by hotel-keepers that we were given all sorts of privileges. We were not at all given any privilege except that we have a house free of rent. Otherwise, we pay the licence fees, sales tax, etc., and we also pay our staff very well. Above all, we give wholesome food to the men and women in the street. Even some of the legislators who criticised us in the past now come to me when the legislative sessions are on and say, 'May I have an opportunity to speak with you? Would you please come and start a cafeteria in our district?' So, we feel that we have done and will continue to do this good job. We again thank the Hon. the Chief Minister and the Hon. the Food Minister for their encouragement and help.

[Srimathi Mary C. Clubwala Jadhav] [31st December 1953]

"Day before yesterday I was in the City of Secunderabad. Early in the morning of that day, I stood in a horse-shoe surrounded by 8,000 young boys and girls, scouts and guides, from all over India in a Jambooree. In this field, there is neither any linguistic consideration nor any distinction of caste and creed. Boys and girls of various areas meet together in healthy surroundings, in the open air, learn together, work together and make the best home for social service. The Government of Madras (our State Chief being one of the Ministers, namely, the Hon. Sri Venkataswami Naidu) have been kind to us. But the grant that is given to us is adequate only to carry on our existing work. We have to run some courses in scouting and guiding for children in the slums. We, therefore, request the Government to come to our assistance with a further grant and thereby enable us to take in more children to be trained. In 1948 the Government of Madras appointed a Camp Site Committee and asked us to prepare a plan. The Committee made its recommendations which were very modest. Yet, I think the Committee's report is being eaten by insects in some old file of the Secretariat. Last year I asked the Hon. the Minister for Education to call for that file, pass orders and enable us to have camp sites so that we might take more children into the camps. I make the request now also because we have to take care of many children who are now in slums also. Therefore, the Government will do well to increase their assistance to us.

"Turning to the Madras School of Social Work, roughly there are four noble professions, in my humble opinion, that call for support. They are the professions of doctors, nurses, school teachers and social workers. We started the Madras School of Social Work against many and heavy odds. The Government themselves appointed a committee for this purpose in 1948. With many promises and frustrations, it fell through, but a volunteer organization started the school. We have also proved our worth. Our students are young men and women with a mission of service. The Hon. Sri Rajagopalachari has kindly appointed a Commission but we do not have the benefit of its findings. I know that this Budget is only for the current six-month period, but I want to drive home my point so that the Hon. the Chief Minister and the Hon. the Minister for Finance and Education will bear this question in mind and, having seen the fine social work we have been doing and the result of it, will increase the grant given to us. Our example has led to further social service courses being started in different colleges in the State. But we are running a full-time two-year course. We are now getting a token grant of Rs. 1,000 from the State Government and another Rs. 1,000 from the Centre. But I hope, Sir, that the Government will give us something more worthwhile to build up our library which is very essential. I hope and pray that they will give us substantial grants so that we may have more Faculties. We have four full-time Faculties drawn from the various Schools of Social Work, the most distinguished one being the Tata School of Social Science.

31st December 1953] [Srimathi Mary C. Clubwala Jadhav]

But we need to strengthen our Faculties. Our students are trained in rural welfare work, medical social work, industrial welfare, probation work and correctional administration. Already requests have been pouring in for our trained social workers. In these circumstances, I hope and pray that the Government will be pleased to give early recognition to our degree and grant us financial assistance. We have as our worthy Chairman, Dewan Bahadur Bhashyam Ayyangar, a man of experience and I am sure the Government will grant our request.

"Sir, I congratulate the Hon. the Minister for Transport on the informal, democratic way in which he attempts to tackle the various issues and criticisms offered. There has been vast improvement in respect of the amenities to the travelling public. Democracy is, I am sure, the highlight of our Ministers and I congratulate the Hon. Minister on the way he is tackling the transport problem.

"Then, Sir, turning to the question of tourist traffic, I say there is a wealth of money coming into our State on account of this. Why should the Government be so obstinate in regard to the question of having a good Tourist Traffic Bureau? There are our temples, forts and other historical works which attract foreign visitors. But the amenities provided to them are very inadequate. Of course, the Government of Madras appointed a Committee. I think one of the Ministers, Sri Bhaktavatsalam, is on the Committee. He is a gentleman of vision. Therefore, I was hoping that the Committee would soon meet and evolve certain principles which might be of benefit to tourist traffic. But the Committee has not met. I hope it will not be long before the Government take up this matter.

"Then I turn to the blot on the City of Madras, namely, the problem of beggars. There is no part of this country that is so ridden with this menace as the State of Madras. Wherever I go, outside our State the Superintendent of every jail says, 'Oh, they are prisoners from your land who have been punished for begging.' I would request, Sir, that we should get our children back. These children go to the big cities from rural areas because of famine. Mr. Chairman, you know the danger these children are in. They are exploited by unscrupulous people. It is very difficult to travel safely on any railway in any part of India, especially in our State. These children move on the footboards pushing their heads in and trying to pull out what they can. They come through the windows of lavatories and they are the cause for a great deal of harm, both physical and mental. It is really a menace. Hon. Ministers may not know about this because there is a certain amount of security when they travel and they are not disturbed during their journey. But the ordinary travelling public have a very bad time with them. This is a very unhealthy practice. These children enter into the trains and steal some clothing or anything they may lay their hands on. I have been a victim of all these things and I know a large number of women who have

[Srimathi Mary C. Clubwala Jadhav] [31st December 1953]

been coming to our State have also been such victims. The other night I was travelling to Bangalore. Two women from Malaya were also in the compartment. They were counting the beads of the rosary all night because they said, 'We are told that thieves abound on these lines.' I really feel that this menace should be put down.

11-50 a.m. "The other day I was travelling from Madras to Madurai. There was a little Indian child with his parents who belong to Malaya in that compartment. Even in the night train we had beggars as long as we had the lights on in our compartment, and the little child turned up to its mother and said, 'Mummy, in Malaya we have no beggars, but ever since we have come from the ship, there are beggars and beggars. Why are they begging? Please tell me.' We must do something for these beggars. At present there is no place to which we can send them. Certified schools are already overcrowded. They do not have a fixed abode. That being so, it is not possible to put them on probation. We therefore started the Mohite Playground on a piece of land kindly given to us by the Defence Services. It is situated in a central part of the city and with the co-operation of the Corporation authorities, necessary sanitary arrangements have been made and with the help of the various Welfare Associations we have also equipped the playground to some extent. The boys who repeatedly appeared before the Juvenile Court were picked up by the police on the first day and brought to the pavilion. They were given a bath and a square meal. From that day they never came back to the Juvenile Court. The Corporation is running a school in that area. These boys in their turn brought other children also to the playground. But we are unable to take all of them at present. Though the rehabilitation of these boys is a happy job, it can be done only if the Government come forward to give us lands and other help. I would very much like to take this opportunity to appeal to the Hon. Chief Minister, through you Mr. Chairman, to give us some assistance in this matter. I assure him that we are prepared to take in a number of children and carry on such activities at one-fifth of the cost which will be incurred by the Government, and produce results. The rehabilitation of such child beggars is an important work and we will be happy to undertake such work provided the Government also do their duty by giving us necessary help and assistance.

"Sir, one of the hon. Members referred to the survey made by the students of the Madras School of Social Work. That was a surprise survey made on a Sunday without any warning. It revealed that there were 1888 juvenile beggars. Of these, 1146 were under the age of 12. The balance, namely, 742 belonged to the age group, 12 to 20. We can do something for these people through the social welfare organizations that we now have. I hope the Government will give us the necessary lands and other assistance so that we may be enabled to come to the rescue of these unfortunate children in this State of ours.

31st December 1953] [Srimathi Mary C. Clubwala Jadhav]

"May I say a word about Remand Homes? Our Remand Homes need a great deal of reorientation. They are at present inadequately equipped and staffed. The children that come into these Homes stay for a few days. In some cases, they stay for a few weeks. Some of them come from the villages and it takes a long time to contact their families. Some others are kept in the Remand Home as their cases are connected with adult cases. These people have nothing to do. They simply eat and keep quiet. They may be given some training in some useful trade. It is my view that our Remand Homes should become 'after-care institutions'. This is an important matter. I request the Madras Government to appoint a Committee of all those connected with this work with the concerned Ministers also to change the whole programme. The Government must have a more practical approach. I would request the Government to approach more private institutions so that they may receive certified children. In our State the number of certified schools is limited. Destitute and delinquent children should not be mixed up together. At present, there are eight private institutions in the Madras State receiving children. In the State of Bombay, there are 88 such institutions which not only take these children into their institutions but also rehabilitate them in useful avocations.

"Sir, I have already taken a considerable time of the House. Before I resume my seat, I have to refer to one or two very important matters. One of them is about the hospitals. The other day our Governor rightly commended that the hospitals in the Madras City are the best in the country. (The Hon. Sri C. Rajagopalachari: 'In the whole world.') Yes, Sir, our hospitals are the best in the whole of the East. I would like to take this opportunity to plead that more facilities should be given to the out-patients of these hospitals. At present, the poor ignorant people do not know where to go and they have to depend on various small menials. Because, there are only a few trained social workers who must work as a link between the Doctor and the patients and also the families of the patients the help given is limited. The services of such social workers are not available now in our hospitals. I would request the Government to take more interest in the matter and employ full-time social workers to assist the patients in the out-patient departments in our hospitals. I am not saying this to get employment for the social workers who will be turned out of our institution shortly. I am saying this purely from a humanitarian angle. I hope the Government will look into the matter and do the needful.

"While I am on the subject of hospitals I must refer to the T.B. ex-patients Colony which was founded by Lady Nye in 1948. This colony was in difficulties, and has had many vicissitudes. When this colony was started, the Government agreed to take over the Printing Press and treat it as branch of the Government Press. There was much correspondence in the matter and this Press has not yet been taken over by the Government. The Hon. Minister

[Srimathi Mary C. Clubwala Jadhav] [31st December 1953]

for Health has also visited this colony. The patients who are working in the Press need financial rehabilitation. They must receive some remuneration for the work that they do in the Press. I request the Government to carefully consider this aspect of the matter and make this Press a branch of the Government Press and thus help those people who are in need of help. I hope they will take early action in the matter. With these few words, I offer my congratulations to the Government and plead that top priority be given to the child beggars of this State and their rehabilitation. Thank you, Sir."

* Dr. A. LAKSHMANASWAMI MUDALIYAR :—"Mr. Chairman, even at the beginning of this session I stated that there is no purpose in dealing with the particular budget that was presented to us, because all the stages of the budget had been passed in the other House and whatever remarks we may make on the floor of this House just now would be more in the nature of suggestions for consideration by the Government in presenting their next budget. Sir, I regret to note the shape of the budget that has been presented to us. I have carefully gone through the budget of previous years and am convinced that more and more the tendency has been to make available to the House as little information as possible. I have here with me the budget of 1949-50 which I request the Hon. Finance Minister to look into. It gives details under every item as to the number of officers, the pay that they draw and other relevant information including dearness allowance and other things which will enable any Legislature to find out whether the expenditure is being incurred on proper lines or not. The duty of the Legislature is not merely to give approval to the budget as presented by the Government in the final shape but to give a correct view and appreciation on the manner in which the expenditure is being incurred. From that point of view, I very much regret to say that the tendency in recent years has been to give in the budget as little information as possible. Is it any wonder then that the comments of the hon. Members are also based on incorrect information, sometimes on information which is wholly lacking. When one of the hon. Members said that a Retrenchment Committee should be appointed, I wondered on what basis he made that suggestion. There is no use of thinking of the percentage in regard to expenditure, such as 35 per cent or so for social service and so on. We want to know how the money has been spent, who are the persons that are engaged on this work and what is the amount that is credited under the various items of social service. I do not want to elaborate on this point. I wish to seriously suggest to the Government that they must revise their policy while presenting the budget. They must give detailed information in the budget. While we have been insisting on even the foreign Government, when they were here, to give detailed information in the budget, it is even more necessary that we must ask for detailed information in the budget presented to us by a democratic Government. The budget that has been presented to us gives only the total amount. There

31st December 1953] [Dr. A. Lakshmanaswami Mudaliyar]

is no clarification and no splitting up of figures to cover all items of expenditure. If I want to refer to any item relating to the Health Department or the Education Department, I can only look up and see the total amount under a major head. I submit this is not the correct way of presenting a budget.

"My criticism, therefore, is not against the Budget but against the potentialities of presenting such a Budget in future. I, therefore, wish to enter my serious caveat against the manner in which the Budget is being presented. How the Members of the Legislative Assembly were in a position to discuss the Budget and vote the Demands and offer criticisms is something which I cannot say. But we are not here to look to the Members of the Legislative Assembly to know what to do, for they might have other methods of getting information. I wish to suggest to the Government that they must look to the Legislature as the first and the most important forum, whether it be for discussion of policies or whether it be for enunciation of principles. Sir, within the last few months, we have been waiting patiently for the Legislature to be summoned. The events of the last few months and the reports and speeches and statements and counter statements that have been made have caused us much anxiety. In a democratic form of Government, the best forum for ventilating grievances and for the Government replying to those grievances is the Legislature because it commands the widest attention. While I do feel that there were perhaps inherent difficulties in summoning the Legislature earlier than six months after it had last adjourned, the Government must consider it as a very useful machinery for them to express their views and to see what can be done. I wish many of the statements and counter-statements and speeches I referred to earlier had been reserved. 'The moving finger writes and having writ, moves on'. I wish we do it. I do wish that we do not give vent to many of our sentiments except where certain definite objective are realized. There are people who will take advantage of any statement made particularly by a Minister and twist it in such a manner that he will not be in a position to reply to it further.

"Sir, in considering the Budget, two points of view should be emphasised. One is how far the Budget is calculated to promote the welfare of the common man, creating in the public a feeling of satisfied security and a zest for increasing and promoting the best interests of the country. The next point that I wish to emphasise is in a democratic form of Government we must see how far the true ideals of democracy are sought to be promoted by the Budget presented to the Legislature. It has been well said that 'eternal vigilance' is the price of modern democracy, for, modern democracy, dominated to such an extent by party Government, always tends to degenerate to authoritarian rule by a majority. It has been said that modern democracy differs very little from a totalitarian regime in many countries because modern democracy is nothing but authoritarian or totalitarian rule by a majority. This concept is undoubtedly quite irrelevant and

12
noon.

[Dr. A. Lakshmanaswami Mudaliyar] [31st December 1953]

obnoxious and is opposed to the true instincts of democracy. I would say that whatever be the party in power, the first duty of the Government should be to see that the real principles of democracy are imbibed by them. It is not sufficient for the Treasury Bench to feel that they have a very good scheme and that it should be accepted by all. It is important that they must convoke all those who have no prejudice or antipathy for the scheme to see that a proper scheme is promoted, and not allow themselves to be tempted to make all kinds of observations about it. I say this because reference has been made in the Press and also on the floor of the House to various reforms that are contemplated by the Government. One of the most important is the reference to the working of local self-Government. Another is to the proposal to abolish or reconstitute the Board of Revenue. A third is to the proposal to appoint Commissioners in various directions. I feel that other proposals also may emanate. What I wish to suggest to the Government is, whenever such proposals are taken up they should be taken up with due deference to public opinion expressed in these matters. Sir, I ventured once before to suggest that there must be advisory committees in all Departments of the Government, consisting not only of the Members of the Legislature but people who may be called elder statesmen or people who may be called persons with a great deal of knowledge and experience. The great danger of democracy, I believe, is for the democratic legislature and the democratic administration to rush through changes without a full consideration of all aspects of the question examined. Nothing will be lost and everything will be gained if the Government take the views of people most competent—in the opinion of the Government—though not accept their advice before formulating a scheme. I do not suggest that the Government should abide by their advice. But if they consider that advice and base their policies on that, then there will be better appreciation of what they intend to do. After all, take this very local self-Government business. How often has it been made a plaything of party politics? A previous party Government abolished the taluk boards. Now we are thinking of abolishing the district boards. Sir, if people take an uncharitable view that these changes are made with a view to some sort of advantage being gained by the party in power, I feel that the Government themselves are responsible for such an impression. There was a big Bill called the Panchayat Bill passed by the last Council. I have not seen another Bill which was so incongruous with the actual realities of the situation in this country. Have we got the men to run these panchayats? We talk of panchayat raj. Have we got men? Have we men to fill the few highest positions in the country? I do not say this about our own State alone. That is the case with all other States. When we have not got men even at the highest levels of Governmental responsibility are you going to tell me that this wonderful slogan of panchayat raj is going to benefit us? Let us therefore carefully consider all aspects of the question. (The Hon. Sri C. Rajagopalachari: 'Was it

31st December 1953] [Dr. A. Lakshmanaswami Mudaliyar]

by the previous Legislature?') The previous Council passed it. These Bills are passed because there is a solid phalanx in front of me. I raised my voice as did many others on that occasion but my voice was a voice in the wilderness."

SRI S. B. ADITYAN:—"We have very good men in the panchayats."

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"Yes, we have men who can be cajoled and controlled by persons like my hon. Friend. (Laughter.) My point is not that there are not enough men but that we have no men who can stand four square against such things. I do not deny that there are good men but our chief trouble and our misfortune have been that they have fallen a prey to slogans and other cries."

"Then, Sir, I would request the Government to take another point into consideration. Democracy always means cabinet responsibility and cabinet responsibility means that those who form the Government share in that responsibility. There have been many speeches made by the Ministers within the last few months and when I refer to them, let me make it quite clear that I am not here to offer any cheap criticism. I do not want to take any advantage of the statements made by the Ministers from that point of view. But I do not feel that it would be a sound convention, when a cabinet policy is to be discussed or when a cabinet policy has been adopted, if Ministers speak about them only when there is necessity for it in order to bring light not only to their constituencies but to the public at large. I do also feel that in all other respects, Ministers must confine themselves to the particular department's activities with which they are concerned. If Ministers speak about other departments, they will not be in a position to get full information and later on difficulties may arise."

"Sir, yesterday reference was made to the speech of the Hon. the Minister for Education at Udipi. I entirely accept his statement that there was no reference to the University. We have got on well, fairly well, for many years with the Government, and it is my hope and wish and prayer that we shall continue to get on well. It takes two to quarrel and I am too old to quarrel (laughter) with the Education Minister."

THE HON. SRI C. RAJAGOPALACHARI:—"He is too young to quarrel." (Laughter.)

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"Sir, 12-10
youth can never be trusted in these matters. (Renewed laughter.) p.m.
Let me put it to him and let it not be considered as criticism. He was performing a particular function in regard to the laying of the foundation-stone of the Medical College at Udipi. It may be a very good thing and a very desirable thing indeed. But he was not in possession of all the facts and he was not in a position to give the consideration that is due before taking up a stated

[Dr. A. Lakshmanaswami Mudaliyar] [31st December 1953]

position. Let me explain. Let it not be taken that I am antagonistic to this. This Medical College has been started recently on the basis that the College will be run by the collection of donations. Every student was asked to pay a donation of Rs. 3,000 to the College and donations are collected right up to 1962 in anticipation of admissions. Not only are these donations collected but each student has to pay about Rs. 4,500 as college fees for the $4\frac{1}{2}$ years. I do not object to the collection of this college fees. But is it the attitude of the Government that they should encourage such donations being collected in advance from the students? The acceptance of this position probably and necessarily implies certain connotations. The question was discussed at a recent meeting of the Inter-University Board and it was the unanimous opinion of the Vice-Chancellors that collection of such donations is not calculated to promote the best interests of higher education.

“ Let me come to another point. This College is situated in the State of Madras. I am exceedingly happy that the Government should give all assistance possible to the College. But there is one principle which the Government should not forget. The College is affiliated to the Karnatak University, a University that is outside the territorial jurisdiction of this State. You may ask: ‘ What does it matter if it is outside the territorial jurisdiction of this State? ’. The late Dr. Ziauddin Ahamed, brought in an Act to enable the Aligarh University to affiliate educational institutions in different parts of India. When this was circulated a storm of protest was raised and on very good grounds. I was one of those who vehemently protested against it. The matter is not so simple. If you think that you are endorsing a policy of that nature, the whole root, the whole basis of higher education may be very soon spoiled because, a college may prefer, if one University imposes certain conditions, to go to another University and there will be chaos in our educational system. That is why there has been an understanding that each University area must be more or less confined to the particular territorial limits.

“ I will give another reason why I feel unhappy over this matter. Here are students admitted to that College. You know, Sir, and the hon. Members of this House connected with medical education also know that if students are admitted to a Medical College they can be admitted only if there is a reasonable chance of their studies being continued with at least a minimum amount of efficiency throughout the period. When an Hon. Minister of this Government performs such a function, the impression created on the public and the student population is that all these conditions are satisfied. Let me not be misunderstood in this connexion. I am very glad that improvements are taking place in the Mangalore Hospital. But there are also other points to be considered. I was recently Chairman of a Committee organized by the International Conference on Undergraduate Medical Education which considered this aspect of the question.

31st December 1953] [Dr. A. Lakshmanaswami Mudaliyar]

The unanimous opinion of the international body was that the College and the hospitals should be located in the same campus to afford facilities for proper clinical instruction. I am not here to discuss these things. It is not my responsibility. Another University will share that responsibility. I am very glad to be relieved of it. But what I want to say is this. All these considerations may not be known to our Hon. Minister for Education. I do not think these things could ever have occurred to him because he was not in touch with the medical portfolio. (Interruption.) I do not want to go into domestic questions. I would rather avoid them. I would only say that this is a matter for serious consideration of the Government. I do not for a moment suggest that they should not help the College. But I say, they should not commit themselves in the manner that will make the public probably feel that there is something absolutely safe about this College for the students.

“ Now, let me come to another aspect of the question. I am not going to deal with the controversies in regard to elementary education. They will be dealt with elsewhere. I think we have been given too much of importance to it. My own feeling after some consideration of the matter is that, if a thing is worthwhile you can continue it, if not, it can be dropped. I wish to enunciate in this connexion a policy with regard to education. The main principle that I wish to enunciate in matters pertaining to education is that it should not be made a party question, that it should never be treated as the responsibility to the Government of the day whatever may be the education, whether it is primary education, secondary education, university education, technical education or technological education. It must be admitted that education is something for futurity and therefore no party consideration must be allowed to come in, in regard to educational plans. Let me here give the example of the 1944 Education Act passed by Parliament through the exertion of Mr. Butler. That Act was based very largely on the reports of two expert committees. I would suggest that in all matters pertaining to education at all stages, it is most desirable that the recommendations of the expert committee should be taken note of and generally implemented to the extent to which it is financially possible by the Government of the day. Otherwise education may become the plaything of party politics and we know how education has suffered in totalitarian States or perhaps some hon. Friends might say how education has progressed in totalitarian States.

“ I see, Sir, a non-official resolution has been given notice of by my hon. Friend Sri Parameswaran about secondary education. I therefore do not want to say anything about it now.

“ Now I come to a subject which has been discussed by almost everybody—Prohibition. I first wanted to prohibit myself from speaking on the subject but I felt it was a duty I owe to the House that I should speak on it. I congratulate the Ministry on

[Dr. A. Lakshmanaswami Mudaliyar] [31st December 1953]

having handed over the whole responsibility as it were of effectively implementing the policy of Prohibition, to a lady Member. My esteemed Friend the Hon. Member Dr. Muthulakshmi Reddi will draw a conclusion that after all when men fail, they have necessarily to go to women for relief. Sir, the Hon. Lady Minister has taken a very heavy responsibility on herself, more heavy perhaps than she realizes at present. Has prohibition failed? I venture to say that it has failed in some material respects. I know the advantages that it has showered. I know people have been weaned from this habit. I also know that many of them, drink not being made available for them, are in a position to give better help and better assistance to their families. But one great danger in Prohibition has been the increase in lawlessness."

THE HON. SRI C. RAJAGOPALACHARI:—"Prohibition lawlessness?"

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"Prohibition lawlessness and other forms of lawlessness. This is a fact. The other day, a lady, who was an old nurse came to me and said because I was a Member of the Council: 'Come along with me, I will take you and show you how illicit distillation is going on'. That is the great danger. Not only is this illicit drink produced but we know from experience in other countries, the bootleggers always cling to these illicit distillers because that is the only method of making easy money.

"There is another aspect of the question which has got to be realized. Perhaps the medical profession will be in a position to advise in this matter. This sort of illicit drink has certainly produced a great deleterious effect on the constitution of those addicted to it. I know it. I know people who have been ruined by this kind of addiction. You may ask me: 'What then has to be done? Shall we make the laws more stringent?' Let me tell you, Sir, that no more draconian legislation has been passed in any legislature than the one pertaining to Prohibition. I protested against this. A prohibition officer, real or feigned, can enter any house at any part of the day or night, arrest the individual who is supposed to be drunk, take him away leaving his wife and children unprotected. He can even break open the door, if the house is locked. I protested against it because in their anxiety to enforce prohibition they were allowing a worse state of affairs to prevail.

12-20 p.m. "Sir, only the other day two ladies in Aminjikarai were nearly assaulted and their jewels were stolen because of a so-called prohibition raid of their house. I venture to suggest now also, as I did five years ago, that the real danger—more than even the drink habit—is the increase in the quantum of drink from day to day, so much so the person who takes it is running down in health. In these days of ration, why don't you ration drinks instead of issuing permits? Let each person have a ration card with the photograph of himself pasted on it. Let the quantum of drink that is to be

31st December 1953] [Dr. A. Lakshmanaswami Mudaliyar]

given to him be noted. Let him go to the bazaar himself—be he the highest in the land or the lowest in the land—and get the drink. By that means the Government would be enabled to see that more people do not get into this habit. Secondly, there is the possibility of stopping, to a very large extent, illicit distillation. There is a proverb, 'Set a thief to catch a thief' and if the Government have certain of these liquor shops open and openly open, they will be the first informants if any illicit distillation were to take place. The Hon. Lady Minister in charge of Prohibition said the other day in reply to a question that in the year 1952-53 there were 118,000 prohibition cases. She did not say, how many were cases of illicit distillation and how many were cases of people smelling sweet toddy or otherwise. But I should like to say that illicit distillation is in the ascendant and it is a grave thing if the Government let it grow for it will certainly degenerate into lawlessness in course of time. Those who are making such capital money out of this illicit distillation will be the thugs of the future if they are not controlled. I am sorry I cannot give any solution for that but I certainly sound a note of warning in regard to this matter."

SRI V. CHAKKARAI CHETTY:—"Is it the suggestion of the hon. Member that only rich people take to illicit distillation?"

* DR. A. LAKSHMANASWAMI MUDALIYAR:—"Sir, people get rich after financing it. I do not think, rich people finance it. My time is running short, and time and tide wait for no man or for that matter any woman. We are most anxious to hear the Hon. Leader of the House. Let me, therefore, rapidly proceed with my further observations.

"Reference has been made to co-operative societies. It is a fact openly known that many of the co-operative societies in this State—I cannot say about other States—are not functioning properly. I would not say that the co-operative system has broken down but I do say that what we expected of the co-operative system, has not been achieved. I am most anxious that co-operation should spread on right lines and that it should permeate every field of national activity. I have seen the working of the co-operative societies in Denmark and it is no use mentioning it here. We have not got sufficient number of men in these co-operative societies to uphold the traditions and dignity of the co-operative movement. I feel that the time has come when a committee should be appointed to review the working of the co-operative societies and to see in what direction and in what manner expansion of the co-operative enterprise can be fostered. Sir, the co-operative credit banks are an anomaly. Their methods of issuing loans are so fastidious and so completely at variance with the necessities of the poor people, that they have hardly any chance of getting these loans. The gentlemen who get loans are the directors of the co-operative societies themselves. On account of these usurious loans, those who give these loans have multiplied within the last seven or eight years and a number of banks have been established in our State. These banks give loans at a rate of interest varying from

[Dr. A. Lakshmanaswami Mudaliyar] [31st December 1953]

three to four per cent. Some people take them on 'hundis' and then pass them on to the poor people, low-paid clerks, peons, middle classes and poorer middle classes at a rate of interest ranging from 12 to 36 per cent. They also give it to agriculturists. Although there is a maximum limit fixed to the rate of interest payable by the agriculturists, that is observed more in the breach than in observance. I suggest that there should be a very strict method of controlling the activities of such persons. Every person, who is a money-lender, should be registered, and the maximum rate of interest for protected and unprotected loans should be fixed. Just as the Government have got all land-owners under their grip, they must also keep these persons under their control by registration. I think it is a necessary thing.

" Sir, the Hon. the Chief Minister has referred to the fact that 'much hard and sustained work will have to precede an appreciable increase in the general standard of living'. No clearer exposition of what is wanted could have been given. For various reasons, labour has not been able to co-operate in the industrial concerns and complaints have been far too frequent that a 'go-slow policy' has been adopted. On a previous occasion, I pleaded that there should be some amount of partnership between labour and capital in the promotion of industry; that all trade unions must be controlled by those who are actually engaged in that particular trade and not by outsiders who have little or no responsibility in this respect; and that while labour is given all reasonable amenities and facilities, labour itself will have to realize that in a world of severe international competition, it may not be wise to 'kill the goose that lays the golden egg', by demands that can hardly be met. I am sure, the statement recently made by the Hon. Mr. Jagjivan Ram, who has had considerable experience of these problems, and the appeals made by the hon. Mr. V. V. Giri will be taken seriously by all interested people.

" Sir, reference was made to nationalization of some industries. I accept the statement of the Hon. Minister for Motor Transport that the services rendered by the Government buses are excellent. He has given a statement that it is working at a profit. I should like to submit it to a further examination. Are these buses, diesel-engine buses, paying Rs. 400 as quarterly tax to the Government? Are they also paying the petrol tax that is due? How is depreciation effected? My purpose in putting these questions, is simple. I want the Government to have control but they should get the advice of good experts, industrialists and others, as the Government of India have done with regard to their nationalization schemes.

" Let me offer my congratulations on the final settlement of this tram issue. The 2,000 workers who are left without any employment can easily be absorbed in the many undertakings that the Government have on hand. For instance, they can be absorbed in the bus service. They can be trained to be good motor mechanics. I am very glad that the Hon. Finance Minister said that the tram services would not be reintroduced in the City. In most European

31st December 1953] [Dr. A. Lakshmanaswami Mudaliyar]

countries, there is no tram service. In this connexion, I made a suggestion in the last Council also that the Hon. Ministers must be sent for a period of three or six months on a world tour and then continued in the Ministry. I hope the Hon. Chief Minister will not think that this is merely a melodramatic statement of mine and that I have no conception of the cost thereof. I think it would be an economical proposition and he can allow his colleagues to go abroad. The reason why the tram services have been removed was that they do incalculable damage to the roads and they produce a noise which is adversely affecting the health of the people. There are also other inconveniences which need not be mentioned. Now, there are less accidents on the roads and pedestrians and motorists have stated that the roads are far better now.

" Now, there is what is known as the trolley bus system. Using these very same overhead wires trolley buses could be run at much cheaper rates and I commend this to the Hon. the Minister for Transport. Trolley buses are run everywhere in Geneva, in Paris and in London and they are a great comfort that the Government could give to the people. On a fare which is not in excess of what the tramways charged, the trolley buses could be run efficiently, because there is no petrol or anything like that but electricity is used. 12-30 p.m.

" Sir, I wish to refer to one important event that is taking place. Hon. Members would have read about the 'Bhoodan' movement. Great persons have come and asked for this Bhoodan. The spirit of charity is inherent in the Indian nation and I am glad that gifts have been given. Whether that charity is all that has been mentioned in the Press is another matter. But, I want to utter a note of warning. Land is after all the greatest possession of man in all countries, and in all ages land has been one of the most important causes for wars or disputes and for everything connected with them. I have no authority to speak about other States but, I wish that at any rate our Government and the Hon. the Minister for Revenue in particular do consider what are the consequences of this Bhoodan movement. Is the Hon. Minister aware of the fact that every other party is also exploiting it? Is he aware of the fact that there are people who are exploiting these very gifts and are utilising them to get from the innocent villager something which they can use in a different way for their own purposes? Are the Government aware of the fact that there will be almost a parallel Government established in regard to these agrarian reforms? The dangers are there and let us not ostrich-like shut our eyes to them. Let me make this appeal to the Government that they must take note of this and see what can be done.

" Sir, I shall end by referring to one other aspect of the question. Democracy almost everywhere is at the cross-roads to-day. In the name of democracy, certain unhealthy trends are creeping in. We are, though a very ancient nation, comparatively new to the democratic method of Government and the democratic ideals have yet to spread. Our Constitution has, fortunately, in no unmistakable terms laid down that democracy is the form of Government

[Dr. A. Lakshmanaswami Mudaliyar] [31st December 1953]

that we shall be under. There are three safeguards in a democracy which can never be lost sight of. The first and most important is the judiciary. In a democracy where party Government is the rule and where by party Government we mean the majority rule, the safeguards through an impartial and independent judiciary can never be underestimated. Judgments may not always be accepted. It may be that individuals may hold their own views about judgments but I respectfully venture to state that the judiciary should never be subjected to open criticism by any member of Government, least of all by those who hold the Home portfolio whether it be in the State or in the Centre. It is a well-known aphorism that it is better that ten persons escape punishment rather than one person who is innocent is found guilty. I hope, Sir, that in all our public references to the judiciary we shall not say anything that will shake the confidence of the public in the judiciary or make the judiciary themselves ill at ease with their own efforts.

"The next safeguard is an independent audit which has fortunately been provided in the Constitution. It should be the endeavour of all never to sit on the safety valve for the material benefit to the public consists in a proper appraisal by an independent audit of the ways and means by which public money is being expended by the Government of the day.

"The third and equally important agency is the Public Service Commission. My friend, the ex-Chairman of the Public Service Commission referred to certain aspects of the work of the Public Service Commission *vis-a-vis* the Government of the day. I would like to repeat that the old practice of placing the Public Service Commission's report with the reply of the Government thereon before the Legislature for a full discussion is well worth being repeated. I am afraid that in this, as in many other States, there is a tendency—I will not say a growing tendency—on the part of the administration not to utilise the Public Service Commission as they ought to utilize it.

"Sir, reference was made to a recent Government Order which laid down that teachers standing for election to the Legislature should resign their posts if they are elected and that the Government will not be able to pay the necessary probable cost of their being retained. I think, Sir, this is fundamentally opposed to the provisions of the Constitution which has given to the teachers representation in the Legislatures of the land. I do hope that Government will leave it to the managements to see whether teachers so returned can function in the schools and whether they can be given the necessary permission for contesting the seats.

"Lastly, Mr. Chairman, we are discussing domestic politics here sometimes with heat, sometimes with anxiety but more often, I am afraid, without a full realisation of the implications of those discussions in the light of the global events that are taking place. The world is indeed in a very sad state of affairs. Everyday, we see that unfortunately there are trends and there are movements which give us great anxiety. If India is to be safe and should preserve its

31st December 1953] [Dr. A. Lakshmanaswami Mudaliyar]

independence and continue to function as a democratic Government, it is very necessary that we should realise the need for unity, unity in essentials, diversity in non-essentials and above all charity in everything that we talk and do. I know within the last few months, there have been unfortunately currents and cross-currents in this part of the country. I do hope that it will still be possible for all to realise that in the larger interests of the country, we must come to a better appreciation of each others needs and wants and see that no hatred is provoked, no unnecessary heat is engendered and no mischievous propaganda is tolerated. It requires a great deal of imagination, of sympathy, of understanding and of clarity of vision. Yet, I feel that it should not be difficult for, after all, we who have lived for so many years in concord can certainly see to the promotion of a healthy spirit, that spirit which seeks to implement the formula, 'Each for all and all for each'. And, although sometimes the gathering clouds may perhaps appear to be too thickly overhanging, yet with the Sun of sympathy and understanding and mutual tolerance and forbearance, I hope that the clouds will clear and that once more we shall all be united in our endeavour for the furtherance of the great tasks that we have on hand, for the promotion of the true interests of all and for the building of a great nation for which so much of sacrifice had been made in the past by our leaders. Thank you, Mr. Chairman."

MR. CHAIRMAN :—"The hon. Member, Dr. S. Muthulakshmi Reddi, will now speak."

* THE HON. SRI C. RAJAGOPALACHARI :—"Mr. Chairman, seeing that we are dispersing for lunch at 1-30 p.m. may I be permitted to intervene in the debate now as I will not be attending the House this afternoon?"

MR. CHAIRMAN :—"The Hon. the Chief Minister can do so and I shall call the hon. Lady Member later."

* THE HON. SRI C. RAJAGOPALACHARI :—"Mr. Chairman, Sir, I am intervening with your permission and without disturbing the programme that the Hon. the Finance Minister will reply to the debate because most of the observations made are rather general and are with reference to the administration than in regard to the budget itself. Proceeding from the end, I am very grateful for the very important observations that have been made by the Leader of the Opposition in the course of his speech. I entirely agree with him in regard to what he has said about the judiciary, the Public Service Commission and about the audit. I hope and believe honestly—hon. Members will lose no chance of pointing out any deflections on my part, if there be any—I am trying my utmost to see that the judiciary's position is maintained as enunciated in the highest quarters and that the Public Service Commission is also allowed to perform its functions fully and fairly. Of course, there is no question about any difficulty in regard to audit except that I feel, which everybody else must also feel, very often the accounts

[Sri C. Rajagopalachari] [31st December 1953]

12.40 p.m. are too late for creating any living opportunity for Members to correct things. But, it cannot be helped in the management of big States.

"So far as the judiciary is concerned, I do not know what drew Dr. Lakshmanaswami Mudaliyar to make that observation in particular. I do not think that any Member of the Government much less anybody else has made any public observations about judgments of the judiciary. Of course I do not believe that Dr. Lakshmanaswami Mudaliyar will ask the Government that no appeal should be filed and that no revision petitions should be put in. That cannot be the case. I do not think that any one has erred in recent times in making any general observations. We cannot interfere with general observations made by the judiciary about the executive. That is a privilege and they are entitled to do that.

"So far as the Public Services Commission is concerned, I believe in the Public Services Commission operating in every matter except, of course, on matters where departments have to judge rather than the Public Services Commission. The Public Services Commission is the authority judging the equipment and preliminary qualifications and the like of aspirants to posts. In the matter of promotions and the like, of course, it is the departments that have to judge. I do not think that in any other country the Public Services Commission comes in in the matter of promotions. But where one jumps from one category to another there is an opportunity for the Public Services Commission to intervene and they have been doing it and I do not think that the Public Services Commission can have any complaint against the present Government, with regard to the way in which we have been dealing with them. I for one, and as long as I am responsible for the Government I shall see that my principle is not given up. I for one believe that the more the Government are relieved from the responsibility of assessment of qualifications and things like that—and this is thrown upon the Public Services Commission—the better it will be for all concerned. I do hope that the Public Services Commission of our State which has given so much satisfaction to every one will maintain the same quality in its work in the years to come. The quality of the Public Services Commission and its independence, I recognise, are very important for good administration. At the same time when power shifts to any particular quarter there is a movement to tinker with that particular quarter. There is a movement that communal representations and things like that should be introduced in the matter of the composition of the Public Services Commission and sometimes questions are asked whether backward classes or others should not be there. I think that the Public Services Commission should itself not become the playground for competition on any basis other than merit and qualification to function as a Public Services Commission. Therefore without going further into any debatable ground, I wish to assure the Hon. the Leader of the Opposition that this Government will not in any conscious manner deviate from the principles he has laid down in regard to the judiciary or the Public Services Commission or of course the audit.

31st December 1953] [Sri C. Rajagopalachari]

"Then I shall go to other important matters that he has touched. Since it is convenient to begin from what was last said, I should like to say this about Prohibition. My Hon. Colleague the lady who has been congratulated very warmly by lady Members and somewhat left-handedly by gentlemen Members, I think, deserves a great deal of sympathy. I can assure hon. Members that I have done well in asking a woman Minister to be responsible for Prohibition because that section of the population which is most interested in abstinence is the female population. Since motive or urge from within is the most important element in the performance of anything, I believe we did well in appointing a competent woman to look after a thing in which women are so deeply interested. Here it is not a small section by way of a group or a party or a professional or occupational group. It is a sex group and therefore it is half and half. Half the population is so interested in the matter of total abstinence on the part of male members of the families that I think it is good that we entrust it to a lady Member. Similarly I think that education also should be entrusted to a lady Member, if possible, of course always assuming competence and capacity and general acceptance which are very necessary in a democratic set up in all matters. If I could only discover a woman Member to take charge of the Education portfolio, I would relieve the Hon. Minister for Finance of the Education portfolio without any difficulty whatsoever. But apart from that, Dr. Lakshmanaswami Mudaliyar is right when he says that prohibition work is very difficult and very hard. He wondered whether the burden would not be too heavy for the lady Member. I entirely share in that anxiety. But for my part it is a hopeful anxiety and it is an affectionate anxiety rather than an anxiety which leads to the negating of what is being done. I would not remove the portfolio from the lady Member on account of the weight of that burden. No doubt she has to deal with rowdies of all kinds and very bad characters. But after all she is not the administrative head of the department. She is only Minister for Prohibition. We should not confuse departmental work with the work of responsible Ministers. Policies are laid down by Ministers and they exercise a general overall supervision. A tough Inspector-General of Police is in charge of Prohibition so far as administration goes and it is the intention of Government to transfer the entire prohibition administration to the responsibility of the Police Department. Therefore there need be no fear on account of the character of the people she has to deal with. They will be dealt with quite properly. I dare say and I claim to make this statement that Dr. Lakshmanaswami Mudaliyar does not know more about drink and all other things connected with drink than I do. I can claim that I know about the drink evil as much as anyone else can know. Dr. Lakshmanaswami Mudaliyar and I quite agree that it is a very difficult proposition to enforce anything of this kind. It is not as if we do not know it, when we launched on the policy of Prohibition. We knew it. But I claim that we have had lapses in certain matters and that is the reason why illicit distillation is on the increase. We have not done enough educative propaganda. At

[Sri C. Rajagopalachari] [31st December 1953]

one time educative propaganda was not necessary. When Prohibition was introduced in this State there was so much of popular enthusiasm, there was so much of understanding about the evils of drink and the like and there was so little of greed on top of the urges that moved the people that propaganda then might have done more harm than good, because it was not very good positively to keep the drink idea before the people at that time. To-day we have reached a stage when I have no doubt in my mind that very strong, wide and effective propaganda on the basis of total abstinence is necessary, if we wish to enforce Prohibition properly. Dr. Lakshmanaswami Mudaliyar was very right when he said that the deleterious forms of drink that are illicitly manufactured are very bad. But what have the doctors done in that respect? Have they at least spoken out? Have they told the common and ignorant people that the illicit drinks that are supplied to them by the people who wish to make money by evading the law of Prohibition are very dangerous to health and are very bad? I wish the doctors had said it. It is no good a Member of the Government or a Policeman saying that illicit drinks are bad for health because those who are addicted will not believe them.

12-50 P.m. " They would say that it is interested propaganda on our part in order to cover up our deficiency in enforcement. But if doctors said, it would be believed and it would also impress. Even to-day I would ask Dr. Lakshmanaswamy Mudaliyar and other colleagues of his in the profession to make it clear to the ignorant public in all the languages that they could understand or read that these drinks are very bad for health and that even though momentarily they might imagine that they get the advantages of an intoxicant, it will ultimately ruin their hearts, ruin their lungs, ruin their **kidneys** and poison their blood. I wish they do such a propaganda. It would be very good. I would be prepared to pay the cost of printing such propaganda material if only the doctors would come forward to carry on an intensive propaganda of that type. I would invite the attention of hon. Members and I would also invite the attention of Dr. Lakshmanaswami Mudaliyar to the certificates which doctors have been giving for obtaining permits under the law. I must confess to him—I hope I am free to give an opinion about this though I cannot speak anything against the judiciary—I am amazed at the certificates that the doctors are giving. They are certifying as remedy what is really the cause of the disease itself. They write unabashedly that such and such a gentleman is suffering from so and so diseases, diseases that I know are all attributable to the drink that the applicant has been taking and they recommend continuing the drink on permit as a remedy for the disease. But I cannot question the correctness of professional opinion. I would be quite willing to give these certificates all bundled up to Dr. Lakshmanaswami Mudaliyar for his opinion or for referring it to an expert body for their opinion. I think these certificates are very wrong. It is easy to prescribe alcohol because the man is addicted to it. But I say that that is just the reason why alcohol should not be prescribed. I accept the observation in this connexion that in these cases there should be rationing which would make these people take

31st December 1953] [Sri C. Rajagopalachari]

less and less everyday and help them to get out of the difficulty of addiction and make them come back to healthy food and healthy medication if necessary rather than to this poisonous medication which they are inclined to accept as more agreeable.

" As for introducing rationing of liquor to the general public an important observation has been made by Dr. Lakshmanaswami Mudaliyar. There is much difference of opinion in regard to it. I do not think I shall deal with it now in this connexion. It has been tried in some places. That we know already. I think we have not had very good results in all those places, while it is also true that in some places we have had good results. If only we are convinced—we meaning not only the Ministers or the party in power but men who are interested in the subject—and if only experts are convinced that a system of rationing, not of foreign liquors beautifully bottled as in western countries, but of toddy and country arrack which are quite different from the drinks prevailing in Western countries, not only in regard to quality of the stuff itself but in regard to the way in which it is handled, is possible, I would very much like to have such a system. If only anybody could find out a way by which we could ration our country drinks, not wines and other foreign liquors which could be managed in a different way, and get people to come down so to say from their poisonous addiction less and less and if only we could prevent our juveniles completely, I would be immensely pleased. I would welcome it. But I am afraid that it is rather difficult if not impossible, and that is why we thought that on the background of our religion, of our tradition and of the social opprobrium that is associated with it in our country, on the background of our culture, at least in this matter we could stop the sale of intoxicating drinks by Government, in shops to which workman would be tempted to go and ruin himself and ruin his family. We decided therefore that the sale of toddy and arrack under Government agency should be prohibited.

" Illicit drinks have come to stay. Every rule or law has its own evasion aspect also. Illicit drink has come to stay just as stealing has come to stay, just as robbery has come to stay and just as murder has come to stay. We cannot get out of them. They are all there. Of course, a sumptuary rule like this which deals with eating and drinking is more difficult of enforcement than other laws; but we shall try our best. It would be impossible to say more on that point at this stage.

" Dr. Lakshmanaswami Mudaliyar has made an observation with regard to statements and public speeches on the part of Government members and I hope my colleagues will take his advice as given by a friend and an elder statesman. I agree with him in regard to all that he said. In fact he has said nothing which we have not been saying to one another. It is easy to say things but is very difficult to practise. Perhaps that is what has been referred to. The point is that sometimes the marginal position is difficult. As I said in an answer to a question put to me, sometimes it is

[Sri C. Rajagopalachari] [31st December 1953]

necessary to elicit public opinion and it cannot be elicited by a letter in the newspapers or things like that. Sometimes it is elicited by hon. Members (or Ministers) mentioning it from a public platform when some opportunity arises and then we get the reactions and opinions of the public. Apart from this, there are several cases when one Minister has to help another. There is nothing particularly gained by departmentalising a thing too much. After all the Ministers have joint responsibility and everyone is responsible for all the departments though he is particularly entrusted with the functioning of one department. We cannot therefore make hard and fast rules. But on the whole I think I agree with Dr. Lakshmanaswami Mudaliyar that an atmosphere should be created for less speaking and more doing. Not only in this respect but in every other matter, I would respect that advice. I hope that the public also would accept that advice so that they may not expect speeches and statements every day. The greatest trouble is that falsehoods are circulated. Wrong statements are made which require immediately to be corrected. There is a notion among our people that if anything is not contradicted, it is admitted. I think we should also create an atmosphere in which lies could be allowed to be uncontradicted and people should know that anything stated is not necessarily true if it is not contradicted. In fact I do hope that lies will so multiply that the people in general will get more used to them. They should be made to understand that it is possible that a lie could be printed. Unfortunately our people seem to imagine that the printing press somehow is a filter and that only true things come out from it. It is not true. We all know it is not true. We hope however that the disease will cure itself. It is better to allow lies to speak for themselves rather than our going out to contradict them. I think there is also a system of curing certain diseases by letting the poison to develop and be its own anti-poison. These lies, if we allow them to multiply to a disgusting degree will kill themselves.

"The Hon. Leader of the Opposition, Dr. Lakshmanaswami Mudaliyar said that education should not be made a party matter. I entirely agree with him. It is a wonder how both of us sitting on opposite sides agree with one another. But there is really no reason why two intelligent people should differ to whatever side they may belong. Reasoning faculties are more or less one common pattern in the human organism and therefore there is so much agreement. So far as education is concerned it should not be a party question and that is my earnest desire. But why education alone? Medicine should not be a party question? Public Works Department, our national works should not be made party questions. In fact wherever there is a party system of Government, after taking up office practically 90 per cent of all questions that have to be dealt with by the Government are not party questions. It is only a few questions that will have to be decided on a party basis because it might have been publicly announced by the party that these would be fulfilled if they came to power. Therefore education and other things should not be made a party question at all.

31st December 1953] [Sri C. Rajagopalachari]

"One word more about Prohibition, Sir. There is a directive in the Constitution. We should all remember that. There is a Directive Chapter immediately following the chapter on Fundamental Rights. These directives are binding upon Government, so long as the Constitution remains. The directive is that the policy of Prohibition should be implemented by State Governments. The fundamental rights enshrined in the Constitution may be argued in Courts. The Directive Principles cannot be made into justiciable matters. Otherwise, the principles in the Directive Chapter are as important as any other principles laid down in the Constitution.

"Therefore, this Prohibition, the spread of education and a few other things that are mentioned in the chapter dealing with Directive Principles are all important and we should not forget them. According to the capacity and resources and other things to be taken into account, these directives should be given effect to. When we talk of giving up Prohibition we should keep that in mind. I admit that if a State is not able to find as much money as is necessary by adopting Prohibition it is open for the directive to be put in the shelves for some time. But, so far as we are concerned in this State we have introduced another tax and we have given up the drink monopoly and the drink trade which the Government were running. That is the meaning and object of Prohibition. Prohibition should not be confounded with abstinence. Abstinence is an ideal for which education, propaganda and all things should be done and we may differ as to the amount of abstinence that is to be enforced. But so far as the monopoly trade, which the Government were carrying on in drink and which furnished a revenue, is concerned, that revenue has been made up deliberately by another tax in our State. So when the question is raised as to giving up Prohibition, I think the directive is important and has to be kept in mind.

"Sir, I tender my respectful and grateful appreciation of hon. Member Sri O. P. Ramaswami Reddiar's speech. He referred to several points but the spirit of it is what I am grateful for. It was constructive and was helpful, and I am grateful for the moderate tone in which he expressed his differences of opinion on several matters in which I know he feels very deeply and might have easily let himself go into a pretty warm style. So far as the points are concerned, he dealt with three matters. One is the limit placed on the remission of land revenue for drought, namely, that a pattadar who has, on the basis of assessment, lands paying an assessment of Rs. 100 per annum should not be entitled to remission unless he proves his particular difficulties in which case exceptions will be made. A general rule has now been introduced that a person of that status is not *ipso facto* entitled to remission as the smaller pattadars are entitled to. I do not think it is right to call it a wrong rule. It may be that some of these persons who pay more than Rs. 100 per annum are equally poor, are in difficulties, are in debts and so on; but it is open to them to apply to the Collectors and get the particular sanction necessary for relief in such cases. I do not think that that has worked any great hardship so far as the actual practice has gone. There is no doubt

[Sri C. Rajagopalachari] [31st December 1953]

considerable difficulty for the farmers in getting credit and he suggested that Government should be more liberal in accommodating the farmers with loans. It is true, but there is, as he knows very well, a limit to the amount of money that we can raise in the open market, some of which we could divert as loans for these purposes. It is only this limitation that is holding us back. Otherwise we would be willing to give any amount of credit to farmers provided we are hopeful of getting them back from them. A method should be conceived and put into effect to improve the credit position. I have no doubt about it.

He also referred to the Modified Scheme of Elementary Education in the course of his speech. He stated that while it may be very good to think of the occupational bias and while it may be very good to prevent all elementary and other education being simply a preliminary process to go to the Public Service Commission at the end of it—while he admitted that it is all bad—he said that somehow or other feelings have been roused, caste feelings have been roused, communal feelings have been roused and that everybody is opposing and is making it impossible and therefore the scheme should be given up. In his desire for the continuance of the present Government, he has gone out so far as to say ‘Drop even a good thing if it cannot be carried out without rousing all this bad feeling’. He may be right, Sir. But much depends on the temperaments of individuals. He may be right when he says that when a thing is opposed so vigorously, it should be dropped. But, can any reform be made in this world unless we face opposition of that kind, especially from the vested interests? Here it is not a case of vested interests. It is a different interest. Can any reform hope to get a favourable atmosphere where there is no vigorous and stiff opposition? I think it is not possible. Also, is there any hope for the nation if we do not do the right thing in the matter of education and drop it because of opposition? Of course, there is an argument the other way about also, that is, ‘Wait, create a good atmosphere and then introduce the change’. That is an argument. But nothing can be done precisely in that way. Unfortunately Governments are not eternal and ideas are not by themselves alive. Somebody or other will have to bring an idea and get it through and we have to take risks some time or other. In a reform with regard to education, especially of a fundamental kind like this, you must expect opposition. That is what I mean. There is bound to be opposition. Unfortunately, although the Madras State is very good in many respects, it is bad in one respect. It is much better than other States in many respects. Everybody tells us that co-operation works very well in Madras and they come and study it here. Of course, quite a few cases of bad management are there, but, on the whole, we have achieved credit in this field in our Province. So also, in many respects, we are very good and our people are brainy. I claim that wherever I go. There is no question about it. But the one difficulty in our State is this. Unfortunately, there is too much of caste here, too much of caste feeling here. We cannot get rid of it. That is true. But that is the very difficulty which we must overcome. We cannot overcome

31st December 1953] [Sri C. Rajagopalachari]

it at any time if we run away from things because there is opposition arising out of this caste feeling. All of us must go all out to explain that this reform in education does not mean any harm to any particular caste, does not mean anything else but this, namely, that the universality of education that we desire cannot be accomplished within a reasonable time unless we do something like this; that it is not necessary to impound a young child all the six hours in a day; that it is quite enough if he is impounded for three hours a day with a teacher more or less qualified to do the function; that it is quite enough if we keep him imprisoned for 2½ to 3 hours a day, that if from 5 to 8 in the morning he carries on it is quite enough. The other thing is ‘Is there any harm in a child going about in the countryside when he is not in the school even if he may not do this, or may not do that, or may not succeed in becoming an artisan? Is there any harm in the child going about and seeing things, assisting his own parents, his own family?’. They are doing this whether we ask them or whether we do not ask them to do this. There are many families which do not send their children to school on account of such difficulties. They need their assistance either in their homes or in the field. Let us make it easy for all those children to go to school.

“School strength has increased in many places where we have tried. In Madurai, I am told, that 40 per cent extra admissions are shown. It may be that the increase is not so much as forty per cent; it may be that it cannot maintain this increased strength all through. But I can also prove, at any rate I fear, that the agitation started against the scheme has taken the shape of even asking the boys not to go to the schools. It is to these things Sri O. P. Ramaswami Reddiar referred, ‘In this atmosphere, why do you kill yourself at your age with this so-called reform of yours?’ That is his advice. I submit that perhaps it is my fate that I must take up causes like this and persist in them. If it does not succeed, I hope it will not be lost. Some one will take it up later on, as we are taking up so many things that others have tried and given up.

Sri T. G. Krishnamurthi, one of the Members who are supposed to be behind me and back me up, made a very cheap comment. I am sorry he is not present in the House now. He said that there was neither ‘education’ nor any ‘scheme’, and so on. It used to be said about the Indian Civil Service Officers that they were neither Indian nor civil nor were they doing any service. He concocted a cheap imitation of that saying. We have before us the Report of the Parulekar Committee. The Chairman of that Committee is a very eminent educationist. He had been recommended to us by the Bombay Government as a very eminent educationist. He has no prejudices based on our caste system. He comes from another State. The Standing Committee on Basic Elementary Education of the Central Advisory Board of Education has passed a resolution approving our modified scheme and recommends it to other States. The Central Advisory Board of Education, which will be meeting at about the end of January 1954, will

1-10
p.m.

[Sri C. Rajagopalachari] [31st December 1953]

also consider the matter. I think the Secondary Education Commission under the Chairmanship of Dr. A. Lakshmanaswami Mudaliyar has given its approval to the principle underlying the scheme. I am not ruining this country by this scheme; it may be that I am ruining myself. I do hope that it will not be put aside on grounds of difficulty only. Sri T. G. Krishnamurthi said that there was nothing in the scheme and that no change had been effected and asked why we called it a scheme. That is a comment which I treasure. I think a reform should be such that it does not hurt anybody, it should appear to be nothing and it should be simple. In fact, a simple thing is a greater achievement than a complicated thing. I am glad that he finds no change in it. That is just what I want. I would like people to think that way. All that I do is to allow the child a little more freedom. It is like letting a prisoner out on parole to go to see his father and mother. It will only improve his character when he comes back. He said that the Government do not propose to spend more money and so there was no scheme. There are some reforms which do not cost money, but which are very necessary and very important. For instance, if we do not speak lies or untruths, it does not cost anything in money, but it will be a great improvement. So also, if a child goes about and sees the wheel-wright or potter or weaver or farmer at work, it does not cost anything, but it is a very good thing for the child. So, there need not be any objection on the ground that there is no cost involved.

" Sri G. Krishnamurthi representing the Madras South Teachers' Constituency said that the Government had increased the work of the teacher by one hour and that therefore we should give him more salary. I admit that we should give him more salary irrespective of whether we have increased his work by one hour or not. He deserves more salary and the only thing that stands in our way is the limitation imposed by the public purse. If we compute the interval he gets and the irregularity in attendance, I do not think he will get actually one hour more. Yet I admit that from the trade union point of view, it is extra work and that something should be given for that. All our people have got into a trade union mentality. I hope that we will be able to overcome a narrow mentality in that direction. No doubt the teachers may get something extra. But we should not associate the scheme and the protest if has evoked with an offer of giving a higher salary. It will be misunderstood. I am sure that the gentlemen who attack the scheme and me without reason will find some good reason if I do this. Offering of money is not a good thing. The Parulekar Committee has recommended an increase. If some increase is to come, it will come in an ordinary and a healthy manner. That should not be made a matter for discussion when we are dealing with the principle itself.

" I need not deal with the education scheme further because it will come up for discussion when we move the Demand for Grant for Education in the Assembly even if no other opportunity is

31st December 1953] [Sri C. Rajagopalachari]

available. Then it will be thoroughly discussed, everybody will say all that can possibly be said against it and we shall deal with it.

" The speech of Dr. John, who started the debate is—I think he will forgive my saying this—rather unfortunate. It was a speech full of wrong information. Dr. Lakshmanaswami Mudaliyar rightly defended him by saying that because the Government had not given him all the information, he spoke in the manner he did. But Dr. John is Dr. John and even if we had given him all the information, I fear he would have spoken in the same manner. (Laughter.) I hope he will not mind my saying this.

" References were made by the Members to the sales tax and the tax on buses. I hope the Hon. Finance Minister will deal with them when he replies. But I will speak from the general point of view. Member after Member of this House, not to speak of the other House, has been getting up and saying that we must not have this tax and that tax, that the bus tax is heavy, that the sales tax is heavy and ruining the trade and commerce and so on. But at the same time they wanted the present expenditure to be maintained. How is it possible? It is impossible. The budget must be balanced. We will have to repay what we borrow. We cannot be eternally borrowing from the Central Government. They will not lend for revenue purposes; they will lend only for capital expenditure. We cannot do without balancing the budget. We may fail to balance the budget for a year or two, but we cannot be going on like that always. Sales tax is necessary. It may be that the entire tax structure requires alteration. But that is a matter for the Taxation Enquiry Committee and the Central Government. So far as the States are concerned, the Constitution is rigid. It has laid down what taxes the States can levy and what taxes they cannot levy. If we give up sales tax, there is nothing else we can do. The share from the income-tax and the excise duties that we get from the Central Government is all that we can depend upon, and that is not enough. The States are allowed to levy sales tax or purchase tax. It is given to the States under the Indian Constitution for the reason that it is a tax which depends on local circumstances. No tax is pleasant. Every tax is oppressive. I admit that there are difficulties. But what can we do if we give up this tax on account of difficulties? We must restore the drink tax. It means we tax a few unfortunate people in the country in order to balance the budget. It would be very wrong. No doubt in introducing that tax we tax in an indirect way. Drink deceives and beguiles the consumer. Instead of that, we have this sales tax which does not deceive anybody.

" It is no good saying that merchants pay, and that commerce is being injured by this tax. They extract every pie from top to bottom at all the multiple points, and a little more, if I may say so, from the consumer. There is no question about it. But there are some cases where they cannot transfer it to the consumer. For instance in the case of newspapers they cannot transfer it to the

[Sri C. Rajagopalachari] [31st December 1953]

consumer. Therefore, newspapers managed to get off. They have got a rule that it is only the Central Government that can tax them, and that we have no power to tax them. Such is the power of the Press ! that is to say, the industry or the profession connected with the Press.

“ Then I come to the bus tax. We have tried to get some money out of the transport in the country. This has been going on for a long time. It was not introduced by this Government. But it has been there for a long time. Compared to the other States, it has been remarked by some, especially by those who are interested in reducing the tax on the transport system, that we tax more heavily than other States. The Finance Minister will deal with the question whether it has killed or has injured the transport system. The fact is that a democratic system of Government, while it has many advantages, has some disadvantages also. The representatives of the people are bound to look forward to the next elections necessarily, and it is good before elections that we say that we do not want this tax and that tax, knowing very well that the Government cannot give up taxes, that the budget has to be balanced, and the Government have to carry on. We get credit, so far as the argument goes, that we have pleaded for the abolition of this tax and that tax. There is, therefore, a very strong temptation for us all, including the Government, to say ‘ we would like to abolish this tax and that tax ’. But that is just impossible, and that is why I would ask for greater co-operation and outright speaking. I have reached a stage when I can ask the forgiveness of the House to say that we must be a little bolder in our arguments, and a little more frank when we deal with public matters. We should not say anything for the sake of popularity. We should all learn to speak out what is good as we see, and be fair and just to one another. It is not good to be thinking of the elections. We must remember what the giants of democracy like Burke have said, namely, ‘ once you are elected, you are an independent man ’. Even recently, it was repeated in a different way. Mr. Churchill the other day said ‘ ours is not a mandatory democracy ’. A Member who is elected does not depend on mandates to carry on his work. He does his work according to the best of his lights. Therefore I would say that hon. Members . . . (Interruption by Sri K. Balasubramania Ayyar.) What is the promise? ‘ We never made a promise that sales tax would be abolished. We never made a promise that bus people would be treated leniently. We never made a promise that drink would be restored. What is the promise that we made, and which we are breaking now? Therefore, even if a promise was rashly made, we are bound to say that the promise was made wrongly. So far, I would go. I think Government in a democracy will not be possible unless we develop those characteristics. I hope that I will be forgiven for these remarks of mine. I hope, Sir, the general result of this discussion will be co-operation and sympathy with the difficulties which the Government have to face.” (Cheers.)

31st December 1953]

SRI V. CHAKKARAI CHETTY:—“ Mr. Chairman, Sir, I would not take more than five minutes. Unfortunately, the discussion this morning has been so varied and miscellaneous that it was not possible for any single member to deal with all the questions that have been raised. The other day, a Member of this Council, when I was talking to him about what one should say on the financial statement made to this House and the other House, said that we could go on discussing anything from China to Peru and we could discuss the Korean question and also the U.N.O. and what not. It is quite possible to scatter our attention over a number of subjects like prohibition, education, caste system, democracy versus totalitarianism, fascism, socialism, communism, religion, philosophy, metaphysics, and what not. I do not know whether any good purpose will be served by going on dealing with these questions in that fashion. It would not be anything like a guidance to the Government. It is better to concentrate upon one or two things so that the Government may know exactly what we feel. On going through the statement made by the Finance Minister and also the speech of the Hon. the Chief Minister, which gave us the real picture of the matter, I came to this conclusion, namely, that the financial statement could be so made by a clever man as to satisfy all parts of the Legislature. I remember reading the speech of the greatest Finance Member of the Victorian Era, William E. Gladstone and his antagonists (equally clever men) Benjamin Disraeli and Lord Beaconsfield.

“ வானத்தை வில்லாக வளைத்து, மணலைக் கயிராகத் திரித்து, பார்க்கடலைக் கடைந்து அமிர்தம் கூடக் கொண்டு வருவார்கள். (Interruption.) ‘ ப்ரொகிபிஷன் ’ இருக்கும்போது வேறு மாதிரி செய்யக் கூடாது. அமிர்தம் கூட ப்ரொகிபிஷன் சட்டத்திற்கு உட்பட்டதோ, இல்லையோ தெரியாது. குடிக்கிறவர்களுள்ளும் குடிக்கிற பதார்த்தத்தை அமிர்தம் என்றுதான் நினைக்கிறார்கள். தேவர்கள் அமிர்தத்தைச் சாப்பிட்டார்கள். அவர்களுடைய நிலைமை எப்படி. இருந்தது என நான் சொல்வதற்கு இப்பொழுது தயாராய் இல்லை. அதற்கு ஆதாரம் நம்முடைய புராணம் இப்பொழுது தயாராய் இல்லை. ஒரு வேளை இருந்திருக்கலாம். கனிலுள்ள கதைகளிலும் கிடையாது. ஒரு வேளை இருந்திருக்கலாம். இப்பொழுதிருக்கும் நம்முடைய முதல் மந்திரி அவர்களைப் போல் அந்தக் காலத்தில் ஒரு ‘ ப்ரொகிபிஷன் ’ மந்திரி இருந்திருந்தால் ‘ அமிர்தத்தைக் குடிக்கிறது தப்பு ’ என்று ப்ரொகிபிஷன் சட்டத்தை ‘ அப்பீ ’ பண்ணி இருக்கலாம். துரதிருஷ்டவசமாக நம்முடைய முதல் மந்திரியைப் போல் அந்தக் காலத்தில் யாரும் இருக்கவில்லை.

Now I shall pass on to speak a few words in English. I am not a great scholar in Tamil like hon. Member Sri Annamalai Pillai or our Hon. Chief Minister or our Hon. Friend Mr. Subramaniam. Mr. Gladstone's antagonist said this, namely, ‘ Gladstone has a peculiar knack of juggling with figures, and he has got boundless rhetoric at his disposal so that he can make a deficit budget into a surplus budget within the twinkling of an eye ’. As I was reading the financial statement, I thought of this remark of Benjamin Disraeli. It looks as if we have a lot of arithmetical figures which we can juggle with and come to any conclusion. If it is a deficit of Rs. 50 lakhs, with some calculation or miscalculation, you may turn the deficit into a surplus. By an equally clever and ingenious calculation or miscalculation, you can reduce the deficit to almost

[Sri V. Chakkarai Chetty] [31st December 1953]

zero. All these things are quite possible. On going through the statement, I find that the Ministers are taking credit for even the timely rains that we had. It looks to me as if they were responsible for the seasonal rains that we had. It may be that there is something behind it. Looking at the Hon. Chief Minister, I am reminded of a Tamil poem that I used to read in my younger days about rain.

“வேதம் ஓதிய வேதியர்க்கொரு மழை, மனுநீதி தவறாத மன்னர்க்கொரு மழை, கற்புடைய மாதர்க்கொரு மழை, என்று மாதம் மும்மாரி பெய்யுமென்று அந்தக் காலத்தில் சொல்லுவார்கள். ஆந்தக் காலத்தில், நம்முடைய கனம் ராஜாஜி அவர்கள் வேதம் சரியாக ஓதிக் கொண்டிருக்கிறாரோ என்னமோ, அவர்களுக்காகவும் மழை பெய்திருக்கலாம். அல்லது மற்றவர்களுக்காகவும் மழை பெய்திருக்கலாம். ஆனால், அவரைப்பற்றி மட்டும் நான் முக்கியமாக ஏன் சொல்லுகிறேன் என்றால், அவர் இந்த விஷயத்தைப் பற்றியும், ஆஸ்திகத்தைப்பற்றியும் அடிக்கடி சொல்லி வருகிறபடியினால், கடவுள் அவரிடத்தில் பிரியம் வைத்து, நம்முடைய தமிழ் நாட்டுக்கு மிகவும் அவசியமாக மழை வேண்டிய காலத்தில் மழையை அனுப்பியிருப்பார் என்று நினைக்கவேண்டியிருக்கிறது. அதைப் பற்றி தப்பாக நினைக்கக்கூடாது. ‘ஸயன்ஸ்’ படித்தவர்கள் இதை ‘superstition’ என்று சொல்லுவார்கள்.

That is, ‘we have no control over Nature and Natural forces; our prayers are of no avail before the forces of Nature’. Sir, I am not one of those people who believe this. Human thoughts do affect Nature. Religious thoughts and attitudes of certain people must certainly have an effect upon cosmic forces. I do believe that in that way our Ministers may congratulate themselves on the timely rains that we had.

1-30 p.m. “At the same time, I was alarmed at the statement of the Hon. the Finance Minister that the Government were contemplating the imposition of a betterment levy. He hopes that the rains will be plentiful and the conditions will improve so rapidly that betterment levy can be imposed. But I am not sure whether that would be of much use to us. In every budget one should have expected reduction of taxation. That is a policy which ought to have been followed by the Hon. the Finance Minister. Unfortunately, in the present Budget we see no reduction of taxation at all. On the contrary, hopes have been held out that the prices are falling. Fair price shops have been closed down, because it is said there is not much demand. I do not know whether it is correct to say that prices are falling. From the experience of my own household life, I can say that prices are fluctuating. One day rice sells at 14 annas a Madras measure and on another day it sells at 15 annas. So, we cannot count upon the prices being kept at a certain level. Prices may go down but they have also a knack of rising unaccountably. They are beyond human calculations.

“Sir, I congratulate the Government on the presentation of this Budget in spite of all its defects. On the whole, we are passing through a very serious economic crisis. We should steer clear of bankruptcy. I hope that the next year’s Budget which will be

31st December 1953] [Sri V. Chakkarai Chetty]

presented to us in the near future will give a more optimistic and realistic picture and the proposals contained therein will be such as to confer benefits on the people.

“One word more before I close. I expected the Government to undertake some responsibility in regard to the tramway dispute that has been going on. The poor public who had been using the tramways have been deprived of them. If only the Government had made up their mind to utilise some of their finances for taking over the tramways, in spite of the opposition offered, I think they would have added a glowing feather to their cap. I still do believe that something may be done sooner or later to take over the tramways. Certainly, it is a productive asset. It will fetch an income of many lakhs of rupees to the impoverished exchequer of the Government.

“I do not want to take up the time of the House any longer. I can only say that considering all things, as we are human beings and human nature being what it is, we have the best form of Government here. We have better Ministers in our State than in any other part of the country. But that is what we deserve to have. I really express my gratitude to all the Heavenly powers for all the blessings that they have conferred on us. I hope better times are in store for us and we shall be discussing the next year’s Budget in more propitious circumstances.”

MR. CHAIRMAN :—“The House will now rise for lunch and meet again at 2-30 p.m.”

(After lunch—2-30 p.m.)

* SRI P. N. MARTHANDAM PILLAI :—“Mr. Chairman, I thought I should begin my speech in the old fashioned way of congratulating the new Ministers, but almost stopped doing it as they are not here now. Well, Sir, as the Hon. Lady Minister has just now come I extend her my welcome and offer my congratulations to her and to the new Ministers whom also I welcome to this House. I will now pass over the various criticisms that were occasionally levelled, because there are not many people to listen and we are also pressed for time as there has been pressure from various Members who have troubled you as I myself have done.

“Now, about the abolition of the palmyra tax in Tirunelveli district. I thought I could congratulate the Revenue Minister. But unfortunately, the Hon. Minister is not here. But that does not matter very much. What matters really is that the tax has been transferred to the land as it were. It is a case of giving a thing by the right hand and taking it away by the left hand or *vice versa*. Does the Government really afford any benefit to the land-owner by freeing him from this palmyra tree tax and reimposing it on the land? Tirunelveli district is the only one district in which this tax is in force. There is no other district in which this tax is levied. We have been agitating that this tax should be abolished.

[Sri P. N. Marthandam Pillai] [31st December 1953]

If the Government remove this tax and at the same time ask those people to pay some equivalent of it as land tax, it is not the proper way of doing things. As the Hon. Chief Minister said the other day, palmyra trees were planted on lands which were not fit for anything. The land was not yielding anything. If palmyra trees are planted thereon, it is not going to improve the land. That being so, the tax on these lands cannot be increased. I want the Hon. the Chief Minister, the Revenue Minister and even the Government as a whole to reconsider the matter and do justice.

"As regards the budget itself, I congratulate the Hon. the Finance Minister on the very short and good budget that he has prepared and presented to the House. After spending the money for three or four months, he has now come forward for sanction for the remaining two months and also for sanction for the amount that has already been spent. Therefore no useful purpose will be served by criticising the Government on the various items mentioned in the Budget.

"I am now going to refer to a very important subject. In spite of the fact that there have been heavy rains, floods and even damages as a result of floods in the Godavari, the Krishna and the Thungabhadra rivers in the Andhra area and also in some of the rivers in Tanjore district in the south, as pointed out by Mr. Govinda Menon there was no rain in some parts of Malabar, two taluks in Tirunelveli district, viz., Nanguneri and Sankarankoil. It would be a surprise to the Members of the House as it was to me. But somehow or other the Rain God has not blessed these two taluks with the result the crops in those areas are already withering away or will wither away. There is only one way of getting water to these places. The Government must ask the District Collector to attend to the distribution of water in a manner that would benefit these two taluks, or at least one taluk, viz., Nanguneri. In the other taluk there are not many tanks. In the Nanguneri taluk, there are a number of tanks and the Government must see that water is supplied to these tanks by regulation. This will benefit the ryots of that taluks to some extent. I personally know the position and I am prepared to explain to the Hon. the Finance Minister the real position there. There are channels which could be used to supply water to the lower irrigation tanks. I made a suggestion to Sri N. Ranga Reddy when he was in charge of the Public Works Department. We have got the Manimuthar Project. It is fairly high up. There have been floods recently in the Tambraparni. I want the channels to be dug even now. I remember the Finance Minister telling somewhere in Tirunelveli that the channels are always dug along with the progress of the work. If that is really done, then it is all right. If it is not done, I request the Government to dig these channels first and let out the surplus water into those channels. I do not want the normal regulated water-supply to be interfered with. I only want the high flood water to be diverted into these channels which

31st December 1953] [Sri P. N. Marthandam Pillai]

reach the taluks mentioned by me just now. I want the Government to accelerate and expedite the digging of these channels. Even though the actual dam or project may not be completed, there are ways by which the flood water, which would otherwise go to waste, could be utilized for the benefit of those taluks. Recently there were floods in the Tambraparni and much of the water which would otherwise have been utilized for the benefit of the two taluks through channels, has gone to waste.

"There is one other matter to which I would like to refer. Recently I remember to have read in the newspapers that in Coimbatore somebody has stated that he has experimented on rain-making at a little cost. If the Government could really do something in the matter and conduct the experiment on a wide scale, I am sure the famine conditions in the two taluks of Tirunelveli and also in Srivilliputtur could be relieved to a great extent. That is a matter for experts to consider and for the Government to take action.

"I will once again repeat what I have said in my previous budget speech and I will continue to repeat it as long as I am a Member of the Council, and it is with reference to the village reconstruction programme. Village reconstruction is a matter on which the Government should stake their existence. Even if the Government are not able to improve the conditions of the villagers in all the districts, let them select a few villages in the districts, just as they have done in the case of the community projects. Reconstruction does not mean a patchwork here and a patchwork there. We must have a village republic so to say. All powers must be given to these republics so that they may function effectively. These powers may be given to those village republics subject to the control and direction of any officers the Government may appoint for the purpose. Let these officers guide these republics. If anything is done from the top in such a way as to affect those at the bottom, I am sure there will be trouble. Our villages are at the bottom and we should organize from the bottom. If South India has survived the many assaults and attacks in the past, it is because of our efficient village organizations.

"Our revered friend, Dr. Lakshmanaswami Mudaliar, vaguely suggested that there were not men in the villages to run panchayats. I may tell him that I come from a village; I was born in a village and bred up in a village; I know the conditions of the village much better than possibly any other Member of this House. I have repeatedly said that the village has got much better men than you have at places where higher education is provided because a man, who is highly educated, looks for a profession to earn money whereas it is not the case with a villager. As one conversant with village affairs I may say that the villagers have a sense of simple justice and a fair sense of equality. They are able to control offences and they do not require a police force to investigate crimes. They themselves will attend to this. If men who are retired employees and who have time are enabled to

2-40
p.m.

[Sri P. N. Marthandam Pillai] [31st December 1953]

come to these villages and organize them, some of these will be model villages for others to follow. I am not pleading for electricity to be provided; I am not pleading for cottage industries being organized in villages. They all will come in course of time. The villagers are really not getting anything now and it looks as though Swaraj has not come to them. They must have Swaraj at least in this way, and that is the only way of improving their living conditions. We must also encourage educated men to go and settle in villages. I do not say that a young man having an ambition to become this and that should be asked to go to a village. There are old, educated retired men who have no work in cities. They may be asked and induced to go to the village. At the same time, we must not put too many educated men in the village because they will quarrel. One man should be put in charge of a panchayat and then things will go on all right.

"Sir, it was again Dr. Lakshmanaswami Mudaliar who said that Ministers should tour all countries of the world. I entirely agree. But I think there is greater need for them to tour villages. They must be asked to go and stay in villages at least for a month in a year so that they can understand the conditions in the village, how poor and how miserable the villagers are, and whether they get a square meal a day with all our professions of sympathy towards them. If the Government can do anything which will make them get something, then I think they will be satisfied and their lot will be improved. They are today even worse than what they were during the days of the British rule. I do not, of course, expect a Bill to be brought before the House incorporating the suggestions I have made. Let it not come tomorrow. Let it come ten years hence and I shall be happy.

"Sir, many things have been said here, but not all quite relevant to the Budget under discussion. I think I have also said something which is not relevant to the discussion. What I wanted to emphasise was that if the condition of the people could be improved, it would be only by improving the condition of the villager. Sir, I want to refer to the modified scheme of education introduced by the Government. On the last occasion when the Council met, I attempted to catch the eye of the Chairman but I could not. Some Member referred to pial schools springing up in apposition to the new scheme of Elementary education. I am glad that they are springing up. Why should Education be made the responsibility of the Government alone? Every village must have the power, the authority and the necessary finances to organize pial schools. I am myself a product of the pial school. Do you think, Sir, I am not capable of managing a village? A pial school is not such a bad thing as others imagine. Take a pial school boy and an English educated boy. The pial school boy will top the list in any examination. Therefore, it is not a negligible thing. I think if there are more pial schools started, the new education scheme would justify itself. Apart from this, I do not know from whom the agitation against the new education scheme

31st December 1953] [Sri P. N. Marthandam Pillai]

originated. After all, the children who will be affected by the scheme would be between five and eight years of age and the Hon. the Chief Minister, possibly anticipating an attack from the House, explained the circumstances under which the scheme was introduced. Under the old system of education, the under-dogs—I shall not put it that way—men belonging to the lower strata of society did not have an opportunity to send their children to school whereas men of the higher strata were and are capable of educating their children in a much better manner. The shift system now proposed gives the former set of people a chance to educate their boys and girls. It is said that the school-going population including girls is only 30 per cent of the total population. What about the remaining 70 per cent? It would be good, therefore, if three or even four shifts are introduced instead of the two shifts proposed in the new scheme. When you teach, children do not possibly learn so much as they would if they see and observe. So, nobody should be sorry that this system has been introduced because it gives you a chance to educate your children in your own way. I do not think there is any objection from the villager because he did not get any education whatever under the old set-up. Students should be provided with midday meals and this will be a prize to attract boys and girls to school. So, the shift system is a very proper thing and I am sure the benefit of the scheme will be known some years hence.

"I thank you, Sir, for having given me this opportunity to speak."

MR. CHAIRMAN :—"Hon. Members will confine their speeches to ten minutes each because there is a large number of speakers to go through."

SRI N. NALLASENAPATHI SARKARAI MANRADIAR :—"கனம் சேர்மன் அவர்களே, இந்தச் சபையில் இருக்கும் மெம்பர்களில் நான் வயதில் மிகவும் சிறியவன். அதிக வயதுள்ள, முதிர்ந்த அனுபவம் நிறைந்த மெம்பர்களுக்கு தாராளமாக நேரம் கொடுத்து வந்தீர்கள். அதைப்போல் சிறிய வயதுடைய எனக்கும் அந்தச் சலுகையைக் கொடுக்க வேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். இந்தக் கோரிக்கையுடன் என்னுடைய பட்ஜெட் விவாதத்தை ஆரம்பிக்கிறேன்.

"இப்பொழுது அரை வருஷ பட்ஜெட் தயாரித்ததில் நாம் மீதத்தைப் பார்க்கிறோம். அவ்விதம் தயாரித்துள்ள எனது நண்பர் எனது இனத்தைச் சேர்ந்தவர். என் ஜில்லாவைச் சேர்ந்த கனம் நிதி மந்திரி அவர்களுக்கு என் நன்றியை நான் தெரிவித்துக்கொள்ளுகிறேன். அதற்கு நான் பெருமைப்படுகிறேன். பொதுவாக எந்த ஒரு குடும்பம் வருவாயை விட சிலவை கம்பியாகச் செய்து வருகிறதோ அது என்றும் நன்றாக முன்னுக்கு வரும் நிலையில் இருக்கும். பல குடும்பங்களுக்குத் தலைமை தாங்கி இருக்கும் நமது கவர்ன்மெண்டானது இப்படி ஒரு மீதமுள்ள பட்ஜெட்டை தயாரித்தபோது அந்த கவர்ன்மெண்ட் நன்றாக நடைபெறும் என்றுதான் நான் நினைக்கிறேன்.

"ஐந்தாறு வருஷ காலமாக மழையின்மையால் பல இடங்களில் பஞ்சம் ஏற்பட்டு விவசாயிகள் மிகவும் கஷ்டப்பட்டுக்கொண்டிருக்கிறார்கள். ஏதோ இந்த வருஷம் சில இடங்களில் நன்றாக மழை பெய்து கொஞ்சம் அங்கங்கே செழுமை ஏற்பட்டிருக்கிறது. இருந்தாலும் அதிகமாக பயிர்களில் பூச்சிகள்

[Sri N. Nallasenapathi Sarkarai Manradia] [31st December 1953]

ஏற்பட்டு தான் பங்கு மிகவும் பாதிக்கப்பட்டு விட்டன. இதற்கு விவசாய இலாகாவிற்கு துரிதமாக நடவடிக்கைகள் எடுக்க வசதி இருந்தும், அந்த டிபார்ட்மெண்ட் டிமான்ஸ்ட்ரேட்டர் (Demonstrator) கிராமங்களுக்கு நேராகப் போய் பார்க்கவேண்டிய காரியங்களை துரிதமாகச் செய்யவில்லை என்பதை எடுத்துச் சொல்ல விரும்புகிறேன். இந்த டிமான்ஸ்ட்ரேட்டர் இண்டீரியர் (interior) கிராமங்களுக்குச் சென்று, விவசாயிகளுடன் பழக்கம் ஏற்படுத்திக் கொண்டு அவர்களுக்கு என்ன ஏற்பாடு செய்யவேண்டுமோ அதைச் செய்வதற்கு கவர்ன்மெண்ட் உடனடியாக ஏற்பாடு செய்யவேண்டும். அவர்களாகவே பல காரியங்களைப் பாப்பது இல்லை. பொதுவாக விவசாயி யார்? டிமான்ஸ்ட்ரேட்டர் யார்? என்ற தொடர்பு இல்லாமல் இருந்துகொண்டு வருகிறது. எவ்வளவோ பிரகடனம் இருந்தும் திடீர் என்று பயிர்களில் பூச்சிகள் ஏற்பட்டால் அதற்கு வேண்டிய மருந்துகளை அடிக்கக்கூடிய கருவிகள் தாராளமாக கிடைக்கும்படியாக இருக்க வேண்டும். ஏதோ ஒரு அளவிற்கு இருந்தாலும் பரவாயில்லை. அதிகமாக ஏற்பட்டுவிட்டால் கவர்ன்மெண்டார் செலவில் அதைச் செய்து கொடுத்தால் ஒரு பத்து, பதினைந்து வருஷத்தில் அதற்குக் கொடுக்கவேண்டிய கடன்களை விவசாயிகள் திருப்பித் தரலாம் என்பதைச் சொல்லிக்கொள்ளுகிறேன்.

“அடுத்தபடியாக, விவசாய காலேஜ்களில் மாணவர்களைச் சேர்க்கும்போது விவசாயக் குடும்பங்களிலிருந்து வரக்கூடிய மாணவர்களுக்கு முதல் சலுகை காட்டவேண்டும். விவசாயக் கல்லூரியில் ஒரு வருஷத்திற்கு இத்தனை மாணவர்களைத் தான் சேர்த்துக் கொள்வது என்ற நிர்ணயம் இருக்கும் போது விவசாயக் குடும்பங்களிலிருந்து வரும் மாணவர்களுக்கு இவ்வளவு இடம் என்று நிர்ணயம் செய்து அவர்களுக்கு சலுகை அளிக்க வேண்டும். இதில் எந்த ஜாதியைச் சேர்ந்தவர்கள், எந்த மதத்தைச் சேர்ந்தவர்கள் என்று திட்டம் செய்ய வேண்டியதில்லை. விவசாயக் குடும்பத்தைச் சேர்ந்தவர்களாக இருக்க வேண்டும் என்று மாத்திரம் நிர்ணயிக்க வேண்டும். விவசாயிகளுக்கு கடன் தாராளமாகக் கிடைக்க ஏற்பாடு செய்ய வேண்டும். நானும் ஒரு விவசாயக் குடும்பத்தைச் சேர்ந்தவன் தான். என்னைப்போல் இருப்பவர்கள் ஏதோ சமாளித்துக்கொள்ளலாம். ஆனால் சிறு குடும்பங்கள் ஏதோ கடனை வாங்கி அவஸ்தைப்பட்டுக் கொண்டிருக்கிறார்கள். அவ்விதம் இருக்கும்போது அவர்கள் வாங்கின கடனை எப்படி கொடுக்க முடியும்? அதை யோசனை செய்து பார்த்தால் இப்பொழுது இந்தக் கடன் மசோதா வந்தது ஒரு நல்ல வரப்பிரசாதம் என்று தான் சொல்லவேண்டும். உதாரணமாக எங்கள் தலைவர் சொன்ன மாதிரி உண்டியால் என்ற ஒரு business இப்பொழுது இருக்கிறது. அவர்களுக்கு தாராளமாக பாங்குகள் பணம் கொடுக்கின்றன. அவர்கள் ஆறு சதவிகிதம் வட்டிக்குக் கடன் வாங்கி மற்ற விவசாயிகளுக்கு அதிக வட்டிக்குக் கொடுக்கிறார்கள். இப்படி அதிக வட்டிக்குக் கடன் வாங்குகிறவர்கள் சாதாரணமாக விவசாயிகள்தான் என்று நான் சொல்லுவேன். அதனால் இந்த விவசாயிகள் அதிகமாக கடன்பட்டு அவஸ்தைப்பட்டுக்கொண்டிருக்கிறார்கள். அதைப் போலவே விவசாயிகளுக்கு ஒரு செக்யூரிடி மூலமாக ஏதாவது ஒரு விதத்தில் பாங்கியில் கடன் பெறக் கூடிய ஒரு சௌகரியத்தைச் செய்து கொடுத்தால் சௌகரியமாக இருக்கும். இதை கவர்ன்மெண்ட் செய்ய வேண்டும் என்று கேட்டுக்கொள்ளுகிறேன்.

“அடுத்தபடியாக நீர்பாசன திட்டங்களை எடுத்துக் கொண்டால் எங்கள் ஜில்லாவில் இப்பொழுது அமராவதி திட்டத்தை ஏற்படுத்தினதற்கு அந்தப் பக்கத்தில் இருக்கும் ஜனங்கள் மிகவும் சந்தோஷப்படுகிறார்கள். அதை அநேகம் பேர்கள் வரவேற்கிறார்கள். அது தாராபுரம் பக்கத்திற்கும், உடுமலைப்பேட்டை பக்கத்திற்கும் மிகவும் பிரயோசனப்படுகிறது. அதைப் போல் பல சிறிய நீர்பாசன திட்டங்களை எடுத்து நிறைவேற்றினால் மிகவும் சௌகரியமாக இருக்கும். நீர்பாசன திட்டங்களை அமைக்கும்போது அங்கங்கே கிராமத்தார்களுடைய யோசனைகளைக் கேட்டுக்கொண்டு அதன் பேரில் அங்கங்கே சிறு ஓடைகளையும் காட்டாறுகளையும் தடுத்து பல திட்டங்களை எடுத்து நடத்தினால் மிகவும் சௌகரியமாக இருக்கும். இப்பொழுது லோயர் பவானி கெனல் (canal) வரப்போகிறது. அதனால் பல மேய்ச்சல்

31st December 1953] [Sri N. Nallasenapathi Sarkarai Manradia]

தரைகளுக்கு தண்ணீர் வசதி ஏற்படப்போகிறது. மேய்ச்சல் தரைகளுக்கு பாய்ச்சம் தண்ணீருக்கு கவர்ன்மெண்டார் போடும் தீர்வைக்கு ஒரு சலுகை கொடுக்கவேண்டும். தண்ணீர் வரக்கூடிய இடங்களில் இதை சர்க்கார் செய்துகொடுக்க வேண்டும் என்று கேட்டுக்கொள்ளுகிறேன்.

“அடுத்தபடியாக சிறுவாணி ஆற்றில் கொஞ்சம் அதிகமாக தண்ணீர்போவதைத் திருப்பி கொஞ்ச தூரத்தில் டன்னல் (tunnel) மூலமாகக் கொண்டு போய் வறட்சியாக இருக்கும் பிரதேசங்களில் பாய்ந்து நொய்யல் ஆற்றில் அந்தத் தண்ணீரைக் கொண்டுவரமுடியும். இப்பொழுது அந்த நொய்யல் நதி சுமார் 30, 32 குளங்களுக்கு தண்ணீர் சப்ளைசெய்கிறது. இந்தத் திட்டத்தை எடுத்து நடத்தினால் சிக்கனமாக முடித்துவிடலாம். அது பல குளங்களுக்கு உபயோகப்படும் என்பதைத் தெரிவித்துக் கொள்ளுகிறேன்.

“அடுத்தபடியாக கால்நடை அபிவிருத்தியைப் பற்றி பேசும்போது கால்நடை இலாகா வைத்தியர்களுடைய பாடு மிகவும் பெருமைப்படக் கூடிய காரியமாக இருக்கிறது. அவர்கள் ஆரம்பத்திலேயே (preventive method) எடுத்துக் கொண்டு இனக்குலேஷன் (inoculation) செய்கிறார்கள். அதனால் ரிண்டர் பெஸ்ட் (rinder pest) ப்ளாக் வாட்டர் (black water) என்ற பல நோய்களை இந்த preventive method மூலமாக தடுக்க வேலை செய்து வருகிறார்கள். அவர்கள் முன் ஜாக்கிரதையுடன் வேலை செய்து வருவதால் கால்நடைகளுக்கு அந்த நோய்கள் வருவது இல்லை. இப்பொழுது ஒவ்வொரு ஜில்லாவிற்கும் ஒரு கால்நடை வைத்தியர்கள் இருக்கிறார். அவர்களுக்கு சில செளகரியங்களை கவர்ன்மெண்டார் செய்து கொடுத்தால் மிகவும் நலமாக இருக்கும். இப்பொழுது விவசாய இலாகா ஆபீசர்களுக்கு கார்கள் கொடுத்து வசதி செய்து கொடுத்திருக்கிறார்கள். அதைப் போலவே இந்த கால்நடை இலாகா ஆபீசர்களுக்கும் செளகரியம் செய்து கொடுத்தால் மிகவும் நலமாக இருக்கும். அது மாத்திரம் அல்ல. நோய் வந்து தடுப்பதை விட நோய் வரும் முன் அதைத் தடுப்பது கால்நடைகள் விஷயத்தில் மிகவும் நலமாக இருக்கிறது. என்னுடைய கால்நடை பண்ணையில் ஒரு மாடு கூட இது வரையில் நோய் வந்து இறந்தது இல்லை. காரணம் அவர்களுடைய ஒரு முன் ஜாக்கிரதையான வேலை தான். ஆகவே இப்பொழுது கால்நடை ஆஸ்பத்திரிகள் நகரங்களில் இருப்பதைவிட கிராமங்களில் இருப்பதே மிகவும் நலமாக இருக்கும். இப்பொழுது நகரங்களில் இருப்பதால் பல மைல்கள் போக வேண்டியதாக இருக்கிறது. ஆகவே கால்நடைகளுக்கு சிகிச்சை செய்வதற்கு கிராமங்களில் கால்நடை ஆஸ்பத்திரிகள் ஏற்படுத்துவது நலம் என்று சொல்லுகிறேன். கால்நடை வளர்ப்பு என்பது சலபமான வேலையோ ஒரு லாபகரமான காரியமோ அல்ல. என்னுடைய சிறு அனுபவத்தில் அதைப் பற்றி சொல்ல முடியும். இருந்தாலும் சொந்த கால்நடை பண்ணை வைத்திருப்பதற்கும் கவர்ன்மெண்ட் கால்நடை பண்ணை வைத்திருப்பதற்கும் கொஞ்சம் வித்தியாசம் இருக்கிறது. சொந்தமாக வைத்திருப்பதைவிட கவர்ன்மெண்ட் வைத்திருப்பதில் செலவு அதிகமாக ஆகிறது. அதற்கு (local advisory committee) என்று ஒரு கமிட்டி அமைத்து நடத்தினால் நலமாக இருக்கும். ஏனென்றால் ஒரு வருஷத்திற்கு ஒரு முறை யாவது வேண்டாம் என்ற கால்நடைகளை அழித்துத் தீரவேண்டும். கவர்ன்மெண்ட் பண்ணைகளில் கால்நடைகளை குறைக்க வேண்டும் என்றால் பாரத்திலிருந்து கவர்ன்மெண்டுக்கு எழுதவேண்டும். பிறகு மேலிடத்திலிருந்து திரும்பி வரும். அதன் பிறகு அந்த மாட்டை விற்பதற்கு ஏற்பாடு செய்ய உத்தரவு வரும். அதற்குள் அதற்குப் போடும் தீர்வு செலவு அதிக ஒரு வருஷம் ஆகிறது. அதற்குள் அதற்குப் போடும் தீர்வு செலவு அதிகமாக ஆகின்றது. அதற்கு பதிலாக ஒரு (local advisory committee)-ஐ ஏற்படுத்தினால் அவர்களுடைய ஒரு யோசனையின் பேரில் அவர்களைக் கேட்டு அவர்கள் மூலமாக அந்த மாடுகளை நாம் அப்புறப்படுத்தி விடலாம். வருஷத்திற்கு ஒரு தடவை அல்லது இரண்டு தடவை இவ்விதம் செய்வதற்கு ஒரு அட்வைசரி கமிட்டி இருப்பது அவசியம்.

“இப்பொழுது உதாரணமாக ஹொசூர் பாரத்தை எடுத்துக் சொல்வோம் அங்கே ஒரு கவர்ன்மெண்ட் பாரம் இருக்கிறது. அங்கு தான் சிந்தி பசுக்கள் (breed) வைத்திருந்தார்கள். மற்ற சிந்தி பசுக்கள் எல்லாம் பாகிஸ்தானுக்குப்

[Sri N. Nallasenapathi Sarkarai Manradiar] [31st December 1953]

போய்விட்டன. அந்த மாடுகள் தான் நல்ல பால் கொடுக்கும். இப்பொழுது நமக்கு சிந்தி பசு வேண்டும் என்றால் அது ஹொசூரில் தான் கிடைக்கிறது. நமக்கு நிறைய பால் வேண்டி இருப்பதால் அங்கு அவைகளை வைத்து வளர்ப்பதற்கு ஏற்பாடு செய்ய வேண்டும். அதனால் பல செளகரியங்கள் ஏற்படும். சிந்தி மாடுகளை அங்கே உற்பத்தி செய்தால் நலமாக இருக்கும். அதை விட்டால் நல்ல பால் கொடுக்கக்கூடிய வேறு எந்த ஜாதியும் கிடை யாது. இப்பொழுது காங்கேயம் ஜாதியை அங்கே வைத்திருக்கிறார்கள். காங்கேயம் ஜாதிக்கு அங்கே (climate) ஒத்துக் கொள்ளவில்லை. அந்த இடம் அவைகளுக்குப் பிடிக்கவில்லை. அவைகளை அங்கே வைத்திருப்பதை விட அதைவிட சிறந்த இடத்திற்கு அதாவது காங்கேயம் இடத்திற்கு மாற்றி விட்டால் நலமாக இருக்கும். அதன் பிறகு அங்கிருக்கும் சிந்தி பசுக்களை அதிக உற்பத்தி செய்வதற்கு வசதி செய்து கொள்ளலாம். இப்படிச் செய்தால் ஒரு பக்கம் நல்ல பால் கொடுக்கக்கூடிய மாடுகளை உற்பத்தி செய்யவும் மற்றொரு பக்கம் காங்கேய கால்நடைகளை உற்பத்தி செய்யவும் செளகரியம் ஏற்படும். உதாரணமாக கோயமுத்தூர் ஜில்லாவில் கால்நடை அதிகமாக இருப்பதால் அங்கு வெட்டரிநரி டாக்டர்கள் இரண்டு பேர்கள் இருக்கிறார்கள். மற்ற இடங்களில் ஒருவர் தான் இருக்கிறார். அதைப்போல அதிகமாக கால் நடை இருக்கும் இடங்களுக்கு இந்த வெட்டரிநரி ஆபீசர்களைவிட கால்நடை அபிவிருத்தி ஆபீசர் என்று ஏற்படுத்தினால் நன்றாக இருக்கும்.

“இப்பொழுது அங்கங்கே கம்யூனிட்டி ப்ராஜெக்ட்களும் நேஷனல் எக்ஸ்டென்ஷன் ஸ்கீம்களும் (Community Project, National Extension Scheme) நடந்து வருகின்றன. அதற்குத் தேவையான ஆட்களை நியமித்து இருக்கிறார்கள். அதை கவனிக்கும் கனம் மந்திரி அவர்கள் இரண்டு நாட்களுக்கு முன் ஒரு தகவல் வெளியிட்டார். அது சந்தோஷமான காரியம். இருந்த போதிலும் அதில் இருக்கும் ஆபீசர்கள் கிராம ஜனங்களுடன் நன்றாக அன்போடு பழக வேண்டும். ஆனால் ஒரு காரியம் நான் சொல்லுவேன். ஒரு வேலை செய்வது என்று இருந்தால் அதற்கு ஜனங்கள் பாதி பணம் கொடுத்தால் சர்க்கார் பாதி கொடுப்பது என்று இருப்பதானது அவ்வளவு திருப்திகரமாக இல்லை. அதற்கு ஆகும் செலவில் நாலில் ஒரு பங்கையாவது கிராமத்தார்களிடமிருந்து வாங்கிக்கொண்டு பாக்கி தொகையை கவர்ன்மெண்ட் கொடுத்தால் மிகவும் நலமாக இருக்கும். உதாரணமாக ஒரு கட்டடம் கட்ட வேண்டும் என்று இருந்தால் மராமத்து இலாகா 40 ஆயிரம் செலவு ஆகும் என்று திட்டம் போட்டுக் கொடுத்தால் இன்றைக்கு இருக்கும் கவர்ன்மெண்ட் உத்தரவு பிரகாசம் கிராமத்தார்கள் 20 ஆயிரம் ரூபாய் கொடுக்கவேண்டியதாக இருக்கிறது. இவ்விதம் கிராமவாசிகள் 20 ஆயிரம் ரூபாய் கொடுக்க வேண்டும் என்றால் அவர்களுக்கு கொடுக்க முடிவதில்லை. அவர்களுக்கு அந்த வசதி இல்லை என்பது எனது அபிப்பிராயம்.

“இப்பொழுது நடந்த பஞ்சாயத்து போர்டு எலெக்ஷனிலிருந்து கிராமங்களில் அதிகமான கட்சிகள் ஏற்பட்டிருக்கின்றன. எனக்கு முன் பேசின தலைவர்கள் அதைப்பற்றி நன்றாகப் பேசிவிட்டார்கள். உதாரணமாக நேற்று நடந்த காங்கேயம் எலெக்ஷனை எடுத்துக்கொள்ளுவோம். காங்கிரஸ் கட்சி என்றே கம்யூனிஸ்ட் கட்சி என்றே அல்லது மற்ற Independent கட்சி என்றே, நடந்த எலெக்ஷனுக்கு வேலை செய்ததாக தெரியவில்லை. இந்த விதமாக வந்ததில் அங்கு பல கட்சிகள் ஏற்பட்டிருக்கின்றன. அதைப்போல் தாலூகா போர்டு எலெக்ஷன் வந்தாலும் பல கட்சிகள் ஏற்படலாம். ஆகவே இந்த மாதிரி பஞ்சாயத்து போர்ட், தாலூகா போர்ட் என்று இல்லாமல் பழையபடி டிஸ்ட்ரிக்ட் போர்டு என்று இருப்பது தான் நல்லது என்பது எனது தாழ்மையான அபிப்பிராயம்.

“அடுத்தபடியாக முக்கியமாக கவனிக்கவேண்டியது ஒரே ஒரு விஷயம். இப்பொழுது கிராமங்களில் மணியகாரர்கள், கர்ணம்கள் இருக்கிறார்கள். அவர்களுக்கு இருக்கும் வேலைகளைப் பார்த்தால் அவர்களுக்குக் கொடுக்கும் சம்பளம் மிகவும் குறைவாக இருக்கிறது. அவர்கள் அந்த அந்த ஊர்களில் இருந்து கொண்டு வேலை செய்து வருவதால் ஏதோ அவர்கள் தங்களுடைய

31st December 1953] [Sri N. Nallasenapathi Sarkarai Manradiar]

வேலைகளை கவனித்துக்கொண்டு வருகிறார்கள். இந்த நிலையில் அவர்களுக்குக் கிடைக்கும் ரூ. 20 அல்லது ரூ. 22 சம்பளத்தை வைத்துக்கொண்டு அவர்கள் வேலை செய்து கொண்டு வருகிறார்கள். அந்த நிலையில் அவர்கள் ஸ்தானத்தில் ரூ. 20 அல்லது ரூ. 22 சம்பளத்தில் வேறு உத்தியோகஸ்தர்களை நியமிப்பது முடியாத காரியம். அவர்கள் செய்யக்கூடிய வேலையை மற்றவர்கள் அந்த சம்பளத்தில் செய்ய முடியாது. இதை சர்க்கார் யோசித்து செய்யவேண்டும். கடைசியாக ஒரே ஒரு விஷயத்தைச் சொல்லிக் கொண்டு எனது பேச்சை முடித்துக்கொள்ளுகிறேன்.

“என்னுடைய தகப்பனார் இருந்த போது தனக்குப் பிறகு எப்படி இவன் (தன்னை) இவ்வளவு பெரிய கால்நடை பண்ணையை வைத்துக் கொண்டு சமாளிக்கப்போகிறான் என்று யோசித்து மிகவும் வருத்தப்பட்டு சொல்லி இருக்கிறார். இன்று இவ்வளவு சிறிய வயதாக இருந்தாலும் அதை வைத்து நடத்திக்கொண்டு வருகிறேன். அதைப்போலவே ரிடயர்ட் ஆபீசர்களால் தான் வேலைசெய்ய முடியும் என்ற அபிப்பிராயத்தை மாற்றி சின்ன வயதுக்காரர்களுக்கு வேலை கொடுத்து அவர்கள் முன்னுக்கு வர வேண்டும் என்று அவர்களுக்கு உத்தரவு கொடுக்க வேண்டும். வயதான பெரியவர்கள் தான் எந்தக் காரியத்தையும் செய்ய முடியும் மற்றவர்கள் செய்ய முடியாது என்ற எண்ணத்தை மாற்றிக்கொள்ள வேண்டும். அப்பொழுது தான் அடுத்து வரும் சிறிய வயதுடையவர்களுக்கு பழக்கம் ஏற்பட்டு நன்றாக அவர்களும் அந்தத் துறையில் பயனடைந்து முன்னுக்கு வர முடியும், எனக்கு இப்பொழுது பேசுவதற்கு நேரம் கொடுத்ததற்கு கனம் சேர்மன் அவர்களுக்கு என் நன்றியைத் தெரிவித்துக்கொண்டு இத்துடன் முடித்துக் கொள்ளுகிறேன்.”

* SRI E. H. PARAMESWARAN :—“Mr. Chairman, Sir, on account of the shortness of time, I shall try to be very brief in my observations. We are very glad that in spite of difficulties created by the partition of the State, the Government have been able to make adequate provision for capital expenditure in the Budget. I was afraid, adequate provision might not be made. Now we find that substantial amounts of money have been allotted for the Malampuzha project, the Manimuthar project, and Mettur Canals. I wish to tell the Government that it would be a suicidal policy to adopt any go-slow methods with regard to these useful projects. I also request the Government to speed up Mangalam and Walayar schemes.

“We also see from the Budget that there is a provision of Rs. 18 lakhs for the National Extension Service, Rs. 20 lakhs for local development works and Rs. 42 lakhs for Community projects. Personally I wish that more sums had been allotted for national extension services and community projects. Our Hon. Chief Minister said that we could not achieve any miracle in such a short time. But I believe, Sir, that miracles can happen if the Community projects are worked in the proper way. In this connection I wish to congratulate the Hon. Minister for Agriculture and Community Projects on the enthusiasm that he has been able to create among the public at large during the short period of two months he has been in charge of the Ministry. He has been visiting several places and wherever he has gone, he created general enthusiasm among the public about these Community projects and the National Extension Services schemes. I have myself visited some of these areas. Last week also I visited some

[Sri E. H. Parameswaran] [31st December 1953]

of the villages. I found that at a village called Koyalmannan seven miles of road has been constructed with the co-operation of 500 students. In Puthucode, which was inaccessible for years, students co-operated with the Community Project officers and engineers, and a 5-mile road was laid. Now motor cars and buses can go directly to the village. The Governor of Madras is going to inaugurate another such work in Elapulli, Palghat, where a 7-mile road is to be put up. I find there is general enthusiasm, Headmasters and students vying with one another in taking part in the Community project work. I feel that if these projects are worked properly and necessary enthusiasm and inspiration are given by the Government, the whole face of the State can be changed. People also will feel now that it is their Government that are in power and that they must co-operate with the Government. Even now there are many people who do not know what these Community projects are. I once again congratulate the Hon. Minister in charge of Community Projects on the new drive that he has been able to give in respect of these projects.

" Sir, the Hon. the Chief Minister pointed out that out of the total expenditure, 30½ per cent go for what may be called social services like education, co-operation, Harijan uplift, etc. With regard to Harijan uplift, I have been complaining to the Director of Harijan Welfare that scholarships are not sanctioned at the proper time. What is the use of sanctioning scholarships at the fag end of the year? When this is repeatedly pointed out to the Director of Harijan Welfare, he says: 'Grants are not available, Government have not passed orders' and so on. If the Government really want that these students should be benefited by the grant of these scholarships, these should be made available from the very beginning of the year. If scholarships are not going to be granted, at least those orders should be passed and communicated to the students so that they might know that they would not get the scholarships.

" In regard to education, my hon. Friend Sri Krishnamurthi spoke about many matters. It is unfortunate that in spite of so much talk about reorientation of education we have not been able to have any real reorientation. If we go through the resolutions passed by the Indian National Congress from 1890 to 1910 and also the National Liberal Federation, we will find those resolutions laying stress on the importance of having a national system of education, etc. Our leaders were never tired of repeating in the Press and on the platform that our education must be made to suit the genius of our people and that there must be reorientation at all stages, namely, elementary, secondary, and University. What is the reorientation that has been achieved during the last six years since we became independent? There has been no reorientation. At the beginning of the year 1954 we will have the same Madras Educational Rules, the same Grant-in-aid Code the same syllabuses and text-books, the same system of examination and the same discontented teachers that we had during the days of the British

31st December 1953] [Sri E. H. Parameswaran]

bureaucracy. I request Government to introduce radical reforms in these matters whether there is opposition or not. I also wish to say in this connection, that if the previous Governments had introduced reorientation in our educational system, our country would have been far better than what it is to-day. If the recommendations of the Hunter Commission appointed in 1862 had been implemented by the Government of the day, India would have been in a far better condition. Nobody paid any heed to the recommendations made by that Commission. The British Elementary Education Act was passed only in 1884. So let us not make any mistakes which were committed in the past. Let us try to reorientate the system of education as early as possible. It is also unfortunate that in spite of appeals made by the teaching profession, in spite of the recommendations made by several committees and conferences and in spite of the definite promises made on the floor of this House by the last Ministry, nothing was done by our Congress Government during the last two years to raise the status of the teachers and their salaries. I am not prepared to accept inadequacy of funds as an excuse or as an argument for not giving a better deal to the teachers. The Government want that the elementary school teachers should do their work properly. If the teachers are to perform their work properly, they should not be made to feel discontented. They should be given better wages whatever be the difficulties of the Government. These teachers getting only Rs. 35 or Rs. 40 a month should be paid at least Rs. 3 or Rs. 4 more. Even this small increase in salary will be considered by the teachers as a great boon conferred on them.

" Now, Sir, I shall indicate the directions in which Government must introduce reforms while framing the next Budget. Let there be at least a token provision for medical inspection. This is not going to cost much. Even if it is introduced in all the Secondary schools, it would cost only Rs. 3 to 4 lakhs. The Hon. the Minister for Education and the Hon. the Minister for Health should co-operate in this matter and see that this very useful provision is made. Regarding the expansion of the Junior National Cadet Corps to taluk centres, I think this Government have no power to do it. The Government should make a recommendation to the Central Government and the Military authorities to extend this to taluk centres. There is no use of having this Corps only in district headquarters. There are big taluk centres. Let high schools in villages and taluk centres have this Corps

" Then, Sir, in regard to Secondary Education, a Commission was appointed to go into the question and make recommendations. That commission was presided over by our distinguished friend Dr. Lakshmanaswami Mudaliyar. I have given notice of a non-official resolution for implementing the recommendations of the Commission. So, I will not say much on that now. We are also glad, Sir, that Government have appointed a committee to frame the syllabus for elementary schools, in accordance with the recommendations made by the expert committee. This is a matter on

[Sri E. H. Parameswaran] [31st December 1953]

which I would like to congratulate the Government, because committees and commissions of enquiry are appointed but very often the recommendations are not put into effect and so the work of these committees and commissions become a waste. We similarly want the Government to appoint a committee to go into the recommendations made by the Secondary Education Commission and implement them.

3.2. p.m. "Sir, we are very glad that hon. Member Dr. Lakshmanaswami Mudaliyar has been the President of this Commission and the monumental Report of this Commission, if implemented, will make a great advance in Secondary Education.

"Then there is the expansion of basic education. Some hon. Members have already referred to it and I need not say anything more about it.

"Then I come to the pay of elementary school teachers. Their pay should be immediately increased. There should also be provision in the next year's budget for increase of pay of Secondary Grade teachers, Physical Education teachers, Drawing and Manual Training instructors. There are also anomalies in their pay which should be rectified. For instance, Manual Training instructors working in Secondary schools have been drawing their pay in the scale of Rs. 60-4-100. About 150 teachers get this scale of pay. But the Auditors object to this scale of pay and say that they can have only the scale of Rs. 50-2-90. In this way so many teachers are put to very great hardship and, therefore, I request the Government to take immediate steps to see that these unnecessary anomalies in the pay of these Manual Training instructors and Hindi Pandits are removed. I know the case of one Hindi Pandit whose pay was reduced from Rs. 105 to Rs. 50 because he had only ten hours of work in the high school classes. I am confident that the Hon. the Minister for Education will look into these anomalies and see that the grievances of teachers in this respect are redressed.

"With regard to the Government Order which was referred to by hon. Members by Mr. Alexander Gnanamuttu and Dr. Lakshmanaswami Mudaliyar, I wish to tell them that in this connection, I met the Hon. the Minister for Education and also the Hon. the Chief Minister and they were full of sympathy for the teachers and they assured me that necessary orders would be passed amending the Government Order, and that it would not apply to the teachers' constituencies. I would not take up much of the time of the House but would only repeat that upon the right kind of education depends the future of this great country. If we want to have the right kind of education, we must have the right kind of teachers. The teacher is the pivot of the educational system and there can be no real educational advancement if the teacher is not treated as a human being. With these words, Sir, I have pleasure in congratulating the Hon. the Finance Minister on the very good Budget that he has presented."

31st December 1953]

* SRI S. B. ADITYAN :—"Mr. Chairman, Sir, to-day is the last day of this year and I have just now received the New Year Greetings from you. I wish you and the hon. Members of this House a Happy and Prosperous New Year."

"Sir, the other day the hon. Member, Dr. John, made a complaint against the Government that they had not given due respect to this House in the matter of presenting the Budget. To-day we have again heard from the hon. Member, Mr. Parameswaran, that the promises made on the floor of the House by the Government have not been carried out. I have more or less the same charge to make against the Government. The promises made solemnly on the floor of the House have not been fulfilled or honoured or implemented. Yesterday, I made a reference to this aspect of the matter during question-hour, when the Hon. the Revenue Minister was replying to a question on the palmyra tax. He made certain answers and I told him that the Government had not seen fit to implement the promises made by them. I have with me the official report of the proceedings of this House, dated the 21st February 1948 and I quote from it. This is the question I put—

"Whether the Government have under consideration the proposal to abolish the palmyra tax, as part of land revenue reform?"

The then Revenue Minister said: 'Yes'. It may be said that there is the word 'consideration' in this question and answer but the answer was not given, in a hurry to stave off a supplementary question but it was part of the original question and part of the written answer read out by the then Revenue Minister. Although the word 'consideration' does appear, the answer has always been taken to mean that the palmyra tax will be abolished. It has been understood in that meaning by the Government, by the people and by me. Actually when this promise was made, wide publicity was given in the areas concerned. Though it may appear that the tax is only eight pies per tree, it affects a very large number of people. It is imposed in the Tirunelveli district and in the two taluks of the Ramanathapuram district, where nearly three million people reside. When this promise was announced, it raised great hopes in the minds of the people that this tax would be abolished.

"It soon became apparent that the Government were considering ways and means to find an escape out of the promises. A year or so after the promise was made, the Government announced that the palmyra tax would be abolished on those trees grown on wet lands. Now, what is the value of this announcement if it is noted that palmyra trees do not grow on wet lands but they are grown on sandy tracts?

"Recently the Government released a Press Note, dated 15th September 1953—

"A decision to abolish the tree tax in respect of palmyra trees that is now being levied in the district of Tirunelveli and in certain taluks in the district of Ramanathapuram has been taken by the Madras Government. The land tax is to be so adjusted as not to exceed Rs. 2-13-0 an acre."

[Sri S. B. Adityan] [31st December 1953]

The demand to abolish the tree tax was being repeatedly made in public and on the floor of the Legislature for a long time. It was represented that this tax affected the production of gur and was a heavy tax burden on co-operative societies engaged in the production of palm gur.

So, the Government have apparently announced the abolition of the tax on palmyra trees but what they have announced is that the land tax is to be so adjusted as not to exceed Rs. 2-13-0 an acre. Although the word 'adjustment' appears in the Press Note, it is not an adjustment. It is really an enhancement. Yesterday when I pointed out this aspect of the matter to the Hon. the Revenue Minister, he cited the theoretical case of a land paying Rs. 20 an acre and said that the tax would be reduced to Rs. 2-13-0 in that case. However, we have to face realities. There is no land paying Rs. 20 as land tax per acre. It is six annas an acre. The palmyra tax may be anything between one rupee and two rupees. Therefore, this apparent reduction from Rs. 20 to Rs. 2-13-0 is fictitious and the Government propose to impose an 'adjustment' tax to increase the land tax from six annas to Rs. 2-13-0 or the palmyra tax is proposed to be retained to the extent of the difference between Rs. 2-13-0 and six annas. This is not the way to implement the promise made on the floor of the House. I have often mentioned this matter and I feel that the time has come when I should ask definitely whether the Government do or do not propose to implement their original promise? (Interruption.) The Hon. the Finance Minister is asking me to go on hunger-strike. I am not threatening to go on hunger-strike but there is another thing which I can do and which I feel I am, in duty and honour, bound to do. Unless this tax is abolished and unless his proposal to impose an 'adjustment' tax is also dropped, I propose to tender my resignation of the Membership of this House. There is still time. There is a small surplus in the Budget. What is wanted is willingness. It may be that the Hon. the Finance Minister is not very sorry to lose my services in this House."

3.30 p.m. DR. V. K. JOHN :—" Sir, on a point of order, is it parliamentary for an hon. Member to say that he will resign if a certain thing is not done by the Government? "

DR. C. NATHAMUNI NAIDU :—" Sir, last time the hon. Member Sri S. B. Adityan said that he would not be attending this session."

MR. CHAIRMAN :—" I do not think the hon. Member said so."

* SRI S. B. ADITYAN :—" Sir, I did not say so but I mentioned that I was feeling that by my being present here in this House, I was not doing any useful work. The fact is there that I have not been able to make the Government even to fulfil the promises they made. I have therefore to question myself: 'how much are my services worth?' Unless this tax is abolished as the

31st December 1953] [Sri S. B. Adityan]

Government promised—I hope they will still do so—I propose to tender my resignation at the end of this session. As I said, the Hon. the Finance Minister may not be sorry to lose my services but he will certainly be sorry to lose the revenue from this tax. I will say to him that it is very unlikely that he will be able to realise anything from this tax even if he imposes it, for the simple reason that the people of this area will not be able to find the money to pay the tax. These are sandy tracts and even in normal times the people here find it difficult to eke out their livelihood. Although there have been rains in other areas, the rains have failed this year in this area and the condition of the people could be well imagined.

" It may be a far cry from Tirunelveli to Madras, the Capital City, a distance of about 450 miles, and I do not find that the condition of the people here is in any way better. I would ask, is the condition of the people in and around the City of Madras any the better? Are not our people living in such a state of poverty which is an unspeakable disgrace to mankind? Are not our people living in conditions of misery, squalor and distress the like of which does not exist anywhere in the world? The income of the common man in our State is one-fifteenth of the income of the average man in Britain and one-fifteenth of the income of the average man in the United States of America. If I say that our poverty-stricken youths are reduced to begging, or are induced to take to crime or are driven to commit suicide, my hon. Friend, the Finance Minister, may say that I am saying this with some motive, namely, to displace the present Government from their seats of authority. If I or the Opposition newspapers say these things, the Government may say they are lies. I would like to know what the Hon. the Finance Minister has to say to the report of the present-day conditions in Tamilnad in Kalki. I quote from the latest issue—

' நாட்டில் பிச்சைக்காரர்களின் தொகை பெருகிவருகிறது. வறுமைக் கொடுமையினால் நடக்கும் திருட்டுகளும் அதிகமாகி வருகின்றன. வேலை கிடைக்காத காரணத்தினால் வாழ்க்கையில் வெறுப்புக்கொண்டு சின்னஞ் சிறு வாலிபர்கள் தற்கொடையில் நாட்டங்கொள்கிறார்கள். ஏழைகள் வசிக்கும் குடிசைகளைப் பார்த்தால், இவை மனிதர்கள் வசிக்கும் இடங்கள்தானா என்று எண்ணத் தோன்றும்.'

This is what is written in a magazine to which the Hon. the Chief Minister is a frequent and regular contributor. It is written by a man who is one of the ardent supporters of the present Government. He has not only described the existing conditions but has also pointed the way out. He says—

' தமிழ்நாட்டில் இப்பொழுது அறிவாளிகள் எல்லோரும் ஒருமுகமாகக் கவனம் செலுத்தவேண்டிய காரியம் பொருளாதார முன்னேற்றமேயாகும்.'

He says that all ways and means must be found to concentrate on the economic uplift of the people. (Interruption.) I would prefer not to be interrupted as I have very little time. Sir, the remedy is economic uplift, but, have the Government taken the proper measures in the matter? Some days ago, the Hon. the Chief Minister, speaking at the Loyola College, said: ' I never understood economics, I do not understand it now; and I will never try

[Sri S. B. Adityan] [31st December 1953]

to understand it.' It may be said that he spoke in jest but many a true word has been spoken in jest. It may be that he is quite right when he said that he knows more about men and women than about economics. But I would ask him to tell me what is the class of men that he knows. If the Hon. the Chief Minister and the Hon. the Finance Minister go anywhere in the streets of Madras and talk to the man who sits by the roadside without any employment not knowing wherefrom his next meal is going to come, and ask him, 'Why are you starving?', he will give the answer that he has no money. Men with their purses full do not leave their stomachs empty. If they put him the next question as to why he has no money, he will say that he has no employment although he is willing to do some work. Is it not the duty of a civilized Government to guarantee employment to their people? Are not other civilized Governments giving this guarantee? The hon. the Leader of the Opposition mentioned certain totalitarian Governments. Do not the Soviet Union, as well as capitalistic countries, give such guarantee? Speaking the other day, the Hon. the Chief Minister said—I am quoting from the *Mail*—'If any country is to be called cultured or civilized two things should exist. One is that people must respect their women and the other is that there should be no theft.' If our nation is to be called a civilized nation, are these the only two conditions to be fulfilled? Must not the people have food, clothing and shelter? Must not the Government guarantee education, health and employment to the people? May I ask, Sir, what have our State Government done to provide these things? What have they done to ensure employment for the adult population, both men and women? Two years ago, when the present administration took over, I am sure they had an objective. I cannot believe that a person like Sri C. Rajagopalachari would regard the attainment of power as an end in itself. He should, I think, have assumed power as a means to an end, a target or an objective. Has any progress been made towards such an objective? Are we better off now? Is there less of misery now in the country, less distress or less of unemployment? My hon. Friend, the Finance Minister, may say that we are making progress. But, this kind of slow motion progress will not satisfy a starving people. A hungry man is an angry man and an impatient man. The Government cannot satisfy his appetite with paper plans. What is wanted is industrialisation and starting of new industries to provide jobs for the people. We have reached a stage at which we must either industrialise or perish.

"The time will come sooner or later when the present administration must lay down their office and when the time comes the people will judge the Government by the extent to which they have raised the standard of living of the people and not by the extent to which they have raised their belief in God. The three crores of people in our State are watching and I am sure that when the time comes they will give correct verdict."

31st December 1953]

*SRI A. GAJAPATHY NAYAGAR :—“கனம் அவைத் தலைவர் அவர்களே, தங்கள் அனுமதி பெற்று தமிழில் பேசுகின்றேன். வரவு செலவுத் திட்டம் சம்பந்தமாக அனேக அறிவாளிகள் பேசியுள்ளார்கள். நான் ஒரு முக்கியமான விஷயத்தைப் பற்றி பேச முன் வந்திருக்கின்றேன். அதாவது, இந்தச் சபையின் நடவடிக்கைகள் எந்த மொழியில் நடக்கின்றன என்ற ஒரு கேள்வியை மாத்திரம் நான் உங்களுடைய கவனத் திற்குக் கொண்டுவர விரும்புகின்றேன். 3.40 P.M.

“நமது இந்திய அரசியல் சட்டத்தின் 210-வது பிரிவை நான் இப்பொழுது ஆங்கிலத்திலேயே வாசிக்கின்றேன். ஏனென்றால் அநேகர் இந்தப் பிரிவை இன்னும் கவனிக்காமல் இக்கின்றார்கள். அதாவது—

‘Article 210 (1).—Notwithstanding any thing in Part XVII, but subject to the provisions of Article 348, business in the Legislature of a State shall be transacted in the official language or languages of the State or in Hindi or in English :

Provide that the Speaker of the Legislative Assembly or Chairman of the Legislative Council, or person acting as such as the case may be, may permit any Member who cannot adequately express himself in any of the languages aforesaid to address the House in his mother-tongue.’

இந்த அரசியல் சட்டம் அமுலுக்கு வந்தது முதற்கொண்டு 15 ஆண்டுகளுக்குள்ளாக இந்த ஆங்கில மொழியானது நிலலாது நீங்கிவிடும். இப்பொழுது இந்த சட்டசபையிலே நான் தமிழில் பேசுவதற்கு உரிமை இருக்கின்றதா என்று கேட்பதற்குக்கூட அஞ்சுகின்றேன். ஏனெனில், இந்த சட்டசபையில் தமிழ் மொழியானது ஆட்சிமொழியாக (Official language of the State) இருக்கவில்லை. தமிழ் மொழி ஆட்சி மொழியாக இருக்கா விட்டால், இந்த சட்டசபையிலும் தமிழில் பேச உரிமை இருக்காது. ஏன்? இப்பொழுது ஆங்கில மொழி ஒன்றுதான் அரசு மொழியாக இருக்கிறது. அதாவது (authorized language) என்ற முறையில் ஏற்பட்டு இருக்கிறது. ஆங்கிலம் மறைந்தபின், தேவநாகரி லிபியிலுள்ள இந்திதான் இந்தியப் பேரரசின் ஆட்சிமொழியாக இருக்கமுடியுமே தவிர, வேறு எந்த மொழியையும் ஆட்சி மொழியாகச் செய்யவில்லை. அதைத்தான் இந்த சட்ட சபையின் கவனத் திற்குக் கொண்டுவர விரும்புகின்றேன்.

“ஒரு மொழி ஆட்சிமொழியாக ஆகவேண்டுமென்றால், 345-வது பிரிவுப்படி அதை இந்தச் சட்டசபையில் ஆட்சி மொழியாகச் செய்க்க வேண்டும். இந்திய அரசியல் சட்டத்தின் 345-வது பிரிவையும் நான் இப்பொழுது ஆங்கிலத்தில் படிக்கிறேன்—

‘Article 345.—Subject to the provisions of Articles 346 and 347, the Legislature of a State may by law adopt any one or more of the languages in use in the State or Hindi as the language or languages to be used for all or any of the official purposes of that State.

இங்கே நான் தமிழில் பேசுகின்றேன் என்றால் அவைத் தலைவர் அவர்கள் லிடமிருந்து உத்தரவு வாங்கிக்கொண்டுதான் பேசவேண்டியிருக்கிறது. தாய் மொழியிலேயே ஒருவன் பேசவேண்டுமென்றால், அதற்கும் அனுமதி வாங்கிக்கொண்டுதான் பேசவேண்டுமென்று சொன்னால், இது நாடு செய்த பாவமா? தமிழ் நாட்டிலுள்ள தமிழ்மக்கள் தமிழ்மொழியிலேயே அதாவது தங்கள் தாய் மொழியிலேயே, பேசாமலிருப்பது ஒரு பெரும் குறையாக இருக்கிறது. சென்னை இராஜ்யத்தில் இப்பொழுது 14 மாவட்டங்கள் வரையில் இருக்கின்றன. இந்த ராஜ்யத்தின் பெரும்பான்மையான இடங்களில் அதாவது 12 மாவட்டங்களில் தமிழ் பேசப்படுவதால், ஏன் தமிழை ஆட்சிமொழியாக வைக்கக் கூடாது? பெரும்பான்மையான மக்கள் பேசும் ஒரு மொழியை ராஜ்யத்தின் ஆட்சிமொழியாக வைத்தால் என்ன கேடு வரும் என்று மிக வருத்தத்துடன் கேட்கிறேன்.

“ஆந்திர மாகாணத்தில் கனம் ஸ்ரீ பிரகாசம் அவர்கள் முதல் அமைச்சராக இருக்கும்போது, அங்குள்ள நிதி மந்திரி அவர்கள், வரவு செலவுத்

[Sri A. Gajapathy Nayagar] [31st December 1953]

திட்டத்தைச் சபை முன்சமர்ப்பிக்கும்போது தெலுங்கில் பேசினார். ஆனால், நம்முடைய தமிழ் ராஜ்யத்திலே, ஆந்திர ராஜ்ய நிதி அமைச்சருக்கு இருக்கும் தாய் மொழிப்பற்றும், அந்தமொழியில் வரவுசெலவுத் திட்டத்தை சமர்ப்பிக்கும் திறனும் இல்லையென்று சொல்ல முடியுமா? நமது நிதி மந்திரி கனம் ஸ்ரீ சுப்ரமணியம் அவர்கள் எல்லா நலன்களும் பெற்று இருக்கிறார். ஏன் நம்முடைய வரவுசெலவுத்திட்டத்தை தமிழில் சொல்வதற்கு உற்சாகம் அவருக்கு இல்லை என்று கேட்க ஆசைப்படுகிறேன். ஆந்திரத்தில் ஒரு விஸ்வநாதம் அவர்கள் வரவு செலவுத்திட்டத்தைத் தெலுங்கில் சொல்ல உற்சாகமும், மொழிப்பற்றும், நாட்டுப்பற்றும் இருக்கும்போது, நம்முடைய நாட்டில் அந்த மாதிரியான ஒரு உணர்ச்சி இல்லாமலிருப்பதைக் கண்டு கவலைப்படுகின்றேன்.

“வழக்கு மன்றத்தில் தமிழில் நடவடிக்கைகள் நடக்கின்றன என்று சொல்லலாம். அங்கு தமிழில் நடக்கிறது என்று சொன்னால், அது ஒரு சரியான வழியில் இல்லை. 348-வது பிரிவு சொல்வதாவது—

‘Article 348 (2).—Notwithstanding anything in sub-clause (a) of Clause (1), the Governor or Rajpramukh of a State may, with the previous consent of the President, authorise the use of the Hindi language, or any other language used for any official purposes of the State, in proceedings in the High Court having its principal seat in that State.’

ஆகையால், நீதி மன்றங்களிலே ஒரு மொழியில் நடவடிக்கைகள் நடைபெறுவதற்கு அந்த மொழி ஆட்சி மொழியாக இருத்தல்வேண்டும். இந்தச் சட்டசபையில் தமிழ் ஆட்சிமொழியாக இருந்தால்தான் தமிழில் பேச உரிமையுண்டு. இரண்டு கருத்துகளை மட்டும் தான் சுட்டிக்காட்ட விரும்புகின்றேன். இங்கு அங்கத்தினர்கள் எதற்காகப் பேசுகின்றார்கள்? இங்கு பேசுவதையெல்லாம் நாட்டு மக்கள் தெரிந்துகொள்ள வண்டும். அதற்காகத்தான் நாம் இங்கு பேசுகின்றோம். நானும் ஆங்கிலம் படித்து இருக்கின்றேன். ஐம்பதாண்டுகாலமாக வயது வரையில் ஆங்கிலத்திலேயே பேசியும் எழுதியும் தலைமொட்டையாகக்கூட ஆகிவிட்டது. ஆங்கிலம் எனக்கு பேசத் தெரியாது என்பதற்காகத் தமிழில் பேசவில்லை. நாம் இங்கு பேசுவது யாருக்காக? நமக்காகவா? நாட்டு மக்களுக்காகவா? அதைத் தான் இந்தச் சட்டசபையின் கவனத்திற்கு கொண்டுவர விரும்புகின்றேன்.”

THE HON. SRI C. SUBRAMANIAM:—“இங்கு நடக்கும் நடவடிக்கை களைப் பொதுமக்கள் பத்திரிகைகளின் மூலமாகத் தானே தெரிந்துகொள் கிறார்கள்?”

SRI A. GAJAPATHY NAYAGAR:—“நாம் தமிழில் பேசினால்தான் தமிழ் மக்கள் புரிந்து கொள்வதற்கு முடியும். தமிழ்மொழிக்கு உயிர் இருக்கிறது. தமிழ் மொழியில் பேசினால், அதை மக்கள் நன்கு புரிந்து கொள்கிறார்கள். ஆங்கிலத்திலேயே நடவடிக்கைகள் இருந்தால் மக்கள் அதை எப்படி நன்கு புரிந்துகொள்ள முடியும்? அதனால்தான் நம் நாடு முன்னுக்கு வரவில்லை. ஆகையால் முதன் முதலில் சட்டசபையில் தாய் மொழியில்தான் பேசவேண்டுமென்ற ஒரு வரையரை இருக்கவேண்டும். இங்கு பேசும் மொழிமக்கள் மொழி யாகத்தான் இருக்கவேண்டும். குடியாட்சி இருக்கவேண்டுமானால் குடிகளின் மொழியாட்சி இருக்கவேண்டும் என்பதை உணரவேண்டும். அதற்காகத்தான் இதைச் சொல்லுகின்றேன். கனம் முதல் மந்திரி அவர்கள் இப்பொழுது இங்கிலாந்திலுள்ள, முதல் மந்திரி அவர்களுக்கு வலது கைப்பால் இங்கிருக்கும் கனம் நிதி அமைச்சர் ஸ்ரீ சுப்ரமணியம் அவர்கள் நான் சொல்லும் குறைகளை அவர்களுக்கு எடுத்துச்சொல்லுவார்கள் என்று நம்புகின்றேன்.

“இந்த வரவு செலவுத் திட்டத்தைப்பற்றி சில வார்த்தைகள் சொல்ல விரும்புகிறேன். கல்வி விஷயமாக நான் சொல்லவேண்டியது ஒன்று. ஆரம்பக் கல்வியானது 5 முதல் 12 வயது வரையிலுள்ள இளம் குழந்தை களுக்குக் கிடைக்கப்படுகிறது. அது சம்பந்தமாக பருலேகர் கமிட்டி குழந்தைகள்

31st December 1953] [Sri A. Gajapathy Nayagar]

தைகள் தங்கள் தாய்மொழியிலேயே கற்கவேண்டுமென்று வற்புறுத்து கின்றது. ஆகையால் தமிழ் நாட்டில் ஆரம்பக் கல்வியானது பிள்ளைகளுக்கு அவர்களுடைய தாய் மொழியாகிய தமிழ் மொழியில்தான் இருக்கவேண்டு மென்று நான் வற்புறுத்துகிறேன். குழந்தைகள் சிறு வயதில் தாய் மொழியில் பயின்றால்தான் அவர்கள் முதலில் நன்கு பயிற்சி பெற்று பிறகு படிப்படியாக எந்த மொழியையும் கற்றுக்கொள்ளக்கூடிய ஒரு ஆற்றலைப் பெறுவார்கள்.

“ஆனால், ‘Report of the Committee on Elementary Education in Madras’ என்னும் புத்தகத்தில் 12-வது பக்கத்தில் என்ன சொல்லியிருக்கிற தென்றால்—

‘It may be seen from the above table that the total periods for the 10 subjects indicated on page 7 of the Guide Book on the old basis will come to 23 periods. We have, therefore, in column III suggested a slight modification to restrict the number to 21 periods in the case of standards, I and II and 22 periods for standards III to V so that some time may be available for optional subjects. These two extra periods thus made available may be utilised, as before, for teaching an additional language (other than English).’

கனம் நிதி, கல்வி அமைச்சர் அவர்கள் இதைக் கவனிக்குமாறு கேட்டுக் கொள்கின்றேன். துவக்கத்தில் தாய் மொழியில் கல்வி கற்பிக்கும்போது விருப்பப்படம் (optional subject) என்று ஏதாவது உண்டா என்று கேட் கின்றேன். அம்மாதிரி எங்கும் இல்லையே. மேலும் ‘as before’ என்று கண்டிருக்கிறது. துவக்கக் கல்வி இளம் குழந்தைகள் படிக்கும்போது அவர்கள் தாய் மொழியில்தான் இருக்கும். வேறு ஒரு விருப்பு மொழி ஆங்கிலம் இல்லாத மொழியென்றால் அது இந்த மொழியாகத் தான் இருக்கும். 20 பிரிவுகளில் படிக்க வேண்டியதில் 3 பிரிவுகள் இந்த மொழிக்கு வைத்தால், ஒரு குழந்தை தன் தாய் மொழியைக் கற்கமுடியுமா? அல்லது இந்த மொழியைக் கற்கமுடியுமா? எனது நண்பர் கனம் டாக்டர் லக்ஷ்மணஸ்வாமி முதலியார் அவர்கள் சொல்வார்கள். மற்ற உலகப் பிரசித்தப்பெற்றவர்கள் சொல்லுவார்கள். ஐந்து வயதிற்கு மேற் பட்ட சிறு குழந்தைகள் ஒரு மொழியில் தான் கல்வி கற்க வேண்டும். இரண்டு மொழியில் கற்பிப்பது சரியல்ல. ஆங்கில ஆட்சி இருக்கும்போது ஆங்கில பாஷையைக் கற்பிக்க ‘ஆப்ஷனல்’ என்று சொல்லிக்கொண்டு ஆங்கில வந்தார்கள். ‘ஆப்ஷனல்’ என்று சொன்னாலும், ‘கட்டாயம்’ என்ற பொருளில்தான் நடைமுறையில் வந்துவிடுகிறது. ஏனென்றால், ஆங்கிலம் அப்பொழுது ஆட்சிமொழியாக இருந்ததினால் ஆங்கிலம் கட்டாயமாகத்தான் இருந்ததுவந்தது. ஆகவே, நான் சொல்வது இப்பொழுது முதல் வகுப்பு முதல் 5-வது வகுப்பு வரை தமிழிலேயே கற்றுக்கொடுங்கள். 5-வது வரை கற்றுக்கொண்டுவிட்டால் தமிழ் மொழிப் பயிற்சி நன்கு ஏற்பட்டுவிடும். பிறகு இந்த அல்ல, ஆங்கிலம் அல்ல பல்வேறு மொழிகளை மாணவன் கற்க சக்தி ஏற்பட்டுவிடும். ஆகையால், குழந்தைகளுடைய படிப்பு சம்பந்த மாக சம்பந்தம் செய்யாமல் ஒரு மொழிப்படிப்பு ஏற்பாட்டைச் செய்ய வேண்டு மென்று கேட்டுக்கொள்கின்றேன்.

“தமிழ் மொழியை ஆட்சிமொழியாக வைக்கவேண்டுமென்று கேட்கும் போது நான் சட்டப் பிரகாரம் கேட்கின்றேன். அதற்காக ஒரு தமிழ் மொழி ஆட்சி மகாநாடு 1953-ம் ஆண்டு டிசம்பர் 20-ல் சென்னை அண்ணாமலை மன்றத்தில் நடந்தது. மகாநாட்டின் தீர்மானங்களை எடுத்துரைக்க ஒரு குழு ஏற்படுத்தப்பட்டது. ஆனால் முதல் மந்திரி அவர்கள் குழுவிலே பார்ச்சு மறுத்துவிட்டார். பரவாயில்லை. மறுநாள் அவர் ஒரு அறிக்கை விட்டிருக் கிறார், ‘திருச்சியில் நாங்கள் ஒரு ஏற்பாடு செய்திருக்கிறோம். அந்த ஜில்லா வில் தமிழ் மொழி மூலமாக நடக்கும் அலுவல்கள். அதாவது சர்க்கார் அலுவலகங்களில் எந்த முறையில் பயன்படுகிறது என்பதைப்பற்றி யோசனை பண்ணப்போகிறோம்’ என்று இருந்தது. அந்த அறிக்கையைப் பார்த்தவுடனே நான் மனம் நொந்தேன். சட்டப் பிரகாரம் தமிழ் மொழி ஆட்சி மொழியாக்கப்படாமல், திருச்சி ஜில்லாவில் எந்த சட்டத்தையொட்டி,

3-50
p.m.

[Sri A. Gajapathy Nayagar] [31st December 1953]

இந்தப் பரிசோதனை? அதற்காக ஏதாவது சட்டதிட்டங்கள் போட்டிருக்கிறார்களா? ஆண்டுதோறும் அதன் வளர்ச்சியைப்பற்றி அறிக்கைவிட்டார்களா? அந்த ஜில்லாவுக்கு எந்த கலெக்டர்களைப் போட்டார்கள்? அவர்கள் தமிழ் தெரிந்த கலெக்டர்கள்தானா? தமிழ் தெரிந்த கலெக்டர்களை ஏன் போடவில்லை? ஒரு ஜில்லாவில் தமிழ் மொழியை ஆட்சிமொழியாகச் சட்டப் பிரகாரம் செய்யாமல், அதனை வளர்க்கவும் செய்யாமல் தமிழ் மொழியைப் பற்றி குறைகூறுவது சரியல்ல. தமிழ் மொழியை முதல் படியில் சட்டப்படி ஆட்சிமொழியாக்கவேண்டும். பிறகு அதற்கு ஒரு திட்டம் போடவேண்டும். அந்தத் திட்டத்தை நன்முறையில் கையாளவேண்டும். அப்படியிருக்க, திருச்சி ஜில்லாவில் யாதொரு முன்னேற்பாடும் உதவியும் செய்யாமல், தமிழ் மொழி உதவாது என்று என்னம் செய்யக்கூடாது.

“இப்பொழுது ஆங்கிலம் படித்தவர்கள் உத்தியோகத்தில் இருப்பதால் எங்கு பார்த்தாலும் குற்றம் குறைகள் இருந்துவருகின்றன. ஆனால், மக்கள் மொழியில், அதாவது தமிழ் மொழியில் ஆட்சி நடத்தப்படுமானால், பெரும்பான்மை செலவும் இருக்காது. மக்கள் நேரடியாக எல்லாம் கற்றுக் கொள்வார்கள். மனுக்களை இன்னொருவர் எழுதிக்கொடுக்கவேண்டிய தொந்தரவும் இருக்காது. கிராமத்தார்களுக்கு ஒரு மதிப்பும் இருக்கும், என்னென்றால், அவர்களுக்கு வேண்டிய குறைகளை அவர்களே, அவர்களுடைய மொழியிலேயே, அரசாங்கத்திற்கு எடுத்துச் சொல்லலாம். மக்களுக்கும் அரசாங்கத்திற்கும் இடையே ஆங்கில மொழி இருப்பதனால், அவர்கள் தங்கள் மொழியில் எடுத்துச் சொல்ல இயலாதவர்களாக இருக்கிறார்கள். இதை அரசாங்கத்தார் கவனிக்க வேண்டும் என்று கேட்டுக்கொள்ளுகின்றேன்.

“அரசாங்கத்தார் சேர்ந்தாற்போல் நிறைய கடன் வாங்கியிருக்கிறார்கள். அந்தக் கடனைப் பார்க்கும்போது, 1940-ம் ஆண்டு முதற்கொண்டு 1951-ம் ஆண்டு வரையில் 3%, 3½%, 4% வட்டிக்கும் கடன் வாங்கியிருக்கிறார்கள். இந்தக் கடன் வாங்கினார்களே, ஏதற்காக என்று கேட்டால், நீர்ப்பாசனம், மின்சாரம் முதலிய தனி வசதிகளைச் செய்வதற்காக என்கிறார்கள். இந்தக் கடன்களுக்கு வட்டி மாதிரியும் 17 லக்ஷம் ரூபாய் ஆகிறதே, அதற்காக என்ன செய்யப் போகிறார்கள் என்று பொது மக்கள் கேட்கிறார்கள். அவர்கள் சொல்வதுபோல் அபிவிருத்தி வரி (betterment tax) போட்டு, இந்தச் செலவை எல்லோருக்கும் பங்கிட்டுக் கொடுக்கவேண்டும். ஜமீந்தார் ஒழிப்பு செய்தார்கள். கோடி கோடி ரூபாய் அவர்களுக்குக் கொடுத்தார்கள், இனம்தார்களுக்கும் பணம் கொடுத்தார்கள். என்ன கடன் வாங்கினாலும் நிலச் சவாந்தார்களுக்குத் தான் கொடுக்கின்றார்கள். ஏழை மக்களுக்காக ஒன்றும் கொடுக்கக் காணோம். ஆகையால், ஏழை மக்களுக்கு தனிச் சலுகையாக 5 ஏக்கர், 10 ஏக்கர் நிலம் கொடுத்து, மேலும் கூட்டுறவு பண்ணைகள் மூலமாக அவர்களுக்கு வேண்டியவையெல்லாம் கிடைக்கச் செய்யவேண்டும்.

“கனம் நில மந்திரி அவர்கள் ஆத்தூரில், 80 ஆயிரம் ஏக்கர் வரையில் நல்ல நிலம் இருக்கிறது, அதில் நிலமில்லாத ஏழை மக்கள் பயிர் செய்ய ஏற்பாடு செய்யப்போகிறோம் என்று சொல்லுகிறார். நாங்கள் அத்திட்டத்தை வரவேற்கிறோம். ஒரு உழவனுக்கு 5 ஏக்கர் நிலமாவது சொந்தம் என்று இருந்தால் தான் அவனுக்கு மதிப்பு இருக்கும். ஆயிரம் ஏக்கர்களுக்கு மேல் பெரிய பணக்காரர்கள் நிலம் வைத்துக்கொண்டிருக்கின்றார்கள். ஆனால், அவர்கள் பயிர் செய்வதில் ஊக்கம் கொண்டிருக்கிறார்களா? பயிர் நன்கு உண்டாக்கத்தக்க செலவும் செய்யவில்லையே. இதனை அரசியலார் கவனிக்கவேண்டும்.

“கடைசியாக, ஜெயில் விஷயத்தை எடுத்துக் கொள்வோம். முன்னே ஆங்கில கவர்ன்மெண்டு இருந்தபோது, ஒரு ஜெயிலிலிருந்து இன்னொரு ஜெயிலுக்கு சாதாரணமாக ஒரு கைதியை மாற்றமாட்டார்கள். முன்னடியாக, கவர்ன்மெண்டு உத்தரவு வாங்கியே மாற்றுவார்கள். அது நியாயம், இப்பொழுது நடப்பது என்னவென்றால், ஜெயிலில் இடம் இல்லையென்று நினைத்தபடியெல்லாம், கலெக்டர்கள் மாற்றிக் கொண்டே

31st December 1953] [Sri A. Gajapathy Nayagar]

இருக்கிறார்கள். இது மிகவும் கொடுமை. கடலூர் சிறையிலிருந்து வேலூர் சிறைக்கு மாற்றினால், அவனுக்கு தக்கபடி உதவி செய்ய வழி இல்லாமல் போகிறது. மிகவும் கஷ்டப்படுகிறான். இந்தக் கஷ்டத்தை உண்டாக்காமலிருக்க அரசியலாரைக் கேட்டுக்கொள்ளுகிறேன்.

“முக்கியமாக, நான் இப்பொழுது பேச முன் வந்தது மொழி சம்பந்தமாகத்தான். அதாவது, நம் தமிழ் நாட்டிலே மக்களாகிய நாம் எல்லோரும் நன்றாக வாழவேண்டுமென்று சொன்னால், தமிழ் மொழி ஆட்சி மொழியாக வரவேண்டும். அப்பொழுது தான் குழந்தைகள் தாய் மொழியாகிய தமிழ் மொழியில் கல்வி கற்பதற்கும், மக்கள் தங்களுடைய குறைகளை அரசாங்கத்திற்கு தமிழ் மொழியில் எடுத்துச் சொல்லி, குறைகளைப் போக்கிக்கொள்ளுவதற்கும், உண்மையாகவே மக்கள் அரசாங்கத்தில் பங்கு எடுத்துக் கொள்வதற்கும் உபயோகமாக இருக்கும். ஆகவே, இதைப்பற்றி கனம் நிதி அமைச்சர் ஸ்ரீ வி. சுப்ரமணியம் அவர்கள் முதல் அமைச்சர் அவர்களுக்குத் தெரிவித்து, நன்றாக கவந்து ஆலோசித்து, கனம் நிதி அமைச்சர் அவர்கள் விவாதத்திற்கு பதிலளிக்கும்போது, தமிழ் மொழியிலேயே பதில் சொல்வார்களேயானால், உண்மையிலேயே நான் பெருமையடைவேன் என்று தெரிவித்துக்கொண்டு, அவைத் தலைவர் இந்தச் சந்தர்ப்பத்தை எனக்கு அளித்த தற்காக அவருக்கு என்னுடைய வணக்கத்தைத் தெரிவித்துக்கொண்டு, என்னுடைய வார்த்தையை முடித்துக் கொள்ளுகின்றேன்.”

* DR. C. NATHAMUNI NAIDU :—“Mr. Chairman, Sir, I am not going to deal with the details of the Budget presented before the House as the Hon. Minister in charge of Finance has himself said that we shall have another opportunity to discuss policies almost immediately when the Budget for the year 1954-55 comes up before the House towards the end of February 1954, and therefore we may not spend much time over the details of the present Budget, but that fact, however, does not prevent us from drawing the attention of the Government specially with regard to food-front, the modified scheme of elementary education, the latest demand for single point levy of sales tax, rural medical relief, and the new Ordinance to provide temporary relief to indebted agriculturists, and in this connection I do not propose to take much of the time of the House.

“Sir, the policy of derationing which has been introduced by the Hon. the Chief Minister has been widely welcomed, acclaimed and copied by all the other States in the Indian Union. And in the wake of the sister State of Andhra removing all controls and preferring trade at State to State level, much apprehension has been caused in the minds of many about speculation and shooting up of prices to the detriment of the interests of the middle class groups and labourers. I appreciate the farsightedness of our Government in doing away with the present zonal system and permitting the free flow of food grains from prosperous districts to deficit districts within Tamilnad, barring the districts of Malabar and South Kanara. (At this stage the Deputy Chairman occupied the Chair.) In North Arcot on the borders of Salem where smuggling and black-marketing prevailed, the lifting of the zonal system has led to a rush of merchants from that end to buy grains in our district (North Arcot). Consequently prices have temporarily risen. I trust this would only be a passing phase and as a result of inter-action of supply and demand, prices will settle down

[Dr. C. Nathamuni Naidu] [31st December 1953]

at the normal level. With regard to the position in South Kanara and Malabar districts as a result of the removal of the food zones, the hon. Member from Malabar district Sri M. P. Govinda Menon said that the price of rice in those districts is going up, but I think it will not be so"

SRI M. P. GOVINDA MENON :—" Under the new orders, Malabar as a separate zone is retained."

* DR. C. NATHAMUNI NAIDU :—" If Malabar is thrown open with regard to movement of food grains, the Government apprehended that there would be smuggling of foodgrains into the neighbouring State of Travancore-Cochin and it was therefore only after due consideration that the Government have decided that Malabar should be constituted as a separate zone. This arrangement will benefit the people of Malabar itself."

DR. V. K. JOHN :—" May I ask the hon. Member whether the neighbouring State of Travancore-Cochin into which foodgrains are smuggled is inside the Indian Union or outside the Indian Union? "

4 p.m. * DR. C. NATHAMUNI NAIDU :—" It is inside the Indian Union. But the difficulty is we have to safeguard the interests of the deficit districts in our own State, and therefore we cannot afford to allow foodgrains to be smuggled. I am sure, as a result of interaction of supply and demand prices are bound to fall and settle down at the normal level. I consider the levy of betterment charges for providing increased facilities for irrigation as reasonable and sound. At the same time looking at it from the point of view of the payer, in deficit areas, not to mention the droughtstricken districts, it would be most unwelcome. It may even be considered as a hardship. On that account such deficit and droughtstricken districts should not be neglected. We cannot deny them irrigational facilities. In this connection I would like to urge upon the Government to re-open the question of the Palar Irrigation scheme with the Mysore Government. I know our district had been dry for the past six years. Recently after the visit of Rajaji, we have had the unusual spectacle of rains for nearly one month. Of course the hon. Member Mr. Govinda Menon mentioned that after the visit of Rajaji to his place, not a drop of rain fell in his district. I can only say that it is his misfortune. I congratulate the Hon. Chief Minister. His visit has created an exception in the history of North Arcot. After his visit, the Palar river which had been dry for the past six years flowed with full water at a height of 4½ feet. After all our pangs and sorrows for the last six years, that rain was quite welcome. If such periodical rains occur, I am sure my district in course of time would cease to be a dry district. But that cannot be definitely foreseen. It is absolutely essential that to increase the fertility of North Arcot, the Palar irrigation scheme should be completed in co-operation with the Mysore Government. If water is let from the Bethamangalam reservoir in the Kolar Gold Fields instead of harnessing the entire waters, the citizens of North

31st December 1953] [Dr C. Nathamuni Naidu]

Arcot will be prosperous and the stigma of North Arcot being dubbed 'deficit district' may well be wiped out. Recently an incident occurred. For fear that the tank may get breached, the Mysore people let out water from the Bethamangalam tank recently. Water flowed through Palar and all our tanks were full for more than a month. I would request the Madras Government to move the Centre, get into agreement with the sister Mysore Government and implement the Palar irrigation scheme. After all both the States of Madras and Mysore are governed only by one Constitution and I do not think it would be very difficult to reach an agreement with Mysore in this regard. Looking at the Five-Year Plan, I find that barring the Sathanur project, which is going to help only a corner of North Arcot, there is no big project under contemplation for North Arcot. Government should proceed in right earnest with the execution of the Palar irrigation scheme. That is the only way by which they can bring succour to North Arcot. In addition the following works may also be taken up. The construction of a dam in Kuppam in the Palar basin may be taken up immediately. Construction of a dam across the Goddar near Pernambut in North Arcot would not only provide water-supply to the Pernambut Panchayat but prove to be a great blessing for cultivation purposes too. I hope Government would immediately attend to the repairs of Vinnamangalam and Periankuppam tanks in Vellore taluk, North Arcot district. These tanks are very badly in need of repairs. The Hon. Revenue Minister has promised to attend to the repairs. I hope the repairs would be attended to at an early date.

" Sir, the Agriculturists' Indebtedness Relief Ordinance has been hailed as a boon from many a quarter. But it is not without opposition from some quarters. Yet what measure has not been opposed for political stunts and selfish ends so far? The Ordinance is no exception. There are some critics who say that credit facilities would freeze for the cultivators as a result of this Ordinance. I say that such a conclusion is only misreading the problem. As I view it, the Ordinance does not prevent in any way the normal channels of transactions. It does not prevent the good agriculturist who is a good payer of debts too, to raise a debt whenever he wants it because he is sure to repay it in regular instalments. It is only to help the agriculturists who have gone through the ordeal of continued droughts, this Ordinance is intended. If the agrarian situation becomes worse during the following year due to the harassment of the money-lender the poor cultivator has to resort to the underselling of his hard-earned produce. To those poor cultivators this Ordinance is a boon. I would like to mention one more particular point in this connection. I heartily congratulate the Government for staying the execution of Court decrees and impending money suits. It is but fair that they also suspend the collection of agricultural loans such as loans advanced for buying seeds, bulls, manure, agricultural implements, etc. In this connection I would like to say a word about the co-operative societies. They also

[Dr. C. Nathamuni Naidu] [31st December 1953]

should not insist on the repayment of loans during the period the stay of execution of decrees order of Government is in force. More often than not the poor cultivators are put to all sorts of trouble by these co-operative societies for repayment of their dues. I hope Government would carefully consider my request and help the poor cultivators.

"I shall now come to another matter. The Government advance Rs. 2,500 for the erection of a Filter Point. But they insist that the entire amount must be utilised for the purchase of the engine."

DEPUTY CHAIRMAN :—"The hon. Member's time is up."

* DR. C. NATHAMUNI NAIDU :—"I want some ten more minutes, Sir. I have got several points to cover."

DEPUTY CHAIRMAN :—"The hon. Member has already taken 15 minutes. I shall allow only two or three minutes more."

* DR. C. NATHAMUNI NAIDU :—"Besides insisting that the entire amount must be utilised for the purchase of the engine, Government further stipulate the condition that the poor agriculturist has to raise the fund required for installing the necessary pump and other agricultural implements. This puts the agriculturist to unnecessary hardship. The cultivators may be saved from incurring more debts, if the Government were kind enough to permit the landowners to instal a five horse power engine at a cost of Rs. 1,200 and allow the balance for the purchase of other requirements. Such a concession would go a long way in effecting an amicable settlement between the landlord and the cultivator and also incidentally help the poor cultivator."

"Coming to the new elementary education scheme . . ."

DEPUTY CHAIRMAN :—"The hon. Member's time is up."

* DR. C. NATHAMUNI NAIDU :—"I shall try to finish, Sir. The new elementary education scheme has had mixed reception in this House as well as outside. Much has been said for and against the scheme. Sir, it should not be forgotten that even in great countries such bold reforms have been introduced and our reform is one such. Countries have been made by bold reformers and our Rajaji is one such reformer. It should be remembered in this connection that the Hon. the Chief Minister had told us last time that he would be perfectly prepared to retrace his steps is only it was pointed out that this scheme would not be a beneficial one for the people. But what is it that we find to-day? Unnecessary prejudices have been brought into play thus blinding reason. It is a sad spectacle to find that even amongst the members of the party in power, there are critics of the scheme. I am sorry that they are doing so without realizing the good that the scheme would do for the State as a whole. But one point should be noted in this regard. While I am in agreement with the salient features

31st December 1953] [Dr. C. Nathamuni Naidu]

of the scheme, I want to lay particular stress on one important point, viz., the increased remuneration for the teachers, on whose shoulders the success or the failure of the scheme depends. I am in entire agreement with the sentiments so eloquently expressed by my hon. Friend Mr. G. Krishnamoorthy, who pleaded for the enhancement of salaries of teachers. I am sorry that some people have been looking at this scheme in a sarcastic manner. It is rather a sad spectacle to find newspapers publishing false reports about reactions of some hon. Members regarding this scheme. Recently myself and a colleague of mine in the Congress Party addressed a meeting near our place. While I spoke supporting the scheme my friend criticized it, though he belonged to the same party. In one of the newspapers it was published as though I condemned the scheme. Such a state of affairs should be put an end to. I once again plead that the teachers should be paid more salaries. In fact the Parulekar Committee had suggested an increase in the salaries of the teachers. Unless the teachers have the will and enthusiasm the results may not be up to the expected standard. If we increase their salaries it would give the teachers an incentive and they would do their work with more enthusiasm. In this connexion, I would also dispute the statement made by some partymen that the attendance in schools have gone down as a result of the scheme and that the attendance is on the increase only on Vijayadasami day. What are all these? I know that the attendance is remaining the same and is maintaining the same level as it was before. Such sort of spreading deliberate lies by some newspapers should be put an end to.

"One word more, Sir. Coming to the levy of sales tax, Government say that single levy may be allowed on some articles but the existing multi-point levy might continue on other articles, so as to prevent evasion. I would plead for more vigilance and stricter supervision by Government against evasion of tax and at the same time Government would do well, no matter whether they impose a slight increase in the levy, to collect the sales tax at a single point on all articles rather than collecting the same at multi-points. I hope Government would accept my advice and levy the sales tax at a single point. So, I commend this budget to this House."

SEI S. O. S. P. ODAYAPPA :—"கனம் உப தலைவர் அவர்களே, இந்த ஆறு மாத பட்ஜெட்டை மிகவும் திறம்படத் தயாரித்திருக்கிறார்கள். முழுவருஷ பட்ஜெட் தயாரிப்பதைவிட ஆறு மாத பட்ஜெட் தயாரிப்பது தான் கொஞ்சம் சிரமம். அதிலும் 10, 12 ஜில்லாக்கள் பிரிந்த பிரகு இருக்கும் ஜில்லாக்களை ஒன்றாகச் சேர்த்து தயாரிப்பது மிகவும் கஷ்டம். அது பாராட்டத் தக்கது. அதிலும் இப்பொழுது உபரி பட்ஜெட்டை காண்பித்திருக்கிறார்கள். பொதுவாக கம்பெனிகளோ அல்லது சொந்த வியாபாரிகளோ பட்ஜெட் தயாரித்தால் அது லாபகரமாகத் தான் இருக்கும். ஆனால் சர்க்கார் தயாரிக்கும் பட்ஜெட்களில் பெரும்பாலும் surplus வருவது இல்லை. அப்படி வருவதும் வழக்கம் இல்லை என்று நினைக்கிறேன். வருவாயைக்கொண்டு அதிகம் செலவு செய்வதுதான் சர்க்கார் செய்யவேண்டியது. அதனால் உபரி பட்ஜெட் காண்பித்ததில் அவ்விதம் பாராட்ட முடியாது."

"இந்த பட்ஜெட்டில் பல முக்கியமான விஷயங்களைப்பற்றி பேசவேண்டும் என்று எண்ணிக்கொண்டிருந்தேன். ஆனால் நேரம்

4-10
p.m.

[Sri S. O. S. P. Odayappa] [31st December 1953]

நெருக்கிக்கொண்டு இருக்கிறது. பத்து நிமிஷ நேரத்தில் பலவற்றைப்பற்றி பேச முடியாவிட்டாலும் குறிப்பாக சிலவற்றைப்பற்றி மட்டும் பேசலாம் என்று இருக்கிறேன். இப்பொழுது குறிப்பாக அணைக்கட்டு திட்டங்கள், மின்சார விஸ்தரிப்பு முதலிய திட்டங்கள் இதில் காணப்படுகின்றன. அதிலும் மிக மிக மகிழ்ச்சி கொடுக்கக்கூடியது இந்த வைகை அணைக்கட்டு திட்டம் இருப்பது. அந்த அணைக்கட்டைக் கொண்டு வந்ததற்கு மதுரை, ராமநாதபுரம் ஜில்லாக்களிலுள்ள மக்கள் ஒரு பக்கம் சந்தோஷப்பட்டுக்கொண்டும் மற்றொரு பக்கம் பயப்பட்டுக்கொண்டும் இருக்கிறார்கள். இதைப்பற்றி பத்திரிகைகளில் படித்து இருக்கலாம். ராமநாதபுரம் ஜில்லாவிலுள்ள பெரும்பான்மையான தாலூகா மக்கள் இந்த வைகை அணைக்கட்டு திட்டம் அவசியம்தான் அதனால் அவர்களுக்கு பாதகம் ஏற்படுமோ என்று பயந்து கொண்டு இருக்கிறார்கள். அதில் கொஞ்சம் நியாயம் இருக்கிறது. ஏற்கனவே வைகையில் பேரணைக்கட்டு போட்டதால் பெரியாற்று காலில் தண்ணீர் கொஞ்சம் போய்விட்டது. ராமநாதபுரம் ஜில்லா பரமக்குடி, சிவகங்கை பகுதிகளுக்குப் போன நீர் இப்பொழுது குறைந்துவிட்டது. இதற்கு முன் வைகையானது ஒரு ஜீவநதியாக இருந்தது. இப்பொழுது அதை தண்ணீர் இல்லாத நதி என்று கேலியாகச் சொல்லிக்கொண்டு வருகிறார்கள். இந்த நிலைக்கு பேரணைக்கட்டு தான் காரணம். இப்பொழுது இந்த அணைக்கட்டு வருவதால் அவர்களுக்கு பாதகம் விளைவிக்குமோ என்று பயப்படுவதில் நியாயம் இருக்கிறது. ஆனால் சில பொறுப்புள்ள மந்திரிகள் அவ்விதம் இல்லை என்று வாக்குறுதி கொடுத்திருக்கிறார்கள். ஏற்கனவே மராமத்து மந்திரியாக இருந்த கனம் ஸ்ரீ பக்தவத்சலம் அவர்கள் ஒரு முறை இதைப்பற்றி விஸ்தாரமாகப் பேசி சில மகாநாடுகளில் வாக்குறுதி அளித்திருக்கிறார். அதாவது ஒரு சொட்டு தண்ணீர்கூட வைகைக்கு வருவதை நாங்கள் தடுக்கவில்லை என்று. அந்தத் தண்ணீர் தாராளமாக போன பிறகு மேற்கொண்டு இருக்கிற பகுதிக்கு அதாவது புஞ்சை நிலங்களை நஞ்சையாக ஆக்குவதற்கு அதைக் கொண்டு போகிறோம் என்று வாக்குறுதி கொடுத்திருக்கிறார்கள். இப்பொழுது மராமத்து இலாகா மந்திரியாக இருக்கும் ராமநாதபுரம் ராஜா அவர்களும் இவ்விதம் சொல்லியுள்ளார். அநேகம் இடங்களிலும் சொல்லி இருக்கிறார். சட்டசபையிலும் சொல்லி இருப்பதாகத் தெரிகிறது. இந்த மாதிரி மாமூலாக வந்த தண்ணீரை தடுக்கவில்லை என்று உறுதி கூறுகிறார்கள். பொதுவாக மீதமுள்ள தண்ணீர் அப்பால் போவதைக் கொடுப்பதாகத் தான் சொன்னார்கள். அது சந்தோஷமான காரியம். ராமநாதபுரம் ஜில்லாவிலிருந்தும் மதுரையிலிருந்தும் மந்திரிகள் வந்திருக்கிறார்கள். அவர்களுக்கு தெளிவாகத் தெரியும். கனம் ஸ்ரீ ராமநாதபுரம் ராஜா மராமத்து இலாகா மந்திரியாக இருக்கிறார், மற்றொருவர் திருமங்கலத்திலிருந்து வந்திருக்கிறார். அவர் கனம் ஸ்ரீ ராஜாராம் நாயுடு. இருவரும் போட்டியிடவோ, சண்டை போட்டுக்கொள்ளவோ வேண்டுமென்று சொல்லவில்லை. எது நியாயமோ அதைச் செய்யவேண்டும். அவர்கள் செய்வார்கள் என்ற பூர்ண நம்பிக்கையுடன் இருக்கிறேன். திருமங்கலம் தாலூகாவில் உள்ள புஞ்சை நிலங்களை யெல்லாம் நஞ்சையாக்குவதற்கு முயற்சி செய்கிறார்கள். புஞ்சை நிலங்களை யெல்லாம் நஞ்சையாக்குவதில் எனக்குச் சந்தோஷம் உண்டு. ஆனால் ஏற்கனவே மாமூலாக தரிசாகக் கிடந்த இராமநாதபுரம் ஜில்லா நஞ்சை நிலங்கள் தண்ணீரின் புஞ்சையாகி இருக்கவேண்டுமா என்பதுதான் தெரியவில்லை. இது நியாயமாக இருக்கிறதா? ஏற்கனவே புஞ்சையாக இருக்கும் நிலங்களை, புதிதாக நஞ்சையாக்குவது என்பது நியாயமா? இது எப்படி இருக்கிறது என்றால் பிள்ளைவரம் கேட்கப்போக எப்படியோ முடிந்தது மாதிரி இருக்கிறது. அணைக்கட்டு வரவேண்டியது தான். ஆனால் மாமூலாக இருக்கும் நஞ்சை நிலங்களுக்கு பாதகமாக வரக் கூடாது. சாப்பாடு இல்லாதவனுக்கு சாப்பாடு போடவேண்டியதுதான். ஆனால் சாப்பிட்டுக்கொண்டிருக்கிறவனுக்கு சாப்பாடு இல்லை என்று சொல்வது சரியல்ல. ஆகவே, ராமநாதபுரம் ஜில்லா மக்களுக்கு கொடுப்பதோடு மதுரை ஜில்லா மக்களுக்கு இல்லாமல் செய்யக்கூடாது என்ற வேண்டுகோளை விடுகிறேன். புதிதாக புஞ்சை நிலங்களை நஞ்சையாக மாற்றுவதற்கு முயற்சி செய்கொண்டு இருக்கும்போது ராமநாதபுரம் ஜில்லா வட

31st December 1953] [Sri S. O. S. P. Odayappa]

பகுதியில் திருமங்கலம், சிவகங்கை, திருப்பத்தூர் முதலிய இடங்களுக்கு கொஞ்சம் தண்ணீரை தாராளமாக விட உதவியெய்யவேண்டும். அதுதான் என்னுடைய வேண்டுகோள்.

“இப்பொழுது அநேகம் கண்மாய்கள் சுத்தம் செய்யப்படாமல் இருக்கின்றன. இப்பொழுது ஏராளமாக மழை பெய்து எல்லா கண்மாய்களும் நிறைந்து இருக்கின்றன என்று சொன்னார்கள். ஆனால் எல்லா இடங்களிலும் ஏராளமாக மழை பெய்யவில்லை. எங்கள் ஜில்லா ஸ்ரீவில்லிபுத்தூரில் மழை பெய்யவில்லை. கண்மாய்களில் தண்ணீர் இல்லை. மழை பெய்தாலும் கண்மாயில் தண்ணீர் தேங்குவதற்கு வசதி இல்லை. எல்லா கண்மாய்களும் மரமத்து செய்யவேண்டியதாக இருக்கின்றன. அது மிக மிக முக்கியம்.

“மேலும், விவசாய இலாகாவைப் பற்றி நமது கனம் அங்கத்தினர் பழையகோட்டை பட்டயக்காரர் கூறினர். அந்த டிபார்ட்மெண்ட் ஆபீசர்கள் எதற்காக இருக்கிறார்களோ தெரியவில்லை. மழை பெய்ததேயொழிய நோயினாலும் பூச்சிகளாலும் பயிர்கள் கெட்டுப்போய்விட்டன. இதைப்பற்றி விவசாய ஆபீசர்களிடம் சொன்னால் அவர்கள் என்ன சொல்லுகிறார்கள் என்றால் “நீங்களே எதாவது செய்து கொள்ளுங்கள்” என்று சொல்லுகிறார். அவர்கள் வந்து பயிர்களை உவனிப்பது இல்லை. ஒன்று அந்த விவசாய டிபார்ட்மெண்ட் அதிகாரிகள் விவசாயிகளுக்கு அபிவிருத்தி செய்ய உதவி செய்யவேண்டும், இல்லாவிட்டால் இந்த டிபார்ட்மெண்டை ஒழித்துவிட வேண்டும். அதனால் பணமாவது மிச்சப்படும். அவர்களை எடுத்துவிட்டு திறம்பட பயிர் செய்பவர்களை வைத்துக்கொண்டு விவசாயம் செய்யலாம். பட்டயக்காரர்களைப்போல பலர் இருக்கிறார்கள். அதாவது 11 ஆயிரம் பவுண்டு, 12 ஆயிரம் பவுண்டு உற்பத்தி செய்கிறேன் என்று சொல்லிச் சாதிப்பவர்களை வைத்துக்கொண்டு அவர்கள் மூலமாக பிரசாரம் செய்து விவசாயத்தை அபிவிருத்தி செய்யலாம். அதனால் அநேக சௌகரியங்கள் ஏற்படும். உணவு உற்பத்தி பெருக்கவேண்டும் என்று சொல்லுகிறார்கள். உணவு உற்பத்தியும் ஓரளவு பெருகி இருக்கிறது. விவசாயம் செய்வதற்கு முயற்சி செய்யும்போது மற்ற விலைவாசிகள் உயர்ந்து இருக்கிறது. உரத்தின் விலை உயர்ந்து இருக்கிறது. மற்ற விவசாயக் கருவிகளின் விலை உயர்ந்து இருக்கிறது. புண்ணாக்கு விலை உயர்ந்து இருக்கிறது. அமோனியம் சல்பேட் விலையும் உயர்ந்து இருக்கிறது. நெல்விலை 10, 12 என்று இருக்கிறது. இந்த நிலையில் அபிவிருத்தி எப்படிச் செய்ய முடியும்? அதற்கு கவர்ன்மென்ட் ஏதாவது subsidy கொடுத்து encourage செய்ய வேண்டும். நோய் பரவாமல் தடுக்க வேண்டும். அப்படிச் செய்யவில்லை யென்றால் பிரயோசனம் இல்லை. எனக்குக் கொடுத்த நேரத்திற்குள் முடித்துக் கொள்ளுகிறேன்.

“இப்பொழுது கல்வியைப்பற்றி பெருவாரியாக பேசினார்கள். இந்தக் கல்வியினால் பிரயோசனமா இல்லையா என்பதைப்பற்றி நான் சொல்வதற்கு ஒன்றும் இல்லை. நான் ஒரு நிபுணர் அல்ல. ஆனால் நிபுணர்கள் கமிட்டியின் அறிக்கை வந்தது. கமிட்டி அங்கத்தினர்கள் எந்தெந்த கிராமங்களைப் போய் பார்த்தார்களோ தெரியவில்லை. அநேகமாக பார்த்திருக்க மாட்டார்கள். உட்கார்ந்துகொண்டே தான் ரிபோர்ட் எழுதியிருப்பார்கள். பல இடங்களுக்குப் போய் பார்த்தால் நன்றாகத் தெரிந்து இருக்கும். எங்கள் கிராமத்தில் விவசாயிகள் இருக்கும் இடங்களில் போய் பார்த்தால் பள்ளிக் கூடங்களில் சுமார் 210 பிள்ளைகள் வந்த பள்ளிக்கூடங்களில் இப்பொழுது சுமார் 170, 150 பிள்ளைகளுக்குமேல் வருவது கிடையாது. அவ்வளவு கூட சில இடங்களில் வருவதில்லை. ஜனங்கள் புரட்சி செய்கிறார்கள் என்று சொல்லக் கூடாது. ஜனங்கள் ஒத்துக்கொள்ளவில்லை யென்றால் அவர்களை அனுசரித்துத் தான் போகவேண்டும். கசப்பு மருந்து கொடுக்கவேண்டுமென்றால் முதலில் கொஞ்சம் வெல்லத்தைக் கலந்து கொடுத்துவிட்டு பிறகு வெல்லம் இல்லாமல் கசப்பு மருந்தைக் கொடுப்பதற்கு முயற்சி செய்ய வேண்டும். பிறகு அவர்கள் தானாகவே வெல்லமில்லாமல் கசப்பு மருந்தைச் சாப்பிட முன் வருவார்கள். அதைப்போலவே தான் இதையும் செய்ய

[Sri S. O. S. P. Odayappa] [31st December 1953]

வேண்டும். இப்பொழுது அங்கீகாரம் இல்லாத பல போட்டிப் பள்ளிக்கூடங்கள் கிளம்பி இருக்கின்றன. எனது ஊராகிய பாகனேரியில் பல போட்டிப் பள்ளிக் கூடங்கள் கிளம்பி இருக்கின்றன. எட்டுப் பள்ளிக்கூடங்களினால் பலன் இல்லாமற் போனாலும் அவைகள் அநேகம் இப்பொழுது ஏற்பட்டிருக்கின்றன. பாட திட்டத்தை பாதியாகக் குறைத்ததால்தான் இதற்கு போட்டி ஏற்பட்டது. இதை அனுபவத்தில் பார்த்துச்செய்யவேண்டும் என்று கேட்டுக் கொண்டு இத்துடன் முடித்துக்கொள்ளுகிறேன்.”

4-20 p.m. Sri N. ANNAMALAI PILLAI :—“கனம் டிபுடி சேர்மன் அவர்களே, வெகு நாளைக்குப் பிறகு டெபுடி சேர்மன் அவர்களை இந்த ஸ்தானத்தில் காண்பது எனக்கு ரொம்ப சந்தோஷத்தைக் கொடுக்கிறது. அவர் நடந்த எலெக்ஷனில் நிற்க வேண்டிய நிர்வாகம் ஏற்பட்டு விட்டதால் மறுபடியும் அந்தப் பதவிக்கு வருவாரோ வரமாட்டாரோ என்று கவலை யுற்றவர்களில் நானும் ஒருவன். அந்தக் கவலை இன்றோடு மறைந்து விட்டது. இரண்டு நாளைக்கு முன் எலெக்ஷன் நடந்திருந்தாலும், இன்று தான் அவரை ஆசனத்தில் அழகாகக் காண்கிறேன்.

“வரவு சிலவுத் திட்டத்தை தலைவர்கள் நன்றாக ஆலோசனை செய்து கொண்டு வந்து வைத்திருக்கிறார்கள். அதை ஆதரிக்கின்றேன். தலைவர் ராஜாஜி அவர்கள் இந்த மாகாணம் அபாயத்தில் சிக்கிக்கொண்டது என்று இந்த மாகாணம் மாத்திரமல்ல, பல மாகாணங்களும் யோசனை செய்து என்ன ஆகுமோ என்று பயந்திருந்த நேரத்தில், தலைவர் ஸ்ரீ காமராஜ் அவர்களுடைய முயற்சியினால், முதல் மந்திரி பதவியை ஏற்றுக்கொண்டு இன்று வரை வேலைசெய்துகொண்டு வருகின்றார். அவருடைய ஆட்சியில் நாம் எவ்வளவு நன்மையை அடைந்திருக்கிறோம் என்பது எதிர்ப்பு அங்கத்தினர்கள் கூட ஜாடையாய் ஒப்புக் கொள்கின்றார்கள். அவர்கள் உண்மையைப் பேசாமல் இரக்கமுடியவில்லை. ஏன் இதைச் சொல்கிறேன் என்றால், கனம் ஸ்ரீ ஆதித்தனே போலுள்ளவர்கள் ரொம்ப வன்மையாக ராஜாஜியை எதிர்த்து மேல் ரெயில் பேசுகிறார்கள். அப்பேற்பட்டவர்கள் கூட, அவரை நல்ல அறிவாளிதான், புத்திராலிதான், கெட்டிக்காரர்தான் என்று புகழ்ந்து என்னிடத்தில் பேசுகிறபோது சொல்லுகிறார்கள். ஆனால் இங்கு பேசுகிறபோது வேறு விதமாகப் பேசுகிறார்கள். (At this stage Hon. Chairman resumed the chair) மொத்தத்தில் கனம் ராஜாஜி அவர்களுடைய ஆட்சி நமக்கு நன்மையையும் தர்மத்தையும் உண்டு பண்ணியிருப்பதில் சந்தேகம் யாருக்கும் இருக்காது. கனம் டாக்டர் ஜான் அவர்களும் இதை ஒப்புக்கொள்வார்கள் என்று நினைக்கிறேன்.

“அடுத்தபடியாக, ராஜாஜி அவர்கள் நிர்வாகத்தை ஏற்றுக்கொண்ட பிறகு, மழை பெய்தது என்று சொன்னார்கள். மழை பெய்தது உண்மை தான். யார் இல்லையென்று சொல்ல முடியும்? மற்றவர்கள் இருந்தபோது மழை பெய்ததா இல்லையா என்பது வேறு விஷயம். மழையில்லாமல் கஷ்டப்பட்டுக்கொண்டிருந்த சந்தர்ப்பத்தில், ராஜாஜி பதவிக்கு வந்தார். பிறகு மழை பெய்தது என்பது வாஸ்தவம். அதனாலேயே அவரை எங்கு மழையில்லையோ அங்கு அனுப்பினால் அங்கெல்லாம் மழை பெய்யுமே என்ற முறையில் சிலர் பேசினார்கள். அவர் செல்லும் இடங்களிலெல்லாம் வேண்டுமானால் மழை பெய்யத்தான் செய்யும். அது வேறு விஷயம். அவர் இந்த ராஜ்யத்தில் பதவி ஏற்றுக்கொண்டபின் மழை பெய்தது என்பது கண்கூடு. ‘காக்கை உட்காருவதற்கும் பனம் பழம் விழுவதற்கும் சரியாக இருந்தது’ என்று வேண்டுமானாலும் சொல்லிக்கொள்ளுங்கள். அதைப் பற்றி நான் கவலைப்படவில்லை. கேள்வி அது அல்ல. அவர் வந்தவுடன் மழைபெய்ததா இல்லையா என்பதுதான் கேள்வி. அவர் வந்தார். மழை பெய்தது. இதை யாரும் மறக்க முடியாதே! ‘நல்லார் ஒருவர் உளரேன் அவர் பொருட்டெல்லார்க்கும் பெய்யு மழை’ என்று பெரியவர்கள் சொன்னது வீண் போக முடியாது.

“நமது நிர்வாகத்தில் மதுவிலக்குத் திட்டம் பயன்பற்றப்போய்விட்டது என்று பல பேர்கள் இங்கே பேசினார்கள். எனக்கு மிக வருத்தமாக இருக்கிறது.

31st December 1953] [Sri N. Annamalai Pillai]

கிறது. மதுவிலக்குத் திட்டம் கொண்டுவரவேண்டுமென்று எல்லாக் கட்சி அங்கத்தினர்களும்—இந்துக்கள், முகமதியர்கள், கிறிஸ்தவர்கள், பாரசீக்கர்கள் இன்னும் எல்லாக் கட்சிகளும் இந்த மதுவானது நாட்டில் இருக்கக்கூடாது, அது உதவாது, அதை எடுத்துவிடவேண்டும். அதைக் என்றும் குடித்தவர்கள் மூர்க்கர்களாகவும், தூர்த்தர்களாகவும், தூரக்கிருதர்களாகவும் ஆகி விடுகிறார்கள் என்றெல்லாம் பேசினோம். வேதங்கள் சொல்லுகின்றன, சாஸ்திரங்கள் சாற்றுகின்றன, கீதை சொல்லுகிறது, பைபிள் சொல்லுகிறது, குரான் சொல்லுகிறது என்றெல்லாம் சொல்லி, கடைசியில் சட்டபூர்வமாக மதுவை எடுத்துவிட்டோம். இப்பொழுது அது தோற்றுப் போய்விட்டது, கள்ளுக்கடைகள் திறந்துவிட்டால் அதனால் சர்க்காருக்கு அதிக வருமானம் வருமே என்றெல்லாம் சொல்லுகிறார்கள். கள்ளுக்கடை எடுப்பதுடன், மதுவிலக்குத் திட்டம் அமுலுக்கு வந்தால், அரசாங்கத்தின் வருமானம் குறைந்துவிடுமே என்பதற்காகத்தான் கனம் ராஜாஜி அவர்கள் 1936-ம் வருடத்தில், விற்பனை வரி போடுகிறேன் என்று ஜனங்களிடத்தில் வாக்கு கொடுத்திருக்கிறார். அதை யாரும் மறந்துவிடமுடியாது. மதுவிலக்குச் சட்டத்தை ரத்துசெய்தால், விற்பனை வரியையும் ரத்து செய்யவேண்டும். மது விலக்குத் திட்டத்தை எடுத்துவிட்டு, விற்பனை வரி மட்டும் இருந்தால் சர்க்கார் மீது நம்பிக்கை இருக்க முடியாது. ஆகவே, சர்க்கார் கொடுத்த வாக்குறுதியை நிறைவேற்றவேண்டும். கள்ளுக்கடை மூடுவதால் வரும் நஷ்டத்தை ஈடு செய்வதற்காகத்தானே விற்பனை வரி போடப்பட்டது. அந்த விற்பனை வரி இருந்தால், கள்ளுக்கடையைத் திறக்கவே முடியாது. விற்பனை வரியை ரத்து செய்து கள்ளுக்கடைகளைத் திறந்துவிட்டால் என்று வாதித்தால், அது ரொம்பவும் பாபம். மக்களைப் புனிதர்களாக ஆக்கவேண்டுமென்ற எண்ணத்தில் மதுவிலக்குத் திட்டம் வந்தது. அது எடுக்கப்பட்டுவிட்டால், மக்கள் குடித்து, படுபாதாளத்தில் போய்விடுவார்கள் என்பதை ஞாபகப் படுத்திக்கொள்ளவேண்டும். கள்ளுக்கடை மீண்டும் திறக்கப்படுவேண்டுமென்று சொல்பவர்கள் பாவிகளென மக்கள் கருதுவார்கள். மக்களைப் புனிதர்களாகச் செய்வதற்காகத்தான் இந்த அரசாங்கத்தை ஏற்றுக் கொண்டிருக்கிறீர்கள். அநேக ஆண்டுகளாக அன்னிய ஆட்சியின் கீழ் அகப்பட்டுக்கொண்டு மக்கள் மதுவிலை மூழ்கியிருந்தார்கள். மக்கள் மீள முடியாத கஷ்டத்தில் ஆழ்ந்திருந்தார்கள். சுயராஜ்யம் கிடைத்தவுடன் பல விதங்களில் நம்முடைய மக்கள் முன்னேறுவதற்கான காரியங்கள் நடந்து வருகின்றன. சுயராஜ்யம் கிடைத்து 6 ஆண்டுகள் கடந்துவிட்டன. ஆனால், முதல் இரண்டு வருஷங்கள் ஆரம்ப வேலைக்காகச் செலவழிந்துவிட்டன. பாக்கி 4 வருஷங்களுக்குள்ளே எல்லாவற்றையும் நிறைவேற்றிவிட முடியாது.

“நான்கு வருஷங்களில் மக்கள் எதிர்பார்த்த காரியங்களையெல்லாம் செய்துவிட யாராலும் முடியாது என்பதை எதிர்க் கட்சியிலுள்ளவர்கள் யோசிக்கவேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன். ராஜாஜி பதவிக்கு வந்து இரண்டு வருஷ காலம் ஆகப்போகிறது. நான் பஞ்சத்தில் ஆழ்ந்திருக்கிறது, மக்கள் திண்டாடுகிறார்கள், சாப்பாட்டுக்கு உணவு இல்லை, அவர்கள் ரோட்டிலே கிடக்கிறார்கள், கால்வாயில் கிடக்கிறார்கள் என்றெல்லாம் சொல்லுகிறார்களே. இவைகளெல்லாம் ராஜாஜி ஆட்சியினால் ஏற்பட்ட காரியங்களா? இவைகளையெல்லாம் ராஜாஜி அவர்கள் தலைமீது சுமத்துவது, ரொம்ப நியாயமற்ற காரியமாகும். இந்தக் கொடுமை, இந்தக் கஷ்டம், இன்றல்ல, யுத்தம் வந்த முதலே இந்தக் கஷ்டத்தை ஜனங்கள் அனுபவிக்க வேண்டும். சென்ற 6 வருஷங்களாக மக்கள் பசியினால் வாடி ஆரம்பித்தார்கள். சென்ற 6 வருஷங்களுக்கும் முன்பு அவதிப்பட்ட அரசாங்கத் திட்டம் இன்றைக்கு அமைதி ஏற்பட்டிருக்கிறது. ஜனங்கள் மீண்டும் நலத்தில் இன்றைக்கு அமைதி ஏற்பட்டிருக்கிறது. சர்க்காரில் காண்படுகின்றன. வாழ்வு வாழ்வதற்கான அறிகுறிகள் ராஜாஜி சர்க்காரில் காணப்படுகின்றன. ஒரு நல்ல யா”வு ஏற்படும் என்று எண்ணுவதற்குக் காரணம் ராஜாஜி

[Sri N. Annamalai Pillai] [31st December 1953]

அவர்கள் இன்றைக்கு பதவியை ஏற்றுக்கொண்டிருப்பதுதான். அந்தப் பெருமை ராஜாஜி அவர்களுக்குத்தான் இருக்கிறது என்று நான் மாதிரி மல்ல, நாடு சொல்லும் விஷயம். நாட்டிலுள்ள மக்கள் ராஜாஜியினுடைய ஆட்சி எவ்வளவு நல்லது என்று சொல்லுகிறார்கள் என்பதை மறந்துவிடக் கூடாது.

“அடுத்தாற்போல் ஜெனரல் எலெக்ஷன், தாலுகா போர்டு எலெக்ஷன், ஜில்லா போர்டு எலெக்ஷன் வருகின்றன. இன்றைக்கு நாம் செய்கிற நல்ல காரியத்தைப் பொறுத்துத்தான் எதிர்காலம் இருக்கும். தவறான பாதையில் ஜனங்களைத் திருப்ப வேண்டாமென்று தலைவர்களைக் கேட்டுக்கொள்ளுகின்றேன். பஞ்சத்தினால் கஷ்டப்பட்டுக்கொண்டிருக்கும் மக்களைக் காப்பாற்ற வேண்டுமென்று இங்கு எல்லா கட்சித் தலைவர்களையும் கேட்டுக்கொள்ளுகின்றேன். கட்சி விவாதத்திற்கோ, மற்ற தொல்லைகளுக்கோ ஜனங்களைக் கொண்டு போகவேண்டாமென்று கேட்டுக்கொள்ளுகின்றேன். கனம் ராஜாஜி அவர்கள் மந்திரி சபை அமைப்பில் மீதமிட ஜோதி வெங்கடாசலம் அவர்களை மந்திரியாக நியமித்தது தவறு அல்லவா என்றும், 60 ஹரிஜன அங்கத்தினர்கள் இருக்கும்போது அங்கத்தினர் அல்லாத ஒருவரை நியமித்தது பெரும் தவறல்லவா என்று கேட்கிறார்கள். இன்றைய தினம் மகாத்மாஜி இருப்பாரானால், ராஜாஜியினுடைய பெருமையைப் பேசுவதற்கு உலகம் பூராவும் புகழும்படியான ஒரு நிலையைத்தான் உண்டுபண்ணியிருப்பார். ஏன்? ஒரு ஹரிஜன மாண்புமிகு அரங்கத்தில் மந்திரியாக அமைத்த தானது ஆயிரக்கணக்கான வடிகளாக, சரிதிரம் காணாத ஒரு அதிசயம். மத்திய அரசாங்கத்தில் ஒரு பெண்மணியை டெபுடி மந்திரியாக நியமித்திருக்கிறார்கள். ‘கை வண்ணம் அங்கு கண்டேன், கால் வண்ணம் இங்கு கண்டேன்’ என்ற முறையில் ஒரு பெண்மணியை மந்திரியாக நியமிக்கும் பாக்கியம் இந்திய சுதந்திர சர்க்காரில் கண்டோம். சென்னை அரசாங்கத்தில் ராஜாஜியின் தலைமையில் ஒரு ஹரிஜன மாதுவை மந்திரியாக அமைத்திருக்கும் பாக்கியத்தை பெற்றிருக்கிறோம். உலகம் புகழும் விஷயம். இதைத் தவறாக நினைத்துக்கொள்ள வேண்டிய அவசியம் இல்லை. இதைக் கண்டு பெருமைகொள்ள வேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன்.

“மதுவிலக்குச் சட்டம் நன்றாக நடக்காமல் இருப்பதற்கு காரணம் என்ன? கேட்டால், மதுவிலக்குச் சட்டத்தை மீறுகிறவர்களைப் பிடிக்கப் போகின்ற போலீஸ்காரர்கள், 20, 30 பேரைப் பிடித்து ஒரு கேசைப் போடுகின்றார்கள். கோர்ட்டில் ஒரு கேஸ் கொண்டுவந்தால், என்ன கேட்கிறார்கள்? வாழ்நாள் பழம் சாப்பிட்டு இரண்டு மணி நேரம் ஆனால், சாராயம் வாசனை வருமா? என்று மாஜிஸ்ட்ரேட் கேட்கிறார். வரலாம் என்று டாக்டர் சொல்லுகிறார். உடனே விடுதலை செய்துவிட்டேன் என்று மாஜிஸ்ட்ரேட் சொல்லுகிறார். நீதி நிர்வாகப் பிரிவினையினால் வந்த அபத்து இது. 10 தடவை ஜெயிலுக்குப் போய் வந்தவனை மறுபடியும் கோர்ட்டிலே நிறுத்தினால், மேல் சொன்ன மாதிரி கேள்வியைக் கேட்டு, அவனை விடுதலை செய்துவிடுகின்றார்கள்.

“போலீஸார் கடைத் தொருவில் பகரங்கமாக பகல் 12 மணிக்கு போகிற வருகிற ஜனங்களை அடித்து தொந்தரவு செய்து, யாரும் ஒன்றும் செய்ய முடியாமல் போலீஸ் இன்ஸ்பெக்டர், அவன் டீரில் கேஸ் போடுகிறார். பழைய படியே கேள்விகள் போட்டு கேஸ் தள்ளுபடியாகிவிடுகிறது. நீதி நன்றாக நடக்கவில்லை, போலீஸ்காரர்கள் கேஸ்களைக் கண்டுபிடித்தாலும், குற்றவாளிகளுக்கு சரியாக தண்டனை கொடுக்கமுடியாமல் போய்விடுகின்றது. போலீஸ் டிபார்ட்மெண்டிலே அவர்கள் வேலை செய்வது சங்கடமாய் இருக்கிறது. 1, 2, 10 தரம் மதுவிலக்குச் சட்டத்தை மீறி ஜெயிலுக்கும் போனவர்கள் மீண்டும் கேஸ்களில் பிடிக்கப்பட்டு விடுதலை செய்யப்படுகிறார்கள்.

“கனம் ஊஸ்மான் அவர்கள் நேற்றையதினம் பேசினபோது ஒரு விஷயத்தை ஞாபகப்படுத்தினார். பாகிஸ்தான் அமெரிக்காவுடன் உடன்படிக்கை செய்துகொள்ளக் கூடாதென்றும், இந்தச் சமயத்தில் எல்லாக் கட்சிக்காரர்களும் ஒன்றாகச் சேரவேண்டுமென்றும், நேற்று மிகப் பழுத்த அரசியல் வாதியாகிய தலைவர் ஊஸ்மான் சாகிபு அவர்கள் வற்புறுத்தியதை அனைவரும் ஞாபகத்தில் வைத்துக்கொள்ள வேண்டுமென்று கேட்டுக்கொள்ளுகின்றேன்.

31st December 1953] [Sri N. Annamalai Pillai]

கின்றேன். ஆபத்து தலைமேல் இருக்கிறது. ஒருவரோடொருவர் அடித்துக் கொண்டும், தகராறு செய்துகொண்டும் இருந்தால், நாம் முன்னேற முடியாது. ஆகவே, நாம் எல்லோரும் ஒன்றுபடவேண்டுமென்று கேட்டுக் கொள்ளுகின்றேன்.

“கடன் நிவாரணச் சட்டம் பயன் இல்லையென்று தலைவர் ஓமாந்தூர் ஸ்ரீராமசாமி ரெட்டியார் அவர்கள் சென்னார்கள். கடன் நிவாரணச் சட்டத்தினால் இன்றைக்கு மக்கள் கடன் தொல்லையிலிருந்து விடுபட்டு சுபீட்சமாக வாழ்கிறார்கள் என்று தெரிவித்துக்கொள்கின்றேன். கடைசியாக, கல்வித் திட்டம், ரொம்ப சரியான திட்டம், ஜனங்களுக்குப் பயன் படுகிறது என்று சொல்லிக்கொள்கின்றேன்.”

MR. CHAIRMAN:—“I am sorry I have to stop the hon. Member. The hon. Member was given ten minutes but he has taken 15 minutes. I regret I am not able to call all hon. Members to-day to speak. There are only two remedies for that. One is that the Government must give some more days for discussion or the Members must make their speeches shorter. It will be physically impossible to call all the hon. Members to speak within the time at our disposal and I apologize to them. I now call upon the Hon. Finance Minister to speak.” 4.35 p.m

* DR. A. LAKSHMANASWAMI MUDALIYAR:—“When the Budget discussions takes place in February-March 1954, four days, which is the usual time allotted, may be given to this House.”

* THE HON. SRI C. SUBRAMANIAM:—“The suggestion of the hon. Member will be kept in mind.

“Mr. Chairman, Sir, we had a lively, interesting and instructive debate for the last two days. I know that many hon. Members who are in a position to make a good and valuable contribution to the debate, have not been able to participate. But on the 2nd January 1954 we will be discussing the Appropriation Bill wherein almost the same kind of discussion can take place. I am sure hon. Members who have not been able to participate in this debate during these two days will be given a chance then. I am anxiously waiting to hear their speeches, especially those of the hon. Members on the other side.

“Sir, before I begin to deal with the various matters which had been touched upon during this debate, I would like first to refer to one point referred to by the hon. Leader of the Opposition. That is with regard to the supplying of fuller and complete information to the hon. Members here. I do not know whether he was referring to the Budget papers relating to the present Budget or to the Budget papers presented in March 1953. If he was referring to the Budget papers which I presented in March 1953, I would respectfully submit that we have given fuller information as before. We have not cut down any of the information which we were giving in 1949. To be on the safe side, I compared the figures and facts which have been supplied to the hon. Members in 1949 with those which were supplied in March 1953 and I find that without any exception almost all the information has been given in the papers which have been supplied to the

[Sri C. Subramaniam] [31st December 1953.]

hon. Members in March 1953. One particular point was mentioned by the hon. Leader of the Opposition, namely, that information regarding the number of officers and their pay has not been given. But I would request the hon. Leader of the Opposition to refer to Appendix V and Appendix VI to the Demands for Grants and Detailed Budget Estimates. He will find that the scales of the Gazetted officers as also particulars about officers and establishments are given in detail there as before. We have not in any way omitted any of the matters which I was able to find in the Budget Memorandum and the Detailed Budget Estimates which were published in 1949. I would like to know whether I am not making a mistake."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—" May I explain that in 1949 itself there was a reduction in the information given in the Budget. If you look up the Budgets for the years of 1947-48 and 1946-47, you will find that there are more facts placed there. Secondly, in 1948-49 the information given under the relevant Heads was complete and it was not in the nature of Appendices lumped together so that hon. Members are not in a position to give it a detailed consideration. I shall be writing to the Hon. the Leader of the House and to the Hon. Finance Minister what exactly I meant."

4-40
p.m.

* THE HON. SRI C. SUBRAMANIAM :—" On my part I promise to the House that I am prepared to give whatever information is required. As a matter of fact, I believe in giving full and complete information and ascertaining the views of the Members. We do not want to suppress any information that is available. Even now the budget volume is so bulky that I am afraid many hon. Members do not go through it being frightened by the very bulk of it. If an hon. Member wants any further information, certainly it will be supplied to him. If the hon. Leader of the Opposition suggests that all the information should be printed irrespective of whether hon. Members make use of it or not, certainly we will take that suggestion into consideration and do whatever is possible. I give this assurance to the Leader of the Opposition.

" My task in replying to the debate has been made easy to a great extent by the intervention of the Hon. Chief Minister. He dealt with the various aspects of the administration raised on the floor of this House, particularly with elementary education and matters connected with it. Therefore it will not be necessary for me to deal with those subjects which have been dealt with by him.

" The budget debate was initiated by Dr. John. The most appropriate comment on his speech was made by the Chief Minister when he said that it was rather unfortunate. Dr. John began by saying that we should keep up the dignity of the House and the level of the debate. I wish he had done that. I have noted down some of the phrases he used and I do not know whether they are in

31st December 1953] [Sri C. Subramaniam]

keeping with the dignity of the House. I am sure he will reflect upon them. I do hope to have a more dignified contribution from him next time than what we had this time.

" He made a very strong criticism that we were having an irrational tax structure. It may be so. But this suggestion has come a little bit late because the Government of India have already taken up the matter very seriously and appointed a Taxation Enquiry Commission. If only the hon. Member had taken the trouble of going through the questionnaire issued by that Commission, he would have found that the entire field is covered by it. The Commission is making the enquiry and visiting the various States."

* DR. V. K. JOHN :—" On a Point of information, Sir. I wish to know whether any unparliamentary words were used by me and whether any objection was taken to them then and there."

* THE HON. SRI C. SUBRAMANIAM :—" Even without using unparliamentary words, a speech can be unpleasant and undignified enough."

* DR. V. K. JOHN :—" On a point of order, Sir. It may be unpleasant to the Government, for I was frank and strong in my criticism. But he has characterised my speech as undignified. I should like to know which of the words used by me he considers as unparliamentary."

* THE HON. SRI C. SUBRAMANIAM :—" I will come to that. The tax structure is under examination. When the report of the Commission is published, the Central Government and the State Governments will examine the recommendations made therein. Then it may be possible to revise our tax structure not only with reference to the existing taxes, but also with reference to the distribution of the powers of taxation between the Centre and the States.

" The next point raised by Dr. John was with regard to Sales Tax. He characterised it as an 'immoral tax' and a 'blood-sucking leech'. I do not know whether he has studied the tax structure in other countries. Sales Tax has now come to be regarded as a normal mode of taxation, and almost all the civilized countries have adopted this form of taxation. Therefore I do not know what Dr. John means by saying that this is an 'immoral tax' and a 'blood-sucking leech'. Perhaps he is confusing the Sales Tax with the administration of the Sales Tax law. These two are quite different things. If he has made such a confusion, he has to blame himself. I agree that there is a certain amount of difficulty in administering the Sales Tax law, there is a certain amount of harassment especially of petty merchants. All that has got to be looked into. But that does not make the tax as such either 'immoral' or a 'blood-sucking leech'. Sales Tax need not be considered as immoral or irrational or as something new. It was introduced in this State by the Hon. Chief Minister when he was the Prime Minister of this State in 1937.

[Sri C. Subramaniam] [31st December 1953]

But long before that and soon after the First World War, this form of taxation was adopted in various States and now it has become a common feature in almost all the States. A major portion of the revenue in the States in the United States of America, France and other countries is derived from Sales Tax. Therefore Dr. John need not go under the impression that only the Madras State has adopted this immoral tax and that we are using this blood-sucking leech to impoverish our poor people."

DR. V. K. JOHN :—" In other countries there is purchase tax and not sales tax."

* THE HON. SRI C. SUBRAMANIAM :—" In some States it is known as sales tax, in some States it is known as purchase tax and in some States it is known as use tax. The form of tax is the same, whatever be the name given to it. If the hon. Member is interested, I am prepared to pass on the available literature about the tax which he may read and get some more enlightenment.

" Then, he dealt with the motor vehicle taxation. I know that he can speak with a certain amount of authority on this subject because some of his rich clients are motor bus operators. Here again he has gone wrong on facts. He threw a challenge at me in a true Falstaffian way to prove that the number of buses has really increased after the imposition of the surcharge on bus fares. I gave the figures in the Assembly and I will give them here also for his benefit. On 1st February 1953 when the tax came into operation, there were 3,395 stage carriage permits in the Madras State. My hon. Friend said that even permits which were transferred were treated as new permits in arriving at this figure. It is not so. As soon as a permit is transferred, the old permit is cancelled and another valid permit comes into existence. In the Madras State, leaving aside the Andhra area, the number of permits on 1st December 1953 was 3,511. There has thus been a definite increase in the number of buses by 116 and there is no use of throwing a challenge to the Finance Minister or the Government to prove that there has been an increase. Even now the struggle for getting permits has not in any way diminished. I do not know what the experience of Dr. John is from the engagements he is getting. There is still a scramble for permits. I have absolutely no doubt that still this is considered to be a profitable industry and many people are anxious to take to it. It is not only the new operators who are anxious to get into the field. Even the old bus operators want to get permits for running more and more buses. If the statement of Dr. John that it is no longer profitable to run buses is correct, I do not see why established operators, who are already running their existing buses at a loss, should apply for permits for more buses, engage a lawyer and go in appeal to the Central Road Traffic Board, and again go to the High Court on a writ petition engaging a lawyer there also. Therefore, there is no use of saying that this taxation has crippled the industry. It is easy to say that. But, I would request Dr. John to remember another factor also. When we introduced this tax, there were

31st December 1953] [Sri C. Subramaniam]

almost famine conditions prevailing throughout the State. That situation had affected all the industries including the motor industry. But after that, the situation has considerably improved. Further, the Central Government have also decreased the import duty on the spare parts of buses. Therefore, the operation cost with reference to spare parts has also gone down. The price of petrol has also fallen, not to a great extent, but to a very small extent. Taking all these factors into consideration, the position has now considerably improved and this motor bus tax cannot be more oppressive than what it was on 1st February 1953 when it was introduced. But, we are prepared to go into the matter on the whole and find out whether, as a matter of fact, this tax has in any way affected the industry. It is easy to say—to use the expression of Dr. John—that this State has become notorious with reference to motor vehicles taxation. I agree that the rate of taxation in our State is the highest as far as motor vehicles are concerned. But it should be looked at with reference to the development of the motor bus industry as a whole. In no other State there are as many stage carriages as in our State with reference to the population and area. There are not so many miles of road in any other State as we have in our State. So, considering the position as a whole, even though we have been adopting a high rate of taxation in respect of motor vehicles, the industry has not in any way been crippled or affected. On the other hand, progressively the number of buses has been going up. If that be so, what is the use of merely saying that we have become notorious in respect of motor vehicles taxation? We have to go by results and if we find that there is any deterioration with respect to the industry, certainly we will take note of it. We are not foolish enough to kill the goose which lays the golden eggs. We are also interested in the development and growth of this industry. Not only for the purpose of deriving some revenue from it but even from the national point of view and in the general interest of the State, we are bound to see that this industry thrives well. There might be some difference of opinion with regard to the beneficial interest of introducing these motor buses from village to village and from town to town. Apart from that, even from a selfish point of view, we are interested in seeing that the number of buses does not go down and that at least the existing number is maintained. But, as a matter of fact, there is a definite increase. Therefore, the charge that this tax is crippling the industry is not well-founded.

" Another argument advanced by Dr. John was that this tax was bound to be passed on to the passengers. Therefore, he said that the poor passengers would be affected. On the other hand, the hon. Member Sri Purushotham, who is also interested in the welfare of the bus industry, stated that this tax could not be passed on to the passengers and that, therefore, the operators were affected. On that basis, he pleaded for a reduction of taxation. I do not know whose statement is correct. But, I am sure Sri Purushotham has made a very frank statement that it is not

[Sri C. Subramaniam] [31st December 1953]

possible to pass on the tax to the passengers, because if it had been possible to increase the bus fare, it would have been done long ago. The permissible maximum rate of bus fare has not been levied on many of the routes. The operators have not increased the fare because if they had increased it, the law of diminishing returns would have set in. The operators are practical people and they know how to put up the bus fare. Therefore, there is no use of saying that the tax is bound to be passed on to the passengers and that in order to bring relief to the poor passengers we should reconsider this taxation.

"Then, Sir, in general, he said that we should select the taxes to be collected from the people. He was good enough to make the suggestion that we should introduce the agricultural income-tax. I do not know whether he has made any calculation or has gone into the figures of what we would be able to realise by the introduction of agricultural income-tax. Taking the State as a whole even when the Andhra area was included in the Madras State, if we give exemption up to an income of Rs. 3,500 which is being allowed in the general sector of income-tax or even if we fix the limit at Rs. 2,000 or Rs. 2,500, a very optimistic estimate of the revenue would be only about Rs. 40 lakhs. In lieu of this, the hon. Member wants us to give up the entire land revenue. Perhaps, he intended that we should give up the sales tax also. But agricultural income-tax would yield only about Rs. 40 lakhs. It may be possible to collect the agricultural income-tax in addition to the land revenue. But the main difficulty would be the maintenance of accounts by the ryots who are not accustomed to keep accounts. We should not have another engine of harassment as far as the ryots are concerned. That is why we are hesitating to bring in the law relating to agricultural income-tax. It is easy for us, lawyers, to say, 'Let us bring in the agricultural income-tax. After all, the maintenance of accounts is very easy. The accounts could be very easily accepted by the income-tax officers.' But as far as the ryots are concerned, it will be a very troublesome affair. That is why, even though that is one of the sources of revenue allotted to the States, we have not yet taken any steps to introduce the agricultural income-tax.

"Finally, the hon. Member Dr. John said that by his speech at least, I would become wiser by the time the next Budget is presented. As far as I am concerned, I do not claim that I am wise enough. I said elsewhere and I always adopt that attitude of learning everyday so that I might become wiser. Whether he has any wisdom to spare, it is for Dr. John to decide. As far as I am concerned, I am quite receptive. Not only with reference to Dr. John's words but with reference to the words of every hon. Member here, I am always receptive and I approach every question in a spirit of learning from whomsoever it may be and in a spirit that if it is a proper suggestion, I should be benefited by it. I can assure the hon. Member Dr. John that I shall try to become wiser, that I am always endeavouring to become wiser and that I have not stopped becoming wiser.

31st December 1953] [Sri C. Subramaniam]

"Then, Sir, about the borrowing programme also Dr. John had something to say. He asked, 'How long should this Government go on borrowing?' I may tell him that as long as the Government exist, they will go on borrowing. I am not speaking with reference to the personnel of the present Government but as long as the Government as such exist, they will have to go on borrowing, because it is not possible to have capital schemes executed out of normal revenues. It has to be done by borrowing either from the people or from the Central Government or from some other foreign source. We on our part adopted the policy of approaching the people as such, enthrusing them and asking them to contribute to our exchequer so that we might execute the various capital schemes. Dr. John was wondering whether there was any estimate of the probable income from the various schemes. I may assure the hon. Member, as I assured him during question time to-day, that before any scheme is taken up, it is completely investigated, not for a month but for years, an estimate of expenditure and probable income is drawn up, and it is considered whether it is economical and whether it should be given priority over other schemes. Only after all these processes are gone through, a scheme is sanctioned. If only the hon. Member would look into the general electricity schemes, he would find that we are getting a net income of more than Rs. 2 crores from them. That is one kind of schemes on which we have expended from the borrowings. Dr. John was saying that we had frittered away the revenue reserve of Rs. 43.5 crores. Has he examined on what schemes that money has been expended? If he had criticised with reference to each such scheme that the scheme was useless or uneconomic and that it should not have been taken up, then I would have been glad about it. He simply made a sweeping statement on the floor of the House that we have frittered away the entire reserve of Rs. 43½ crores. What for are the reserves built? They are not built up only to be looked at like a miser. The reserves are built up during prosperous days so that they may be used during drought and famine periods and during affected seasons. That is why, during these days of drought in the past six years, we were utilizing the reserves not for the purpose of squandering or frittering away the money, but for the purpose of executing schemes which would prevent these drought and famine conditions recurring again and again. If only Dr. John would look into the schemes on which we have spent the reserves, I am sure he will have at least a good word to say that the amount has been well spent and that we did not simply hoard the money like a miser.

"With reference to the expenditure incurred on the revenue account also, he made a sweeping statement by saying that it is all waste. He said 90 per cent of it was waste. That is what I have noted down here. I think he said that 'The Government must satisfy this House that the expenditure incurred on the revenue account was well spent'."

[31st December 1953]

DR. V. K. JOHN :—“ While I was referring to the expenditure on Education, I said that 90 per cent of the extra provision went to waste. Taht is all.”

* THE HON. SRI C. SUBRAMANIAM :—“ Whatever it is, if he says that he has not said like that or if he is prepared to withdraw his remarks with respect to this matter, I shall be glad.

“ Dr. John said that this Government had no policy and it was only a policy of drift and so on. Even in my Budget speech, I have said that we should not discuss policies now as we will be disassessing only the supplementary budget. When the regular budget is presented in February 1954 and when we will have a fuller discussion, I hope that I will be able to convince even Dr. John that we have a definite policy and that we are doing our best to implement that policy in spite of the opposition from Dr. John.”

* DR. V. K. JOHN :—“ Probably the Hon. Minister does not want any opposition at all! ”

THE HON. SRI C. SUBRAMANIAM :—“ Not this sort of opposition which Dr. John was attempting to make, Sir.

“ Sir, I was listening with respect and reverence to the observations made by my revered friend Mr. O. P. Ramaswamy Reddiar. I am sorry he is not here and I hope he will not misunderstand me for what I am going to say about his observations. When I was hearing his speech, I was only tempted to cry aloud in the words of the Prince of Denmark,

‘ The time is out of joint, Oh cursed spite,
That ever I was born to set it right ! ’

There are very many ills in the country which have to be removed. They can be removed only by making honest attempts without minding the opposition and unpopularity. Provided we are satisfied that what we are doing is good and if our conscience is also satisfied that we are doing only the correct thing, whatever may be the unpopularity and whatever may be the opposition which might arise out of it, we have got to face them. I was really surprised when he mentioned that if a certain policy was continued, the Congress party was likely to be defeated in the elections. Sir, I do not know whether problems are to be viewed from the point of view as to whether we are going to win in the next elections or not. If we do the right thing, I have absolutely no doubt that the people, if not immediately, at least in the near future, are bound to appreciate the good things done by the Government. If there is any temporary opposition, it is our duty, and it is the duty of all those who have come to the conclusion that we are doing the right thing, to see that the opposition, misunderstanding, doubt and suspicions are removed from the minds of the people. If only such an approach is made, not only the modified elementary education scheme, but very many other good things

31st December 1953] [Sri C. Subramaniam]

could be achieved. Only by approaching the problems in this manner, it will be possible for us to go forward in the path of prosperity.

“ Hon. Member Sri Govinda Menon with his usual ardour for cottage industries and with his opposition to machinery as such made a suggestion that we should abolish all the rice mills, at least those in the Palghat taluk, and thereby provide employment to thousands of people who are at present unemployed. I do not disagree with him. On the other hand I agree with him and with his approach to the problem. But the thing is, if I act on his suggestion, I will be considered out of date. These are days of industrialization. Mr. Adityan has said that we should go all out for complete industrialization and that we should instal big machinery which should be utilized for increasing the production. In my humble view, if production is important, the employment of the people so that they may have the necessary facilities to utilize what is produced is all the more necessary. There is no use of increasing the production on the one side and on the other side impoverishing a large section of the people. Unless the major section of the people is in a position to utilize the increased production made in the country, it will be absolutely useless to go on increasing the production at the cost of impoverishing a large section of the people. From this point of view I agree that the rice mills have been responsible for the large-scale unemployment and for thousands of people being thrown out of employment. Not only from this point of view but from the point of view of nutrition, these rice mills have caused considerable havoc in the country. But, whether it would be possible to remove all these mills and whether the fundamental rights guaranteed under our Constitution would not stand in the way are all questions which have to be carefully looked into. In fact, this matter has been taken up with the Planning Commission. I think they are looking into the matter and it seems that their legal experts say that the only way in which this problem can be dealt with is to purchase the entire rice milling machinery in the country so that no such problem may arise. (Laughter.) Mr. Govinda Menon also referred to our Prohibition policy and I know he is always a staunch supporter of that policy.

“ Sir, the last speaker Sri Annamalai Pillai spoke with vehemence, as he knows personally the benefits and advantages of Prohibition. So, it is nothing surprising that he made such a vehement and emotional speech and said that as a result of the Prohibition policy pursued by the Government thousands of souls have been saved. Of course, people who do not have experience and complete knowledge of the real extent to which Prohibition has helped the poorer sections of the people can only make a theoretical appraisal of the benefits of Prohibition. I am glad Mr. Annamalai Pillai spoke with such vehemence and I am sure it would have carried conviction to at least some of the hon. Members and made them realize that Prohibition has really benefited many people. Hon. Member Sri Ethirajulu also referred

[Sri C. Subramaniam] [31st December 1953]

to Prohibition. He belongs to a backward community and he also knows the benefits of Prohibition. If any section of the people has benefited by Prohibition to a great extent, it is only the so-called backward community people. Whatever might be the extent of illicit manufacture and illicit drinking, I am prepared to say it is not done by those who are in the lowest strata of society, but only by those belonging to the upper-middle class and richer classes of society. If the poor people have not taken to these things to-day, they must thank their stars. If only our doctors properly advise those who are engaged in illicit distillation and illicit drinking, as suggested by our Chief Minister, I am sure the very fear that such things would injure their health considerably, would act as a deterrent on those people. Therefore in the interests of the backward people and in the interest of the poorer sections of the people, it is necessary to have this Prohibition, whatever might be the interests of the upper-middle classes and richer classes of people.

“ Sir, I was glad that hon. Member Sri Alexander Gnanamuttu has progressed a little in this direction. When he spoke last, he was outright against Prohibition. Now he has come down a little from that stand and pleaded for the issue of free permits. He says that we should not charge Rs. 50 as fees for the permits and it should be removed. As far as Prohibition as such was concerned, he was prepared to leave it alone. I am glad he has progressed at least to that extent.

5-10
p.m.

“ Then, Sir, the problem of unemployment was touched upon by many hon. Members. I would ask hon. Members whether, compared to last year, there is greater unemployment now. Let us look at the conditions prevailing last year. For six years continuously there had been failure of monsoons and the agricultural industry had been greatly affected. Eighty per cent of our people are engaged in agriculture which is the major sector of our national economy. When that major sector was greatly affected, it did not stop there. It affected other industries and the purchasing power of the major section of the population had gone down. That was the position obtaining last year when drought conditions prevailed. But this year we have had normal monsoons. It means we will have normal agricultural operations this year, if not in the entire State, at least in the major part of it. There may be a few pockets here and there wherein there have been failure of rains. But on the whole, the prospects are bright. If that be so, there should be greater employment in the agricultural sector and if there is greater employment in that sector. It is bound to be reflected in other sectors also. So, from that point of view, I am not prepared to accept the statement that conditions have deteriorated in our State this year as compared with last year. On the other hand, the indications have improved. Even taking the contry as a whole, I would say conditions have definitely improved. I would refer hon. Members to the Press Conference recently held by the Union Minister for Finance at which he stated that there was an all round, improvement so far as the economic condition in the country as a whole was concerned.

31st December 1953] [Sri C. Subramaniam]

“ Therefore, when it is said that the beggar problem is acute, I am not prepared to take it as a symptom of the general economic condition prevailing in the country. After all, beggary has been there for years and years. If I may be permitted to refer to the conditions which prevailed in Delhi soon after partition, when lakhs of people from the Punjab flocked into the city and if there was one sight which evoked the admiration of all of us it was that, though they were uprooted from their homes and were going about from place to place, we could find nobody begging in the streets. Even at that time we could find only Tamil beggars in Delhi. It is not as if distress has brought about beggary. It is the mental attitude of the people that is responsible for beggary. Some people take to beggary as a profession and carry on their livelihood by begging. Our mentality is also such that it encourages beggary. We feel that by giving charity to people, we can earn some *punyam*. Therefore, the beggar problem has to be tackled not only from the economic point of view but from the point of view of men's habit. That habit should be removed first. It is necessary that we should remove the beggar boys from the street so that they may not get accustomed to the habit of begging and rehabilitate them. That is the reason why the Government are attaching great importance to the problem of beggary. I do not want to satisfy myself by saying that the problem is not mainly economic. It is also economic and we are trying to tackle the problem from various angles.

“ Sir, Mr. Purushotham, with his usual thoroughness, made a very studied speech. He has given very useful suggestions, especially with reference to the taxation policy of the Government. I am really indebted to him for pointing out that we have not brought into effect the revised Court Fees Act which was contemplated even last year. I may assure him that the matter is under consideration and that I am hoping that it will be possible very soon for this House to take it up. So also, with regard to betterment levy, we will take it up soon. I am glad that Mr. Purushotham gave very strong support to the measure. It is but justice that individuals who are benefited at the cost of the general tax-payer should pay at least a portion of the value of benefit that they have got by the execution of the projects. Therefore, I am hoping that when this measure is brought up before this House and also the other House it will receive a large measure of support. Of course, some individuals will oppose it as Mr. Chakkarai Chetty chose to do to-day. But I am happy that even Dr. John support the suggestion, though he charged that we would not be sincere about it.

“ Then, Sir, Mr. Purushotham referred to the reconstitution or reorganization of the Board of Revenue. He stressed the point that this regional distribution of work will lead to confusion. That is why we have not yet introduced the scheme. The Government are giving very careful consideration to it and it is only after very careful examination, we will make any change. In this connexion,

[Sri C. Subramaniam] [31st December 1953]

one important aspect of the question should be taken into consideration. Now the Collector is an important figure in the district administration and it is round him the entire administration is centred. If his importance is in any way diminished, then to that extent the efficiency of the district administration is likely to be affected adversely. The Collectors said that if there should be another officer over and above them on the spot, then the tendency of the people would be to rush to the superior officer and that Collectors were likely to be reduced to the position of senior Deputy Collectors. That is a very valid point which was put forward at the Collectors' Conference. Taking all these factors into consideration, we wanted to re-examine the whole position and we are doing that. It is not that we want to stick to our original decision and that we are obstinate in this regard as some people put it. When we make a proposal if valid points are made against it, we are prepared to consider those points and reconsider the proposal. When we publish a proposal, it is only with a view to eliciting public opinion. Whenever criticisms which are valid and acceptable to the Government are made, we certainly reconsider our policy. It is as a result of the valid points made against the proposal that we decided that instead of posting Divisional Commissioners at three towns throughout the State, we should have only regional distribution of work amongst the Board Members with headquarters at Madras itself. As far as each Commissioner is concerned, he will have responsibility only with reference to the region to which he is allotted. So, Sir, no final decision will be taken on our original proposal until all aspects of the question have been considered.

"Then, Sir, the same hon. Member referred to the question of re-employment of retired officers. I assured him during question hour the other day that it was only with reference to technical personnel, we adopted this policy of re-employment. Before we took over, the policy had been not to re-employ officers but to give extension of service to certain officers on superannuation. Now we have said that there should be no extension of service under any circumstances with reference to any officer, and that, if at all, it should be only re-employment, which makes a little difference. With reference to re-employment, only officers with the requisite technical qualifications are re-employed and that too, only if no suitable persons are available. He specially referred to the re-employment of the Chief Engineer. If the hon. Member looks into the list of persons re-employed, I have absolutely no doubt that he would agree with me that they are an asset to this State and they ought to be re-employed. As a matter of fact there is a great demand for their services from the Central Government for employment in the Damodar Valley project and other river-valley projects. We have also irrigation schemes. We have to plan and execute them properly. Therefore it is that we have re-employed certain retired engineers, highly qualified engineers. It was not done with any individual interest in view, but with the general interest of the State as a whole, for the proper execution of the

31st December 1953] [Sri C. Subramaniam]

various irrigation schemes. Hon. Members will be glad to hear that we have got a reputation in other States and at the Centre that all our irrigation schemes have been executed quite economically and within the estimated amounts. We have not gone far beyond the estimated expenditure. Our engineers were responsible for this. We want to keep up that reputation and see that the schemes are executed properly and economically. For this purpose, we have re-employed not even five or six persons but only one or two in the interest of the State as a whole. I wish to assure the hon. Members that there is absolutely no other consideration. The only consideration is the interest of the State as such.

"Then, Sir, another suggestion was made by the hon. Member. namely, 'Instead of re-employing these engineers why not have an advisory board? I do not know how that Board would work. Anyhow that suggestion will be examined and if it is found feasible, it will be adopted. (Interruption.) As was pointed out by the Hon. Chief Minister if only we had appointed a Board, I am sure, by this time the matter would have been raised on the floor of this House and a suggestion made that that Board should be abolished at once.

"Sir, the hon. Member Sri Krishnamurthy and the hon. Member Sri Parameswaran representing the Teachers' Constituencies made a strong plea for raising the status of the teachers."

THE HON. SRI C. RAJAGOPALACHARI :—"For raising the salaries of teachers . . ."

* THE HON. SRI C. SUBRAMANIAM :—"They said that teachers' status should be raised and incidentally salaries also. I may assure them that I am one with them as far as their desire is concerned regarding the raising of the status and salaries of teachers. I am trying my best to implement their desire, to put into effect their desire. I hope hon. Members will have some patience and give Government some time to consider the whole matter. Only just now we have received the report of the Parulekar Committee. We will examine the whole matter with reference to our financial position and do whatever is possible. I am sorry I am unable at once to give a more definite promise in this regard because it involves finance and therefore requires careful examination.

"Sir, hon. Member Sri Gnanamuttu referred to the state of lawlessness prevailing in Palayamkottai town and also referred to certain incidents where some robbers rushed into houses and snatched away jewels from some women. I do not know whether it is a phenomenon peculiar to our country alone. Those incidents do not mean anything at all. As a matter of fact, if we go through the news items published in some American papers, we will find that such incidents are common there. If at all such incidents happen in our country now, it is because some films are exhibited here that have reference to gangster activities. Literature dealing with these gangster activities are becoming more and more popular. Further such crimes are committed not only by persons who have

[Sri C. Subramaniam] [31st December 1953]

to eke out their livelihood by stealing but by persons whose imagination in a way is enlivened to a certain extent by seeing such films and reading such literature. Some people want to emulate the example of the robber chieftains. It is not therefore surprising that such incidents take place now. But certainly it is the duty of the State to see that such conditions do not prevail. But they cannot be taken as a general symptom of conditions prevailing in the State as a whole.

"In dealing with the remarks made by hon. Member Sri Gnanamuttu, I have to deal with the suggestion made by him regarding raising the age-limit of retirement of Government officials to 58 or 60. It is easy to make such a suggestion. But what would be the consequences of accepting such a suggestion? For two or three years there would be no further recruitment. There would be general unemployment among the youths coming out of the colleges. By accepting this suggestion we would only be intensifying their problem. Therefore I feel it would be better to keep the age of retirement at 55. This question was considered in all its aspects by the Government and finally they took a decision that it is not necessary to raise the age-limit beyond 55. Raising of the age-limit beyond 55 would raise further complications.

"Then, Sir, these hon. Members as also the Leader of the Opposition raised a point regarding the Government Order prohibiting teachers who have been elected to the legislature or the local bodies from continuing in their appointment in the various educational institutions. I am looking into the matter and hope to issue revised orders very soon. I hope the revised orders would satisfy the entire teaching profession.

"With regard to the remarks made by the hon. Member Sri Narayanaswami Pillai about the Public Service Commission, that has been fully dealt with by the Hon. the Chief Minister and therefore I do not propose to say anything further on this matter.

"I wonder whether I should refer to the points made by the hon. Lady Member Mrs. Clubwala because I do not find her here now. Perhaps she felt aggrieved with the Hon. the Chief Minister because he did not choose to refer to them. It is not that he did not want to do it. It is due to want of time that he did not do it. Anyhow he has made a note of all the points made by the hon. Lady Member. Even if she is not here now I may assure her through you, Sir, that we will consider all the points raised by her with regard to social service. She made a suggestion that there should be a Minister for social service. After all social service is not a limited thing. Everything is social service, education, agriculture and so on. Any activity of the Government could be related to social service. With reference to the particular social service, namely, the Women's welfare, the Hon. Lady Minister is in charge of that portfolio. There is no particular purpose served in appointing a Minister to deal with social service alone. Social service is not limited, it is all pervading and the whole Government

31st December 1953] [Sri C. Subramaniam]

work is social service and people in charge of Government are social service workers. I may assure the hon. Lady Member once again through you, Sir, that we will take note of all the suggestions made by her with regard to various matters such as the Women's Food Council, the School of Social work, the beggar problem, and recruitment of women for the Police force, and do whatever is possible.

"I am glad, Sir, with regard to the Tramways, the hon. the Leader of the Opposition is in agreement with me. I am sorry the hon. Member Sri Chakkarai Chettiar is not here now. The noise made by these trams was terrible and we are really happy that these trams are now out of the roads. The roads have now become broader and they are cleaner. I am sure people like Madras now much better than they used to before when the trams were running.

"Sir, with reference to tramway workers, I do agree that it is a problem but it is not a problem which is incapable of solution. They have all drawn their provident fund amounts and these are quite good sums too. The Government are also trying their best to give them some alternative employment. It is not as if their problem has not been considered at all. Many of them have already been absorbed in the Transport Department and, I am sure, some more will be absorbed. The Railway also have come to our help and they are also absorbing some of them. Therefore, it would not be a problem for long, even though some people are interested in keeping this problem alive and exploiting it.

"The Pattagar of Palayakottai, as a practical agriculturist, has made very useful suggestions with regard to helping agriculturists and cattle-breeding. I am sure, the Hon. Minister in charge of Animal Husbandry will take note of the various suggestions made by him and whatever is possible will be implemented as early as possible. He made a reference to the question of using the water of the Siruvani river for irrigation by taking it through a tunnel to the Noyyal river. This is rather a ticklish problem. The Siruvani Scheme is purely a drinking water scheme supplying drinking water to about two lakhs of people residing in the Coimbatore city. A few years back, an experiment was tried to let water through the tunnel. It proved a failure in the sense that a portion of the tunnel was washed away and water-supply to the Coimbatore city was obstructed for a few days. Therefore, the matter has got to be looked into very carefully and that is why we have asked the Chief Engineer to look into the whole matter and submit a report with reference to the feasibility of letting more water through the tunnel. If it is found feasible and if more water is available in the Siruvani which is not required for the drinking water needs of the Coimbatore city, certainly, it will be made available to the Noyyal basin. Hon. Members need not, however, be under the impression that the water is being wasted now. As a matter of fact, it reaches the Bhavani and through the Bhavani it is being utilised elsewhere. The only question is, whether it should be diverted to the Noyyal basin or not. That matter is

5-30
p.m.

[Sri C. Subramaniam] [31st December 1953]

under the consideration of the Government and certainly if it is possible, without detriment to the drinking water needs of the Coimbatore city, to let water through the tunnel to Noyyal for the benefit of the fields in that area, that will be taken into consideration. We have also, in this connection, to take into consideration the costs which we will have to incur for the purpose of strengthening the tunnel. If it is economical or if the ryots who are likely to be benefited, come forward to meet the entire expenditure, certainly, we will take it up and try to do whatever is possible.

"Sir, with reference to the palmyra tax which was referred to by the hon. Member Mr. Adityan, I want to say that as far as the palmyra tax is concerned we have abolished it. In the place of the palmyra tax, we have to collect some land tax. The question at what rate land tax is to be collected, has got to be decided. That cannot be done off-hand. In this connection, regular settlement proceedings have to take place. We have also to take into consideration the nature of the soil, its productivity, rainfall and other factors and then fix the rate of assessment. That cannot be done immediately. So, what we have done is that we have adopted the highest dry rate prevailing in that area and not the wet rate. That is not going to be a permanent measure. Therefore, hon. Members will realise that in order to give immediate relief, we have adopted this formula of the highest dry rate prevailing in that area and it is not as if all persons are bound to pay this highest rate. If, so far, they have been paying less than Rs. 2-8-0 or Rs. 2 as land tax plus palmyra tax, there will be no enhancement. So, if a person has been paying less, it would not be enhanced at all. In that connection, the hon. Member, Mr. Adityan, made a threat that he would resign his seat in this House. I have not taken it as a threat but I have taken it as a promise. I hope he will fulfil the promise made on the floor of the House."

SRI S. B. ADITYAN :—"I have also made a promise that the people would not pay this tax. It is a burdensome tax; it is a cruel tax; and it is an unjust tax."

THE HON. SRI C. RAJAGOPALACHARI :—"Has it suddenly become cruel, Mr. Chairman?"

* THE HON. SRI C. SUBRAMANIAM :—"I know why he is making this offer of resigning his seat in this House, but it is not necessary to go into it now. He expects an Assembly seat to fall vacant soon and he wants to take advantage of it. He is welcome to do it and we shall fight out the issue there and, therefore, it is not necessary to mention it on the floor of the House. After all, it is very easy to get such a cheap popularity by saying, 'I have fought for this issue and I have resigned on that issue only'. He is quite capable of doing that. It is just like him to make this threat or promise."

"Lastly, I wish to refer to the language problem, to which reference was made by Mr. Gajapathy Nayagar."

31st December 1953]

SRI A. GAJAPATHY NAYAGAR :—"Why not the Hon. Minister speak in Tamil?"

* THE HON. SRI C. SUBRAMANIAM :—"It is not as if I would not be able to express myself in Tamil. As a matter of fact, my own view is that I will be able to express myself better in Tamil without using any English words. But unfortunately we have got our Malabar and Kanara friends. Are we to make them feel that they are aliens in this House? Therefore, as long as they are with us and as long as we continue to be in the composite State, with Malabar and South Kanara forming part of it, we have to be a little bit patient. After all, we form the major portion of the State and it is the duty of the majority to be considerate to the minority and especially to the linguistic minority. I would, therefore, appeal to the hon. Member, as a true Tamilian befitting the Tamilian culture, to be more tolerant in this respect. We should take into account the points of view of the other hon. Members who form the minority in this House. It is only from that point of view, I have been making my speech in English; not that I love Tamil less than Mr. Gajapathy Nayagar. If we are unable to adopt immediately the Tamil language as the official language for transacting business either in this House or in the other House, it is not because we do not love Tamil or do not have the desire to have Tamil as the official language but because we are living in a composite State and we should not act in haste. Therefore, I would appeal to the hon. Member to think over it a little more, and I have absolutely no doubt that if he thinks over it, he will agree with me that we need not be hasty and we have to go a little bit slow in this matter. That is my appeal."

"One good point mentioned by Mr. Adityan is with reference to the coming New Year. At least in this respect, let me join with him in wishing a happy and prosperous New Year not only to you, Sir, and the hon. Members of this House but also to the people of this State. I am sure, we will have a better and more prosperous year in 1954. Thank you, Sir."

MR. CHAIRMAN :—"The House will now adjourn and meet again at 11 a.m. on Saturday, 2nd January 1954."

The House then adjourned.

[31st December 1953]

APPENDIX

[Vide answer to unstarred question No. 1 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 31st December 1953, page 166 supra.]

LIST OF INSTITUTIONS FOR WHICH AUDIT HAS NOT BEEN CARRIED UP TO DATE (I.E.), HAS NOT BEEN CARRIED OUT AT ANY TIME SO FAR.

TIRUNELVELI DISTRICT.

Tirunelveli Taluk.

- Sri Santhanagopalaswamy temple, Keelapattam.
- „ Subramaniaswamy temple, Kurukkuthurai.
- „ Venkatachalapathy temple, Melapatam.
- „ Lakshminarayana-perumal temple, Munnirpallam.
- Fourth Day Mandagapadi in Chitrai and Arpasi kattalai in Sri Thiruparanthoeswarar temple, Palayamkottai.
- Sri Balasubramaniaswamy temple, Palayamkuttathurai.
- M.D.T. kattalai in Sri Alagiakoothar temple, Sopparai.
- Sri Sudalaimadaswami temple, Sivalapeti.
- „ Bagavatheeswarar temple, Suthamalli.
- Navarathri kattalai in Sri Bagavathiswar temple, Suthamalli.
- Sri Varanatharumperumal temple, Tachanallur.
- „ Kallanaisastha temple, Tirunelveli.

Koilpatti Taluk.

- M.D.T. Uchikala kattalai in Sri Kothandaramaswarar temple, Kayathar.
- Sri Balasubramaniaswamy temple, Koilkumaraottayapuram.
- „ Subramaniaswamy temple, Padur.
- „ Moenakshisundareswarar temple, Vilathikulam.

Srivaikuntam Taluk.

- Sri Chandrasokkar temple, Maramangalam.
- „ Venkatachalapathy temple, Mukkani.
- Udayamarthandam kattalai in Sri Kailasanathar temple, Srivaikuntam.
- Sirukulasanthi kattalai in Sri Kailasanathar temple, Srivaikuntam.
- Sri Arasalwar temple, Srivaikuntam.
- „ Subramaniaswamy temple, Mahimai kattalai in Sri Sankararamaswarar temple, Tuticorin.
- „ Thirumoolanathaswamy temple, Vallanadu.
- „ Chockalingaswamy temple, Eral.

Tiruchendur Taluk.

- Sri Badrakaliamman temple, Tiruchendur.
- „ Ganapatheeswarar temple, Kayalpatnam.
- „ Navaneethakrishnaswamy temple, Lakshmiapuram.
- Narayanamangalathar sirappu kattalai in Sri Maharanedungulaikathar temple, Thenthirupurai.
- Pillaimangulathar sirappu kattalai in Sri Maharanedungulaikathar temple, Thenthirupurai.
- Moothaveliar sirappu kattalai in Sri Maharanedungulaikathar temple, Thenthirupurai.
- Sri Cheracholapandeoswar temple, Thirukkalar.
- „ Navaneethakrishnaswamy temple, Vairavam.
- „ Pancha Brahma Ambikai math and Sri Subramaniaswar, Sattankulam.
- „ Vdamalai Vinayagar temple, Annampuram.

Ambasamudram Taluk.

- Sri Sankaralingaswamy temple, Ambasamudram.
- Vilapuja kattalai in Sri Vilvanathaswamy temple.
- M.D.T. kattalai in Sri Vilvanathaswamy temple.
- Sri Vasagiri Balasubramaniaswamy temple, Keelakadayam.
- „ Kulasekaramudayar temple, Kallidaikurichy.
- „ Agasteeswarar temple, Kallidaikurichy.

[31st December 1953]

TIRUNELVELI DISTRICT—cont.

Ambasamudram Taluk—cont.

- Sri Muthumalaiamman temple, Mukkudal.
- „ Athithavarneswarar temple, Seval.
- „ Venugopalaswamy temple, Seval.
- „ Mahadevaswami temple, Singampatti.
- „ Sorimuthayyan temple, Singampatti.
- M.D.T. Uchikala kattalai in Sri Narambunathaswamy temple, Tirupudaimarudur.
- Kalasanthi kattalai in Sri Narambunathaswamy temple, Tirupudaimarudur.
- Sri Gangaparameswariammam temple, Uppuvaniampudur.
- M.D.T. Uchikala kattalai in Sri Bhoominathaswamy temple, Veeravanallur.
- M.D.T. Uchikala kattalai in Papavinasaswamy temple, Vikramasingapuram.
- Pillayan Arthajama kattalai in Sri Papavinasaswamy temple, Vikramasingapuram.
- Pillayan Annathana kattalai in Sri Sevvai Kilamai Madam, Kallidaikurichy.

Sankarankoil Taluk.

- Sri Venkatachalapathy temple, Ilayarsanondal.
- Thiruvetta Ayyanar temple, Madathupatti.
- Sri Thoneeswarar temple, Marithoni.
- „ Madayasathanathar temple, Dharagapuram.
- „ Therukumariamman temple, Royagiri.

Tenkasi Taluk.

- Sri Viswanathaswamy temple, Chockampatti.
- Uchikala kattalai and Namaskara kattalai in Sri Kulasekaranathar temple, Illanji.
- Piramanayagam Chettiyar kattalai in Sri Kulasekaranathar temple, Illanji.
- Sri Periakulamsasthar temple, Keelapavur.

Nanguneri Taluk.

- Sri Venkatachalapathy temple, Chettimedu.
- „ Muthuvadivamman temple, Iraipuni.
- „ Narambunathaswamy temple, Karungulam.
- Annathana kattalai in Sri Vanamamalaiperumal temple, Nanguneri.
- Sri Peruvembudayarsastha temple, Rajakkalamangalam.
- „ Kailasanathar temple, Singhikulam.
- Nithia kattalai in Sri Kailasanathar temple, Singhikulam.
- Sri Sundaravinayagar temple, Vadamalaisamudram.
- „ Vadakkuvachelliamman temple, Vadivammanpatti.
- M.D.T. kattalai in Sri Subramaniaswamy temple, Valliyur.
- Vilapuja kattalai in Sri Subramaniaswamy temple, Valliyur.

MADURAI DISTRICT.

Madurai Taluk.

- Sri Srinivasaperumal temple, Appanthirupathy.
- „ Paravainayagiamman temple, Paragai.
- „ Elayagurunathaswamy temple, Thenur.
- „ Prasanna Venkatesaperumal temple, Madurai Town.

Melur Taluk.

- Sri Vinayagar temple, Sirugudi.
- „ Vestriruthaperumal temple, Panangudi.
- „ Dhuroopathyammam temple, Chokkalingapuram.

Nilakkottai Taluk.

- Sri Ayyanar temple, Thanichiam.
- „ Sivakameeswaraswamy temple, Ramarajapuram.
- „ Agobilarasingaperumal temple, Nilakkottai.
- „ Chitrarathavallabher temple, Koilkuruvithurai.
- „ Mariammam temple, Old Butlagundu.
- „ Lakshminarayanaaperumal temple, Butlagundu.

Tirumangalam Taluk.

- Sri Sundramahalingaswamy temple, Sathuragiri.

[31st December 1953]

MADURAI DISTRICT—cont.

Palni Taluk.

- Sri Narasingaperumal temple, Periakottai.
- „ Mariamman temple, Palni.
- „ Manoorsadanathaswamy math, Palni.
- „ Kalyaniamman and Kailasanatha temple, Kalayamputhur.
- „ Thiruvengadanathar temple, Edayakottai.

Dindigul Taluk.

- Sri Droupathyamma temple, Dindigul.
- „ Srinivasaperumal temple, Dindigul.
- „ Vandikaliannan temple, Dindigul.
- „ Varadarajaperumal temple, Dindigul.
- „ Peria Ayyanar temple, Ayyampalayam.

Piriyakulam Taluk.

- Sri Muniyudayar Ayyanar temple, Silvarpathy.
- „ Muthramalingachowdambigai temple, Devaram.
- „ Alagarkoil, Devaram.
- „ Gowmariamman temple, Thonkarai, Periakulam town.
- „ Venugopalaswamy temple, Soeluyampatty.
- „ Neelagandeswarar temple, Pudupatty.
- „ Palligondaperumal temple, Molamangalam.
- „ Gopalakrishnar alias Gopinathar temple, Kottur.
- „ Kadirnarasingaperumal temple, Jambiliupathur.
- „ Hanumantharayerumal temple, Hanumanthapatty.
- „ Uthamaalagiriswamy temple, Gullapuram.
- „ Kamakshiamman temple, Devathanapatty.
- „ Surulivelappar alias Subramaniaswamy temple, Cumbum.
- „ Samundiamman temple, Cumbum.
- „ Meenakshisundareswarar temple, Andipatty.

SALEM DISTRICT.

Attur Taluk.

- Sri Kailasanathar temple, Gangavalli.
- „ Kannikaparameswari temple, Narasingapuram.
- „ Alagondeswarar temple, Poddanaikondpalayam.
- „ Kathalinarasimhaswamy temple, Tambampatti.
- „ Gangathreeswarar temple, Vooraganur.
- „ Melakkara Subramaniyar temple, Attur.
- „ Vinayagar, etc., temple, Koopipatti.
- „ Vellai Vinayagar temple, Attur.

Dharmapuri Taluk.

- Sri Subramaniyar temple, Papparpatti.

Harur Taluk.

- Sri Mariamman temple, Bairanatham.
- „ Venkataramanaswamy temple, Muniyambadi.
- „ Nageswarar temple, Kaveripatnam.

Namakkal Taluk.

- Sri Subramaniyar temple, Kabilamalai.
- „ Ari Eswarar temple, Melkalingampatti.
- „ Sakthivinayakar temple, Namakkal.
- „ Prasannavenkatramanar, Pandamangalam.
- „ Sellandiamman and Mariamman temple, Sendamangalam.
- „ Togai Perumal temple, Thogainatham.
- „ Varadarajar temple, Varagoor.
- „ Kasiviswanathar temple, Velur.
- „ Varadarajar temple, Vengarai.
- „ Vengariamman temple, Vengarai.
- „ Kalliamman temple, Kariyankattupatty.
- „ Karapurathanathar temple, Kalkurichi.
- „ Kasiviswanathar temple, Pandamangalam.

31st December 1953]

SALEM DISTRICT—cont.

Omalur Taluk.

- Sri Chowdeswariamman temple, Avadathur.
- „ Kalliamman temple, Balbakki.
- „ Badrakalliamman temple, Mecheri.
- „ Chennoroyaperumal temple, Pagalpatti.
- „ Siddeswar temple, Panamalai.
- „ Chennaroyaperumal temple, Pukkampatti.
- „ Chokkanathar temple, Mettur Dam.
- „ Kottai Mariamma temple, Omalur.

Rasipuram Taluk.

- Sri Purnathareswarar temple, Kakavori.
- „ Ponnularadharajar temple, Rasipuram.
- „ Sellandiamman, etc., temple, Rasipuram.

Salem Taluk.

- Sri Palapatrai Mariamman temple, Ammapeti.
- „ Kothandaramaswamy temple, Ayyothypatnam.
- „ Dharmarajar and Ellaiamman temple, Salem.
- Uchikala kattalai attached to Sri Sugavaneswarar temple, Salem.
- Subramaniyar kattalai attached to Sri Sugavaneswarar temple, Salem.
- Sri Kottai Main Road Pillayar temple, Shevapet.
- „ Venugopalaswamy temple, Shevapet.

Tiruchengode Taluk.

- Sri Droupathyamma temple, Idappaday.
- „ Korakuttai Elayaperumal temple, Irayamangalam.
- „ Pandeswarar temple, Kumaramangalam.
- „ Siddheswarar temple, Kanjamalai.
- „ Kailasanathar temple, Pulampatti.

COIMBATORE DISTRICT.

Avanashi Taluk.

- Sri Kalahastheswarar temple, Kelampalayam.
- „ Srinivasa Perumal temple, Mettupalayam.
- „ Madheswaraswamy temple, Kuttagam.
- „ Kamakshiamman temple, Karamadai.

Coimbatore Taluk.

- Sri Gujarathes Gopaljee temple, Coimbatore town.
- „ Chennavadampatti Ellai Sandhu Vinayagar, Coimbatore town.
- „ Vellai Vinayagar temple, Coimbatore town.
- „ Ayyaswamy, etc., temple, Coimbatore town.
- „ Venkatesaperumal temple, Devaroyapuram.
- „ Kariaperumal temple, Kalapatti.
- „ Putridam Kondeeswarar temple, Othakalamalam.
- „ Krishnaswamy temple, Pannimalai.
- „ Mariamman temple, Sundagoundanpalayam.
- „ Anupavisubramaniyar temple, Veerapandi.
- „ Venugopalaswamy temple, Maiyampalayam.
- „ Theneswaraswamy temple, Vellalore.
- „ Sri Yogasana Anjaneyar temple, Coimbatore town.

Dharmapuri Taluk.

- Sri Nageswaraswamy temple, Engampatti.
- „ Kasiviswanathaswamy temple, Kangayam.
- „ Netroyaswamy temple, Mettupalayam.
- „ Vaidyanathar temple, Mayilrangam.
- „ Kalliamman temple, Konapuram.
- „ Pasupatheswarar temple, Kongal.

Erode Taluk.

- Sri Chokkanathiamman temple, Punjaikilambadi.
- „ Mariamman temple, Unjalur.

[31st December 1953]

COIMBATORE DISTRICT—cont.

Gobichettipalayam Taluk.

- Sri Mallikarjunar temple, Kongahalli.
 „ Mariamman temple, Kasipalayam.
 „ Bagavathiamman temple, Malliampatti.
 „ Karuthimmaroyar temple, Nanjaipuliyampatti.
 „ Ponnachiamman temple, Perunthalaipur.
 „ Chentoyaperumal temple, Periyakoduveri.
 „ Mahaliyamman temple, Periyur.
 „ Subramaniyar temple, Pavalamalai.
 „ Kumaraswamy temple, Thittamalai.
 „ Vigneeswarar, etc., temple, Periyakoduveri.
 „ Meenakshisundarar temple, Sathyamangalam.
 „ Bajanaikoil alias Venugopalaswamy temple, Nanjaipuliyampatti.
 „ Pongathayan temple, Pappankattusolai.

Palladam Taluk.

Sri Kalinganarthanar temple, Palladam,
 Specific endowments attached to Sri Paramasivan, etc., temples, Pallavaroyam-palayam.

- Sri Uthamalingaswarar temple, Perumanallur.
 „ Subram niyar temple, Salaipudur.
 Car endowments attached to Sri Thiruvengadanathar temple, Suler.
 Sri Kottai Muniappan temple, Thoravalur.
 „ Kannikaparameswari temple, Thiruppoor.
 „ Siddhi Vinayakar temple, Veerapatti.
 „ Varadharajar temple, Samalapuram.
 „ Siddhi Vinayakar temple, Veerapatti.
 „ Soleewarar temple, Samalapuram.

Pollachi Taluk.

- Sri Betroyaswamy temple, Anamalai.
 „ Visweswaraswamy temple, Anamalai.
 „ Bagavathiamman temple, Devampadi.
 „ Amaneswarar temple, Jallipatti.
 „ Mariamman temple, Devanampalayam.
 „ Vinayakar temple, Koilpalayam.
 „ Kakadaroyaperumal temple, Koilpalayam.
 „ Arudra Dharsana kattalai attached to Sri Subramaniyar temple, Pollachi.
 „ Kasiviswanathar temple, Vadakkialayam.
 „ Seetharana Anjaneyar temple, Pollachi.

Udamalpet Taluk.

- Sri Arjuneswarar temple, Kodathur.
 „ Chokkanathaswamy temple, Kaniyur.
 „ Hanumantharoyar temple, Kolumum.
 „ Dathrayaswamy temple, Komaralingam.
 „ Krishnaswamy temple, Komaralingam.
 „ Athoram Venkatramanar temple, Komaralingam.
 „ Ezhumalai Venkatramanar temple, Manupatti.
 „ Thirumuntheswarar temple, Sircarkannadipudur.
 „ Alakodu nalai temple, Somavarapatti.
 „ Navaneethakrishnaswamy temple, Udamalpet.
 „ Venugopalaswamy temple, Komaralingam.

THE NILGIRIS DISTRICT.

Coonoor Taluk.

- Sri Thanthimariamman temple, Coonoor.

Ootacamund Taluk.

- Sri Moovalagarasiamman temple, Kanthal.

NORTH ARCOT DISTRICT.

Arkonam Taluk.

- Sri Konganeeswarar temple, Kaveripakkam.
 „ Thattheswarar temple, Kalathur.
 „ Lakshminarayanaperumal temple, Panapakkam.
 „ Thirugheeswarar temple, Pallur.

31st December 1953]

NORTH ARCOT DISTRICT—cont.

Arni Taluk.

- Sri Papathiamman temple, Arinipalayam.
 „ Kanagagiriswarar temple, Devikapuram.
 „ Chandeesekaraswami temple, Kamakkur.
 „ Virupaksheswarar temple, Sambuvarayanallar.
 „ Ramar and Anjaneyaswamy temple, Tirumalaisamudram.

Chengam Taluk.

- Sri Venugopala Parthasarathy temple, Chengam.
 „ Venkataramanaperumal temple, Neepadurai.
 „ Manicka Pillaiyar temple, Vadamanathur.

Gudiyatham Taluk.

- Sri Ramanatheeswarar temple, Asannammappet.
 „ Vedapuriswarar temple, Tiruvettipuram.
 „ Keliamman temple, Darnampet.
 „ Subramaniaswamy temple, Kailasagiri.
 „ Neelakanteswarar temple, Melur.
 „ Prasannavenkatesaperumal temple, Thattimanapalli.

Polur Taluk.

- Sri Lakshminarasimhaswamy temple, Polur.
 „ Kailasanathaswamy temple, Polur.

Tiruppattur Taluk.

- Sri Anganatheeswarar temple, Madavalam.
 „ Dharmaraja temple, Tiruppattur.
 „ Sundara Veera Anjanayaswamy temple, Tiruppattur.
 „ Ponniamman temple, Vaniambadi.

Tiruvannamalai Taluk.

- Sri Adikesavaperumal temple, Boothamangalam.
 „ Gopalakrishnaswamy temple, Mekkalur.
 „ Balasubramaniaswamy temple, Somasipadi.
 „ Pachaiamm temple, Tiruvannamalai.

Vellore Taluk.

- Sri Kasiviswanathaswamy temple, Agaram.
 „ Gajendravaradarajaperumal temple, Agaram.
 „ Naganathaswamy temple, Ambur.
 „ Uttara Ranganathaswamy temple, Pallikonda.
 „ Kaliamman temple, Vellore.
 „ Sivasubramaniaswamy temple, Vellore.
 „ Varasiddhi Vinayakar temple, Vellore.
 „ Kalasa Pillayar temple, Vellore.
 „ Kannikaparameswari temple, Vellore.
 „ Ellaiamm temple, Vettuvanam.
 „ Kasiviswanathar temple, Meltirumagur.
 „ Varasiddhi Vinayakar temple, Veppankuppam.
 „ Virupaksheswarar temple, Kammasamudram.

Wallajah Taluk.

- Sri Ramakrishna Bajanai madam, Arcot.
 „ Vasistheswarar temple, Veppur.
 „ Ranganathar temple, Mullivadi.
 „ Kalyanavaradarajar temple, Melpuduppakkam.
 „ Varadarajaperumal temple, Sholingur.
 „ Lakshminarayanaperumal temple, Avaniapuram.

SOUTH ARCOT DISTRICT.

Chidambaram Taluk.

- Sri Kailasanathar and Subramaniyar temples, Ambapuram.
 „ Chakrapani temple, Arasur (Ma).
 „ Sabanayakar temple, Chidambaram.
 „ Anbanathapuram Dharmabagam Estate uchikala kattalai attached to Sabanayakar temple, Chidambaram.
 „ Kovilur Madam kattalai attached to Sabanayakar temple, Chidambaram.

[31st December 1953]

SOUTH ARCOT DISTRICT—cont.

Chidambaram Taluk—cont.

- Pachiappa Charities specific kattalai in Sabanayakar temple, Chidambaram.
 Civapuri madam Endowments attached to Sabanayakar temple, Chidambaram.
 Chedivilakku kattalai attached to Sabanayakar temple, Chidambaram.
 Sri Sellaiamman temple, Chidambaram.
 „ Masinakara kattalai attached to Tillaigovindarajar temple, Chidambaram.
 „ Manargudi, Chinnapannai Charities attached to Sri Sabanayakar temple, Chidambaram.
 „ Kailasanathar temple, Elangambur.
 „ Pathanjaleswarar temple, Kanattampuliyur.
 „ Varadarajaperumal temple, Kannangudi.
 „ Koothandavar temple, Koothattai.
 „ Arunachaleswarar temple, Maduranthakanallur.
 „ Amirthagayaswarar temple, Molakambur.
 „ Pranaapuriswarar temple, Muttam.
 „ Kailasanathar temple, Nattaramangulam.
 „ Sundareswarar temple, Noyvayal.
 „ Margashayeswarar temple, Orathur.
 „ Pranava Vyagrapuriswarar temple, Omampuliyur.
 „ Kothandaramaswamy temple, Pinnathur.
 „ Muthukumaraswamy temple, Porto Novo.
 „ Varadarajaperumal temple, Porto Novo.
 „ Mariamman and Ayyanar temples, Puliyangudi.
 „ Ramapuram Thathachetti kattalai attached to Bhuvareswamy temple, Srimushnam.
 „ Ananthiswarar temple, Udayargudi.
 „ Muniappar temple, Koilampoondi.
 „ Manicka Mudaliyar kattalai attached to Sabanayakar temple, Chidambaram.

Cuddalore Taluk.

- Sri Subramaniaswamy temple, Kurinjipadi.
 „ Kannikaparameswari temple, Panruti.
 „ Sayarakshai or Panna Vana, etc., kattalais, Tiruvathigai.
 Kalasandhi kattalai attached to Sri Veeratteswar temple, Tiruvathigai.
 Sri Mangalapuriwarar temple, Thayagavalli.
 „ Varadarajaperumal temple, Varadarajampottai.
 „ Subramaniaswamy temple, Valayudampattu.
 „ Subramaniaswamy temple, Vilapallam.
 „ Kailasanathar temple Kattalai, Cholavalli.
 „ Kasiviswanathaswamy temple, Pudupettai.
 „ Kannan Bajana madam, Panruti.
 „ Subramaniaswamy temple, Charamanikuppam.

Kallakurichi Taluk.

- Sri Gangadhareswarar temple, and Perumal temple, Chinnasalem.
 „ Chidambareswarar temple, Kallakurichi.
 „ Kannikaparameswari and Pillayar temples, Kallakurichi.
 „ Arunachaleswarar temple, Mudiyanur.
 „ Ardhanarreeswarar temple, Rishivandiam.
 „ Ardhanarreeswarar temple, Ulagiyanallur.
 „ Umamaheswarar and Varadarajar temples, Vadakkannandal.
 „ Adikesavaperumal temple, Vilambar.

Tirukkoyilur Taluk.

- Sri Adulyanathaswamy temple, Arakandanallur.
 „ Ardhamama kattalai in Sri Adulyanathaswamy temple, Arakandanallur.
 „ Navaneethakrishnaswamy temple, Aviyyur.
 „ Adikesavaperumal and Sivaloganathar temples, Gramam.
 „ Agastheeswarar temple, Kuvanur.
 „ Agastheeswarar temple, O. Meyyur.
 „ Sri Lakshminarayanaperumal temple, Parikkal.
 „ Sri Vaikuntavasaperumal temple, Tiruvannainallur.
 „ Karivaradarajar and Sanjeeviroyar temple, Veerapandi.
 „ Pasupathiswarar temple, Varanjidram, Kallakurichi taluk.
 „ Putlayeesamman temple, Koyyanur.
 „ Chokkanathaswamy temple, Mandagapattu.
 „ Nethrotharakeswaraswamy temple, Panayapuram.
 „ Abirameswarar temple, Tiruvamathur.
 „ Hanumar temple, Villupuram.

31st December 1953]

SOUTH ARCOT DISTRICT—cont.

Gingee Taluk.

- Sri Sri Angalamman temple, Malanur (mel).
 „ Manjaneeswarar temple, Kilpudupattu.
 „ Bhoominathaswamy temple, Marakkanam.

Vridhachalam Taluk.

- Sri Viewanathaswamy temple, Avinangudi.
 „ Pidari Amman temple, Iruppu.
 „ Thirumoolanathaswamy temple, Karangudi.
 „ Subramaniaswamy, Vinayakar, Ayyanar and Pidari Amman temples, Kollathankurichi.
 „ Tholeswarar and Varadarajar temples, Kokkaravedi.
 „ Kalatheeswarar and Varadarajar temples, Mangalur.
 „ Soleswarar and Jothiswarar, etc., temples, Malkalpoondi.
 „ Pralayakaleswarar temple kattalais, Pennagadam.
 „ Venugopalaswamy and Viswanathar temples, Pinjanoor.
 „ Kailasanathar temple, Sathugudi.
 „ Alagiaperumal temple, Sathiyavadi.
 „ Agasthiswarar temple, Theevalur.
 „ Ayyanar, Selliamman, etc., temples, Vilakkapadi.
 „ Chidambareswarar, Varadarajar, etc., temples, Nedungulam.
 „ Theerthapuriswarar temple, Tholar.
 „ Maduranthacholeswarar and Varadarajar temples, Tholudur.

MADRAS CITY, ETC.

- Sri Sivasundaravinayakar temple, Washermanpet.
 „ Gajendrarajaperumal temple, Washermanpet.
 „ Drowpathiamman temple, Kasimodu, Rayapuram.
 „ Badrakalisamatha Veerabadraswamy temple, Peddunaickenpet.
 „ Servaiviniyagar temple, Peddunaickenpet.
 „ Mukkalavenkatta Cunniah Chetty Endowments, Peddunaickenpet.
 „ Kanniamman temple, Muthialpet.
 „ Prasannavenkatesaperumal temple, Choolai.
 „ Karimannickaperumal temple, Ayanavaram.
 „ Paresuramalingeswarar temple, Ayanavaram.
 „ Dharmarajaswamy temple, Park town.
 „ Arasadi Karpagavinayagar temple, Chempauk.
 „ Kamakalakameswari temple, Triplicane.
 „ Uttiradivaishnavaramanuja Koodam, Triplicane.
 „ Payandiamman temple, Mylapore.

CHINGLEPUT DISTRICT.

Kancheepuram Taluk.

- Sri Sakthiamman temple, Ayyampet.
 „ Balasubramaniaswamy temple, Ilayanarvelur.
 „ Gnanaprakasadesigar math, Kancheepuram.
 „ Valakarutheeswarar temple, Kancheepuram.
 „ Thirumetraleswarar temple, Pillayarpalayam, Kancheepuram.
 „ Kasiviswanathaswamy temple, Karukkupet.
 „ Kadambanathaswamy temple, Kadambarkoil.
 „ Adikesavaperumal temple, Magaral.
 „ Veetrirandaperumal temple, Magaral.
 „ Brahmapureswarar temple, Perunagar.
 „ Agastheeswarar temple, Siruvellur.
 „ Agastheeswarar temple, Ullavoor.
 „ Anjaneyar temple, Villivalam.
 „ Colla Singannah Chetti Charities, Kancheepuram.

Sriperumbudur Taluk.

- Sri Deivanathaswamy temple, Illambayankottur.
 „ Azhiavaravinayagar temple, Kuttambakkam.
 „ Kothandaramar temple, Nalayambakkam.
 „ Kamakshiamman temple, Mangadu.
 „ Kasiviswanathaswamy temple, Palanjeer.
 „ Arunachaleswarar temple, Puduchatram.
 „ Embar Jeer math, Sriperumbudur.
 „ Manavalamanuni kattalai attached to Sri Tirumazhisai Alwar temple, Thirumazhisai.

[31st December 1953]

CHINGLEPUT DISTRICT—cont.

Sriperumbudur Taluk—cont.

- Sri Uthandeswarar temple, Thirumazhisai.
 „ Sundaravaradarajaperumal temple, Vadakkupet.

Ponneri Taluk.

- Sri Sambangi Pichandeswarar temple, Arani.
 „ Varantheswarar temple, Ariyathurai.
 „ Varadarajaperumal temple, Chinnambodu.
 „ Agastheeswarar temple, Chillipalayam.
 „ Paloeswarar temple, Gummudipundi.
 „ Prasannaeswaraswamy temple, Kammbakkam.
 „ Adikesavaperumal temple, Pudupalayam.
 „ Sowmyaeswarar temple, Pulicat.
 „ Mathangeswarar temple, Sathiaive lu.
 „ Venugopalswamy temple, Sathiaivedu.
 „ Karikrishnapurumal temple, Thiruvayarpadi.
 „ Thiruvalléeswarar temple, Thiruvolleval.
 „ Ramalinga Chowdoeswarar temple, Arani.
 „ Thirumangageswarar temple, Melur.
 „ Lakshinarayanaperumal temple, Rettambodu.

Chingleput Taluk.

- Sri Devanathaswamy temple, Chettipunyam.
 „ Ekambaranathaswamy temple, Chingleput.
 „ Lakshminarayanaperumal temple, Kulpanthandalam.
 „ Santhalasayanaperumal temple, Mahabalipuram.
 „ Pataladri Narasingaperumal temple, Singaperumalkoil.
 „ Maruntheswarar temple, Thirukkachiur.
 „ P. L. N. K. M. Nagappa Chettiyar kattalai attached to Sri Vodagiriswarar temple, Thirukalikundram.
 „ Gnanapureswarar temple, Thiruvadisoolam.

Madurantakam Taluk.

- Fifth day kattalai attached to Sri Akshoeswarar, temple, Acharapakkam.
 Sri Thirukkameswari temple, Melavilagam.
 „ Andal Specific Sowment attached to Sri Kothandaramaswamy temple, Madurantakam.
 „ Subramaniaswamy temple, Perumbairkandigai.
 „ Adikesavaperumal temple, Pandoor.

Saidapet Taluk.

- Sri Selvavinayakar temple, Alinjivakkam.
 „ Kalyanavaradarajaperumal temple, Kaladipet.
 „ Somanathaswamy temple, Kolathur.
 „ Venugopalswamy temple, Madambakkam.
 „ Oragandi Ellemman temple, Sommanjori.
 „ Masilamaneswarar temple, Thirumullaivoyal.
 „ Maruntheswarar temple, Thivanmiyur.
 „ Sundaravaradarajaperumal temple, Koilpadugai.
 „ Urani Rukmani Ammal kattalai attached to Sri Sowmiadamodaraperumal temple, Konnur.
 „ Chinna Subba Chetti Charities attached to Sowmiadamodaraperumal temple, Konnur.
 „ Thiruvalléeswarar temple, Padi.

Tiruvallur Taluk.

- Sri Vedanarayanaperumal temple, Nagapuram.
 „ Kothandaramar temple, Razanagaram.
 „ Thoduthaléeswarar temple, Thandalam.
 „ Theorthéeswarar temple, Tiruvallur.
 „ Chidambaranathar temple, Thokkikalai.
 „ Kesavaperumal temple, Thottikalai.
 „ Subramaniaswamy temple, Vadamadurai.
 „ Kannikaparameswari temple, Tiruvallur.

TANJORE DISTRICT.

Mayuram Taluk.

- Sri Swarnapureswarar temple, Athoor.
 „ Viswanathar temple, Karaikandam.
 „ Kannayiramudayar temple, Murumankudi.

[31st December 1953]

TANJORE DISTRICT—cont.

Mayuram Taluk—cont.

- Sri Naganathaswamy temple, Naganathankoilpathu.
 „ Varadarajaperumal temple, Pappakudi.
 „ Dakshinapuriswarar temple, Thalaisyudayarkoilpathu.
 „ Brahmapuriswarar temple, Thirumayanam.
 „ Ratnapuriswarar temple, Teruvalamputhoor.
 „ Manavaleswarar temple, Tiruvelvikudi.
 „ Ramaswamy temple, Tiruvilandur.
 „ Amirthasundareswarar temple, Anaikoil.
 „ Mariamman and Kamakshiamman temples, Karuvalakalai.
 „ Rajacholeswarar temple, Kattucheri.
 „ Sundareswarar temple, Keisingam.
 „ Chidambareswarar temple, Kiloy.
 „ Sarangapaniswamy temple, Kornadu.
 „ Manmathiswarar temple, Kuttalam.
 „ Choleswarar temple, Kuttalam.
 „ Rajarajeswariamman temple, Lakshminarayanapuram.
 „ Juraheeswarar temple, Melapathi.
 „ Tirumenialagianathaswamy temple, Pandaravada Mappadugai.
 „ Viswanathar temple, Sathangudi.
 „ Lakshminarayanaperumal temple, Vaduga street, Mayuram.
 „ Sundaranarayanaperumal temple, Sithamalli.
 „ Govindarajaperumal temple, Theralandur.
 „ Pallikondarenganathar temple, Theralandur.
 „ Kumarar kattalai attached to Sri Velapuriswarar temple, Theralandur.
 „ Viswanathar temple, Thevanoor.
 „ Gogureswarar temple, Tirukulambiam.
 „ Kasthurirangaperumal temple, Tiruvilayattam.
 „ Kondathur Radhakrishna Pillai Trust attached to Parimalaranganathar temple, Tiruvilandur.
 „ Vengiduswamy Trust, Tholudhoor.

Nannilam Taluk.

- Sri Erupadi kattalai attached to Sri Annapoorniamma temple, Tholundhoor.
 „ Kailasanathar temple, Agarakondagai.
 „ Rajagopalswamy temple, Ammayappan.
 „ Viswanathar temple, Kattoor.
 „ Kailasanathar temple, Keela Ohai.
 „ Sookshmapuriswarar temple, Kilasirankadi.
 „ Mariamman temple, Keeranthangudi.
 „ Subramaniyar temple, Koilkathangudi.
 „ Mahalanathar temple, Mangudi Kattalai.
 „ Maduvaneswarar temple, Koilpathu.
 „ Sarganeswarar temple, Sarguneswaram.
 „ Dundubeeswarar temple, Sengalipuram.
 „ Manavalamamuni attached to Sri Baktavatsalaperumal temple, Tirukannamangai.
 „ Sundareswarar temple, Tirupanniyoor.
 „ Abishtavaradarajaperumal temple, Dhittanimuttam.
 „ Kailasanathaswamy temple, Kidamangalam.

Nagapattinam Taluk.

- Sri Boomeswarar temple, Alivalam.
 „ Chidambareswarar temple, Athipulivur.
 „ Choleswaramudayar temple, Elangadhambanoor.
 „ Viswanathar temple, Karuveli.
 „ Venugopalswamy temple, Madapuram.
 „ Varadarajaperumal temple, Palakurichi.
 „ Kadambavanathar temple, Papakoil at Kulikarai.
 „ Kattalai attached to Sri Kasthurirangaperumal temple, Papakoil P.O., Andanapet.
 „ Kailasanathar temple, Papakoil at Kulikarai.
 „ Kandaswamy temple, Poravacheri P.O., Sikkil.
 „ Ramabhadrapurumal temple, Poravacheri.
 „ Swarnapuriswarar temple, Poravacheri at P.O. Thirunageswaram.
 „ Chatram Subramaniaswamy temple, Puthoor, at Eruthakara street Nagapattinam.
 „ Rudrakotiswarar temple, Rudrakoti P.O., Tiruvavur.
 „ Lakshminarayanaperumal temple, Sirangudipuliyur P.O., Sikkil.

[31st December 1953]

TANJORE DISTRICT—cont.

Nagapattinam Taluk—cont.

- Sri Dharmapuriswarar temple, Solavidapuram, Thirricheri P.O.
- „ Varadarajaperumal temple, Vadagudi Alathoor.
- „ Chokanathar temple, Valakkara, Keelayur P.O.
- „ Ramabhadrapurumal temple, Vayaloor.
- „ Kabaleswarar temple, Vijayapuram P.O., Thiruvarur.
- „ Renugadeviammal temple, Vijayapuram P.O., Thiruvarur.
- „ Tirugnanasamban laswamy math, Neelapadi, Koothoor P.O.
- „ Kaluvor endowments attached to Sri Subramaniaswamy temple, Kumarar Sannadhi street, Thiruvarur.
- „ Agniswarar temple, Thothy.
- „ Sundaramoorthiswathugal math, Thiruvarur at Pulivalam.

Sirkali Taluk.

- Sri Gurupuja madam, Achalapurem.
- „ Tirumenialagar temple Mathendrapalli P.O. via Coleroon.
- „ Narayanaperumal temple, Nangoor.
- „ Munivasagaswamy temple, Neithavasal P.O., Tiruvengad.
- „ Thiruvikramanarayanaperumal temple, Thadalanobil.
- „ Vijayakotandaramar temple, Theevukottai.
- „ Manigarunigai Viswanathar temple, Tiruvengad.
- „ Kaligameswarar temple, Thennampattanam.
- „ Nageswaramudayar temple, Sirkali town.
- „ Pallaveswarar temple, Pallaveswaram.
- „ Karimaniakaperumal alias Volvi Iainathaswamy temple, Thirukarugavoor.
- „ Tirumenialagar temple, Manigaman P.O., Tiruvengad.
- „ Charity, Tiruvelli Tirunagari and Tirumangaiaminan Kaingarya Parivarthana Sabha attached to Kalyanaranganathar temple, Tirunagari.

Tiruturaipundi Taluk.

- Sri Ranganathaswamy temple, Adirangam.
- „ Ezhumiswarar temple, Ayakaranambalam.
- „ Mariamman temple, Ayakaranambalam.
- „ Saptarishiswarar temple, Ezhiloor.
- „ Kasivasanathar temple, Kathirupoolam.
- „ Rajagopalaswamy temple, Muthupet.
- „ Ramalingaswamy temple, Panniyoor.
- „ Danushkotiswarar temple, Panchanthikulam.
- „ Subramaniaswamy temple, Panchanthikulam.
- „ Kapilavanathaswamy temple, Pannal.
- „ Varthamanaswarar temple, Segal.
- „ Atmanathaswamy temple, Talaikadu.
- „ Malaimariamman temple, Thandalancheri.
- „ Venkatachalapathy temple, Thillaiivilagam.
- „ Nannerinathar temple, Thandalancheri.
- „ Thiruvallampuriswarar temple, Vilakudi.
- „ Advaram madam, Vedaranyam.
- „ Puthadinariamman temple, Tirugalagudi.
- „ Agniswarar temple, Tirukollikadu.

Kumbakonam Taluk.

- Sri Rajagopalaswamy temple, Bagavathapuram.
- „ Sivaloganathar and Lakshminarayanaperumal temple, Kallur.
- „ Vajrathambeswarar temple, Keelakattur.
- „ Varadarajaperumal temple, Siokkanayagampet.
- „ Muthukumaraswami annadara kattalai attached to Sri Swaminathaswamy temple, Swamimalai.
- „ Varadarajaperumal temple, Thirunarayoor.
- „ Ramanathaswamy temple, Thirunarayoor.
- „ Venkatachalapathyaperumal temple, Thiruvambanallur.
- „ Abathagayeeswarar temple, Thukkachi.
- „ Sarparameswarar temple, Udayarkoil.
- „ Varadarajaperumal temple and Vedanayaperumal temple, Kumbakonam town.

Mannargudi Taluk.

- Sri Kailasanathaswamy temple, Poovanoor.
- „ P. L. V. Rm. Ramanathan Chettiyar kattalai attached to Sri Parijathaveswarar temple, Thirukkalar.

31st December 1953]

TANJORE DISTRICT—cont.

Papanasam Taluk.

- Sri Ranganathaperumal temple, Athanoor.
- „ Srinivasaperumal temple, Kambavanatham.
- „ Subramaniaswamy temple, Manojiappachavavadi.
- „ Dakshinamoorthy Pillayar temple, Milatore.
- „ Nirneetheswarar temple, Pulavanatham.
- „ Ranganathaswamy temple, Thirumandangudi.
- „ Mariamman temple, Valangiman.
- „ Subramaniaswamy and Sri Vajrakandiswarar, Veeramangudi.

Pattukkottai Taluk.

- Sri Subramaniaswamy temple, Kalanivasal.
- „ Thirumoolanathar temple, Kannugudi.
- „ Meimendranathaswamy temple, Kiramangalam.

Tanjore Taluk.

- Sri Rangaswamy Naidu kattalai attached to Sri Haranbavavimochanaperumal temple, Kandiyur.
- „ Soundararajaperumal temple, Perumbuliur.
- „ Venunathaswamy temple, Sadayarkoil.
- „ Ayyanar temple, Soorakkottai.
- „ Gada Rao Saheb's endowments attached to Sri Pushpavaneswarar temple, Melathirupanthurithi.

KURNOOL DISTRICT.

- Sri Anjaneyaswamy temple, Choutkur.
- „ Eswaraswamy temple, Pyapalli.
- „ Madduletinasimhaswamy temple, Rangapuram.
- „ Palutla Rangaswamy temple, Rangapuram.
- „ Nalleswaraswamy temple, Kothapalli, Kothapalli taluk.
- „ Anjaneyaswamy and Eswaraswamy temple, Choutkur.
- „ Indranathaswamy temple, Kurukunda.
- „ Chennakesavaswamy temple, Mittakandala.
- „ Anjaneyaswamy temple, Parathakota.
- Specific endowments attached to Sri Markandeyaswamy temple, Parumanchala.
- Sri Anjaneya and Kesavaswamy temple, Yatipadu.
- „ Sivalingaswamy temple, Kurukunda.
- „ Kesava and Anjaneyaswamy temple, Karivemula village, Pattikonda taluk.
- „ Kannikaparameswari temple, Pattikonda, Pattikonda taluk.
- „ Pandurangeswamy temple, Chintakunda, Koilkuntla taluk.
- „ Vinayakaswamy temple, Harivaram, Koilkuntla taluk.
- „ Kambagirinarasimhaswamy temple, Uppalapad, Koilkuntla taluk.
- „ Tripurantakeswaraswamy temple, Tripurantakam, Markapur taluk.
- „ Muktheswaraswamy temple, Bhojanam, Bhojanam.
- „ Bhogeswaraswamy temple, Gadigerevula, Nandyal taluk.
- „ Anjaneyaswamy temple, Gadigavamula, Nandyal taluk.
- „ Buggarameswaraswamy temple, Kanala, Nandyal taluk.
- „ Madhava and Anjaneyaswamy temple, Kanala, Nandyal taluk.
- „ Chennakesavaswamy temple, Kanala, Nandyal taluk.
- „ Prasanna Venkateswara, Madduru, Sirvel taluk.
- „ Chennakesavaswamy temple, Nallagatla, Sirvel taluk.
- „ Eswaraswamy temple, Nallagatla, Sirvel taluk.
- „ Veerabhadraswamy temple, Beeravolu, Banganapalle taluk.
- „ Buggarameswaraswamy temple, Ramathirtham, Banganapalle taluk.
- „ Madhavaswamy temple, Beeravolu, Banganapalle taluk.
- „ Chennakesavaswamy temple, Palakur, Banganapalle taluk.
- „ Gopalaswamy temple, Kamalapuri, Banganapalle taluk.
- „ Chodeswari, Mandavaram, Banganapalle taluk.
- „ Kannikaparameswari temple, Illurukothapeta, Banganapalle taluk.

CUDDAPAH DISTRICT.

- Sri Kannikaparameswari temple, Perumamilla, Badvel taluk.
- „ Pattabiramaswamy temple, Rajasahbpet, Badvel taluk.
- „ Veerabaramendraswamy temple, Kandimalliyapalli, Badvel taluk.
- „ Nageswaraswamy temple, Muthulurupad, Cuddapah.
- „ Nageswaraswamy temple, Jammalamadugu, Jammalamadugu taluk.
- „ Rama and Narasimhaswamy temple, Peecamudiur, Jammalamadugu taluk.
- „ Madhavaswamy temple, Peddapasupula, Jammalamadugu taluk.
- „ Chennakesavaswamy temple, Chiyyapad, Proddatur taluk.
- „ Kodandaramaswamy temple, Duvuru, Proddatur taluk.

[31st December 1953]

CUDDAPAH DISTRICT—cont.

- Sri Veerabhadraswamy temple, Maduru, Proddatur taluk.
 „ Someswaraswamy temple, Tangatur, Proddatur taluk.
 „ Chennakesavaswamy temple, Vellala, Proddatur taluk.
 „ Kommatinuthala Chinthalaraya, Pulivendla, Pulivendla taluk.
 „ Theertheswaraswamy temple, Athirala, Rajampet taluk.
 „ Narayanabrahmendaraswamy math, Kalasapadu, Badvel taluk.

ANANTAPUR DISTRICT.

- Sri Parvathasimhasana math, Guntakkal.
 „ Lakshmi Chennakesavaswamy temple, Dharmavaram, Dharmavaram taluk.
 „ Ramaswamy temple, Gooty, Gooty taluk.
 „ Anjaneyaswamy temple, Haviligi, Gooty taluk.
 „ Anjaneyaswamy temple, Kasapuram, Gooty taluk.
 „ Adi Chennakesavaswamy temple, Konakandla, Gooty taluk.
 „ Virakthi Math, Konakandla, Gooty taluk.
 „ Undabanda Veerabhadraswamy temple, Palthuru, Gooty taluk.
 „ Kodanda Ramaswamy temple, Thimmancherla, Gooty taluk.
 „ Bollikondarayaswamy temple, Thondapadu, Gooty taluk.
 „ Subramaniaswamy temple, Uravakonda, Gooty taluk.
 „ Rayachoti Veerabhadraswamy temple, Gooty taluk.
 „ Bolarayaswamy temple, Uravakonda, Gooty taluk.
 „ Chapram Anjaneyaswamy temple, Vajrakur, Gooty taluk.
 „ Chennakesavaswamy and Anjaneyaswamy temple, Vajrakur, Gooty taluk.
 „ Venkateswaraswamy temple, Vajrakur, Gooty taluk.
 „ Janardhanaswamy temple, Vajrakur, Gooty taluk.
 „ Dakshinamurthy Swamy temple, Hindupur, Hindupur taluk.
 „ Ananthapadmanabhaswamy temple, Hindupur, Hindupur taluk.
 „ Kannikaparameswari temple, Kalyandurug, Kalyandurug taluk.
 „ Mittabanda Anjaneyaswamy temple, Madakasira village and taluk.
 „ Lakshminarayana and Venkateswaraswamy temples, Bukkapatnam village and taluk.
 „ Konaranganathaswamy temple, Alur, Tadpatri taluk.
 „ Venkateswaraswamy temple, Yellanur, Tadpatri taluk.
 „ Lakshmi Chennakesavaswamy temple, Yediki, Tadpatri taluk.
 „ Gavimath, Uravakonda, Gooty taluk.
 „ Virakthi Math, Konakandla, Gooty taluk.

BELLARY DISTRICT.

Adoni Taluk.

- Sri Ambabhavani Devatha temple, Adoni.
 „ Mangaraya Anjaneyaswamy temple, Adoni.
 „ Veerabhadraswamy temple, Adoni.
 „ Mallikarjunaswamy temple, Baithal, Adoni.
 „ Kallu Math, Mandagiri.
 „ Gopaladosa Bhavaji Math, Adoni.
 „ Gopaladosa Bhavaji Math, Adoni town.
 „ Kallumath, Mandagiri.

Alur Taluk.

- Sri Bhobeswaraswamy temple, Chippagiri.
 „ Ganesh temple, Molagavalli.
 „ Anjaneyaswamy temple, Sirigapuram.
 „ Anjaneyaswamy temple, Yerur.

Bellary Taluk.

- Sri Sakaraswamy temple, Bellary.
 „ Virakthi alias Kottur Math, Bellary.
 „ Dodda Basaveswaraswamy temple, Kurugode.

Holagalli Taluk.

- Sri Siddeswaraswamy temple, Holagundi.
 „ Veerabhadraswamy temple, Holalur.
 „ Virakthi math, Uthangi.

Harpanahalli Taluk.

- Sri Mallikarjunaswarar temple, Kuruvathi.
 „ Uthangamma temple, Uthangidurgam.
 „ Chenna Veeraswamy math, Mangarayakondahalli.

[31st December 1953]

BELLARY DISTRICT—cont.

Hospet Taluk.

- Sri Anjaneyaswamy temple, Chittavadigi.
 „ Nagareswaraswamy temple, Chittavadigi.
 „ Sankara Bharathi math, Hampi.
 „ Jambunathaswamy temple, Jambunathahalli.
 „ Uddana Veerabhadraswamy temple, Kamalapuram.
 „ Virakthi math, Kampli.
 „ Sankarabharathi math, Hampi.
 „ Virakthi math, Kampli.

Kudligi Taluk.

- Sri Guru Basaveswaraswamy temple, Kothur.
 „ Marula Siddeswarar math, Ujjain.
 „ Nagareswaraswamy and Eswaraswamy temple, Sirizuppa village and taluk.
 „ Muralasi Desarar math, Ujjaini.

SOUTH KANARA DISTRICT.

- Sri Yodathare Mahakali temple, Baindoor, Coondapur taluk.
 „ Sowkur Durgapara neswari temple, Gulvady, Coondapur taluk.
 „ Palimar math, Shivalli temple, Gulvady, Coondapur taluk.
 „ Somanatha temple, Puthige, Karkal taluk.
 „ Janatam math, Gurupur, Mangalore.
 „ Sengam math, Gurupur, Mangalore taluk.
 „ Santana Gopalakrishna temple, Koodlamogru, Coondapur taluk.
 „ Kanakathur Mahalingeswarar temple, Muliya, Coondapur taluk.
 „ Manjunatha temple, Dharmasthala.
 „ Gunupur Chenganna Math, Erupur.

CHITTOOR DISTRICT.

- Sri Kothandaramaswamy temple, Katamanohi, Chittoor taluk.
 „ Kothandaramaswamy temple, Bookasampalam, Kalahasti taluk.
 „ Pasuramaswamy temple, Gudivallam Kalahasti taluk.
 „ Kothandaramaswamy temple, Tallabudugur, Palamaner, taluk.
 „ Kannikaparameswari temple, Thirupathi, Chandragiri taluk.
 „ Anjaneyaswamy temple, Pakli, Chandragiri taluk.
 „ Subramaniaswamy temple, Pakala, Chandragiri taluk.
 „ Kannikaparameswari temple, Chittoor, Chittoor taluk.
 „ Kothandaramaswamy temple, Renuganipalli, Palamaner taluk.
 „ Chennakesavaswamy temple, Kalottur, Punganoor taluk.

NELLORE DISTRICT.

- Sri Chennakesavaswamy temple, Kaluveyi, Atmakur taluk.
 „ Vinayakaswamy temple, Kaluveyi, Atmakur taluk.
 „ Neelakanteswarar temple, Kaluveyi, Atmakur taluk.
 „ Kothandaramaswamy temple, Nagulathur, Atmakur taluk.
 „ Visveswaraswami alias Malleswaraswamy temple, Virreer, Atmakur taluk.
 „ Subramaniaswamy temple, Subramaniam, Venkatagiri taluk.
 „ Varadarajar temple, Venkatagiri town and taluk.
 „ Subramaniaswamy temple, Mallam, Sulerpet taluk.
 „ Pandurangaanathar temple, Pandurangam, Gudur.
 „ Prasanna Kasivisweswaraswamy temple, Vadambadu, Sulerpet.
 „ Alaganathaswamy temple, Gudur, Gudur taluk.
 „ Kothandaramaswamy temple, Varagali, Gudur taluk.
 „ Brahmandeswaraswamy temple, Buchareddipalayam, Kovur taluk.
 „ Nageswaraswamy temple, Kolavalur, Kovur taluk.
 „ Sridharaswamy temple, Kodavalur, Kovur taluk.
 „ Nageswarar temple, Pobuballi, Kovur taluk.
 „ Ananthakothanaramaswamy temple, Sarvayipalem, Kavali taluk.
 „ Venugopalaswamy temple, Sakavaram, Kandukur taluk.

GUNTUR DISTRICT.

Guntur Taluk.

- Sri Venkateswara and Sitharamaswami temple, Ananthavaram.
 „ Malleswaraswami temple, Anumallapudi.
 „ Kasivisweswaraswami temple, Anaparru.
 „ Malleswaraswami temple, Gandarupalli.

[31st December 1953]

GUNTUR DISTRICT—cont.

Guntur Taluk—cont.

- Sri Sitharamaswami specific endowment, Chemmilamudi.
 „ Sitharamaswami temple, Enamadala.
 „ Veereswaraswami temple, Enamadala.
 „ Anjaneyaswami temple, Gorantla.
 „ Venugopalswami temple, Old Guntur.
 „ Rajeswaraswami temple, Marlapudi.
 „ Venugopalswami specific endowment, Katrapalu.
 „ Kothandaramaswami temple, Kaza.
 „ Agastheeswaraswami temple, Kaza.
 „ Anjaneyaswami temple, Kaza.
 „ Venkateswaraswami temple, Koppuravur.
 „ Malleswaraswami temple, Lemalle.
 „ Venugopalswami temple, Mandadam.
 „ Rameswaraswami temple, Mandadam.
 „ Malleswaraswami temple, Nekkallu.
 „ Anjaneyaswami temple, Nidamaru.
 „ Sukteswaraswami temple, Nuthakki.
 „ Ramalingeswaraswami temple, Panidaram.
 „ Sarveswaraswami temple, Podapalakalur.
 „ Anjaneyaswami temple, Pedapakalur.
 „ Venugopalswami temple, Pelakani.
 „ Malleswaraswami temple, Pedaparimi.
 „ Venugopalswami temple, Pedaparimi.
 „ Gangamma temple, Pedavadlapudi.
 „ Someswaraswami temple, Pothur.
 „ Rajeswaraswami temple, Ponnekin.
 „ Ramalingeswaraswami temple, Ravipadu.
 „ Sitharamaswami temple, Ravipadu.
 „ Visweswaraswami temple, Rayapudi.
 „ Someswaraswami and Kudaloeswaraswami temple, Sekur.
 „ Anjaneyaswami temple, Sanlepudi.
 „ Venugopalswami temple, Suddapalli.
 „ Someswaraswami temple, Sootanagaram.
 „ Gireswaraswami temple, Tadikonda.
 „ Moolasthaneswaraswami temple, Tadikonda.
 „ Venugopalswami temple, Tadikonda.
 „ Chennakesavaswami temple, Turlapada.
 „ Pandulingeswaraswami temple, Turlapadu.
 „ Veerabhadraswami temple, Tullur.
 „ Kothandaramaswami temple, Tullur.
 „ Sitharamaswami temple, Tullur.
 „ Moolasthaneswaraswami temple, Unnava.
 „ Chennakesavaswami temple, Varagani.
 „ Malleswaraswami temple, Varagani.
 „ Malleswaraswami temple, Volagapudi.
 „ Venkateswaraswami temple, Vaikuntapuram.
 „ Venugopalswami temple, Zoonamechundur.
 „ Rajamalleswaraswami temple, Dondapadu.
 „ Anjaneyaswami temple, Dondapadu.
 „ Someswara and Venugopala specific endowment, Nidumukkala.
 „ Anjaneyaswami temple, Chowdavaram.
 „ Kesavaswami temple, Ponumaka.
 „ Malleswaraswami temple, Pedavadlapudi.
 „ Nageswaraswami temple, Chirravur.
 „ Umamaheswaraswami temple, Venugandla.
 „ Anjaneyaswami temple, Venugandla.

Sattenapalle Taluk.

- Sri Bhimalingeswaraswami temple, Dodleru.
 „ Pattabhiramaswami temple, Ganapavaram.
 „ Chennakesavaswami temple, Gudipudi.
 „ Anandeeswaraswami temple, Kamerepudi.
 „ Venkateswara and Anjaneyaswami temple, Kandipadu.
 „ Pattabhiramaswami temple, Lakkaraajugalapadu.
 „ Sagareswaraswami temple, Madala.
 „ Malleswaraswami temple, Malladi.
 „ Venugopalswami temple, Modikondur.
 „ Kothandaramaswami temple, Munugodu.
 „ Visweswaraswami temple, Muppalla.

31st December 1953]

GUNTUR DISTRICT—cont.

Sattenapalle Taluk—cont.

- Sri Ramalingeswaraswami temple, Muppalla.
 „ Bheemeswaraswami temple, Narnepadu.
 „ Venugopalswami temple, Paladugu.
 „ Rajagopalswami temple, Pedakurapadu.
 „ Ramalingeswaraswami temple, Pedakurapadu.
 „ Sangameswaraswami temple, Pondugulla.
 „ Venugopalswami temple, Sattenapalle.
 „ Venugopalswami temple, Vipparla.
 „ Malleswaraswami temple, Vipparla.
 „ Jalapaleswaraswami temple, Yabuluripadu.

Tenali Taluk.

- Sri Aretamma temple, Ananthavaram.
 „ Venugopalswami temple, Ananthavaram.
 „ Sapatakoteswaraswami temple, Ananthavaram.
 „ Bramarambhamalleswaraswami temple, Angalakuduru.
 „ Umamaheswaraswami temple, Annavaram.
 „ Venugopalswami temple, Annavaram.
 „ Malleswaraswami temple, Ballijopalli.
 „ Veeranjanyaswami temple, Burripalam.
 „ Kodandaramaswami temple, Kothapalem.
 „ Chennakesavaswami temple, Chodalavada.
 „ Malleswaraswami temple, Chodalavada.
 „ Rameswaraswami temple, Chilumuru.
 „ Venugopalswami temple, Chilumuru.
 „ Veeramaperantalu, Chilumuru.
 „ Prathapanjaneyaswami temple, Chinavur.
 „ Someswaraswami temple, Chinavur.
 „ Madanagopalswami temple, Chivalur.
 „ Malleswaraswami temple, Chinagadelavarru.
 „ Nageswaraswami temple, Chebrole.
 „ Chaturmukhabrahmalingeswaraswami, Chebrole.
 „ Chandrahowleeswaraswami, Chebrole.
 „ Nityanandasramam, Chebrole.
 „ Ranganadhaswami temple, Chebrole.
 „ Sahasralingeswaraswami, Chebrole.
 „ Venugopalswami, Chebrole.
 „ Sabhudevara math, Chebrole.
 „ Veerabhadraswami, Chebrole.
 „ Ramalingeswaraswami temple, Shivalur.
 „ Malleswaraswami temple, Chintalapudi.
 „ Chennakesavaswami temple, Duggirala.
 „ Chandramouleeswaraswami temple, Godavarru Agraharam.
 „ Agastheeswaraswami temple, Imani.
 „ Kothandaramaswami temple, Imani.
 „ Kothandaramaswami temple, Imani.
 „ Malleswaraswami temple, Ipur.
 „ Malleswaraswami temple, Ipur.
 „ Malleswaraswami temple, Kateveram.
 „ Someswaraswami temple, Kateveram.
 „ Ramalingeswaraswami temple, Kunchavaram.
 „ Malleswaraswami temple, Karpa.
 „ Venkateswaraswami temple, Karpa.
 „ Malleswaraswami temple, Kothapalli.
 „ Venugopalswami temple, Munchalla Agraharam.
 „ Visweswaraswami temple, Munchalla Agraharam.
 „ Chowdeswaraswami temple, Moparru.
 „ Venugopalswami temple, Manchikalapudi.
 „ Agastheeswaraswami specific endowments, Mulpuru.
 „ Bheemeswaraswami temple, Munnangi.
 „ Venugopalswami temple, Munnangi.
 „ Kodandaramaswami temple, Mosalipadu.
 „ Agastheeswaraswami temple, Nandivelugu.
 „ Anjaneyaswami temple, Nandivelugu.
 „ Sitaramaswami temple, Pathareddipalem.
 „ Ramalingeswarar, Pedagadelavarru.
 „ Andeswarar, Pedakondur.
 „ Janardhanaswami temple, Pedakondur.

[31st December 1953]

GUNTUR DISTRICT—cont.

Tenali Taluk—cont.

- Sri Rajeswarar temple, Pedakondur.
 „ Someswarar, Pedapudi.
 „ Venugopalaswamy temple, Pedapudi.
 „ Sitharamar, Sedaravur.
 „ Malleswara, Sedaravur.
 „ Someswarar, Pidaparra.
 „ Chennakeswarar, Penugudurupadu.
 „ Kodandaramaswamy temple, Penumarru.
 „ Kodandaramar, Pedapalem.
 „ Ramalingeswarar, Ramalingeswara.
 „ Bhavanarushi, Tenali.
 „ Govardhanaswamy temple, Tenali.
 „ Ramaswamy temple, Tenali.
 „ Venugopalaswamy temple, Tenali.
 „ Rameswarar, Tenali.
 „ Veerabhadrar, Tenali.
 „ Sitharamaswamy temple, Thummapudi.
 „ Venkamma Parantulu temple, Vallabhapuram.
 „ Sakaleswarar, Vallabhapuram.
 „ Rameswaraswamy temple, Venuru.
 „ Venugopalaswamy temple, Venuru.
 „ Venugopalaswamy temple, Venuru.
 „ Anjaneyaswami temple, Vadlamudi.
 „ Veerabhadraswami temple, Vadlamudi.
 „ Sitharamaswamy temple, Nandivelugu.
 „ Kamakoteswarar, Donopudi.
 „ Sambudaure math, Chebrole.

Repalle Taluk.

- Sri Malleswarar, Addopalli.
 „ Santhanagopalaswamy temple, Addopalli.
 „ Sankaramma temple, Balanulapalem.
 „ Rameswarar, Ilawaram.
 „ Kavuramma, Kavur.
 „ Mukteswarar, Nallur.
 „ Sitharamaswamy temple, Nalluripalem.
 „ Chennakesavaswamy temple, Pedapalli.
 „ Gokarneswaraswamy, Nizampatnam.
 „ Sitharamar, Pamidimarri.
 „ Madanagopala specific endowment, Oleru.

Bapatla Taluk.

- Sri Rameswarar temple, Audipudi.
 „ Chennakesavaswamy, Audipudi.
 „ Anjaneyaswamy, Bapatla.
 „ Koteswarar, Chorukur.
 „ Kasiviswarar, Ganapavaram.
 „ Anjaneyaswamy, Gopapuram.
 „ Venugopalaswamy, Gollamudipadu.
 „ Venugopalaswamy, Garikapadu.
 „ Chennamalleswarar, Inagallu.
 „ Padamala Ankamma, Inkollu.
 „ Veerabhadraswamy temple, Jagarlamudi.
 „ Agastheeswarar, Kakumenu.
 „ Chennakesavaswamy, Kakumenu.
 „ Sitharamar, Kanakatapalem.
 „ Janardhanaswamy temple, Karlapalem.
 „ Viswanathaswamy, Kajipalem.
 „ Sitharamar, Kajipalem.
 „ Malleswarar, Kollemarla.
 „ Poleramma, Kondapatur.
 „ Chennakesavaswamy, Mannava.
 „ Amareswarar, Marripudi.
 „ Sitharamar, Machavaram.
 „ Ramalingeswarar, Manthenavaripalem.
 „ Suryeswarar, Palaparru.
 „ Venugopalaswamy, Palaparru.
 „ Someswarar, Palaparru.
 „ Addanki Nancharamma, Paruchur.

31st December 1953]

GUNTUR DISTRICT—cont.

Bapatla Taluk—cont.

- Sri Sitharamaswamy, Pittalavaripalem.
 „ Kasiviswanathar, Ponnur.
 „ Malleswarar, Pusulur.
 „ Venugopalaswamy, Pusulur.
 „ Venugopalaswamy, Rajupalem.
 „ Chennakesavaswamy, Santharavur.
 „ Ramalingeswarar, Santharavur.
 „ Vallabharayaswamy, Swarna.
 „ Nageswarar, Swarna.
 „ Chennakesavaswamy, Tandole.
 „ Bandalamma, Tandole.
 „ Chennakesavaswamy, Uppalapadu.
 „ Chennamalleswarar, Uppalapadu.
 „ Venkateswarar specific endowment, Upputur.
 „ Chakareswarar, Vallabharaopalem.
 „ Ganapathi Malleswarar, Vallur.
 „ Venugopalaswamy, Vallur.
 „ Ramalingeswarar, Vedullapalli.
 „ Venugopalaswamy, Veernapalem.
 „ Sitharamar, Zammulapalem.
 „ Venugopalaswamy, Zupudi.
 „ Sitharamar, Narasayapalem.
 „ Anjaneyaswamy, Yazali.

Ongole Taluk.

- Sri Ramalingeswarar, Addanki.
 „ Chennamalleswarar, Ammanabrole.
 „ Narasimhaswami, Ammanabrole.
 „ Chennakesavaswamy, Ammanabrole.
 „ Prakasamalleswarar, Ammanabrole.
 „ Venkateswarar, Ammanabrole.
 „ Nageswaraswamy temple, Alluru Kothapatnam.
 „ Byragi math, Annavarappadu.
 „ Ramalingeswarar, Chandalur.
 „ Chennakesavaswamy, Chandalur.
 „ Lingodhaswamy, Chodavalada.
 „ Anjaneyaswamy, Chodavalada.
 „ Chennakesavaswamy, Chejerla.
 „ Nagalingeswarar, Chejerla.
 „ Ramalingeswarar, Karavari.
 „ Sitharamaswamy, Karavari.
 „ Sitharamaswamy specific endowment, Karavari.
 „ Venugopalaswamy, Karavari.
 „ Bheemeswarar, Duddukur.
 „ Venugopalaswamy, Duddukur.
 „ Kodandaramaswamy, Gangavaram.
 „ Chennakesavaswamy, Gangavaramsanthamuthalapadu.
 „ Venugopalaswamy, Guravareddipalem.
 „ Bheemeswarar, Janakavaram Pangalur.
 „ Veeraswarar, Janakavaram Pangalur.
 „ Eleswarar, Kanuparti.
 „ Sitharamaswamy, Kanuparti.
 „ Kasiviswanathaswamy, Karumanchi.
 „ Chakradhara and Janardhanaswamy, Konijodu.
 „ Tripurantakaswamy, Konijodu.
 „ Raghunajaswamy, Koniki.
 „ Malleswarar, Kotapadu.
 „ Chennakesavaswamy, Kotapadu.
 „ Venkateswarar, Maddipadu.
 „ Venkateswarar, Mangamur.
 „ Venugopalaswamy, Marlapadu.
 „ Chennakesavaswamy, Muppavaram.
 „ Rajamalleswaraswamy, Muppavaram.
 „ Ananthakodandaramaswamy, Manduvavaripalem.
 „ Chennakesavaswamy, Nelaturu.
 „ Chennakesavaswamy, Nidamalur.
 „ Ramalingeswarar, Nidamalur.
 „ Rajeswarar, Nujollapalli.

[31st December 1953]

GUNTUR DISTRICT—cont.

Ongole Taluk—cont.

- Sri Kodandaramaswamy, Ongole.
- „ Chennakesavaswamy, Ongole.
- „ Kasivisweswaraswamy, Ongole.
- „ Malleswaraswamy temple, Pamidipadu.
- „ Venugopalswamy, Pamidipadu.
- „ Chennakesavaswamy, Pedakothapalli.
- „ Prasannamjaneyaswamy, Pollur.
- „ Moolasthaneswarar, Pollur.
- „ Kodandaramaswamy, Pernamitta.
- „ Venugopalswamy, Pondur.
- „ Ramalingeswarar, Pondur.
- „ Ramalingeswarar, Ramakur.
- „ Venugopalswamy, Rachapadu.
- „ Anjaneyaswamy, Rachavaripalem.
- „ Janardhanaswamy, Rachavaripalem.
- „ Chennakesavaswamy, Rudravaram.
- „ Rajeswaraswamy, Turpupalem.
- „ Chendramouleswarar, Turpunaidupalem.
- „ Kasiviswanathar, Tammavaram.
- „ Chennakesavaswamy, Tammavaram.
- „ Venugopalswamy, Uthi.
- „ Someswarar, Vallur.
- „ Venugopalswamy, Vallur.
- „ Kasiviswanathar, Vallampalli.
- „ Chennakesavaswamy, Kotakota.
- „ Kasiviswanathar, Lingaungunta.
- „ Byragi math, Annavarapadu.

Narasaraopet Taluk.

- Sri Venugopalswamy, Babbepalli.
- „ Venugopalswamy, Enamadala.
- „ Malleswaraswamy, Enamadala.
- „ Venugopalswamy, Gannavaram.
- „ Janardhanaswamy, Govindapura.
- „ Bheemeswarar, Govindapura.
- „ Anjaneyaswami temple, Guravayapalem.
- „ Venugopalswamy, Kunkalaganta.
- „ Venkateswarar, Kundaveedu.
- „ Sankaraswamy specific endowments, Konidona.
- „ Chennakesavaswamy, Nartur.
- „ Ghatteswarar, Nartur.
- „ Someswarar, Nartur.
- „ Tandaveswaraswamy, Pasumarru.
- „ Gramadevata, Pasumarru.
- „ Chennakesavaswamy, Polur.
- „ Venugopalswamy, Ponur.
- „ Veerabhadraswamy, Ponur.
- „ Rajamouleswaraswamy, Rajapet.
- „ Rajagopalswamy, Rajapet.
- „ Anjaneyaswamy, Sathalur.
- „ Anjaneyaswamy, Thimmapuram.
- „ Chendramouleswarar, Thimmapuram.
- „ Chendramouleswarar, Sathalur.
- „ Umamaheswaraswamy, Tuvadu.
- „ Malleswarar, Uppumagalur.
- „ Venugopalswamy, Uppumagalur.
- „ Chennamalleswaraswamy, Zaladi.
- „ Chennakesavaswamy temple, Zaladi.
- „ Sitharamaswamy, Patlurivaripalem.
- „ Kasivisweswaraswamy, Guntanpalli.
- „ Venugopalswamy, Cherladugipadu.
- „ Janardhanaswamy, Chintapalli.
- „ Mageswaraswamy, Chintapalli.
- „ Venugopalswamy, Gogulapadu.
- „ Neelakanteswarar, Gogulapadu.
- „ Sitharamaswamy, Gurazall.
- „ Veerabhadraswamy, Gurazall.
- „ Lakshminchennakesavaswamy, Macherla.
- „ Veerabhadraswamy, Macherla.

31st December 1953]

GUNTUR DISTRICT—cont.

Narasaraopet Taluk—cont.

- Sri Uttareswaraswamy, Pedakondamagandla.
- „ Lakshminarasimhaswamy temple, Petasanigandala.
- „ Someswaraswamy, Pulipadu.

Vinukonda Taluk.

- Sri Bhavanarayanaswamy temple, Inumella.

SOUTH MALABAR DISTRICT.

Ernad Taluk.

- Sri Nalloppilli temple, Areacode.
- „ Pazhanagara Bhagvathy temple, Arimbra.
- „ Thirumandhamkundu temple, Chathangottupuram.
- „ Thiruvangat temple, Chelambra.
- „ Poot Irikovil temple, Poroor.
- „ Ullanam temple, Ullanam.
- „ Unnimore temple, Urangattiri.

Ponnani Taluk.

- Sri Kattupuram Vettakkorumokan temple, Ayroor.
- „ Panayankulankara temple, Engandiyur.
- „ Ayroor temple, Kaipamangalam.
- „ Kavucode temple, Kavucode.
- „ Rattisseri temple, Kavucode.
- „ Thozhuramangalam temple, Kavucode.
- „ Malamkavu temple, Koodalur.
- „ Kalladathur temple, Kumaranellore.
- „ Vellalur temple, Kumaranellore.
- „ Chandanakavu temple, Kurumbattur.
- „ Maruthil temple, Marakkara.
- „ Palliprom temple, Palliprom.
- „ Perumanna temple, Perumanna.
- „ Tindilam Siva temple, Vadakkumbram.
- „ Iyyanthrankavu temple, Perumanna.
- „ Thozhuvannur Bhagavathy temple, Vadakkumbram.

Kozhikode Taluk.

- Sri Kuzhakkode temple, Chulur.
- „ Pookozhicode temple, Kasba.
- „ Sreekanteswaran temple, Kasba.
- „ Nadukkil temple, Neeleswaram.
- „ Ollur temple, Nellicode.
- „ Azhuthrikkovil and other temples, Pannicode.
- „ Krishnapurath temple, Pannicode.
- „ Thiruvannoor Siva temple, Panniyankara.
- „ Muthalam temple, Thazhacode.
- „ Kuthpraji Karumakan temple, Thiruvambadi.
- „ Purangathoor temple, Vavad.

Palghat Taluk.

- Sri Ganapathy temple, Ayakkad.
- „ Azhakath temple, Koyalamannam.
- „ Kizhakkanchery Bhagavathy temple, Kallikad.
- „ Chokanathaswamy alias Meenakshi Sundareswarar, Koppom.
- „ Manalur Siva temple, Kannadi.
- „ Somoochan Siva temple, Kavasseri.
- „ Nedumparambath Bhagvathy temple, Koduvayur.
- „ Nochur Bhagavathy temple, Koduvayur.
- „ Thrippalleswaram temple, Koppam.
- „ Lakshminarayanaswamy temple, Koyalmannam.
- „ Kootala temple, Kunisseri.
- „ Putukalangara Bhagavathy temple, Pudusseri.
- „ Ramanathapuram temple, Puthur.
- „ Sekharapuram Lakshminarayana and Emur Bhagavathi temple, Puthur.
- „ Vydianathapuram Vidyanathar temple, Puthur.
- „ Simhanadeeswari temple, Puthur.
- „ Poothacode Siva temple, Tarur.
- „ Thayankavu temple, Thenkurussi.
- „ Theennilapuram Gramam temple, Thennilapuram.

[31st December 1953]

SOUTH MALABAR DISTRICT—cont.

Walluvanad Taluk.

- Sri Methrikovil temple, Alanellore.
 „ Nheruth temple, Alanellore.
 „ Thechikot temple, Alanellore.
 „ Vettakkara Ayodhya and Pazhangode temple, Alangode.
 „ Thirunarayanapuram temple, Arakkuparampa.
 „ Arisanambi temple, Ariyur.
 „ Malankizhanat temple, Chemmalasseri.
 „ Vishnu temple, Chen aleri.
 „ Mahadevapandal temple, Cherukode.
 „ Kodikunnath Bhagavathy temple, Chundampatta.
 „ Siva temple, Cherukattupalem.
 „ Mannanur temple, Cherukattupalem.
 „ Methrikovil, Cherukattupalem.
 „ Eppakat Sri Vishnu temple, Edapatta.
 „ Pathrimanna Karumannappan temple, Edathanattikara.
 „ Enanganankurussikalum temple, Ezhuvanthala.
 „ Anithimahakalan temple, Kalladipatta.
 „ Killikulangara temple, Kanniamprom.
 „ Karikkad temple, Karakkad.
 „ Trangali Bhagavathy temple, Karakkad.
 „ Thuppalikat temple, Karimpuzha.
 „ Karikitamkunnu temple, Karikitamkunnu.
 „ Thiruvilampatta, Karikitamkunnu.
 „ Bhagavathy temple, Kumaramputhur.
 „ Avinhiakat temple, Kuruvambalam.
 „ Malapparambath Ayyappan temple, Kuruvambalam.
 „ Marudur Tali temple, Marudur.
 „ Mulanur Bhagavathy temple, Mulanur.
 „ Chemmanthattu Bhagavathy temple, Koozhattur.
 „ Ryrinellore temple, Naduvattam.
 „ Nilayangot temple, Naduvattam.
 „ Ayanikizhi temple, Palappuram.
 „ Kozhiyur Siva temple, Pazhanellore.
 „ Chelakat temple, Pulamanthole.
 „ Poothrikovil temple, Pulamanthole.
 „ Karippamannal temple, Pulasseri.
 „ Eswaramangalam temple, Srikrishnapuram.
 „ Elamkunni temple, Thachanattukara.
 „ Valakurussi temple, Thazhakode.
 „ Tiruvarikkal Bhagavathy temple, Thirunarayanapuram.
 „ Thirunarayanapuram temple, Tiruvazhiyode.

KRISHNA DISTRICT.

- Sri Venkamma Perantalu, Gudur, Bandar taluk.
 „ Bhogeswaraswami temple, Kachakodur, Bandar taluk.
 „ Chennakesavaswami, Kachakodur, Bandar taluk.
 „ Rajasekharaswami, Konopudi, Bandar taluk.
 „ Ramalingeswaraswami, Kudur, Bandar taluk.
 „ Visweswaraswami, Mukkoilu, Bandar taluk.
 „ Narasimhaswami, Mallavole, Bandar taluk.
 „ Prasanna Anjaneyaswami, Hanumanpet, Vijayavada taluk.
 „ Venugopalswami, Kanur, Vijayavada taluk.
 „ Santanagopalswami, Kavalur, Vijayavada taluk.
 „ Venugopalswami, Kunderu, Vijayavada taluk.
 „ Venkatachalaswami, Mylavaram, Vijayavada taluk.
 „ Rajeswaraswami, Nidamanur, Vijayavada taluk.
 „ Sitharamaswami, Pyderapadu, Vijayavada taluk.
 „ Chennamalleswaraswami, Pedapulipaka, Vijayavada taluk.
 „ Brahmarambalmalleswara, Tenneru, Vijayavada taluk.
 „ Bhogamalleswaraswami, Uppulur, Vijayavada taluk.
 „ Chandrasekaraswami, Velpur, Vijayavada taluk.
 „ Kothandaramaswami alias Sitharamaswami temples, Velpur, Vijayavada taluk.

31st December 1953]

KRISHNA DISTRICT—cont.

- Sri Lankammavaru, Avangaidda, Divi taluk.
 „ Venugopalswami, Bogireddipalli, Divi taluk.
 „ Malleswaraswami, Chittapogu, Divi taluk.
 „ Venugopalswami, Hamsaladevi, Divi taluk.
 „ Malleswaraswami, Kokkiligadda, Divi taluk.
 „ Rameswaraswami, Machavaram, Divi taluk.
 „ Pruddheswaraswami, Nadakuduru, Divi taluk.
 „ Subramanyeswaraswami, Nagayalanka, Divi taluk.
 „ Sarnidhiswaraswami, Nidumole, Divi taluk.
 „ Yoganandalakshminarasimha, Nidumole, Divi taluk.
 „ Someswaraswami, Ramachandrapur, hamlet of Mudumur, Divi taluk.
 „ Mukeheswaraswami, Vekanur, Divi taluk.
 „ Someswaraswami, Chiruchintala, Gudivada taluk.
 „ Venugopalswami, Chiruchintala, Gudivada taluk.
 „ Kanyakaparameswari, Gudivada town, Gudivada taluk.
 „ Siddeswaraswami, Gudlavalloru, Gudivada taluk.
 „ Lakshminarasimhaswami, Lakshmiapuram, Gudivada taluk.
 „ Sitharamaswami, Peyyeru, Gudivada taluk.
 „ Durganageswaraswami, Siddantam, Gudivada taluk.
 „ Venugopalswami, Siddantam, Gudivada taluk.
 „ Venkateswaraswami, Tamirasa, Gudivada taluk.
 „ Bogeswaraswami, Kalidindi, Kaikalur taluk.
 „ Venkateswaraswami, Kalidindi, Kaikalur taluk.
 „ Peddantiammavaru, Kokkiligadda, Kaikalur taluk.
 „ Malleswaraswami, Mandavalli, Kaikalur taluk.
 „ Chandramowleeswara, Atkur, Gannavaram taluk.
 „ Kanakadurgamalleswara alias Durgamallikarjuna, Ajampudi (mokhasa), Gannavaram taluk.
 „ Markandeyaswami, Agniparru, Gannavaram taluk.
 „ Madanagopalswami, Agniparru, Gannavaram taluk.
 „ Rameswaraswami, Gollapudi, Gannavaram taluk.
 „ Chandrasekaraswami, Chirivada, Gannavaram taluk.
 „ Venugopalswami, Choraudi, Gannavaram taluk.
 „ Brahmalingeswaraswami, Chikkavaram, Gannavaram taluk.
 „ Sitharamaswami, Eilkupadu, Gannavaram taluk.
 „ Anjaneyaswami, Gannavaram, Gannavaram taluk.
 „ Kothandaramaswami, Guruzada, Gannavaram taluk.
 „ Kamalingeswaraswami, Guruzada, Gannavaram taluk.
 „ Agastheswaraswami, Kapileswarapuram, Gannavaram taluk.
 „ Anjaneyaswami, Kapileswarapuram, Gannavaram taluk.
 „ Sitharamaswami, Kulalapadu, Kaikalur taluk.
 „ Venugopalswami, Kattur, Kaikalur taluk.
 „ Anandarameswaraswami, Krishnapuram, Kaikalur taluk.
 „ Venugopalswami, Krishnapuram, Kaikalur taluk.
 „ Nageswaraswami, Medur, Gannavaram taluk.
 „ Santanagopalswami, Nandamur, Gannavaram taluk.
 „ Sitharamaswami, Pydikondalapalem, Gannavaram taluk.
 „ Mallikharjunaswami, Pedaogirila, Gannavaram taluk.
 „ Sitharamaswami, Pedaavutupalli, Gannavaram taluk.
 „ Visweswaraswami, Pedaavutupalli, Gannavaram taluk.
 „ Rajeswaraswami, Penukumada.
 „ Sivadurgamalleswara, Tadigoppula.
 „ Venugopalswami, Tempalli.
 „ Visweswaraswami, Veeravalli (mokhasa).
 „ Visweswaraswami, Vedurupavulur.
 „ Someswaraswami, Vuyyuru.
 „ Sanganeswaraswami, Damulur, Nandigama taluk.
 „ Kusiviswaraswami, Agigandlapalem, Nandigama taluk.
 „ Rajagopalswami, Bheemavaram.
 „ Someswaraswami, Itur.
 „ Chandramowleeswaraswami, Jaggayyapeta.
 Specific Endowments, Ranganayaka, Jaggayyapeta.
 Sri Lakshminarasimhaswami, Jujjur.
 „ Chennakesavaswami, Gudimetla.
 „ Visweswaraswami, etc., Gudimetla.
 „ Madanagopalswami, Magallu.
 „ Kothandaramaswami, Narasimhapuram.
 „ Sambulingeswaraswami, Penuganchiprole, Nandigama taluk.
 „ Kothandaramaswami, Sripuram.
 „ Venkatachalaswami, Nuzvid.
 „ Sitharamaswami, Somavaram, Tiruvur taluk.

[31st December 1953]

NORTH MALABAR DISTRICT.

Chirakkal Taluk.

Sri Parassinikadavu temple, Andoor.
 Sundareswarar, Cannanore.
 Naniyur temple, Chelora.
 Kunithala temple, Chembilode.
 Cherukunnu temple, Cherukunnu.
 Odayamadain temple, Cherukunnu.
 Kadalayi temple, Chirakkal.
 Kalarivadukkal temple, Chirakkal.
 Chovva Siva temple, Elayavoor.
 Keezharakoolom temple, Ezhom.
 Thekkumpad Kovilakam, Irnavu.
 Keezharakoolom, Kannapuram.
 Karivellur temple, Karivellur.
 Muchilot Kavu temple, Korom.
 Kunhimangalam temple, Kunhimangalam.
 Madathumpad temple, Kunhimangalam.
 Sri Thiruvilamkunnu temple, Kunnaru.
 „ Kuttiattoor temple, Kuttiattoor.
 Panangattur Vettakkorumakam temple, Kuttieri.
 Sri Thiruvarkat Kavu temple, Madai.
 Makreri temple, Makreri.
 Maniyur temple, Maniyur.
 Sri Muzhippilangad temple, Muzhappilangad.
 Eriath Nattakkorumakam temple, Panapazha.
 Sri Krishnamathilakom, Oottubrakhaswami temple, Panapazha.
 „ Vasudevapuram temple, Panapazha.
 „ Vateswaram temple, Pappinisseri.
 „ Pattuvam temple, Pattuvam.
 „ Kondathidam Someswari temple, Payyanur.
 „ Puthur Siva temple, Peralam.
 Kanathur temple, Puzhathy.
 Sri Thiruvattur temple, Thiruvattur.
 „ Kuruveli Bhagavathy temple, Alapotamba.
 „ Venkataramana temple, Cannanore.
 „ Kadakkara temple, Chelore.
 Kapattu Kavu temple, Chelore.
 Sri Mylappoth Kavu temple, Chimbilode.
 „ Pulimpidavu temple, Chengalayi.
 „ Arathil Sree Badrapuram temple, Cherutazhom.
 „ Kolaprath Kavu temple, Cherutazhom.
 „ Puthari Kavu temple, Cherutazhom.
 Baghavapuram temple, Cherutazhom.
 Sri Chuzhali Bhagvathi temple, Chuzhali.
 „ Edakkad Vishnu temple, Edakkad.
 „ Oorpazhassi Kavu temple, Edakkad.
 „ Muthuvat Kavu temple, Eramam.
 „ Perool Siva temple, Eramam.
 „ Tripannikund temple, Eramam.
 „ Payyavoor temple, Eruvassy.
 „ Chedicheri temple, Irikkoor.
 „ Poorhrikovil temple, Kadampur.
 „ Vellalath temple, Kadannapalli.
 „ Arimbra temple, Kairalam.
 „ Nichiot Kavu temple, Kalliad.
 „ Kakkankovil temple, Kallissri.
 „ Prakkoth temple, Kallissri.
 „ Kankole Siva temple, Kankole.
 „ Kannadiparamba temple, Sri Kannadiparamba.
 „ Chama Kavu temple, Korom.
 „ Koyyam temple, Koyyam.
 „ Aneekkala Bhagavathy temple, Sri Kunhimangalam.
 „ Avichari temple, Kuttiori.
 „ Vadakkedath Someswari temple, Kuttiori.
 Vellakavu, Kuttiori.
 Naduvil temple, Naduvil.
 Vellat temple, Naduvil.
 Sri Vayathur temple, Padiyur.
 „ Krishnamathilakom temple, Panapuzha.
 „ Poomangalam, Panniyur.

31st December 1953]

NORTH MALABAR DISTRICT—cont.

Chirakkal Taluk—cont.

Sri Pappinassori temple, Pappinassori.
 „ Trikkovil temple, Battuvam.
 „ Porlath Bhagavathy temple, Porlam.
 „ Peringoth Kottam temple, Poringom.
 „ Ghalat temple, Puzhathy.
 „ Palankulangaru temple, Taliparamba.
 „ Someswaram, Taliparamba.
 „ Chembothikotto n alias Puthiyadath temple, Taliparamba.
 „ Trehambaram Kizhakke Madhom temple, Taliparamba.
 „ Cherukunnam Bhagvathy temple, Cherukunnam.

Hosdrug Sub-Taluk.

Sri Kammadath Bhagvathy temple, Elori.
 „ Melorippu temple, Kilayikode.
 „ Kinavoor Kiritheswara temple, Neleswar.
 „ Palikkara Bhagavathy temple, Neleswar.
 „ Pilicode Bhagvathy temple, Pilicode.
 „ Pudukkai Sadasiva temple, Pudukkai.
 Vishnumangalam temple, Pullur.
 Vishnumoorthy temple, Pullur.
 Sri Udainoor Kshetrapala temple, Udainoor.
 „ Madiamkulam Kshetrapala temple, Ajannor.
 „ Virabadara temple, Ghiruvathur.
 „ Lakshmi Venkitesh temple, Hosdrug.
 „ Kottah Vettakkorumakan, Neleswar.
 „ Mannampurath Bhagvathy, Neleswar.
 „ Thaliyil Neelakanta, Neleswar.
 „ Vishnumoorthy, Trikarapur.

Kottayam Taluk.

Sri Perimadhom temple, Kallayi.
 „ Kongatta, Pattiam.
 „ Kanhilori temple, Sivapuram.
 „ Mundayamparamba, Aralam.
 Palayat, Aralam.
 Sri Melur, Dharmadam.
 „ Soorianarayana, Kadinoor.
 „ Keezhattil Vyrighatakan, Kadinoor.
 „ Jaganath, Kallayi.
 „ Poravoor, Manathana.

Kurumbranad Taluk.

Sri Vekmoli and Mannankavu temple, Arikkulam.
 „ Avitannur temple, Avitanallur.
 „ Poyil Kavu, Edakkulam.
 „ Edakkayil Thora Ganapathy, Oheruvannur.
 „ Vishnumangalam, Iyyangode.
 „ Elayadath, Kadamori.
 „ Thiruvengayar, Karayat.
 „ Elampilat Paradevatha, Kizhariyur.
 „ Payangottayiparadevatha, Kottapalli.
 „ Vattoli temple, Kunummal.
 „ Kalliyamvalli, Kuttipuram.
 „ Vaprattkazhakam, Maninur.
 „ Vellarangottidam, Palayat.
 „ Thinnorsankaranarayana, Naripatta.
 „ Ariyanthori, Palori.
 „ Chala and Balussori, Panangad.
 „ Kothamangalam, Pathalayini.
 „ Koovat, Pommeri.
 „ Kottath, Pommeri.
 „ Kunhallur, Pommeri.
 „ Karayad and Kadameri, Pommeri.
 „ Chotroth Vettakkorumakan temple, Thurayur.
 „ Cheruvattar, Vellur.
 „ Kolasseri Siva, Vellur.
 „ Thirumanavishnu, Villayapalli.

[31st December 1953]

NORTH MALABAR DISTRICT.—cont.

Kurumbranad Taluk—cont.

- Sri Marallur, Viyyur.
- „ Kongannur, Vanmugham.
- „ Pisharikavu, Viyyur.

Wynad Taluk.

- Sri Mathangoituchedathil Amman temple, Kuppathode.
- „ Puthukizhom, Kurumbala.
- „ Ponginibhadarakali and Arimba Ayyappan temple, Chokkulur.
- „ Villiyurkavu Bhagavathy, Vemom.
- „ Ravimangalam, Anjukannu.
- „ Kottayil Bhagavathi, Kottapadi.
- „ Kurungallur, Kottathara.
- „ Sri Manikavu temple, Purakkadi.

WEST GODAVARI DISTRICT.

Eluru Taluk.

- Sri Venkateswaraswamy temple Bhimadolo (a).
- „ Bhimeswaraswamy temple, Bhimadolo (a).
- „ Someswaraswamy temple, Chodimella.
- „ Sitharamaswamy, Ernduluru.
- „ Chennakesavaswamy, Ernduluru.
- „ Someswarar, Ernduluru.
- „ Vasudevaswamy, Ernduluru.
- „ Jalaparahareswarar, Ernduluru.
- „ Malleswarar, Gundugolanur.
- „ Anjaneyaswamy, Gundugolanur.
- „ Venkateswarar, Gundugolanur.
- „ Anjaneyaswamy Gokinapalli.
- „ Ramalingeswarar, Kaikaram (a).
- „ Venugopalaswamy, Koppaka.
- „ Malleswarar, Koppaka.
- „ Chidambareswarar, Kottagundem.
- „ Sitharamaswamy temple, Kuchipudy.
- „ Madanagopalaswamy, Nuntur.
- „ Sitharamaswamy temple, Pathapodappadu.
- „ Vinatheswarar temple, Ponangi.
- „ Bhogeswararaswamy temple, Pothunur (a).
- „ Seetharamaswamy temple, Punukolu.
- „ Janardhanaswamy temple, Somavarappadu.
- „ Malleswarar temple, Thangallamudy.
- „ Adimalleswarar temple, Thirumalpalam.
- „ Venugopalaswami temple, Agraharam Gopavaram.
- „ Sitharamaswamy temple, Vanguru.
- „ Ramalingeswarar temple, Apparaopeta (a).
- „ Sugreevalingeswarar temple, Vasanthavada.
- „ Rajagopalaswamy temple, Vatluru.
- „ Malleswaraswamy temple, Vatluru.
- „ Madanagopalaswamy temple, Ruggirala.

Tadepalligudaem Taluk.

- Sri Kesavaswamy temple, Adivikolanu.
- „ Venkateswaraswamy temple, Buvvanapalli.
- „ Malleswarar temple, Kakinada (a).
- „ Malleswarar temple, Arthavaram.
- „ Saraswarar temple, Karkaramilli Agraharam (a).
- „ Ganneswarar, Arulla.
- „ Venkateswarar, Buvvanapalli.
- „ Chendrasekaraswamy temple, Cherukuganama Agraharam.
- „ Malleswarar temple, Jagannathapuram.
- „ Ramalingeswarar temple, Marampalli.
- „ Gubbamma temple, Mudunnuru.
- „ Bhimeswarar temple, Pedaniadrakolanu (a).
- „ Ramalingeswarar temple, Pentapadu.
- „ Janardhanaswamy temple, Pippara (a).
- „ Someswarar temple, Pippara (a).
- „ Madhavaswamy temple, Rachuru (a).
- „ Ramalingeswarar temple, Rachuru (a).

31st December 1953]

WEST GODAVARI DISTRICT—cont.

Tadepalligudem Taluk—cont.

- Sri Veereswarar temple, Pedutadepalli.
- „ Rajeswaraswamy temple, Saripalli.
- „ Lakshminarasimhaswamy temple, Tadepalligudem.
- „ Janarthanaswamy temple, Vipparu.
- „ Mahalaxmanavarar temple, Vaipparu.
- „ Rajeswaraswamy temple, Vipparu.
- „ Adikesavaswamy temple, Vipparu.
- „ Kanakadurga and Visweswarar temples Kondepadu.
- „ Ramalingeswarar temple, Juvvalalalam.
- „ Ramalayam temple, Juvvalalalam.

Chintalapudi Taluk.

- Sri Kothandaramaswamy temple, Borrapalem.

Polavaram Taluk.

- Sri Annapurnavisweswaraswamy temple, Ballipadu.
- „ Venugopalaswamy temple, Jangareddigudem.
- „ Mallikarjunaswamy temple, Cherukumilli.
- „ Lakshminarasimhaswamy temple, Tutilla.
- „ Anjaneyaswamy temple, Tutilla.
- „ Venkateswarar temple, Mahanandeswaram.
- „ Andalamma, Guntala.
- „ Mahanandeswarar temple, Mahanandeswaram.
- „ Udayavarlu temple, Gutlala.
- „ Bhavanarayanaswamy temple, Pattiseema.
- „ Sitharamaswamy temple, Pattiseema.
- „ Veereswaraswamy temple, Pattiseema.
- „ Sitharamaswamy temple, Polavaram.
- „ Kademmavari temple, Polavaram.
- „ Vareswarar temple, Taduvayi.

Kovvur Taluk.

- Sri Rajeswaraswamy temple, Gagallur (a).
- „ Subramaniaswamy temple, Gagallur (a).
- „ Baktakesavaswamy temple, Chidipi.
- „ Bhimalingeswaraswamy temple, Chityala (a).
- „ Uddadamallikarjuneswaraswamy temple, Dommeru (a).
- „ Anjaneyaswamy temple, Koonamrajumuppavaram.
- „ Chyasomeswarar, Gouripatnam.
- „ Katakateswaraswamy, Katakateswaram.
- „ Umamaheswaraswamy, Kukururu.
- „ Umamaheswaraswamy, specific endowments.
- „ Anjaneyaswamy temple, Madduru.
- „ Sitharamaswamy temple, Madduru.
- „ Ramalingeswarar temple, Lakkavaram.
- „ Venkateswarar temple, Mallavaram (a).
- „ Mahalaxamma temple, Markondapadu (a).
- „ Markandeyaswamy temple, Markondapadu (a).
- „ Lakshminarayanaswamy temple, Munipalliam.
- „ Viswaswarar temple, Munipalliam.
- „ Ramalingeswarar temple, Nadigamepadu.
- „ Madanagopalaswamy temple, Nidadavolu.
- „ Mangalyadevi temple, Nidadavolu.
- „ Someswarar temple, Nidadavolu.
- „ Malleswarar temple, Pandalapparru.
- „ Chayasomeswarar temple, Peddevam.
- „ Madanagopalaswamy temple, Penakandametla.
- „ Someswarar, Ravimetla.
- „ Sakaleswarar, Pendyala.
- „ Visweswarar temple, Perikalalanka.
- „ Someswarar, Purushottapalli.
- „ Ramalingeswarar, Penakanametla.
- „ Sitharamaswamy temple, Samvastaragudem.
- „ Rajagopalaswamy temple, Tadimella.
- „ Ramalingeswarar temple, Tadimella.
- „ Madanagopalaswamy, Tallapudy.
- „ Chayasomeswarar, Yegeswarapuram.
- „ Vistalakshminarasimhaswamy temple, Vijjeswaram.

[31st December 1953]

WEST GODAVARI DISTRICT—cont.

Kovvur Taluk—cont.

- Sri Madanagopalaswamy temple Yernagudem.
- „ Veereswarar temple, Yernagudem.
- „ Yoganadhaswami temple, Vijieswaram.
- „ Lokeswarar temple, Jeedigunta.

Tanuku Taluk.

- Sri Kapileswarar, Ayanaparru (a).
- „ Kesavaswamy, Ayanaparru (a).
- „ Malleswarar, Ajaram (a).
- „ Poleramma, Arvalli (a).
- „ Dharmeswarar, Dammennu (a).
- „ Visweswarar, Dasullekumadavalli (a).
- „ Kesavaswamy temple, Duvvu.
- „ Nageswarar, Duvvu.
- „ Sitharamaswamy, Duvvu.
- „ Venugopalaswamy, Duvvu.
- „ Venkateswarar, Goteru.
- „ Bhimeswarar, Gummupadu.
- „ Ramalingeswarar, Kodaru (a).
- „ Venugopalaswamy temple, Ilaparru (a).
- „ Gopalaswamy temple, Kokarapparru.
- „ Narendraswamy temple, Kakarapparru.
- „ Sitharamaswamy temple, Kakarapparru (a).
- „ Ramalingeswaraswamy temple, Kodoru.
- „ Venugopalaswamy temple.
- „ Gopalaswamy temple, Kakarapparru (a).
- „ Marendraswamy temple, Kakarapparru (a).
- „ Sitharamaswamy temple, Kakarapparru (a).
- „ Ramalingeswarar, Kaileru.
- „ Venugopalaswami temple Kanteru (a).
- „ Eukaneswarar, Kandavalli.
- „ Visweswaraswamy temple, Kaitavapadu.
- „ Kesavaswamy temple, Kanuru.
- „ Someswarar temple, Koyetipadu (a).
- „ Kanchikamakshamma, Kannayakummudavalli.
- „ Kapileswarar, Kalleswaram (a).
- „ Someswarar, Kannuru.
- „ Vallatheswarar, Kannuru.
- „ Ramalingeswarar, Manchili.
- „ Brahmeswarar temple, Maruteru (a).
- „ Gopalaswamy temple, Maruteru (a).
- „ Goureswarar, Mortha (a).
- „ Venugopalaswamy temple, Mortha (a).
- „ Someswarar, Mukkamala.
- „ Somaswarar, Neggipudy.
- „ Kanakadurgammavaru, Neggipudy.
- „ Gopalaswamy temple, Nedipalli (a).
- „ Kesavaswamy temple, Ogidi.
- „ Paleswarar temple, Ogidi.
- „ Balavenkateswarar temple, Paidiparru.
- „ Dandadeswarar Pekeru (a).
- „ Kesavaswamy temple, Pekeru (a).
- „ Kesavaswamy temple, Koravalli (a).
- „ Visweswarar temple, Koravalli (a).
- „ Markandayiswamy temple, Polamuru (a).
- „ Pattabiramaswamy temple, Polamuru (a).
- „ Mantalamavari temple, Polamuru (a).
- „ Vigneswarar temple, Polamuru (a).
- „ Visweswarar, Repaka (a).
- „ Rameswaraswamy temple, Satyavaram (a).
- „ Kedareswarar, Siddantham.
- „ Mandeswarar, Siddantham.
- „ Madanagopalaswamy temple, Tadeparru (a).
- „ Someswarar temple, Tadeparru (a).
- „ Madanagopalaswamy temple, Tadeparru (a).
- „ Someswarar temple, Tadeparru (a).
- „ Agastheeswarar, Vadali.
- „ Sitharamaswamy, Vadluru (a).
- „ Sojeswarar, Vadluru (a).

31st December 1953]

WEST GODAVARI DISTRICT—cont.

Tanuku Taluk—cont.

- Sri Rudreswarar, Velpuru (a).
- „ Sojeswarar, Velpuru (a).
- „ Rudreswarar, Velpuru (a).
- „ Someswarar, Velpuru (a).
- „ Venugopalaswamy temple, Velivenu (a).
- „ Malleswarar, East Vipparru.

Bhimavaram Taluk.

- Sri Bhimeswarar, Akividu.
- „ Peddintamma, Akividu.
- „ Gopalaswamy temple, Akividu.
- „ Mallammavaru, Bhimavaram.
- „ Ramaingeswarar, Cherukumilli.
- „ Gopalaswami temple, Cherukuvada (a).
- „ Chennamalloswarar temple, Cherukuvada (a).
- „ Someswarar, Obinnairam.
- „ Kesavaswamy temple, Doddanapudy.
- „ Varadarajaswamy temple, Dumpagadapa.
- „ Mukteswarar, Elurupadu (a).
- „ Venkateswarar, Elurupadu (a).
- „ Bhimeswarar, Elurupadu (a).
- „ Someswarar, Garagaparru (a).
- „ Someswarar, Gollakonderu (a).
- „ Gopalaswamy temple, Gollakonderu (a).
- „ Gopalaswamy temple, Gummuluru (a).
- „ Bhimeswarar, Kaligotla.
- „ Bhimeswarar, Kallukuru (a).
- „ Sivakesavaswamy temple, Komarada (a).
- „ Bhigeswarar, Kolanapalli.
- „ Venugopalaswamy temple, Kondopad.
- „ Venkatalingeswarar, Akividu.
- „ Bhimeswarar, Anakoderu.
- „ Sitharamaswamy, Cherukumilli.
- „ Venugopalaswamy, Cherukumilli.
- „ Ramalingeswarar, Kopalli (a).
- „ Visweswaraswamy temple, Kumudavalli.
- „ Gopalaswamy temple, Krovvidi.
- „ Madanagopalaswamy temple, Kuppanapoody.
- „ Gokarneswarar temple, Krovvidi.
- „ Bhimeswarar, Mogallu.
- „ Malleswarar, Madivada.
- „ Bhogeswarar, Mogallu.
- „ Venkateswarar, Madivada.
- „ Ramalingeswarar, Mahadevapatnam.
- „ Madanagopalaswamy temple.
- „ Ponneramma temple.
- „ Visweswarar, Narasingarajupuram.
- „ Nageswarar, Pamulaparru.
- „ Madhavaswamy, Panduvva.
- „ Someswarar, Panduvva.
- „ Venugopalaswamy temple, Penopada Agraharam.
- „ Malleswaraswamy, Peda Amiram (a).
- „ Kurmanandavenugopalaswamy temple, Pedakapavaram.
- „ Mooleswarar, Rayakoduru (a).
- „ Maramma and Mahalaxamma, Rayakoduru (a).
- „ Someswarar, Vissakoderu (a).
- „ Mahilaxmi and Peddamma, Srungavruksham (a).
- „ Tallamma Varu, Taderu.
- „ Kesavaswamy, Talluru (a).
- „ Rudreswarar, Talluru (a).
- „ Kesavaswamy, Vundurru.
- „ Venugopalaswamy, Panjavemavaram.
- „ Kanakadurgammavaru, Veeravasaram.
- „ Kasume:waraswamy, Rayakoduru.
- „ Venkateswaraswamy, Royakoderu.
- „ Ramalingeswarar, Vunduru.
- „ Venugopalaswamy, Vunduru.
- „ Rameswaraswamy temple, Vendra Agraharam.

[31st December 1958]

WEST GODAVARI DISTRICT—cont.

Narasapuram Taluk.

- Sri Mutyalamma and Jogulamma, Achanta.
 „ Sambhulingeswar, Agarru.
 „ Gopalaswamy temple, Burugupalli.
 „ Mukalamma and Burugulamma.
 „ Sitharamaswamy alias Sakateswarar.
 „ Kesavaswamy, Chinamallam.
 „ Malleswaraswamy, Chinamallam.
 „ Madanagopalaswamy, Chinchinada.
 „ Kesavaswamy and Anjaneyaswamy, Doddipatla.
 „ Malleswaraswamy and Kanakadurgammavaru temple, Doddipatla.
 „ Chandrasekharaswamy, Devi (a).
 „ Someswarar, Gummalur (a).
 „ Gengugopalaswamy, Gorintatada.
 „ Gokarneswaraswamy, Gumparru.
 „ Sitharamaswamy, Gumparru (a).
 „ Chandrasekaraswamy, Ilaparru.
 „ Rameswaraswamy, Jagannadhapuram (a).
 „ Sitharamaswamy, Jagannadhapuram (a).
 „ Ramalingeswarar, Kommuchikkala.
 „ Sitharamaswamy, Koparru.
 „ Laxmaneswarar, Laxmaneswararam.
 „ Amereswarar, Madhavayapalem.
 „ Agesteeswarar, Mutyapuri.
 „ Janardhanaswamy temple, Matsyapuri.
 „ Rajalingeswarar, Mattaparru.
 „ Anjaneyaswamy temple, Mogalituru.
 „ Visweswarar, Mogaliturru.
 „ Rajagopalaswamy, Mogaliturru.
 „ Mukteswarar, Mytyalapalli.
 „ Laxmaneswarar, Madipudy.
 „ Kesavar, Madipudy.
 „ Subramaniam, Madipudy.
 „ Madanagopalaswamy, Narasapuram.
 „ Kapilamalleswarar, Narasapuram.
 „ Sitharamaswamy, Palacode.
 „ Rameswarar, Pedamallam.
 „ Madanagopalaswamy, Perupalem.
 „ Uma Agastheswarar, Perupalem (a).
 „ Malleswarar, Poduru.
 „ Mahalexmi Ammavaru, Penumadam.
 „ Jagannadhaswamy, Rustumbada.
 „ Visweswarar, Rustumbada.
 „ Pushpeswarar, Valluru (a).

EAST GODAVARI DISTRICT.

Kakinada Taluk.

- Sri Kannikaparameswari temple, Kakinada.
 „ Kumaraswamy, Kakinada.
 „ Satyanarayanaswamy, Kakinada.
 „ Specific Endowment Seetharama, Kapulapalem.
 „ Seetharama, Kuyyeru.
 „ Veereswarar, Polekurru.

Peddapuram Taluk.

- Sri Chandrasekaraswamy, Gandapalli.
 „ Kannikaparameswarar temple, Peddapuram.
 „ Subramaniaswamy temple, Subbrampet.
 „ Venkateswaraswamy temple, Talluru.
 „ Anjaneyaswamy, Valtimmapuram.

Pithapuram Taluk.

- Sri Sakaleswarar, Pithapuram.

Ramachandrapuram Taluk.

- Sri Madanagopalaswamy temple.
 „ Satyanarayana temple, Erakaram.
 Specific Endowment Malleswarar and Lakshminarayanaswamy, Kunduru.
 Sri Agastheswarar, Ramachandrapuram.
 „ Gopalaswamy, Ramachandrapuram.
 „ Someswarar, Satyavada.

31st December 1958]

EAST GODAVARI DISTRICT—cont.

Rajahmundry Taluk.

- Sri Ramalingeswarar, Kotikeswaram.
 „ Rajalingeswarar, Kothapalli.
 „ Godada Gosayi Math, Rajahmundry town.
 „ Venkateswarar Math, Rajahmundry town.
 „ Narasimhaswamy, Math, Rajahmundry town.

Amalapuram Taluk.

- Sri Kandaswamy temple, Krupa.
 „ Muktheswarar, Thottaramudi.
 „ Kodandaramaswamy temple, Nadavapalli.

Razole Taluk.

- Sri Chandrasekaraswamy, Chintalamori.
 „ Sivalingeswarar, Sivakodu.
 „ Pallalamma, Vanapalli.
 „ Anjaneyaswamy Math, Tatipaka.

TIRUCHIRAPPALLI DISTRICT.

- Sri Maduraikalliamman temple, Siruvaahur, Perambalur taluk.

Taluk.	Village.	Name of the temple.
(1)	(2)	(3)
VISAKHAPATNAM DISTRICT.		
Anakapalle	Anakapalle	Sri Bhogeswaraswami.
Do.	Do.	„ Kanyakaparameswari.
Do.	Do.	„ Ramamandiram.
Do.	Do.	„ Satyanarayanaswami.
Do.	Jaggayyapeta	„ Rajeswara and Venu- gopala.
Do.	Do.	„ Ramalingeswara.
Do.	Kasimkota	„ Sitarama.
Do.	Do.	„ Anjaneyaswami.
Do.	Do.	„ Satyanarayanaswami.
Do.	Mungagapaka	„ Palasomeswara and Bhimeswara.
Do.	Nagulapalli	„ Someswaraswami.
Do.	Narandrapuram	„ Kodandarama.
Bheemunipalem	Gudilova	„ Ranganadahaswami.
Do.	Padmanabham	„ Ananthapadmanabha- swami.
Do.	Veilanki	„ Sadhu Math.
Do.	Balighattam	„ Brahmalingeswara.
Golugonda	Cheemalapadu	„ Peddintammavaru and Kalyana Pothuraju.
Do.	Do.	„ Dharamalleswara.
Do.	Dharapalem	„ Kodandarama.
Do.	Kotauratla	„ Ramalingeswara.
Do.	Do.	„ Satyanarayana.
Do.	Kanohugummala	„ Kesavaswami.
Do.	Kothakota	„ Rajalingeswara.
Do.	Do.	„ Nookalamma.
Do.	Lingamparthi	„ Ramalingeswara.
Do.	Sunkapur	„ Ramalingeswara (specific endowment).
Do.	Veerabhupati Agraharam	„ Dharamalleswara.
Sarvasiddhi	Dharapalem	„ Mallikharjuna.
Do.	Jagannadhapur	„ Jagadeswara.
Do.	Kondakarla	„ Annapurneswara.
Do.	Lingarajupalem	„ Someswara.
Do.	Mamidada	„ Ramamandiram.
Do.	Namavaram	„ Kodandarama.
Do.	Pedarabhadrapuram	„ Balatripurasundari and Bureswaraswami.
Do.	Rayavaram	„ Ratnakareswara.
Do.	Teruvapalli	„ Kesavaswami.
Do.	Do.	„ Nallamaramma.
Do.	Kekkirapalli	„ Lakshmaneswaraswami.
Do.	Upmaka	„ Venugopala.
Do.	Yatikoppaka	

[31st December 1953]

Taluk. (1)	Village. (2)	Name of the temple. (3)
VISAKHAPATNAM DISTRICT—cont.		
Srungavarapukota	Bangararajapuram	Sri Hemarajeswara.
Do.	Do.	" Sitarama.
Do.	Gudivada	" Venugopala and Brahma- lingeswara.
Do.	Jami	" Jamaramma.
Do.	Kallempudi	" Santanavenugopala.
Do.	Kotyada	" Villabhanarayana.
Do.	Lakkavarapukota	" Sitarama.
Do.	Pushpagiri	" Venugopala.
Do.	Dharmavaram	" Sanyasayya.
Do.	Voorabhadrapuram	" Veerabhadreswara.
Veeravalli	Gowravaram	" Kasivi-weswara.
Do.	Kandavaram	" Ramalingeswara.
Do.	Koduru	" Mallikharjuna.
Do.	Chodavaram	" Gowreswara.
Do.	Lakkavaram	" Bhimalingeswara.
Do.	Pedagogada Agraharam.	" Ramalingeswara.
Do.	Theruvaggathamam	" Mallamma.
Do.	Arjunagiri	" Varahalakshminarasimha- swami.
Do.	Juttada	" Venkateswara.
Visakhapatnam	Allipuram	" Venkateswaraswami.
Do.	Do.	" Kodandarama.
Do.	Visakhapatnam	" Anjaneya.
Do.	Do.	" Bhimeswara.
Do.	Do.	" Vigneswara.
Do.	Do.	" Konukamahalakshmi.
Do.	Do.	" B. tehiramalingeswara.
Vizianagaram	Jinnam Agraharam	" Ranganadha and Venkates- wara.
Do.	Ramathirtham	" Ramaswami.
Do.	Vizianagaram	" Vimaraprakasavisveswara.
Do.	Bharanikam	" Jagannadhaswami.
Do.	Vizianagaram (Dasan- napeta).	" Do.
Do.	Nellivada	" Narayana and Seetharama.
Do.	Vizianagaram	" Godadabavaji Math.
Do.	Do.	" Ramalingeswara.
SRIKAKULAM DISTRICT.		
Srikakulam	Amadalavalasa	Sri Venkateswara.
Do.	Do.	" Ramalingeswara.
Do.	Balaga	" Noolakanteswara and Veeranjaneya.
Do.	Bhyri	" Jagannadhaswami.
Do.	Boravalli	" Laxminarasimha.
Do.	Kalngapatnam	" Pydeswara.
Do.	Kallepalli	" Maningeswara.
Do.	Kallivaram	" Laxminarasimha.
Do.	Purushottapuram	" Kamoswara.
Do.	Ragolu	" Kosava.
Do.	Sulibundam	" Venkateswara.
Do.	Srikakulam	" Anjaneya.
Do.	Do.	" Kotanjaneya.
Do.	Do.	" Rudrakoteswara.
Do.	Do.	" Kurmanadhaswami.
Do.	Subrahmanyapuram	" Subrahmanyeswara.
Do.	Tbogaram	" Vallabhanarayana.
Do.	Subramaniapuram	" Subramaniaswamy.
Narasannapeta	Gonnepeta	" Satyanarayana.
Do.	Harischendrapuram	" Venkateswara.
Do.	Makivalasa	" Sitarama.
Do.	Narasannapeta	" Chokkalingeswara.
Do.	Priyagraharam	" Visweswara.
Do.	Sundarapuram	" Malleswara.

31st December 1953]

Taluk. (1)	Village. (2)	Name of the temple. (3)
SRIKAKULAM DISTRICT—cont.		
Pathapatnam	Avalangi	Sri Jagannadha.
Do.	Bathili	" Brundavanachendra.
Do.	Cheedipudi	" Venkateswara.
Do.	Chakkipalli	" Dowleswara.
Do.	Chappra	" Gopelaswami.
Do.	Deradhapuram	" Radhakanta.
Do.	Guneswara	" Mallikharjunaswami.
Do.	Goppli	" Radhakanta.
Do.	Hamsa	" Do.
Do.	Heeramandalam	" Ekambaraswara.
Do.	Do.	" Satyanarayana.
Do.	Jadupalli	" Mallikharjuna.
Do.	Koruvada	" Someswara.
Do.	Mukthapuram	" Radhakanta.
Do.	Nivagam	" Do.
Do.	Pathapatnam	" Neelakanteswara.
Do.	Do.	" Jagannadha.
Do.	Do.	" Neelammadurga and Gramadevatha.
Do.	Do.	" Panchalingeswara.
Do.	Do.	" Radhakrishnachendra.
Do.	Rayala	" Chendrasekhara.
Do.	Seedhi	" Venkateswara.
Do.	Subaliya	" Radhagovinda.
Do.	Thungatempara	" Mallikharjuna.
Do.	Vaspa Agraharam	" Jagannadha.
Do.	Ananthagiri	" Kottayadevata.
Tekkali	Brahmanatarala	" Venugopala.
Do.	Chinabodam	" Gowrinageswara.
Do.	Kaviti	" Ra. ihaka. ta.
Do.	Kasibugga	" Jagannadha and Venugopal.
Do.	Kothapadu	" Radhakanta.
Do.	haram.	" Syamasundara.
Do.	Pandasasanam	" Gopinadha and Seetharama.
Do.	Tekkali	" Umamaheswara.
Do.	Do.	" Raghunadhaswami.
Sompeta	Benkili	" Radhakanta.
Do.	Besiramachendrapuram.	" Gopinadha.
Do.	Bellupatya	" Jamiyellamma.
Do.	Hunnali	" Radhakanta.
Do.	Jagbupudi	" Janardhana.
Do.	Jalantrakota	" Jagannadha and Ragunadha
Do.	Do.	" Mukheswara.
Do.	Do.	" Jaghannadha.
Do.	Jillunda	" Radhakanta.
Do.	Kolluru	" Jagannadhaswaj.
Do.	Do.	" Gopinadha.
Do.	Kanchili	" Do.
Do.	Mahadevipuram	" Pottangeswara.
Do.	Mundala	" Radhakanta.
Do.	Pottangi	" Do.
Do.	Pudapaddasasanam	" Chiatanyanityanandaswami.
Do.	Potharakonda	" Lokanadhaswami.
Do.	Purnasasanam	" Jagannadhaswamy.
Do.	Sompeta	" Narasimhaswami.
Do.	Ranchilli	" Kodandaramaswami.
Do.	Bellupada	" Ramalingeswara.
Do.	Do.	" Maheswaraswami.
Do.	Do.	" Chakrapurmal.
Do.	Bhillangi	" Balajivenkateswara.
Do.	Bejjiputti	" Chendrasekhara.
Do.	Bodabada	" Jagannadhaswami.
Do.	Kaviti	" Jagannadha.
Do.	Kirthipuram	" Chendrasekharaswami.
Do.	Kedaripuram	" Vallabhanarayana.
Do.	Mandapalli	" Someswaraswami.
Do.	Tachi	" Do.
Do.	Raghunadhapuram alias Appanna Agraharam.	" Do.

[31st December 1953]

Taluk. (1)	Village. (2)	Name of the temple. (3)
SRIKAKULAM DISTRICT—cont.		
Ichchapur ..	Ratnakanna ..	Sri Ratneswara.
Do. ..	Telukunchi ..	„ Anandeswara.
Do. ..	Khojiri ..	„ Jagannadha.
Cheepurupalli ..	Bhyripuram ..	„ Venkateswara.
Do. ..	Garbham ..	„ Jaganna lha.
Do. ..	Gujaratipeta ..	„ Do.
Do. ..	Kanuru ..	„ Sri Ramalingeswara and Kodandarama.
Do. ..	Murapaka ..	„ Jagannadha.
Do. ..	Pondhuru ..	„ Ramalingeswara.
Do. ..	Santhavuriti ..	„ Venugopala.
Do. ..	Sigadam ..	„ Ranganadhaswami
Do. ..	Vedullavalasa ..	„ Chinanallikharjuna.
Palakonda ..	Annavairem ..	„ Ramalingeswara.
Do. ..	Burja ..	„ Radhakrishna.
Do. ..	Dolepeta ..	„ Umamaheswara and Laxmi-narayana.
Do. ..	Gopalapuram Agra-haram.	„ Ramalingeswara.
Do. ..	Kanjaram ..	„ Vallabhanarayana and Mallikharjunaaswami.
Do. ..	Neelampeta ..	„ Kesavaaswami.
Do. ..	Do. ..	„ Neelakanteswara.
Do. ..	Palakonda ..	„ Kamakshamma.
Do. ..	Do. ..	„ Ramalingeswara.
Do. ..	Do. ..	„ Anjaneyaswami.
Do. ..	Panasalavalsa ..	„ Venugopala.
Do. ..	Rajayyapeta ..	„ Varadarajaswami.
Do. ..	Sangam ..	„ Sankameswaraswami.
Do. ..	Syampuram Agra-haram.	„ Visweswaraswami.
Bobbili ..	Bobbili ..	„ Ramamandiram.
Do. ..	Nidagattu ..	„ Neelakanteswara.
Do. ..	Pedamedapalli ..	„ Tripurantaka.
Do. ..	Gangannapeta ..	„ Venkateswara.
Do. ..	Tarlam ..	„ Do.
Parvatipur ..	Mundekhal ..	„ Jagannadha.
Do. ..	Parvatipur ..	„ Do.
Salur ..	Kasipatnam ..	„ Kasivisweswara.
Do. ..	Salur ..	„ Ramamandiram.
Do. ..	Sibhilipedavalsa ..	„ Jagannadha.
Do. ..	Salur ..	„ Seetharama.
Tekkali ..	Tekkali ..	„ Sarvamangaladevi.
Ichapur ..	Ichapur ..	„ Kodandarama.
Sompeta ..	Mandas ..	„ Balaji.
Palakonda ..	Gopalapuram Agra-haram.	„ Venugopalaaswami.
Cheepurupalli ..	Gulivindada ..	„ Pattabhiramaswami.
Salur ..	Makkuva ..	„ Jagannadhaswami.

RAMANATHAPURAM DISTRICT.*Aruppukkottai Taluk.*

Sri Vinayagar temple, Illuppayoor.

Mudukulathur Taluk.

Sri Santhivinasagar temple, Kamuthi.

Paramakudi Taluk.

Sri Chittootsava kottalai in Sri Sundararajaperumal temple, Paramakudi.

Ramanathapuram Taluk.

Sri Kannikaparameswarar temple, Ramanathapuram.

„ Nagarasivan temple, Tirupullani.

Sattur Taluk.

Sri Chockanadhaswami temple, Golwarpetti.

31st December 1953]

RAMANATHAPURAM DISTRICT—cont.*Srivilliputhur Taluk.*Sri Kalkattiswamy temple, Srivilliputhur.
„ Mariamman temple, Chockanathampudur.*Tiruvadanai Taluk.*Sri Perumal temple, Tondi.
Swami purappadu kottalai attached to Sri Thevanohetti Urani Pillaya temple, Tiruvadanai.*Tiruppattur Taluk.*Navarathiri mandagapadi kottalai attached to Sri Koppudayanayagiamman temple, Karikudi.
Dhandayuthapani sayarakshai kottalai, Kunnakudi.
Sri Pagachalamoorthi Ayyangar Endowments, Ilangudi.
„ Perumal Krishnaswami, Naganathapuram.
Swami Naganathaswami, Naganathapuram.
Sri Meenakshisundareswarar, A. Pudur.

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, 2nd January 1954.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

THE HON. SRI C. SUBRAMANIAM:—"Mr. Chairman, Sir, questions Nos. 43, 44, 45 and 46, to be replied by the Hon. the Chief Minister who is not present, may be taken up a little later."

MR. CHAIRMAN:—"I will now take up question No. 47."

Amrit Nagar Rehabilitation Colony for T.B. patients.

* 47 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Health be pleased to state—

(a) the total cost of constructing the Amrit Nagar Rehabilitation Colony for T.B. patients and the amount that has been contributed by Government;

(b) the monthly expenditure for maintaining it;

(c) the number of persons for whom accommodation is available in this colony and the number actually accommodated in it now;

(d) whether the cottages in this colony are rendered damp in the rainy season and whether it is due to the existence of a large tank in their vicinity and whether the health of T.B. patients is affected by the dampness and the steps taken by the Government to remedy this; and

(e) whether there are any proposals now for extending this colony or the Sanatorium at Tambaram?

THE HON. SRI A. B. SHETTY:—" (a) The total cost of construction of the colony is Rs. 92,273. The Government have not contributed any amount towards its construction. But the maintenance charges of the colony are met by the Government.

" (b) Rs. 2,475.

" (c) Accommodation is available for 45 patients. The number actually accommodated is 24 and arrangements are being made to accommodate the full strength.

" (d) The cottages are not damp in the rainy season though there is a tank adjacent to the colony. The location is in no way detrimental to the health of ex-patients for whom this colony is intended.

" (e) Yes, Sir."

[2nd January 1954]

SRI T. PURUSHOTHAM:—"Sir, may I know whether there is a canteen attached to the colony and what arrangements have been made for the supply of food to in-patients and their relatives who reside in the colony?"

THE HON. SRI A. B. SHETTY:—"Sir, notice of a separate question may be given."

SRI V. CHAKKARAI CHETTY:—"Sir, I am very much in ignorance about the colony. May I ask the Hon. the Minister for Public Health to let us know what exactly is the object of this colony, and how the patients are to be benefited by this colony?"

MR. CHAIRMAN:—"This is not a supplementary question."

THE HON. SRI A. B. SHETTY:—"Sir, relapse occurs in the case of many patients discharged from the Tuberculosis Sanatorium when they go back to their old conditions of life and work. This colony is meant for the after-care of patients."

SRI K. BALASUBRAMANYA AYYAR:—"Sir, may I know where this colony is situated?"

THE HON. SRI A. B. SHETTY:—"It is situated in Tambaram itself on the side opposite to the Tuberculosis Sanatorium."

Physical Therapy section in the Madras General Hospital.

* 48 Q.—**DR. C. NATHAMUNI NAIDU:** Will the Hon. the Minister for Health be pleased to state—

(a) when the Physical Therapy section was opened in the Madras General Hospital;

(b) whether it is well-equipped, if not, why;

(c) whether there is any proposal to equip it properly;

(d) whether the Madras Medical College is training undergraduates and post-graduates in rehabilitating the handicapped; and

(e) whether the Government will be pleased to lay on the table of the House a statement showing the number of patients treated up to date and the diseases for which physical therapy and rehabilitation treatment were given?

THE HON. SRI A. B. SHETTY:—" (a) It was opened in 1934.

" (b) & (c) The section is equipped for the treatment of ordinary cases. A proposal for providing the section with further equipment is under consideration.

" (d) Under-graduates are given training in the rehabilitation of cases along with their training in Orthopaedics. No training in the speciality is given to post-graduates.

2nd January 1954]

" (e) From the 14th November 1950 up to the end of September 1953, 4,614 patients were treated. The usual diseases treated are paralysis resulting from interior poliomyelitis and some nerve diseases and rehabilitation after fracture and diseases of joints."

DR. C. NATHAMUNI NAIDU:—"Sir, may I know whether this section is in charge of a specialist, and if so, what are his qualifications?"

THE HON. SRI A. B. SHETTY:—"Sir, this section forms part of Orthopaedics Department. We have got very good specialists in this department."

Abolition of the Board of Revenue.

* 49 Q.—**SRI T. PURUSHOTHAM:** Will the Hon. the Chief Minister be pleased to state the steps taken by the Government to abolish the Board of Revenue and the date, if any, fixed for abolition of the same?

THE HON. SRI C. RAJAGOPALACHARI:—"The Government carefully considered a proposal to transfer the functions of the Board of Revenue to Divisional or Regional Commissioners and it was found on the whole better to maintain the Board of Revenue as it is for certain functions and give each of the members territorial responsibility in respect of functions other than those requiring joint consultation. This scheme is being worked out in detail."

SRI T. PURUSHOTHAM:—"Sir, may I know if there is any proposal to increase the number of members of the Board of Revenue on account of this rearrangement?"

THE HON. SRI C. RAJAGOPALACHARI:—"So far as I am aware, no, Sir."

SRI K. BALASUBRAMANYA AYYAR:—"Sir, may I know whether the present arrangement, that is, distribution of work according to subjects among the members, is faulty or useless?"

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, it is felt that a more speedy disposal of territorial matters is necessary."

SRI M. P. GOVINDA MENON:—"Sir, instead of making slight rearrangements, have the Government considered any proposal to totally abolish the Board of Revenue?"

THE HON. SRI C. RAJAGOPALACHARI:—"This Government and previous Governments have been considering it from time to time. My own view is that it is not really good to abolish the Board of Revenue as a whole. Collectors are very important officials and the Government may take care of them. But, the Government cannot because it is not

[2nd January 1954]

equipped enough to take proper care of the work of the Collectors without a very experienced body like the Board of Revenue intervening."

DR. V. K. JOHN:—"May I ask, Sir, how there could be a speedier disposal with the same personnel?"

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, the idea is that if we make a member of the Board of Revenue responsible for a certain number of districts all matters will be dealt with a little more speedily by reason of the human element of responsibility coming in."

SRI MOHAMMAD RAZA KHAN:—"Sir, compared to other States where the Board of Revenue does not exist, has not our Board of Revenue done very good and satisfactory work in the course of the past 20 or 30 years?"

THE HON. SRI C. RAJAGOPALACHARI:—"Yes, Sir. In certain States they have no Revenue Board but have only Divisional Commissioners; certain other States have both Divisional Commissioners and a Revenue Board whilst some others have only a Revenue Board just as we have. Each arrangement has its own merit."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Sir, will the Government be pleased to lay on the table of the House a complete picture of their finalized proposals with regard to the Board of Revenue?"

THE HON. SRI C. RAJAGOPALACHARI:—"Yes, Sir, when it is ready, it will be placed on the table of the House."

Recruitment of Deputy Collectors and Deputy Superintendents of Police from the Vannar community.

* 44 Q.—SRI M. ETHIRAJULU: Will the Hon. the Chief Minister be pleased to state—

(a) whether there are any Deputy Collectors or Deputy Superintendents of Police in Tamil districts of the Residuary Madras State belonging to the Vannar community;

(b) if so, how many;

(c) if not, why that community has not been encouraged; and

(d) whether the Government have any proposal to recruit persons from this community without consulting the Madras Public Service Commission?

THE HON. SRI C. RAJAGOPALACHARI:—" (a) & (b) No.

" (c) The policy of the Government in regard to Backward Classes, and Scheduled Castes including Scheduled Tribes, is to reserve a certain number of vacancies for qualified candidates from these communities, viz., 5 and 3, respectively, in

[2nd January 1954]

every cycle of 20 vacancies. The Vannar community referred to in the question is one of the Backward Classes specified in Schedule III of the Services Manual. It is not possible to give preferences or reservations to a particular sub-community among these. Any attempt to do this would lead to abuses and complaints.

" (d) Government regret this is not possible under Article 320 (3) of the Constitution."

SRI T. PURUSHOTHAM:—"May I know whether there were any applicants from these Backward Classes in the recent direct recruitment for the posts of Deputy Collectors and Deputy Superintendents of Police and if so why they have not been preferred?"

THE HON. SRI C. RAJAGOPALACHARI:—"No qualified and suitable candidates from that community were available."

SRI T. PURUSHOTHAM:—"Have the terms of the Indian Constitution for recruitment of citizens belonging to Backward Classes been communicated to the Public Service Commission for due observance by it?"

THE HON. SRI C. RAJAGOPALACHARI:—"Oh, yes, emphatically, and they are taking those rules into account, and are making appointments accordingly. The question raised here is to give a preference for a particular community among the Backward Classes. It is difficult to give a preference or any definite reservation to every one of the several communities that go to make up the Backward Classes."

DR. V. K. JOHN:—"May I ask whether merit should not be the guiding consideration for making appointments and not communal considerations?"

THE HON. SRI C. RAJAGOPALACHARI:—"That principle is in the Constitution and is accepted. The question was, however, considered from several other aspects and it was finally decided when the Constitution was amended that reservation should be made in favour of the Backward Classes and Scheduled Castes including Scheduled Tribes only and that is being followed now."

SRI MOHAMMAD RAZA KHAN:—"When we hear so much from communities or particular sub-sections of communities that they are backward particularly in the matter of representation in Government services, why not the Government of Madras declare that all the people in the State of Madras are backward?"

THE HON. SRI C. RAJAGOPALACHARI:—"All the people in the State of Madras taken as a whole are not backward."

[2nd January 1954]

Selection of Revenue Divisional Commissioners.

* 45 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Chief Minister be pleased to state—

(a) why in the selection of Revenue Divisional Commissioners, senior-most I.C.S. officers have not been selected for the post;

(b) whether the seniors not posted for the abovesaid posts have been compensated by any special pay or allowances; and

(c) if so, the amount of special pay or allowances granted to them and from what date?

THE HON. SRI C. RAJAGOPALACHARI:—“The points raised in the question do not arise as the scheme relating to the appointment of Divisional Commissioners has after examination been dropped in favour of re-organizing the work of the Board partly on a territorial basis.”

SRI T. PURUSHOTHAM:—“In his answer to a question put earlier, the Hon. the Chief Minister pointed out that Regional or Divisional Commissioners are proposed to be appointed with the present members of the Board of Revenue. When they are appointed, may I know, whether the Government propose to pay them any special pay or allowances?”

THE HON. SRI C. RAJAGOPALACHARI:—“The hon. Member, I think, said that from my answer to a previous question he inferred that Regional or Divisional Commissioners were going to be appointed. That is not a correct inference.”

SRI T. PURUSHOTHAM:—“I inferred, Sir, that Board Members are to be appointed on regional basis.”

THE HON. SRI C. RAJAGOPALACHARI:—“The Board Members will be given duties on a regional basis in addition to the functions they do jointly.”

Permission to Government servants to join Bharat Sevak Samaj.

* 46 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Chief Minister be pleased to state—

(a) whether the State Government officials have been permitted to participate in the activities of Bharat Sevak Samaj; and

(b) whether the Government will be pleased to lay on the table of the House a copy of the circular, if any, issued on the question?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) Yes.

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

^a Printed as Appendix I on page 357 infra.

[2nd January 1954]

SRI T. PURUSHOTHAM:—“May I know whether the Central Government have commended to the State Government to enlist the co-operation of the Bharat Sevak Samaj in dealing with corruption among Government servants, black-marketing, etc., and may I know what action has been taken by this Government thereon?”

THE HON. SRI C. RAJAGOPALACHARI:—“In so far as this State is concerned I do not think we have asked the Bharat Sevak Samaj to help us in finding out or deciding corruption cases. I may add we have regular arrangements including a Tribunal and therefore it was not considered necessary to bring in the Bharat Sevak Samaj into it.”

SRI K. BALASUBRAMANYA AYYAR:—“May I know whether the policy suggested by my hon. Friend will not lead to the coming into existence of a spy system among Government servants?”

THE HON. SRI C. RAJAGOPALACHARI:—“I think my hon. Friend (Sri T. Purushotham) referred to what was suggested in some other State. But so far as this State is concerned it was found totally unnecessary as we have already an organization which is working well and giving full satisfaction.”

SRI M. P. GOVINDA MENON:—“May I know whether the State Government have any control over the Bharat Sevak Samaj organization?”

THE HON. SRI C. RAJAGOPALACHARI:—“The State Government have no control over the Samaj. The Samaj is intended to supplement the work of the Government in social and economic matters on a voluntary basis. There is no question of control over the Samaj but the Government are helping it, I think, morally and in other ways.”

SRI T. PURUSHOTHAM:—“Will the Government be pleased to issue a circular to the District Collectors and the Heads of Departments to co-operate with the activities of the Bharat Sevak Samaj organization? The Government order referred to in the answer to the main question states that Government servants can join the Bharat Sevak Samaj.”

THE HON. SRI C. RAJAGOPALACHARI:—“The suggestion will be considered in all its aspects. But at the moment I feel that permission is better than an order.”

DR. A. LAKSHMANASWAMI MUDALIYAR:—“May I take it that in so far as Government officers are concerned, the rule of the Government that no Government servant can hold any office in the Samaj holds good here also?”

THE HON. SRI C. RAJAGOPALACHARI:—“That is so, Sir.”

[2nd January 1954]

Revival of the system of training dais for maternity service.

* 49 Q.—DR. S. MUTHULAKSHMI REDDI: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have any proposal to revive the system of training dais for maternity service in the districts; and

(b) whether it is a fact that the system of training dais, introduced as far back as 1926, proved a failure and hence was discontinued in 1943?

THE HON. SRI A. B. SHETTY:—“(a) A Scheme suggested by the Government of India on the basis of an offer from the UNICEF (United Nations International Children's Emergency Fund) is under consideration. No decision has been taken yet.

“(b) Yes, Madam.”

DR. S. MUTHULAKSHMI REDDI:—“May I know whether the Hon. the Minister for Health is aware of the fact that a large number of trained midwives are unemployed and, if so, whether this Government will recommend to the Government of India or to the United Nations International Children's Emergency Organization to take steps to see that the services of these trained midwives are availed of, if that is possible?”

THE HON. SRI A. B. SHETTY:—“From the information available with me, about 827 maternity assistants are employed mostly by the local bodies. As and when funds permit, I hope they will employ maternity assistants more and more.”

DR. S. MUTHULAKSHMI REDDI:—“May I know whether the question of employing midwives is entirely left to the local bodies? I find from the Government figures that out of 9,500 midwives trained between 1928 and 1951 quite a majority of them are unemployed. May I know whether it is the policy of the Government to train nurses and leave them unemployed without making use of their services?”

THE HON. SRI A. B. SHETTY:—“These maternity assistants are unwilling to serve in rural areas. A large number of them prefer to work in urban areas. They are employed wherever there are maternity and child welfare centres, in rural dispensaries and in hospitals.”

DR. S. MUTHULAKSHMI REDDI:—“May I point out to the Hon. Minister for Health that I myself forwarded the applications of a large number of trained midwives to the Director of Public Health, to the Employment Exchange and to the Heads of other Departments and that they have all replied to me that they have already a long list of people waiting to be employed? May I also point out that a large number of midwives are willing to go and serve in rural areas?”

[2nd January 1954]

THE HON. SRI A. B. SHETTY:—“The hon. lady member is speaking too fast and I am not able to follow it.”

THE HON. SRI C. RAJAGOPALACHARI:—“The hon. lady Member says that she would send a list of trained midwives and wants to know whether the Hon. Minister would be able to fix them up in rural areas.”

THE HON. SRI A. B. SHETTY:—“The hon. lady Member may write to me and I will have the matter considered.”

DR. S. MUTHULAKSHMI REDDI:—“I have been writing to the Director of Public Health and to the Superintendent in-charge of Maternity Welfare Centre to absorb many of these midwives who have been trained. I have also been writing to the Women's Welfare Department in this connexion. I have been told by them that these people could not be absorbed as no new posts had been sanctioned by the Government.”

THE HON. SRI A. B. SHETTY:—“If a satisfactory scale of pay is given, I am sure, these midwives will certainly be willing to serve. More posts will have to be created in future.”

Hire charges for a silent film hired to schools.

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

(a) the daily rate of hire charged for a silent film hired to schools from the Central Film Library; and

(b) the gain or loss to Government on each such film?

THE HON. SRI C. SUBRAMANIAM:—“(a) The daily rate of hire charged is Rs. 1-8-0 per film of one reel.

“(b) The hire charges collected are just expected to meet the cost of the film and there is no gain or loss to the Government.”

SRI G. KRISHNAMURTHI:—“May I know whether the rate for a film is charged on the basis of a day and not on the basis of the number of shows the film is used for on a particular day?”

THE HON. SRI C. SUBRAMANIAM:—“Yes, Sir, it is charged on the basis of a day. But if it is charged on the basis of the number of shows for which the film is used, it is likely that a number of institutions will be denied the use of the film.”

SRI G. KRISHNAMURTHI:—“In view of the fact that it is not a profitable concern for the Government, why can't the Government hasten to implement the policy of themselves issuing licences for private film libraries?”

THE HON. SRI C. SUBRAMANIAM:—“I will consider that suggestion.”

[2nd January 1954]

SRI G. KRISHNAMURTHI:—“ Are the Government aware of the fact that most of the schools are not able to get the required films and that within the required time and that there are not sufficient number of films in the Central Film Library to meet the requirement of all schools? ”

THE HON. SRI C. SUBRAMANIAM:—“ We are trying to get as many films as possible, and if the present stock of films does not meet the requirements of all schools, we shall try to increase their number or consider the suggestion of the hon. Member to issue licences for private libraries.”

DR. V. K. JOHN:—“ May I suggest to Government to exhibit these films in all schools free of charge? ”

THE HON. SRI C. SUBRAMANIAM:—“ It is very easy to suggest that everything should be shown free, Sir.”

SRI K. BALASUBRAMANYA AYYAR:—“ Are the Government satisfied that these supplies of films are serving any useful purpose in the matter of education, Sir? ”

THE HON. SRI C. SUBRAMANIAM:—“ Before we purchase any film, the quality of the film and the subject matter of the film are taken into account and then only it is purchased and distributed to the schools. We are convinced that it is serving some useful purpose.”

Strength of the Girls' section of the Government Basic Training School for Women, Cuddalore.

* 51 Q.—SRI M. ETHIRAJULU: Will the Hon. the Minister for Finance and Education be pleased to state the strength of the Girls' section of the Government Basic Training School for Women in Cuddalore in the year 1952-53 and in the year 1953-54?

THE HON. SRI A. B. SHETTY:—

	1952-53.	1953-54.
“ Junior Basic Grade I Year ..	49	45
II Year ..	10	49
	89	94 ”
	—	—

SRI M. ETHIRAJULU:—“ In view of the great rush of the backward communities in all the Government Basic Training Schools, will the Government try to increase the seats in the schools by at least 50 per cent? ”

THE HON. SRI C. SUBRAMANIAM:—“ We cannot be going on increasing the seats in the schools indefinitely. With reference to the rush of the backward community students to these institutions, simply because of the rush, we cannot

[2nd January 1954]

indefinitely increase the number of seats. We should remember that we have to provide jobs for all these people after their study is over. They have got to be absorbed. That is not such an easy matter.

“ In fact we are considering the question of increasing the number of Basic Schools. I think that will to some extent meet the rush to which the hon. Member had just referred.”

SRI M. ETHIRAJULU:—“ May I know how many backward community students are reading in these schools? ”

THE HON. SRI C. SUBRAMANIAM:—“ I am sure there are a large number of backward community students reading in these Basic Schools.”

Price of films offered for sale to Government by private exhibitors.

* 52 Q.—SRI G. KRISHNAMURTHI: Will the Hon. the Minister for Finance and Education be pleased to state with reference to Legislative Council starred question No. 49 answered on 20th March 1953—

(a) the number of films (silent and sound) offered now for sale by private exhibitors;

(b) the basis on which depreciation has been calculated by the Government in fixing their present price;

(c) the number of films in respect of which the price fixed has been agreed to by the Exhibitors;

(d) the steps proposed to be taken in case of films in respect of which the price fixed is considered low by the Exhibitors; and

(e) the use to which the films to be purchased by the Government are going to be put?

THE HON. SRI C. SUBRAMANIAM:—“ (a) 311 films.

“ (b) The prices of the films were fixed by the expert (Special Officer for Films, Central Polytechnic) taking into consideration the condition of the films (presence of scratches, torn-sprocket holes, etc.), the date of purchase of the films, the approximate number of times the films have been run and other relevant factors affecting the life and quality of the films.

“ (c) 309 films.

“ (d) The proprietor has taken back the remaining two films.

“ (e) The films purchased by the Government are being lent to the schools on terms of hire from the Central Film Library of the Director of Public Instruction's office.”

SRI G. KRISHNAMURTHI:—“ Was there any demand, Sir, from private exhibitors that a Committee should go into the question of charging depreciation? ”

[2nd January 1954]

THE HON. SRI C. SUBRAMANIAM:—"I do not find it here. If necessary I shall find it out and give the information to the hon. Member."

SRI G. KRISHNAMURTHI:—"Is it a fact, Sir, that these films are recommended for purchase through correspondence with the owners and not taken straight by the Central Film Library?"

THE HON. SRI C. SUBRAMANIAM:—"We get the applications and then we decide whether to purchase the film or not. If we are not satisfied with the quality of a film, we reject it, and the film owner takes it back. As a matter of fact I find that we have not rejected many. Out of 311 films, 309 films have been purchased, and in respect of two films we could not agree to the terms of the film owner and, therefore, we did not give our consent for the purchase, and so the owner took them back."

SRI G. KRISHNAMURTHI:—"Are the Government aware of the fact, Sir, that even in case of new films depreciation has been charged to the extent of 30 or 40 per cent?"

THE HON. SRI C. SUBRAMANIAM:—"The film is carefully examined by the Special Officer, who is technically qualified for the same. I find that even though some are marked new, those films have already been used. That is why depreciation is charged."

SRI G. KRISHNAMURTHI:—"May I know, Sir, whether an account is being taken of the number of runs a film has gone through before charging depreciation?"

THE HON. SRI C. SUBRAMANIAM:—"That is being taken into account, Sir."

SRI G. KRISHNAMURTHI:—"Can the Government say that all the films placed by private exhibitors in deposit with the Director of Public Instruction, Madras, have been sold and that there is no stock with the Government for sale?"

THE HON. SRI C. SUBRAMANIAM:—"According to the information on hand, I find that out of 311 films offered for sale by private owners 309 have been purchased and the two that were rejected were taken back by the private owners of those films."

Orders to private parties for coach or body building of Government buses.

* 53 Q.—SRI V. GURUNANDAN ROW: Will the Hon. the Minister for Industries, Labour and Co-operation, be pleased to state whether the Government have placed any order for coach or body building of Government buses to private parties, and if so, the names of the parties and the size of the order?

[2nd January 1954]

THE HON. DR. U. KRISHNA RAO:—"Yes, Sir. Messrs. Simpson & Co., Ltd., were entrusted with the work of building bodies on ten of the chasses newly purchased by Government in 1953, at a cost not exceeding Rs. 10,600 for each body."

SRI V. GURUNANDAN ROW:—"May I know why the Government when they have their own coach-building factory at Chrompet entrusted this work to a private agency?"

* THE HON. DR. U. KRISHNA RAO:—"Sir, when the tramways stopped working, the Government Transport had a huge task on hand to cope with the large rush. We had to carry more passenger traffic. We were very badly in need of 35 buses, to cope with the additional traffic. The Coach building factory at Chrompet could finish body building works for 25 buses only at the quickest possible time. Therefore for the building of bodies for the remaining ten chassis, the work had to be entrusted to a private firm. Messrs. Simpson & Co., who had a lot of experience in body-building, were entrusted with the work of building the bodies of ten chassis in the quickest possible time."

SRI V. GURUNANDAN ROW:—"What is the loss to the Government by entrusting this work to the private concern?"

THE HON. DR. U. KRISHNA RAO:—"I do not think we have incurred any loss. According to my information the quotation of Messrs. Simpson & Co. for body-building in respect of a single bus was Rs. 10,600 including Rs. 750 for painting. I do not think we have lost. Even if there had been any loss, it was worthwhile incurring inasmuch as we had the buses ready in time and also we could make up that loss from the increased passenger traffic, due to the closure of the tramways."

SRI MOHAMMAD RAZA KHAN:—"May I know how it works out comparatively both in the matter of cost and durability in respect of body-building for these chassis by the department and by a private agency?"

THE HON. DR. U. KRISHNA RAO:—"The estimate by the Transport Commissioner, for the building of a single chassis, is somewhere in the neighbourhood of Rs. 10,500 if the work is done at the Government Coach Building Factory at Chrompet. The estimate of Messrs. Simpson & Co. works out for the building of body for a single chassis to Rs. 10,600, including Rs. 750 for painting. I think comparatively there is not much of a difference between the two."

DR. V. K. JOHN:—"Have not Messrs. Simpson & Co. earned a high reputation as body-builders for buses?"

THE HON. DR. U. KRISHNA RAO:—"I think the hon. Member has more information on this matter than I have. I presume he knows more than what I know in this matter."

[2nd January 1954]

Collection of sales-tax from the Managing Director of the General Industrial Engineers, Limited.

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

(a) whether sales-tax has been collected from the Managing Director of the General Industrial Engineers, Limited, Gudiyattam and Madras, over the sales of pump sets to various members of North Arcot District Co-operative Pump Set Society; and

(b) if so, the actual amount collected by the Commercial Tax Department?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) No.
“(b) Does not arise.”

Dr. C. NATHAMUNI NAIDU:—“Is it not a fact that the Government have lost nearly 90 per cent of all the sales tax by the sale of these pump sets by the General Industrial Engineers, Limited, Gudiyattam, to the various members of the North Arcot District Co-operative Pump Set Society?”

THE HON. SRI M. A. MANICKAVELU NAICKER:—“I do not know exactly the amount we have lost. But I think, agricultural machinery is exempted.”

Dr. C. NATHAMUNI NAIDU:—“Is it not a fact that this company showed fabricated receipts and vouchers to the Deputy Commissioner for Commercial Taxes as though it had collected sales tax from members of the North Arcot District Co-operative Pump Set Society?”

THE HON. SRI M. A. MANICKAVELU NAICKER:—“If a separate question is put, I will be able to answer.”

Dr. C. NATHAMUNI NAIDU:—“I have already put a question, Sir.”

THE HON. SRI M. A. MANICKAVELU NAICKER:—“It will be duly considered, Sir.”

Dr. C. NATHAMUNI NAIDU:—“May I know whether the Deputy Commissioner of Commercial Taxes has reported on the non-collection of sales tax from this Company?”

THE HON. SRI M. A. MANICKAVELU NAICKER:—“I would like to have notice, Sir?”

Dr. C. NATHAMUNI NAIDU:—“I have already put that question long ago.”

THE HON. SRI M. A. MANICKAVELU NAICKER:—“I want notice to answer the supplementary question last put by the hon. Member.”

[2nd January 1954]

Shifting of the Penitentiary, Madras, from the present site.

* 55 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Law be pleased to state whether the Government have any proposal to shift the Penitentiary, Madras, from the present site; and if so, at what stage the matter stands?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“The answer is in the negative.”

SRI M. P. GOVINDA MENON:—“Will the Government consider the desirability of shifting the Penitentiary now situated in an insanitary place to a more sanitary place in the outskirts of the City?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“This question has been considered more than half a dozen times. There is legal difficulty associated with it. Therefore the idea of shifting the Penitentiary to a more suitable place has been left off.”

SRI V. CHAKKARAI CHETTY:—“What is the legal difficulty, Sir, that butts in the shifting of the Penitentiary?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“The question arises whether warrants issued by Courts in the Presidency town will be executed in jails outside the City limits.”

Superintending personnel of the Madras Children's Aid Society, Certified Schools and Remand Home.

* 56 Q.—Dr. S. MUTHULAKSHMI REDDI: Will the Hon. 11-30
the Minister for Law be pleased to state— a.m.

(a) the Superintending personnel of the Madras Children's Aid Society, Senior and Junior Certified Schools for Girls and Remand Home for Boys and Girls; and

(b) why the services of the previous woman-officer have been dispensed with?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“(a) The following were the Superintending personnel in respect of the Certified Schools and other institutions under the Society till they were provincialised in June 1953:—

(1) The Honorary Secretary of the Madras Children Aid Society;

(2) Paid Secretary of the Society till 1950 when the post was abolished; and

(3) the paid Superintendent employed by the Society from 1950—(in charge of internal administration of the Society with the exception of the Girls Certified Schools, Girls Reception Home and Girls Club).

[2nd January 1954]

(b) It is presumed that the reference is to the person who was last employed as paid Superintendents of the Madras Children's Aid Society on a pay of Rs. 300 in the scale of Rs. 200-20-300. In the scheme of provincialisation, no post on the same scale was sanctioned."

DR. S. MUTHULAKSHMI REDDI:—"Before the provincialisation of the Society, the Superintendent and the Honorary Secretary were women-officers. May I know why there is a change in that tradition after provincialisation, especially when they have to be in charge of Senior and Junior Certified Schools for Girls?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"This question does not arise. When the Government provincialised the Society, the Senior and Junior Certified Schools and the Girls Club were transferred to 'Retreat' and the Boys Home and the Girls Reception Home to Pantheon Road. The Certified Schools are run under the supervision of the Inspector of Certified Schools, and the ex-officio Inspectress of Certified Schools, Srimathi V. T. Lakshmi, is a lady."

DR. S. MUTHULAKSHMI REDDI:—"I want to know about the person on the spot who is supervising everyday, namely, the Superintendent."

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"The personnel in charge of Certified Schools for Girls will be ladies and in charge of Certified Schools for Boys will be men."

DR. S. MUTHULAKSHMI REDDI:—"I know there is a Headmistress of the School. I want to know whether there is a Lady Superintendent in charge of the Senior and Junior Certified Schools for Girls."

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"The superintending person for both the boys and the girls institutions is the Inspector of Certified Schools. Now a male person occupies that post. We will consider whether it will be suitable to appoint a lady in his place when the opportunity arises."

DR. S. MUTHULAKSHMI REDDI:—"Will the Government take up this question soon, as the sooner it is taken up the better it will be? I am not saying this out of any prejudice against the gentleman who is now occupying the post. I want this principle to be established by the Government that the head of a women's institution should be a woman."

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"I may inform the lady Member that the idea of transferring the management of Certified Schools for Girls to the Women's Welfare Department is also under the consideration of the Government."

[2nd January 1954]

Report of the Madras Jail Reforms Committee.

* 57 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Law be pleased to state with reference to Legislative Council starred question No. 213 answered on 24th July 1953—

(a) when the report of the Madras Jail Reforms Committee appointed in 1950 was received by Government;

(b) the recommendations made by the Committee for the promotion of the welfare, health, etc., of prisoners in jails; and

(c) the orders passed on those recommendations?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—" (a) The report of the Jail Reforms Committee, Madras, was received by the Government in November 1951.

" (b) The member is referred to Chapter XXIII—Summary of recommendations of the Report of the Jail Reforms Committee, Madras, 1950-51, Volume I, Copies of which have been placed in the Legislature Library for the use of the Members of the Legislature.

" (c) In respect of recommendations Nos. 97, 118-120 and 142 relating to the welfare of prisoners, orders have been passed in accordance with the Committee's recommendations. The other recommendations are under the examination of the Heads of departments concerned and of the Government."

SRI M. P. GOVINDA MENON:—"Will the Government consider the recommendation regarding the release of prisoners on parole for particular periods?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Release of prisoners on parole is in vogue even in the present set-up."

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

II.—ANNOUNCEMENT BY THE HON. CHAIRMAN RE THE ELECTION OF TWO MEMBERS TO THE COMMITTEE OF PRIVILEGES.

MR. CHAIRMAN:—"I have to inform the House that the following two candidates were nominated for the election of two members to the Committee of Privileges for the financial year 1953-54 in the vacancies caused by the vacation of seats of Sri S. Ramakrishnayya and Sri S. Chengalraya Chetti, consequent on the formation of the Andhra State:—

(1) Dr. A. Lakshmanaswami Mudaliyar.

(2) Dr. C. Nathamuni Naidu.

"As the number of candidates nominated is equal to the number of vacancies to be filled, viz., two, I hereby declare them to have been duly elected to the Committee of Privileges."

[2nd January 1954]

III.—CLARIFICATION OF THE STATEMENT MADE BY THE FINANCE MINISTER REGARDING SRI S. B. ADITYAN'S RESIGNATION.

* SRI T. PURUSHOTHAM:—"Mr. Chairman, Sir, with your leave I wish to refer to a statement made by the Hon. the Finance Minister day before yesterday on the floor of this House. He said that Mr. Adityan was making an offer of resignation of his seat in the Council because he expected a vacancy soon in the Tirunelveli district and that Mr. Adityan wanted to contest that vacant Assembly seat. I was under the impression and I believe several hon. Members were under the impression that there was a vacancy in the Tirunelveli district. But we find from this morning's newspapers that an election petition is pending before an Election Tribunal with regard to a Tirunelveli constituency. It is not fair to make any reference to a vacancy in that district when the matter is pending before an Election Tribunal, as it is liable to be misconstrued. I presume the Hon. Minister did not refer to any particular vacancy. Anyway as he has made a reference about it, I hope he will make it clear that he did not refer to any particular vacancy or to any matter that might be pending before an Election Tribunal."

Dr. C. NATHAMUNI NAIDU:—"I want to know why a clarification is sought now . . ."

Mr. CHAIRMAN:—"The Hon. the Finance Minister will reply."

THE HON. SRI C. SUBRAMANIAM:—"If there is no vacancy, the question of contest will not arise. I thought there was a vacancy."

IV.—GOVERNMENT BILL.

THE MADRAS APPROPRIATION (NO. 2) BILL, 1953 (L.A. BILL NO. 26 OF 1953).

THE HON. SRI C. SUBRAMANIAM:—"Sir, I beg to move—
'That the Madras Appropriation (No. 2) Bill, 1953 (L.A. Bill No. 26 of 1953), as passed by the Legislative Assembly, be taken into consideration.'"

"I do not propose to make any speech at this stage. I shall reserve what I have got to say when I reply to the debate."

Mr. CHAIRMAN:—"Motion moved—"

'That the Madras Appropriation (No. 2) Bill, 1953 (L.A. Bill No. 26 of 1953), as passed by the Legislative Assembly, be taken into consideration.'"

"The motion is now before the House for discussion."

Printed as Appendix II on pages 358-360 infra.

[2nd January 1954]

* SRI MOHAMMAD RAZA KHAN:—"Mr. Chairman, Sir, we have had two days of very useful discussion at a very high level and I am sure the Government will bear in mind the very constructive suggestions made by the Members on this side of the House as well as the Members of the Party in power. I do realize the difficulties of the Government of Madras. Particularly this year, they had to spend the first six months in dealing with the partition problems and the next six months in dealing with the post-partition problems. Any Government which stands for the welfare of the people cannot taken shelter under the plea that the conditions prevailing had been there for decades or centuries. Even a most efficient government cannot change the situation all of a sudden. Particularly when the Finance Minister says this thing, I really have got my own doubts. The present Ministry might have been in power only for about two years. But the fact remains that the Congress party has been administering this State right from the year 1946. Therefore, the present Government which is a Party Government cannot but take responsibility for all that has happened since the year 1946. I do feel that the State Government and the Hon. the Finance Minister, in particular, have to take stock of the present situation prevailing in the State. Sir, trade and business in this State have been facing a big slump. It is not a sellers' market as it was formerly, but it is a buyers' market. What is more, the business, as is evident from the reduced income to the Government from sales tax, is having a very bad time. I really feel that the State Government—whatever may be their limitations—cannot but take stock of the situation in the State."

11-40
a.m.

"The second aspect of the question to which I want to make reference is this. The Hon. the Finance Minister said, 'We alone are not responsible for the growing unemployment, be it among the educated people or the uneducated people, or be it among the middle classes, the lower middle classes, the poorer sections of the people or the agricultural labourers.' Sir, the time has come for any Government to take stock of the situation, particularly in the matter of giving employment to the people. I know the problem is so big and so gigantic and it is there for such a long time that it cannot be solved overnight. But I do maintain that it is the responsibility of the State Government to do the needful, and I am sure they will evolve some proposal in this regard in the coming year."

"As regards the structure of taxation, it is very very difficult and dangerous subject. Personally, I feel that where the Deputy Leader of my Party has failed I am not going to succeed. But the fact remains that everyone will admit that the level of taxation has gone up considerably in the course of the last six or seven years. Take, for instance, the question of the sales tax. What was the rate of tax when it was introduced, for the first time, in the year 1937 by the Hon. Sri Rajagopalachari? Then what was the rate prevailing at the time the Advisers' Regime

[Sri Mohammad Raza Khan] [2nd January 1954]

came to a close and the Popular Ministry took charge of the Government? I think it was 4 pies in a rupee then. But to-day, it is three pies in a rupee in respect of all the commodities and double and treble this rate in respect of some luxurious articles. There is a general feeling among the public that the sales tax is very, very oppressive. Certainly, the Hon. the Finance Minister cannot deny that it is not collected at one point but is collected at four or five points. It is collected at every stage from the place of manufacture till the article goes into the hands of the middlemen, the wholesalers, the retailers and the consumers. Therefore, I say this tax is collected at five points. Sir, I do concede the point of the Government that they should balance their Budget and that unless and until they impose additional taxes, they cannot make adequate provision for carrying on the nation-building activities like education, medical relief, etc. But, at the same time, I feel that the hon. Member Dr. John was perfectly right in voicing the opinion of the public that the time had come for the Government of Madras to study or examine the whole structure of taxation in this State and see whether any relief could be given. Even the other day, he did not cast any aspersions on any Member of the Government or on the Government as a whole. What he said was that the sales tax was a sort of blood-sucking leech. Then, even very recently, the tax on tobacco has been increased very considerably. The fact remains that this tax was increased by 20 per cent although it was increased by 50 or 60 per cent at an earlier stage. The position is similar with regard to all sorts of taxes including the tax on buses and lorries. The electricity surcharge which was introduced during the war is maintained at the same level. Sir, I am not saying that the Government should reduce the rate of this tax and that. I know the difficulties of the Government. But the general tendency has always been that whenever the Government bring in or introduce a tax, it takes a permanent shape and it goes on increasing. That has been the tendency as far as taxation measures are concerned. I maintain that it is an elementary principle of taxation that the Government should first make out a case that in a particular field the taxation is not adequate. There is no use of the Government saying, 'Well, we require money. Our needs are such that we cannot but go on increasing the rate of taxes.' If that be the basis, the Government can go on increasing the rates of taxes, without any limit, as has been the case in respect of sales tax. But, I do feel that the Government of Madras and, particularly, the Hon. the Finance Minister will do well to have a thorough examination of all the relevant factors in the tax structure of the province. With regard to sales tax, there has been a good deal of agitation. I know the merits and demerits of single-point taxation and multi-point taxation. Even in the last Assembly, Member after Member used to impress upon the then Finance Minister, Sri Gopala Reddi, the need to examine the question whether he could concede the demand for single-point taxation, at least in respect of certain commodities. I think, in a way, he was agreeable subject to the

2nd January 1954] [Sri Mohammad Raza Khan]

condition that he examined the question. Very recently, Bombay which was having single-point taxation has shifted to multi-point taxation like Madras and, as a result, there has been a great deal of agitation. Now, the Government will do well to examine whether single-point taxation cannot be introduced at least in respect of certain definite commodities. If, after experiment, they feel that it is good, that the harassment is less and that the cost of collection to the Government is also less, then it is left to them to enforce it in respect of other commodities also. But there has been a really persistent demand that in regard to certain commodities the Government should resort to single-point taxation. There has been an agitation also to see that there is no sales tax on the articles sold by petty merchants like butchers and on perishable articles. I am very happy that the Hon. the Finance Minister has admitted that there is harassment of such petty merchants. Sir, Mr. Wattel, an ex-Accountant-General of Madras, has written in one of his famous books on 'Public Finance' as follows:—

'Public revenue should be raised in an equitable manner and spent economically so that the tax-payer may get full value of the money.'

I do concede that the tax-payer is getting the full value of the money to an appreciable measure. But, on behalf of the Opposition, I say that the time has come for the Government to examine the whole question thoroughly and see whether single-point taxation cannot be introduced in the matter of sales tax.

"Then, Sir, the Government of Madras have, no doubt, done something last year regarding the handloom industry. In fact, that is a subject which has very often been discussed in the Assembly, in the Council and by the public outside. I do concede that the present Government have taken a good deal of interest in the matter. What is more, the Hon. the Chief Minister has created an opinion not only in the State but also in the Government of India circles that there is a strong case for supporting this ancient industry. This is an industry which gives employment to lakhs and lakhs of people. Naturally, something should be done for this industry. I only want to know—as it has not been stated here—how the amount allotted to this State by the Government of India out of the cess on mill cloth is spent—whether we are spending it properly, whether the handloom weavers are benefited by it and whether the trade is going to flourish. These are all matters which deserve the consideration of the Government. Here also there is a mishap. I think, subject to correction, a sum of Rs. 1 crore or something less is being allotted to this State. But most of the benefit is going to co-operative societies. I am not against co-operative societies getting the benefit. But the fact remains that only 18 per cent of the handloom weavers are within the fold of co-operative societies and the remaining 82 per cent are outside that fold. Is it the opinion of the Government that the benefit of the Rs. 1 crore fund should go to the 18 per cent of handloom weavers who are within the fold of co-operative societies or to the 82 per cent who are also outside it? The Government may say, 'Why not all

[Sri Mohammad Raza Khan] [2nd January 1954]

these people come within the fold of co-operative societies?' But the individual form of running this industry is there and it is very difficult to bring all the individual weavers within the co-operative fold. However, the Government will do well to examine this question and see that this benefit is shared by all and not by a very few.

"Then, formerly there used to be a State Handloom Board. They used to advise the Minister concerned or the head of the department in regard to questions pertaining to the handloom industry. I do not know whether, for the present, any Handloom Board is being formed as far as the State of Madras is concerned.

11-50 a.m. "Then, the oft-repeated question is that of Prohibition. Much can be said both for and against it. There have been suggestions supporting it and opposing it also. There have been people who have been insisting that, whatever may be the amount of illicit distillation, we have to stand by Prohibition. There have also been people who have been equally vehement in their demand that Prohibition should be scrapped. But consistent with the attitude adopted by me in this regard, and more so as a Muslim, I cannot but support the policy of Prohibition. In fact it is a very good scheme of the Madras Government though there may be some limitation. Some people who are bent upon making money out of this scheme may resort to illicit distillation. But the fact remains that the majority of the addicts in this State have been prevented from having an easy and free recourse to drinking. They cannot now easily walk into a tavern and have a drink. That is a fact which cannot be denied. I feel it is not right nor fair on our part to ask the Government to scrap Prohibition. Far from it, our suggestion should be. 'Here are the loopholes and here are the practical difficulties. Here are cases where the authorities are not implementing the scheme properly. Here is our solution to rectify the defects.' That should be our attitude. While I am on this subject, I wish to say that when the Congress party introduced this scheme, they had high hopes that their supporters and their partymen will carry on necessary and effective propaganda in favour of Prohibition. Unfortunately, there has been no propaganda whatsoever. There has been some propaganda at Government level. This will not do. I am sure the Government of Madras will look into this matter and take necessary steps to enforce this scheme properly and effectively. By so doing, they will be doing a great service to the people of this State.

"Sir, here we have our Chief Minister, Sri Rajagopalachariar, who has been noted for doing something new and something unusual. This time he has brought in a lady Minister and put her in charge of the portfolio of Prohibition. I take this opportunity to congratulate the Hon. Lady Minister and I wish her all success. Her success means the failure of men. If she succeeds—I hope she will—our Chief Minister, Rajaji

[2nd January 1954] [Sri Mohammad Raza Khan]

will be establishing the fact and will say, 'Look here, the men who were put in charge of Prohibition failed and the lady Minister who was brought by me and given this portfolio has succeeded.' In fact, there will then be a case for appointing more and more lady Ministers in the future set up of the Cabinet. Whatever it is, I wish her all success.

"Sir, reference has been made by the hon. the Leader of the Opposition to one or two important matters and I think I need not dilate on them. I only want to say a few words on some of them. Reference has been made to co-operative societies. I do not claim to know much about the working of co-operative societies. But the fact remains that a number of these co-operative societies have come into existence during the war period and even after the war. Most of the commodities were at that time controlled by the Government. For instance, things like foodgrains, yarn, cloth, etc., were controlled by the Government and it was very easy for these societies to have good business, and they were having a good margin of profit too. So they were carrying on very well. Again, as I said previously it was a seller's market. But, what is the position today? Most of those co-operative societies are not able to compete with the existing trade channels. Therefore, I feel that in due course most of these co-operative societies which have sprung up in various places, will, by force of circumstances, have to be closed down, as most of them will be incurring losses. I am sure the Government of Madras will soon appoint a Committee of Enquiry as suggested by the hon. the Leader of the Opposition, so that the Committee may look into the whole matter and suggest ways and means whereby the existing defects can be removed. The Committee may also consider the feasibility of amalgamating two or three small societies which may be situated in the same area or contiguous areas.

"Sir, reference has been made by the hon. the Leader of the Opposition to the pawn-brokers or money-lenders, and I only want to supplement it by adding a few words. I know legislation and enactment by the Government in this regard. But I am sorry they are only kept under cold storage. Those money-lenders have got their own way of circumventing the law. I know when poor people get a loan from these people, they are made to execute a bond for three or four times the amount that is actually paid to them. Again, though the usual interest is 12 per cent or so, the actual interest that they collect is very much more and very many times that amount. These are hard days and the economic condition of the lower and upper middle classes and also the poor people, who have to go to these money-lenders very often, is very bad. These poor people have necessarily to go in for a loan and they have to approach these money-lenders for this purpose. But these money-lenders have got a knack of evading all Government laws in one way or other. So I request the Government to bring in a definite Bill so that these money-lenders can be controlled and brought under check.

[Sri Mohammad Raza Khan] [2nd January 1954]

"Now, I come to a very important subject, viz., bus transport. Unfortunately the Hon. the Minister for Transport is not here. It is easy for the Government of Madras and for the Minister concerned to say, 'Well, everything is all right. We have put so many buses on the road. We have put the 'Red Lady' type of buses on the road. People are satisfied with our buses and so on. This is the type of statement to which we have been accustomed in these past five or six years. Previously, Sri B. Gopala Reddi was saying these things. It has now fallen to the lot of the present Transport Minister to say these things. If one really goes to Mylapore, Mount Road, or Royapetta and sees things for one self, one will be able to see hundreds of people waiting to catch the bus. Bus after bus will pass, but with not a seat for these waiting people to get in. So these poor people who have to reach their places of office or business at a particular hour are made to wait and wait for hours together only to see that no bus picks them up. The Hon. the Minister for Finance said that the tramways have been closed for ever and we will not have trams any more. It is all right to say all those things. But, what is the duty and responsibility of the Government? Can they be satisfied by merely saying that the tramways have been closed down and we will not have them any more in the city? Can they say that the bus transport of which they are having a monopoly now in the city is running efficiently and there is nothing to complain against their bus service? Can they say that the buses that they have put on the roads now are sufficient to cope with the traffic? Can they tell the general public, who are using their buses that they have put sufficient number of buses for their use? I dare say they have not put the required number of buses on the road. There is no use of saying, 'We must take into account the number of buses that were plying in the city before the tramways were closed and the number of buses that are plying now after the closure of the tramway company. If we take these figures into account, we can easily come to the conclusion that there has not been an appreciable increase in the number of buses put on the road after the stoppage of tramways. Again, what about the numerous complaints that some of the buses have stopped for repairs. When we take all these factors into account, we will come to the natural conclusion that there is a definite case against the Government that they have failed to put the required number of buses on the road. It is but natural that the Government Transport department has come in for a good deal of criticism and condemnation. I am not making a charge against the Government. It is a matter of reality. It is all right for the Hon. the Transport Minister to get into his car one day and go to the Mylapore stand. News of his visit to that stand may also appear in the columns of the dailies. But let me tell the Government that this complacent attitude on their part is not going to bring any credit to them. It is not enough if the Hon. Minister alone is satisfied. Really, the people, the poor people who use the buses daily have got to be satisfied. The

2nd January 1954] [Sri Mohammad Raza Khan]

question is whether they are satisfied with the present state of affairs or not. The answer is 'No'. They are not at all satisfied with the number of buses that are at present on the road. Sir, much has been said about the peak hour traffic. Nothing has been done to relieve congestion during peak hours. Again, we have been daily seeing how the bus conductors and drivers behave towards the passengers. Their conduct is far from satisfactory. We have also seen many conductors and drivers, who were relieved of their duty and were in their off-duty, occupying most of the seats in the buses with the result that many of the passengers, sometimes even 10 or 12 of them, are made to stand. The Government may say that these things are inevitable. But they must just think what will be the reaction of the man in the street. The space between seats is very small and a number of passengers are forced to stand in the bus. The Government must look into this matter and take steps to remove these difficulties. I am not saying these things just to get some cheap publicity. It is not at all my aim. I am only trying to put these difficulties before the Government so that they may do something in the matter and thereby have an effective control over the department. The high officials of the Transport department will have the tendency to show some profit to the Government. When the Government themselves run the buses, they should not be merely guided by the profit-motive. They should take every care to satisfy the general public. I am sure the Government will look into the matter and do the needful. They may say there is the Transport Advisory Committee. I was myself a member of one such committee. It meets once in a way, talks something and disperses. No action is taken by the Government on the proposals submitted by the Advisory Committee. That has been my experience in the past and I have no reason to believe that things have now changed in any way.

"Sir, I would then refer to one or two things which have not been referred to so far by any hon. Member. One is Police Administration in this State. I would like to give credit to and also congratulate the Government of Madras on the way in which they have maintained law and order in the State in spite of tendencies and developments to disturb the peace. The present Government particularly deserve to be congratulated for they have done well. But there are still one or two aspects of the administration which I would like to bring to the notice of the Hon. the Chief Minister who is in charge of the Home portfolio. There is an enactment now in force for controlling private betting on horses and I think it was Mr. Muhammad Usman, who, when he was Home Member, introduced it. I may tell hon. Members of the House that this Act is a dead letter to-day. A man can bet from one rupee to one thousand rupees privately on races run in Madras, Bombay and Calcutta. The Police know about this and connive at it. The number of persons who manage this business with finance would be only few but lakhs and lakhs

[Sri Mohammad Raza Khan] [2nd January 1954]

of people are ruined by this mode of betting. Many of the poor people bet some five or ten annas every day and lose it. None of the people are arrested by the Police, even though they know who are all involved in the game. Of course, once in a way, in order to satisfy the higher authorities, they arrest some people, produce them before courts and get them convicted to pay a fine of ten rupees or to undergo an imprisonment of one month. If you have an Act, you should either see that it is enforced properly or remove it from the State Book.

"Then, Sir, there is another pernicious evil like this which was formerly confined to the China Bazaar Road where big Marwaris live. I am referring to betting on 'New York cotton'. I would tell you what it is. The New York cotton market starts with some quotation in the morning and closes with some other in the evening. A good number of people, mostly poor classes, have resorted to this betting habit. Formerly, Sir, very rich people on the Broadway side used to resort to this kind of gambling. But now it has become a common tendency with many in the City of Madras to bet on 'Numbers'. The announcements regarding the morning and the evening quotations are written down openly in chalk on tarred roads. Sir, I have explained it enough and I am sure the Government of Madras will enquire into the matter and see that the evil is eradicated completely. If they feel they are incapable of controlling these things, let them say so and there is nothing wrong there. When my friend, Mr. Bhaktavatsalam was Minister for Public Works, an Act was passed abolishing betting on horses at races but the Government of the day very intelligently made a provision in the Act that the question of enforcing it would be a matter for the decision of the Government in their discretion. I understand that our Chief Minister is making a visit to the Guindy Race Course on the 3rd, that is to-morrow, to preside over the Independence Cup. I am sure he will definitely have an idea of the conditions obtaining there and see for himself whether betting on horses is a good thing."

SRI K. BALASUBRAMANYA AYYAR:—"That is very doubtful."

* SRI MOHAMMAD RAZA KHAN:—"I am sorry, my hon. Friend, Mr. Balasubramania Ayyar has not understood what I said. I said that the Chief Minister would have an opportunity to see conditions in the Race Course and find out whether races are good for the people or bad."

THE HON. SRI C. RAJAGOPALACHARI:—"Hon. Member Mr. Balasubramania Ayyar feels that conditions will be better to-morrow." (Laughter.)

* SRI MOHAMMAD RAZA KHAN:—"Sir, I have taken nearly twenty-five minutes and shall finish in four or five more minutes. Sir, during the discussion on the Budget, things not pertaining to our Budget and sometimes not pertaining to our

[2nd January 1954] [Sri Mohammad Raza Khan]

State also were said. Some of the hon. Members referred to matters like Rajaji's leadership, his support to the Muslims and the Muslim League and the proposed agreement between Pakistan and America on the subject of military aid. My friend Mr. Govinda Menon, whom I have known better, made a charge against the Chief Minister to which the latter may reply. It is not my concern. But the trouble is he did not stop there. He is a very good speaker, but with very few points. Whenever his points are exhausted he attacks the Muslims and the Muslim League."

MR. CHAIRMAN:—"It does not relate to the Bill."

SRI MUHAMMAD USMAN:—"But he did not attack the Muslims. He attacked the Muslim League and that too the way of its functioning in Malabar."

* SRI MOHAMMAD RAZA KHAN:—"I am very thankful to hon. Member Mr. Usman for having come to the rescue of hon. Member Mr. Govinda Menon." (Laughter.)

THE HON. SRI C. RAJAGOPALACHARI:—"Any good Muslim comes to another's rescue."

* SRI MOHAMMAD RAZA KHAN:—"I am not going to say anything about my community. We have stopped talking about it. We have said enough and we leave it to the Government to do justice to us if they so care to. If they do it, well and good, and we do not want any special favours. Whether it is the Muslim League or Muslims in general, during the last three years they have said nothing or did nothing to which anybody could take objection. Even in the Palghat Conference, there was a definite direction to Muslims to keep aloof from the Communists and the Dravida Kazhagam in TamilNad. The conference did nothing except that it made some representation to the Government regarding matters affecting the Muslim community. We, have great respect for the hon. Member Mr. Usman. We are really proud that in this province it was really hon. Member Mr. Usman who did so much for the creation of Pakistan. As a Member of the then Central Government it was he who did his best for the creation of Pakistan. Now he cannot escape responsibility and blame others. He should also share that along with other Muslims in this province."

SRI MUHAMMAD USMAN:—"Sir, on a point of personal explanation. I never was in favour of division of the country. If as a Member of the Government of India, I expressed any view on any matter; it was the view of the Government of India and not my personal view. I have never at any time said that Pakistan should be created, even as an official."

[2nd January 1954]

* SRI MOHAMMAD RAZA KHAN:—"I do not want to get into controversy as to what he said as a Member of the Council of States. Facts will speak for themselves. We want the Congress party to be in power and we believe that it will be able to tackle the problems facing the country. After all, it is our desire that a stable Government should be there with a good and capable man at the head of the Government. But surely, one need not be in the party in power. But when people like the hon. Member Mr. Usman ask us to join the Congress, it leads us to some suspicion. Our object is to do our best for the welfare of the State. To be Minister or Chief Minister is after all a passing phase. But what is really wanted of a Chief Minister or a Minister is that when they retire, they should have a satisfaction of having done well by the State. The public should be in a position to appreciate what they have done. That should be their aim. I would like, in this connexion, to quote Tirukkural:

'Freedom from sickness and want, increased production of wealth, widespread contentment and joy and security represent the prime requisites of an ideal State.'

Let the Ministry have this as their guide. I hope our prosperity will increase and the State will flourish well.

"With these words, Sir, I conclude. Thank you."

12-10 p.m. SRI MUHAMMAD USMAN:—"The hon. Member said that the Muslim League was doing its best for the Muslim community. Has the Muslim League come out and said, after all that has happened whether it still believed in the two-nation theory? Has the Muslim League come out and said anything about the proposed military aid by America to Pakistan? It is a matter of very great concern."

SRI MOHAMMAD RAZA KHAN:—"I should like to invite the attention of the hon. Member Sri Usman to the statement issued by the League in the morning papers."

SRI M. P. SIVAGNANA GRAMANI:—"கனம் தலைவர் அவர்களே, நான் இந்த பட்ஜெட் விவாதத்தில் கலந்து கொள்ளும்போது அதற்கு மங்களம் பாடுகிற கட்டத்தில் நான் பேசுவதற்கு அனுமதிக்கப்பட்டிருக்கிறேன். அதற்கு தலைவர் அவர்களுக்கு எனது மனமார்ந்த நன்றியைத் தெரிவித்துக்கொண்டு இந்த மசோதாவை ஆதரிக்கும் முகம் சில வார்த்தைகளைக் கூறுகிறேன்.

"முதலில் இன்று இருக்கும் அமைச்சர் குழுவைப் பற்றி பல அபிப்பிராயங்கள் தெரிவித்தார்கள். என்னைப் பொறுத்த வரையில் இன்று இருக்கும் மந்திரி சபை போன்று மக்களிடத்தில் மதிப்பும் செல்வாக்கும் பெற்ற மந்திரி சபை இதற்கு முன் ஏற்பட்டது இல்லை. இந்த மாகாண சரித்திரத்திலேயே இப்படிப்பட்ட மந்திரி சபை ஏற்பட்டது கிடையாது. ஏற்பட்டிருக்க முடியாது. அப்படிச் சொல்லும்போது நான் யாரையும் புகழுவோ அல்லது இகழுவோ இல்லை. மக்கள் மனதிலுள்ள எண்ணத்தைத் தான் சொல்லுகிறேன். மக்கள் கூறுவதைத்தான் நான் கூறுகிறேன். கட்சி மனப்பான்மை இல்லாமலும் விருப்பு வெறுப்பு இல்லாமலும் உண்மை நிலையை கவனிக்கவேண்டும். அதைத்தான் ஒப்புக்கொள்ளவேண்டும். கனம் ராஜாஜி அவர்கள் இந்த மாகாணத்தில் முதல் அமைச்சரான பிறகு

[2nd January 1954] [Sri M. P. Sivagnana Gramani]

எவ்வளவோ எதிர்பாராத மாறுதல்கள் ஏற்பட்டன. அதை கனம் அங்கத்தினர்கள் அறிவார்கள். கனம் எம். பி. கோவிந்த மேனன் அவர்கள் குறை கூறுகிறார் என்றால் அவர் உண்மையிலேயே குறை கூறவில்லை. ஆனால், அவர் எதிர்க்கட்சியில் இருப்பதால் அரசாங்கத்தை எதிர்க்கவேண்டும் என்பதற்காகத்தான் அப்படி எதிர்க்கிறார். அவ்விதம் எதிர்த்து தன்னுடைய கடமையைச் செய்யவேண்டும் என்று அவ்விதம் எதிர்த்துப் பேசி வருகிறார். ஆனால், உண்மையில் அவருடைய மனதைக் கேட்டால் ராஜாஜி அவர்கள் இந்த மாகாண முதல் அமைச்சராக வந்த பிறகு இந்த மாகாணத்தில் ஏற்பட்ட மாறுதல்களை மற்ற மாகாணங்களும் பிறகு இந்த வருவதை அவர் நன்றாக ஒப்புக்கொள்ளுவார். அப்படி ஒப்புக் கொள்ளத்தான் வேண்டும். மக்களில் நூறுக்கு நூறு எதிர்பார்த்த இந்த உணவு பஞ்சத்தை ஒழித்ததற்காக அல்ல. இதை இந்த மாகாணம் மட்டும் அல்ல மற்ற மாகாணங்களும் வரவேற்று பின்பற்றுகிறார்கள். இதற்கு முன் இருந்த மந்திரி சபை இந்த உணவு கட்டுப்பாட்டை எடுக்க எவ்வளவோ முயன்றும் அவர்களால் எடுக்க முடியவில்லை. ஆனால் ராஜாஜி பதவி ஏற்ற பிறகு இதைத் துணிச்சலாகச் செய்திருக்கிறார். அறிவும், ஆற்றலும், தகுதியுமுள்ள தலைவர் ஒருவர் தலைமைப் பதவியில் வந்ததால் தான் பல நன்மைகள் ஏற்பட்டிருக்கின்றன. ராஜாஜி அவர்கள் துணிச்சலாக இந்த உணவு கட்டுப்பாட்டை எடுத்த பிறகு அவரைப் பின்பற்றி மற்ற மாகாணங்களும் இதை எடுக்க முன் வந்து கொண்டிருக்கிறார்கள். இவர்களைச் செய்வதற்கு சக்தியும், தைரியமும், அனுபவமும், துணிச்சலும் வேண்டும். இந்த உணவு பங்கீட்டை எடுத்ததின் மூலம் ஒரு துணிச்சலான காரியத்தைச் செய்திருக்கிறார். இதை இந்தியா முழுவதும் பாராட்டுகிறது. இதை மத்திய அரசாங்கமும் ஏற்றுக் கொண்டிருக்கிறது.

"அடுத்தபடியாக இன்னும் பல மாறுதல்களைச் செய்திருக்கிறார். அதையும் எல்லோரும் வரவேற்கிறார்கள். தஞ்சை ஜில்லா எப்படி இருந்தது, இந்த மந்திரி சபை வருவதற்கு முன்? தஞ்சை ஜில்லா ஒரு ஸ்டாலின்கிராட் ஆகவும், தெலுங்கானாவாகவும் மாறக்கூடிய நிலையில் இருந்தது. அரசியல் உலகத்தில் என்ன நிலைமை ஏற்படுமோ என்று எண்ணிக்கொண்டிருக்கும் காலத்தில் போலீஸ் உதவி இல்லாது, ராணுவ உதவி இல்லாது ஒரு அமைதி யான நிலைமைக்குக் கொண்டு வந்தார். உண்மையாக உழைப்பவனுக்கு யான கிடைக்க வேண்டுமோ அதைக் கொடுக்கும்படி வழி காட்டினார். அவ் வந்த வழி காட்டி அங்கு செங்கோலை நிலை நாட்டினார். இப்பொழுது எந்த நிலைக்கு வந்திருக்கிறது என்பது நமக்குத் தெரியும். நாம் பார்த்திருக்கிறோம்.

"அடுத்தபடியாக புதிய கல்வி திட்டத்தைப்பற்றி பல அங்கத்தினர்கள் பேசினார்கள். அதைப்பற்றி வெளியிலும் பேசுகிறார்கள். இந்தப் புதிய கல்வி திட்டத்தை சாதாரணமாக ஒரு திட்டமா என்றும் கேட்கப்படுகிறது. இதை சிந்தித்துப் பார்த்துப் பார்த்துப் பார்த்து 48 பிள்ளைகள் பள்ளிக்கூடங்களுக்குப் போகும் பாதை நூறுக்கு நூறு பிள்ளைகள் பள்ளிக்கூடங்களுக்குப் போகவேண்டும் போது நூறுக்கு நூறு வந்தால் அது ஒரு புரட்சிகரமான திட்டம் என்று என்று திட்டம் கொண்டு வந்தால் அது ஒரு புரட்சிகரமான திட்டம் என்று சொல்லக்கூடாது! இது ஒரு திட்டமே இல்லையென்றும் குறை கூறப்படுகிறது. அதற்கு காரணமும் கூறப்படுகிறது. அதை ஒப்புக்கொள்ள முடியாது. அது மட்டுமல்ல, 48 பிள்ளைகளுக்கு செலவழிக்கும் செலவிலேயே நூறுக்கு நூறு பிள்ளைகளுக்கு கல்வி கொடுக்க முயற்சி செய்தால் அது ஒரு புரட்சிகரமானது அல்லவா? அதைவிட வேறு எந்த திட்டம் புரட்சிகரமானது? வேறு எந்த திட்டம் புரட்சிகரமானதாக இருக்க முடியும்? ஆனால் ஒரு குறை சொல்லப் படுகிறது. புதிய கல்வித் திட்டம் வந்த பிறகு பிள்ளைகள் வேறு பள்ளிக்கூடங்களுக்குப் போகிறார்கள் என்று சொல்லப்படுகிறது. அதை நான் வரவேற்கிறேன். பள்ளிக்கூடங்களுக்கே போவது இல்லை என்று சொல்லாமல் ஏதாவதும் பள்ளிக்கூடங்களுக்குச் செல்லுகிறார்கள் என்றால் அது நல்லது அல்லவா? அதனால் இந்தத் திட்டம் நியாயமானது அல்ல என்று ஒரு முடிவுக்கு வரமுடியாது. இப்பொழுது பார்த்தால் எவ்வளவோ பேர்கள் குடிக்கிறார்கள் என்றால் மதுவிலக்கு திட்டம் நியாயமானது இல்லை என்று

[Sri M. P. Sivagnana Gramani] [2nd January 1954]

சொல்ல முடியுமா? சரித்திரம் கூறுகிறது. வேறு பள்ளிக்கூடங்களுக்குப் போகிறார்கள் என்று அதற்கு எப்படி எதிர்ப்பு இருக்கமுடியும்? ஆனால், மக்களிடத்தில் இந்தத் திட்டத்தைப்பற்றி தவறாக பயமுறுத்தப்படுகிறது. இந்த திட்டத்தை நன்றாக ஆராய்ந்து அறியவேண்டும். ஐந்து மணி நேரத்தில் கொடுக்கக்கூடிய கல்வியை மூன்று மணி நேரத்தில் கொடுக்க முடியும் என்று சொல்லப்படுகிறது. அவ்விதம் இருந்தால் அது ஒரு புரட்சிகரமான திட்டமாக இல்லாமல் எப்படி இருக்கமுடியும். இப்பொழுது பிள்ளைகளின் எண்ணிக்கை உயரவில்லை என்று சொல்லுகிறார்கள். இப்பொழுது ஐந்து வகுப்புகளுக்கு மூன்று உபாத்தியாயர்கள் கல்வி சொல்லிக்கொடுக்கிறார்கள். அப்பொழுது 40, 80 பிள்ளைகளுக்கு கல்வி சொல்லிக்கொடுப்பதற்கு பதிலாக புதிய கல்வித் திட்டப்படி ஒரு உபாத்தியாயர் 20 அல்லது 25 பிள்ளைகளுக்கு ஒரு வகுப்பில் சொல்லிக்கொடுக்கக் கூடியதாக இருக்கிறது. இவ்விதம் இருந்தால் கல்வி தரம் உயராதா? இவ்விதம் குறைந்த பிள்ளைகளை வைத்துக்கொண்டு கல்வி சொல்லிக்கொடுத்தால் தரம் உயரும் அல்லவா? பிள்ளைகளின்மேல் அதிக கவனம் செலுத்தமுடியும் அல்லவா? இதை சிந்தித்துப் பார்க்கவேண்டும். இந்தத் திட்டப்படி குழந்தைகளை ஆசிரியர்கள் நன்கு கவனித்து அவர் பளுவை குறைக்க உதவுகிறது.

“மற்றொரு பக்கத்தில் ஜாதி வெறியையும் ஜாதி துவேஷத்தையும் இந்த திட்டத்தில் கிளப்பிவிடப்பட்டிருக்கிறது. இந்த திட்டம் வந்த பிறகு இந்த திட்டத்தை எதிர்ப்பதற்காக ஜாதி துவேஷத்தை கிளப்புகிறார்கள். அதனால் இந்த திட்டத்தை கைவிட வேண்டும் என்றும் கூறப்படுகிறது. இந்த மாகாணத்தில் இந்த ஜாதி வெறி இப்பொழுது கிளம்பியது இல்லை. அது ஏற்கெனவே கிளம்பி மடிந்து போய்விட்டது. இப்பொழுது அது வேறு ரூபத்தில் மற்றொரு போர்வைக்குள் கிளம்பி இருக்கிறது. இந்த ஜாதி வெறி இப்பொழுது கிளம்பியது அல்ல. இந்த ஜாதி வெறி யாரால் கிளப்பப்பட்டதோ அந்தத் தலைவர்கள் வெளியேறி விட்டார்கள். அவர்கள் போன பிறகு அது செத்துப்போய் விட்டது. அது செத்துப்போயும் இறப்பதற்கு மனம் வரவில்லை. எந்த சந்தர்ப்பம் வந்தாலும் அந்த சந்தர்ப்பத்தை வைத்துக்கொண்டு அது மறுபடியும் கிளம்பிக்கொண்டு வருகிறது. இந்த திட்டம் போய்விட்டால் அந்த ஜாதி வெறி போய்விடுமா? இது ஒரு முற்போக்குதிட்டமாக இருப்பதால்தான் இது ஒரு புரட்சிகரமான திட்டமாக இருக்கிறது. இந்தத் திட்டத்தில் நன்மை இல்லையானால் வேறு எந்தத் திட்டத்தில் இருக்கிறது? முப்பது வருஷமாக இல்லாத நிலை இப்பொழுது என்ன ஏற்பட்டிருக்கிறது? இந்த திட்டத்தில் நன்மை இல்லையென்றால் அது துவேஷத்திற்காக தான் சொல்ல வேண்டும். ஆனால், அரசியல் உண்மை அதுவல்ல. இதை சிந்தித்துப் பார்க்கவேண்டும். இந்த புதிய கல்வித்திட்டம் ஒரு புரட்சிகரமான திட்டம் இல்லையென்றால் அதற்கு ஏன் இவ்வளவு எதிர்ப்பு? அதிலிருந்தே இது ஒரு புரட்சிகரமான திட்டம் என்று தெரியவில்லையா? ஒரு அடிப்படைமாறுதல் இருந்தால் அது ஒரு புரட்சிகரமான திட்டம் இல்லையா? இது ஆதாரக் கல்விக்கு ஒரு மூலாதார திட்டம். ஒரு புரட்சிகரமான திட்டம். முற்போக்கான திட்டம். மக்களை தூய்ம்படுத்தும் திட்டம். இதை வரவேற்கவில்லை யானால் இந்த திட்டத்தை ஒப்புக்கொள்ளவில்லையானால் அதற்கு திருத்தங்கள் கொடுக்கலாம். திருத்தங்கள் வேண்டுமென்றால் கொடுத்துக்கொள்ளலாம். காந்திய அடிப்படையிலுள்ள ஆதாரக் கல்வியை ஆதரிக்கும் தலைவர்கள் இந்த திட்டத்தை எதிர்ப்பதற்கு என்ன காரணம் இருக்கிறது. அது வியப்பாக இருக்கிறது. ஆதாரக் கல்விக்கு இது ஒரு துவக்கம். இதன் முடிவு ஆதாரக் கல்வியில் போய்விடும். இது ஒரு காந்திய அடிப்படைக் கல்வி. இதில் ஆரம்பித்தால்தான் ஆதாரக் கல்வியில் போய்முடியும். இது ஒரு முக்கியமான விஷயம்.

“மற்றொரு விஷயம். லேபர்ரி இயக்கம் இந்த நாட்டில் சரியாக நடைபெறவில்லை. ஏனென்றால், சில தவறான புத்தகங்கள் மக்கள் ஒழுக்கத்தைக் கெடுக்கக்கூடியனவாக இருக்கின்றன. எல்லோரும் எழுதப் படிக்கப் கற்றுக்கொள்ள வேண்டும் என்ற கொள்கையை அனைவரும் ஒப்புக் கொள்ளுகிறோம். ஆனால், அவர்கள் ஒரு ஆரம்பக் கல்வியையாவது பூராவாக எழுதப் படிக்கத் தெரிந்துகொண்டபடியால், முன்னால் எவ்வளவு

2nd January 1954] [Sri M. P. Sivagnana Gramani]

நல்ல நூல்களைப் பார்த்தாலும் படிக்காமல் இருந்து விடுவது நல்லதோ என்று எண்ணக்கூடிய அளவுக்கு ஒழுக்கத்தைக் கெடுக்கும் நூல்கள் வெளி வருகின்றன.

“தமிழ் நாட்டைப் பொறுத்தவரையில் எட்டுக் கல்வியென்றால் அது ஒழுக்கக் கல்வியாகத்தான் இருந்தது. உத்தியோகக் கல்வியாகவோ, தொழிற் கல்வியாகவோ இருந்ததில்லை. எட்டுக் கல்விக்கும் ஒழுக்கக்கல்விக்கும் போட்டி கிடையாது. தமிழ் எழுதப் படிக்கத் தெரிந்தும் கொண்ட மக்கள் காம வெறி, ஜாதி வெறியை வளர்க்கின்ற, மனிதனைப் பாதிக்கக்கூடிய வெறியை வளர்க்கும் நூல்கள் மக்கள் முன்னே குவிக்கின்றன. இதைத் தடுப்பதற்கு சர்வாதிகார நாடா நம்முடைய நாடு? குவிக்கின்றன. இதைத் தடுப்பதற்கு நாடு. இங்கு எழுத்துரிமை, பேச்சுரிமை எல்லாம் நம்முடைய நாடு ஜனநாயக நாடு. இங்கு எழுத்துரிமை, பேச்சுரிமை எல்லாம் உண்டு. ஆகவே, ஆக்க வேலையில் ஈடுபடவேண்டும். மக்கள் நல்லபடிக்கு வரவேண்டுமானால், நல்லநூல்களை அவர்கள் அதிகம் படிக்கவேண்டும். இதற்கு லேபர்ரி இயக்கத்தைத் தவிர வேறு ஒரு சாதனம் இருப்பதாகத் தெரியவில்லை. லேபர்ரி இயக்கம் நல்ல முறையில் வளர்ச்சியடைய வேண்டுமானால், மக்களுடைய வீட்டைத் தேடிக்கொண்டு போய், நல்ல நூல்களைக் கொடுக்கக் கூடிய அளவுக்கு இயங்கும் லேபர்ரிகளை நாட்டில் வளர்க்க வேண்டும். அப்படி வளர்த்துவிட்டால், மக்களுக்குத் தேவையற்ற மற்ற நூல்களைப் படிப்பதற்கு நேரம் இருக்காது. அவர்கள் நல்ல நூல்களைப் படிப்பதற்கான இம்மாதிரி வசதியை ஏற்படுத்திக் கொடுத்துவிட்டால், படிப்பதற்கான அறிவு நல்ல முறையில் வளர்ச்சியடையும். ஒழுக்கத்தைக் கெடுக்கும்படியான நூல்களைப் படிப்பதற்கு எண்ணமோ, நேரமோ இல்லாமல் போய்விடும்.

“தரதிஷ்டவசமாக, இந்த லேபர்ரி கமிட்டியில் நானும் ஒரு அங்கத்தினராக இருக்கிறேன். இந்தக் கமிட்டிக்கு சர்க்கார் தரப்பில் நியமிக்கப்பட வேண்டிய அங்கத்தினர்கள் 8 மாதங்களாக நியமிக்கப்படாததால் கமிட்டி வேலை செய்யாமல் தேங்கிக் கிடக்கிறது.

“கார்ப்பரேஷன், சொத்து வரி விதிப்பதைத் தவிர, லேபர்ரி செஸ் என்று தனியாக ஒரு வரியை வசூலித்து வருகிறார்கள். லேபர்ரி செஸ்வின் மூலம் வருஷத்திற்கு மூன்று லக்ஷ ரூபாய் வரையில் கார்ப்பரேஷனுக்கு கிடைக்கிறது. சென்ற மூன்று வருஷ காலத்தில் 9 லக்ஷ ரூபாய் வரையில் வசூல்கிறது. சென்ற மூன்று வருஷ காலத்தில் 9 லக்ஷ ரூபாய் வரையில் வசூல் செய்யப்பட்டு அப்படியே ரிசர்வ் நிதியில் தேங்கிக் கிடக்கிறது. லேபர்ரி செஸ் என்ற பெயரால் வசூல் செய்தது தவிர, கார்ப்பரேஷன் வசூலிக்கும் பொது நிதியிலிருந்து அந்த நூல்நிலைய இயக்கத்திற்கென ஒரு லக்ஷ ரூபாய் ஒதுக்கியிருக்கிறார்கள். ஆகவே, சென்னை நகரைப் பொறுத்தவரையில், ஜனங்களிடமிருந்து லேபர்ரி செஸ் என்ற ஒரு வரியையும் கார்ப்பரேஷன் மறைமுகமாக மிருந்து லேபர்ரி செஸ் என்ற ஒரு வரியையும் கார்ப்பரேஷன் மறைமுகமாக வசூலித்து வருகிறார்கள். ஆகவே, இந்தத் தேங்கிக் கிடங்கும் 9 லக்ஷ ரூபாயை வைத்துக்கொண்டு நிரந்தரமான நூல் நிலையக்கமிட்டி யொன்றை அமைத்து, லேபர்ரி இயக்கம் வளரும்படியான காரியத்தைச் செய்திருக்க வேண்டும். அப்படி ஒன்றும் செய்யப்படவில்லை. சட்டத்தைத் திருத்தம் செய்ய வேண்டியிருக்கிறது. கல்வி இலாகா அதிகாரி ஒருவரை கமிட்டியின் செயலாளராக வைத்திருக்கிறார்கள். கல்வி இலாகா அதிகாரியானவர் அரசு சங்கத்தின் ஆணைப்படி நடக்கிறாரேயொழிய, ஜனநாயக ரீதியாக கமிட்டியின் முடிவுக்கு கட்டுப்பட முடிவதில்லை. லேபர்ரி கமிட்டியின் தலைவர் எப்பின் முடிவுக்கு கட்டுப்பட முடிவதில்லை. தேர்ந்தெடுக்கப்படுகிறாரோ, அதேமாதிரி கமிட்டி படி அங்கத்தினர்களால் கமிட்டி அங்கத்தினர்களால் தேர்ந்தெடுக்கப்பட்டு, யின் செயலாளரும் கமிட்டி அங்கத்தினர்களால் தேர்ந்தெடுக்கப்பட்டு, அந்த அளவுக்கு லேபர்ரி அந்தக் கமிட்டி சுதந்திரமாக இயங்கவேண்டும். அந்த அளவுக்கு லேபர்ரி சட்டத்தைத் திருத்த வேண்டியது அவசியம் என்று நான் அனுபவ ரீதியாகச் சொல்லுகின்றேன். லேபர்ரி சட்டம் வந்து மூன்று வருஷம் கடந்து விட்ட பிறகும், இந்தக் கமிட்டி ஆரம்ப வேலையைக்கூட செய்யவில்லை. சரியான முறையில் லேபர்ரிகள் துவங்கப்படவில்லையென்றால், அதற்குக் காரணம் சட்டத்தில் இருக்கக்கூடிய குறைபாடு என்று நம்புகின்றேன்.

“விற்பனை வரியைப்பற்றி பலர் பேசினார்கள். இந்த விற்பனை வரி ரூபாய்க்கு ஒரு தம்படி என்று கொண்டு வந்தபோது ஏற்பட்ட கூச்சலைப் பார்த்திருந்தால், கல்வித்திட்டத்திற்கு இன்றைக்கு இருக்கிற எதிர்ப்பைவிட

[Sri M. P. Sivagnana Gramani] [2nd January 1954]

100-க்கு 100 அதிகமான எதிர்ப்பு இருந்தது. ரூபாய்க்கு ஒரு தம்படியிலிருந்து மூன்று தம்படி வரையில் விற்பனை வரியானது வளர்ந்தபோது எல்லோரும் சும்மா இருந்தார்கள். அரசாங்கத்தின் அதிர்ஷ்டம் ராஜாஜி இல்லாமல் போனது. ராஜாஜி இருந்திருந்தால் ரூபாய்க்கு 3 தம்படி வரை விற்பனை வரியை வளர விட்டிருக்கமாட்டார். மூன்று தம்படி வரையில் வரை விட்டுவிட்டு, இப்பொழுது குறைக்க வேண்டுமென்று சொல்லுகிறார்கள்.

“பத்திரிகைகளில் பார்க்கிறேன். குறை சொல்வோரின் சொற்பொழிவுகளையும், பத்திரிகைகளின் தலையங்கங்களையும் பார்க்கிறேன். சாமான்ய மக்களும் புரிந்து கொள்ள முடியாத அளவுக்கு ஒன்றுக்கொன்று முரணாக இருக்கின்றது. உற்பத்தி செய்வோர், மொத்த வியாபாரி, சில்லரை வியாபாரி, பொருளை வாங்குவோர் என்று நான்கு தரப்பினர் இதில் ஈடுபடுகிறார்கள். நான்கு தரப்பினர்களில் உற்பத்தியாளர்களை இந்த விற்பனை வரி எந்த அளவுக்கு பாதிக்கிறது, எந்த அளவு அவர்களுக்கு நிவாரணம் தேவை; மொத்த வியாபாரிகளை எந்த அளவு பாதிக்கிறது, எந்த அளவு நிவாரணம் தேவை; சில்லரை வியாபாரியை எந்த அளவு பாதிக்கிறது, எந்த அளவு நிவாரணம் தேவை; எல்லாவற்றையும் விட துரதிருஷ்டவசமாக இருக்கிற வாங்குவோர்களை எந்த அளவு பாதிக்கிறது, அவர்களுக்கு எந்த அளவு நிவாரணம் தேவை என்பதைப் பார்க்க வேண்டும்.

“என்னைப் பொறுத்த வரையில், வாங்குவோரைப் பற்றி பரிதாபம் காட்டி, அவர்களுக்கு நிவாரணம் அளிப்பதற்கு வழி தேடவேண்டும். அது தான் மகிழ்ச்சிக்குரியது. வாங்குவோருக்கு இருக்கும் குறைகளை வைத்துக் கொண்டு, மேலே இருக்கிறவர்கள் பயன்படுத்திக்கொள்பவர்கள்தான் சர்க்காரையும் பொது மக்களையும் ஏமாற்றுகிறவர்கள். இந்த முடிவுக்குத்தான் வர முடிகிறது. இந்த நிலை மாற்றப்பட வேண்டியதவசியம்.

“மத்திய அரசாங்கத்துக்கும், மாகாண அரசாங்கத்துக்கும் உள்ள வரி விதிப்பு அதிகாரங்கள் மாற்றம் அடையவேண்டும். அதிகாரத்தை அவர்கள் கையில் வைத்துக்கொண்டு, மேலேயிருந்து தானம் வழங்குவதை நெடுநாளைக்கு கையேந்திக் கொண்டிருக்க முடியாது. நிரந்தரமான வரி போடுகின்ற உரிமை நமக்கு மாற்றம் செய்யப்படவேண்டும். சில பகுதிகள் தானமாகக் கொடுப்பது என்பது கூடாது. வரி இனங்கள் மாற்றப்பட வேண்டும்.

“ராஜாஜி அல்ல, மகாத்மா காந்தியே இந்த மாகாணத்தின் முதலமைச்சராக வந்தாலும் நல்ல பெயர் எடுத்திருக்க முடியாது.

“மாகாணத்திற்கு வரி விதிக்கும் அதிகாரமெல்லாம் வழங்கப்பட வேண்டும். அப்பொழுதுதான் மாகாணத்தின் பொருளாதார நிலை வளர்ச்சியடைய முடியும். மாகாணத்தின் பொருளாதார நிலை வளர்ச்சியடைந்தால்தான் மக்களுக்கான காரியங்களைச் செய்ய முடியும். ஆகவே மேல் தரப்புக்கு வரும் கிடைக்கும் பொக்கிஷத்திலிருந்து மாகாணத்திற்கு கிடைக்க வேண்டிய வரி இனங்கள் இருக்கின்றன. குடியரசுச் சட்டத்தை மாற்றுவதற்கு சந்தர்ப்பம் ஏற்பட்டிருக்கிற நிலையில் மத்திய ஆட்சியில் செல்வாக்கு உள்ள ஒருவர் இங்கு இருக்கின்றார்; இருப்பார் என்ற நம்பிக்கையில் சொல்கிறேன். இந்த மத்திய சர்க்கார் குடியரசுச் சட்டத்தை பொக்கிஷ விஷயங்களைப் பற்றி மாற்றம் செய்கின்றபோது விற்பனை வரி மாகாண சர்க்காரிலிருந்து மத்திய சர்க்காருக்கு மாற்றப்படவேண்டுமென்ற கொள்கை எனக்குப் புரியவில்லை. பாவம் ஓரிடத்தில், புழி ஓரிடத்தில், பங்கிட்டுக் கொள்வது இன்னொரு இடத்தில். பல எதிர்ப்புகளிடையே விற்பனை வரியைக் கொண்டு வந்து, இப்பொழுது மாகாண சர்க்காருக்கு எதிராக வருமானம் வந்து கொண்டிருக்கும் இந்தச் சமயத்தில் இதை மத்திய சர்க்காருக்கு மாற்றவேண்டுமென்று சொல்லப்படுவது எனக்குப் புரியவில்லை. ஆகவே, தேர்வுக்காக வரி விதிப்பதற்கான அதிகாரங்கள் மாகாண சர்க்காருக்கு மாற்றப்படவேண்டும்.

[Sri M. P. Sivagnana Gramani] [2nd January 1954]

“உழவர்களுக்கு கடன் நிவாரணமாக, கடன் வாய்தா அவசரச் சட்டம் இப்பொழுது வந்திருக்கிறது. கடன் இனிக் கொடுக்கமாட்டார்களே என்று சில பேருக்கு ஒரு அனுதாபம். முதலில் கவனிக்க வேண்டியதை விட்டு விட்டு, இரண்டாவது கவனிக்க வேண்டிய விஷயத்தை முன்னே கொண்டு வருவது ராஜ தந்திரமோ என்னமோ? முதலில் இங்கே ஏற்கனவே கடன் வாங்கிவிட்டு கஷ்டப்படுகிறானே, அவனுக்கு வழி என்ன என்பதை எண்ணாமல் இனி கடன் வாங்குவதற்கு என்ன வழி என்று கேட்பது எவ்வளவு சாமர்த்தியமான வாதம்? கிராமங்களில் பார்க்கிறோம். கடன் வாங்கி விட்டவன் கஷ்டப்படுகிறான். அப்போப்பட்ட சமயத்தில் இந்தக் கடன் வாய்தா அவசரச் சட்டம் வந்திருக்கிறது.

“பெய்யாத வானம் பெய்தது இந்த ஆட்சியில். வானத்தையும் பயன்படுத்த வேண்டுமானால் கடன் குறுக்கே வந்து தடுக்கிறது. ‘கடன் பட்டார் நெஞ்சம் போல் கலங்கினான் இலங்கை வேந்தன்’ என்று கம்ப ராமாயணத்தில் வருகிறது. இதை நம்முடைய முதலமைச்சர் அவர்கள் இவ்வளவு ரூபகம் வைத்துக் கொண்டு இருப்பதற்காக மகிழ்ச்சியடைகிறேன்.

“வானம் பெய்தவுடன் அடுத்து வருவது கடன் காரர்கள் தொல்லை. இந்த நிலை தெரிந்து உழவர் மக்கள் கூட சிந்திக்காத நிலைமையில் இந்தக் கடன் வாய்தா அவசரச் சட்டத்தைக் கொண்டு வந்திருக்கிறார் ராஜாஜி அவர்கள். கொடுக்கும் வசதியிருந்தால் இடையிலே கொடுத்துவிடுவதற்குத் தடை எதுவுமில்லை இந்தச் சட்டத்தினால். ஆனால், வக்கீல்கள் ஆட்சேபிக்கிறார்கள். நியாயம் தானே! அவர்கள் கூட ஆட்சேபிக்காவிட்டால் சமூகத்திற்கு எற்றத்தாழ்வு இருப்பது எப்படித் தெரியும்? சமூகத்தில் பொருளாதார ஏற்றத்தாழ்வு இருக்கிறது. இதை மாற்ற வேண்டிய நிலை இருப்பதாலேயே இந்த அவசரச் சட்டம் தேவையாக இருக்கிறது. விவசாயிகள் பல வருஷங்களாகக் கஷ்டப்பட்டு வந்திருக்கிறார்கள். அவர்களுடைய பொருளாதாரம் கடனை இப்பொழுது திருப்பிக்கொடுக்கக்கூடிய நிலையில் இல்லாமலிருப்பதால்தான் இந்த அவசரச் சட்டம் வந்திருக்கிறது. ஆகவே சமூகத்தில் பொருளாதார ஏற்றத்தாழ்வு இருப்பதைக் காட்டிக்கொண்டே சமூகத்தில் பொருளாதார வக்கீல்கள் வேண்டியிருக்கிறது. வக்கீல் அங்கத்தினர்கள் இருப்பதற்கேனும் வக்கீல்கள் வேண்டியிருக்கிறது. வக்கீல் அங்கத்தினர்கள் தவறாக எண்ணக்கூடாது. உண்மையைத் தான் சொல்லுகின்றேன். (Interruption by Sri K. Balasubramania Ayyar.)

“ஆட்சியாளர் இந்த முறையில் இந்தத் திட்டத்தைக் கொண்டுவந்தால், தேர்தலைப்பற்றி நினைப்பாடுகிறார்கள். ஜாக்கிரதையாக இருக்கவேண்டும். மந்திரிசபை என்றால் தேர்தலிலே காங்கிரசு ஜெயிக்கவேண்டுமென்று கட்சிக்காகவே சொல்லுகிறேன், வேறு யாரையும் குறைத்துச் சொல்ல வில்லை என்ற முறையில் பேசப்படுகிறது. தேர்தலில் ஜெயிப்பது தான் மந்திரிசபையின் சுண்ணாட்டம், அல்லது முதல் குறிக்கோள். என்றால் அந்த மந்திரிசபையின் சுண்ணாட்டம், அல்லது முதல் குறிக்கோள். என்றால் அந்த மந்திரிசபை நாட்டை ஆளுவதற்கே லாயக்கற்றது. ஏனென்றால், மக்கள் மந்திரிசபை நாட்டை ஆளாமையுமுடியுமானால் மக்களுடைய கஷ்டங்களை சார்பாக ஒரு மந்திரிசபை அமையமுடியுமானால் மக்களுடைய கஷ்டங்களை அனுசரிப்பார்கள். அந்த மந்திரிசபையின் மீது முதலில் மக்கள் நம்பிக்கை அனுசரிப்பார்கள். அந்த மந்திரிசபையின் வெற்றியும் பிணையவேண்டும். வைக்கவேண்டும். அதோடு சேர்ந்து கட்சியின் வெற்றியும் பிணையவேண்டும்.

“100-க்கு 80 பேர்கள் படிக்கத்தெரியாத மக்கள் தாம். படித்திருந்தாலும் தமிழில் ஆட்சி நடத்த முடியாத அவல நிலை இருக்கிறது. நாட்டிலே மக்கள் ஆட்சி நடைபெறவேண்டுமானால், மக்கள் பேசும் மொழியிலே ஆட்சி நடைபெறவேண்டும். படித்த மக்களைத்தவிர வேறு சாமான்ய மக்கள் வரவேற்பார்கள் என்று எப்படிச் சொல்ல முடியும்? அமைச்சர் தேர்தலுக்கு முன் கல்வித்திட்டம் இல்லை. பிடிவாதக்கார ராஜாஜி முதல் மந்திரியாக இல்லை. ஏன் தோற்றது? ஏன் பலனீனம் ஏற்பட்டது? வெற்றிக்கும் தோல்விக்கும் வேறு ஏதோ காரணங்கள் இருக்கின்றன அரசியல் உலகத்தில் என்பதை மறக்கக்கூடாது.

“திருவாளர் கஜபதி நாயகர் அவர்கள் மொழிப் பிரச்சினையைக் கொண்டுவந்தார். இதற்கென ஒரு மசோதா பின்னே வருகிறது. விவாகொண்டுவந்தார். இருக்கும் ஆகவே, இது விஷயத்தைப்பற்றி அப்பொழுது தம் அப்பொழுது இருக்கும் ஆகவே, இது விஷயத்தைப்பற்றி அப்பொழுது விவரமாகப் பேசிக்கொள்ளலாம்.

[Sri M. P. Sivagnana Gramani] [2nd January 1954]

“இத்தலை காலம் ஆங்கிலம் பேசிய அவர்கள் கூட என்னுடன் சேர்ந்து தமிழில் பேசுவதற்கு முன்வந்திருப்பதைக் கண்டு மங்கள வாழ்த்துக் கூறுகின்றேன். கட்சித் தலைவர் உட்பட எதிர்க் கட்சியினுள்ளவர்கள் எல்லோரும் இப்படி வந்து விட்டால், நிதி அமைச்சர் அவர்கள் நெடு நாளைக்கு சொல்லிக்கொண்டிருக்க முடியாது. கட்டாயம் நிதி அமைச்சர் அவர்கள் மாற்றிக் கொள்ளவேண்டும். கன்னடப் பகுதியாருக்கும், கேரளப் பகுதியாருக்கும் நல்ல எண்ணம் காட்டி, இடைக்காலத்தில் மாறுதல் ஏற்படக் கூடாது என்ற முறையில் அவர் சொல்லுகிறார். இந்த நிலை ஏற்பட்டு நிதி அமைச்சர் நல்லெண்ணத்தை அவர் தாய்மொழி பற்றிய பிரச்சனையில் உண்மையிலேயே குடு இல்லாமல் குளிர்ந்த வார்த்தைகளைக் கூறியதற்கு மகிழ்ச்சி அடைகிறேன். சிறுபான்மையோருக்கு நல்லெண்ணம் காட்டுவதற்கு பொருத்திருக்கவேண்டுமா? இதே நல்லெண்ணத்தை ஆங்கிலம் படித்த அரபியில் மேதைகளும் ஆங்கிலம் தெரியாத தாய் மொழியில் பேசக்கூடிய வர்களுக்கும் காட்டவேண்டும் என்பதுதான் என்னுடைய வேண்டுகோள். மொழிக்கு மொழி போட்டியல்ல. தமிழர்களுக்கு நியாயம் வழங்கவேண்டும். வேறு எந்தத் தடையும் இல்லாமல் தமிழர்கள் தங்கள் கருத்துக்களை வெளியிடுவதற்கு வழி இருக்கிறதா என்றால், இன்றைய சதந்திர நாட்டில் இல்லை. ஒருவனுடைய வளர்ச்சி, வாழ்வு, உயர்வு எல்லாம் தமிழின மூலமாகத்தான் இருக்கவேண்டும். அதற்குத் தடையாக இருக்கிறது என்பதையும் கவனிக்கவேண்டும்.

“எங்கள் மீது நல்லெண்ணம் காட்டுவதற்கு குறைந்தபட்சம் வரவு செலவுத்திட்ட சொற்பொழிவு தமிழிலும் கொண்டுவந்திருக்கலாம். ஆங்கிலத்தில் கொண்டுவர வேண்டாமென்று நான் சொல்லவில்லை. அங்கத்தினர்களுக்கு ஆங்கிலத்தில் பட்ஜெட் பிரசங்கம் அச்சடித்துக் கொடுக்கப்படுவதுடன், தமிழிலும் அச்சடித்தோ, அல்லது டைப் செய்தோ கொடுத்திருக்கலாம். பட்ஜெட் பிரசங்கம் நிகழ்த்தப்படும்போது மற்றவர்கள் பார்த்துக்கொண்டிருப்பார்கள். இப்படிச் செய்திருந்தால் நல்லெண்ணத்தைக் கொடுத்திருக்கும். இந்த மாறுதலை எங்கேயாவது ஆரம்பித்துவிடவேண்டும். முதல் முதல் எங்கேயாவது துவக்கிவிடவேண்டும். மாறுதல் பிறகு ஏற்பட்டுவிடும். இந்த சந்தர்ப்பத்தைக் கொடுத்த நமது சபைத் தலைவரைப் பாராட்டி, இன்றைக்கு மந்திரிசபை இருக்கிறதா, போகிறதா என்ற ஆராய்ச்சியில் நான் இரங்கவில்லை. இன்றைக்கு இருக்கின்ற மந்திரி சபை இதுவரையில் இருந்த மந்திரிசபைகளைவிட நல்லவைதான், மிக செல்வாக்கும் மக்களிடம் நம்பிக்கையும் உள்ளது. இதைவிட அதிகமான செல்வாக்குள்ள ஒரு மந்திரி சபையை அமைத்திருக்க முடியாது. எதிர்க்கட்சி அமைக்கமுடியுமானால் அதைப்பற்றியும் ஆட்சேபனை இல்லை. இதை மக்கள் தீர்ப்பளித்து விடுவார்கள். இப்பொழுது இருக்கும் முதல் அமைச்சர் இருக்கும்போதே மத்திய சர்க்கார் வரி இனங்களை நம் மாகாணத்திற்கு மாற்றவேண்டும். மாகாண சுயாட்சி அடிப்படை வளர்ச்சி அடையவேண்டும், மிகக்கேவலமான நிலவரி, இத்தகைய விஷயங்கள் சீர்ப்பட்டு வளர்ச்சி பெற்றுவிடும் என்பது என்னுடைய எண்ணம்.

“மாகாணத்தின் செல்வாதார நிலை சரியான அடிப்படையில் அமைக்கப்படவேண்டும். ஏழை மக்களைப் பாதிக்கும்படியான வரிகளை ரத்து செய்யாவிட்டால் பொருளாதாரத்தின் பேரில் அராஜகம் வளர்வதற்கு இந்த இடத்தில் அபாயம் இருக்கிறது. மாகாணத்தில் ஏழை மக்களுக்கு அதிக வரி விதிப்பு இருப்பதனால் ஏற்படும் அராஜகத்தை தடுக்க, அதற்கான காரியங்களைச் செய்யவேண்டியதவசியம். அதைச் செய்ய சக்திவாய்ந்த ஒருவர் நம்முடைய மாகாணத்தின் முதல் அமைச்சராக இருக்கிறார் என்பதைக் கண்டு மகிழ்ச்சி அடைகிறேன். ஆகையினால், இந்த மசோதாவை வரவேற்கின்றேன்.”

12-30
P.M.

* DR. S. MUTHULAKSHMI REDDI:—“Mr. Chairman, Sir, after listening to the vigorous speech delivered in a loud tone by the hon. Member who preceded me, if hon. Members do not hear me properly I would request them to draw my attention to that so that I can raise my voice and speak.

[2nd January 1954] [Dr. S. Muthulakshmi Reddi]

“Mr. Chairman, Sir, many hon. Members have spoken in detail about the Budget. I do not therefore want to talk on the same subjects now. But I want to draw the attention of the Government, especially the Government headed by Rajaji, to certain principles on matters relating to women and children that should be taken into consideration by this Government. The women's problem is a human problem. According to the latest census 14.5 per cent of them are widows. Perhaps there are more women who have been deserted and abandoned by their husbands. According to that report some are married and some are unmarried. Because there were large numbers of deserted and abandoned women, we requested the previous Government to establish a Women's Welfare Department to look after the welfare of these women and other unfortunate women without any home and without any amenities of life. That department came into being in 1949 or 1950. It was kept a separate department with a Women Welfare Officer in charge of it. That department has been doing very good work in urban areas as also in villages. Ninety-three centres have been organized in rural areas and they promote literacy, cottage industries, hygiene, mother-craft and child-craft. There are also about 27 centres where maternity assistants are employed. The rural population are very happy in the midst of these women welfare workers. Now there are many such trained workers. In replying to a question this morning the Hon. Minister for Health said that these trained maternity assistants refused to go to the rural areas. On the other hand, I find many are willing to go to the rural areas. There are no posts to which these could be appointed. We applied to the Government to increase the number of posts in these centres. But nothing has been done so far.

“Sir, about three months back we learnt that the post of Women's Welfare Officer was going to be abolished. We presented a memorandum to the Government signed by representative Women's Associations of the State requesting the Government to receive a deputation. We did not want to worry the Government. We wanted to explain to them the women's point of view. I hope hon. Members would remember that it was the Women's Indian Association that secured political and civic rights for women and it was this State that first passed a resolution to grant votes for women. It may be presumed by all that the Women's Indian Association in the Madras City is a long-standing one and has done good service. There are many experienced women in that association. Not only this association but many others signed and submitted a memorandum to Government. I also learnt that the memorandum reached the Government. We had requested the Government that a deputation of women might be received by the Hon. the Chief Minister. We have not received any reply to that memorandum. In that memorandum we had referred to many subjects such as women's welfare, maternity, child welfare centres, vigilance homes, the Children's Aid Society and so on. In fact we wanted to offer

[Dr. S. Muthulakshmi Reddi] [2nd January 1954]

our suggestions in regard to the administration of laws relating to children and women. But no opportunity was given to us to do this. In this connexion I would remind the hon. Members of this House that there are in the City more women voters than men. But the women of Madras are not able to impress upon the Government their individuality for the reason that they are not only backward in education but a majority of them are very backward in their economic status having to depend upon men so far as their economic status is concerned. To win in elections, and to come to the legislature to influence the legislations passed here, it requires money. But unfortunately, our women have no money, and success in election depends upon the amount of money that one can spend. If public life in this country could be cured of this evil, then alone can women be returned in large numbers or at least in a decent number. During the last elections two women candidates were nominated. One alone could succeed and she had to spend a large amount of money. So I would request hon. Members who have been returned by the large number of women voters to sympathize with the condition of women. Now we too depend upon your vote to provide the amenities that we and our children need.

“Recently I gave notice of a question regarding registration of marriages and it was answered by the Hon. the Law Minister a few days ago. The Hon. Law Minister said that no such legislation was under contemplation and that too when a comprehensive Hindu Code Bill was being discussed by Parliament. From the women's point of view, the Bill that is being discussed in Parliament is a vital Bill. Sir, it was the procedure of the Central Government, even when the British were in power, to send such Bills to the State Governments to elicit their opinion. I believe therefore that this Bill also ought to have been received by our Government for their opinion because I learn that even the Bar Association here received the Bill and has expressed its opinion on the Bill. But the Women's Association in Madras City has not been asked to offer its suggestions on legislations undertaken by this Government, which affect the welfare of women and children. This is a serious defect and I hope this Government while undertaking legislation affecting women and children would certainly consult the Women's Association because we are the people to decide about these matters. While the Government at Delhi send copies of their proposed legislation for our opinion, this Government do not have the courtesy to do so. We have given our opinion on the Hindu Code Bill. I believe this Government also must have given their views on the Bill. When I put a question to the Hon. the Law Minister, he stated in reply on the floor of this House that this Government received no communication from the Central Government asking them to offer their opinion on the Bill. I want to know from the Hon. the Minister for Law whether he is aware of the various clauses of the Hindu Code Bill itself.

2nd January 1954] [Dr. S. Muthulakshmi Reddi]

“With regard to women police, the answer that was given by the Hon. the Chief Minister was not at all satisfactory. In the administration of laws relating to women especially the rescue of minors, children and arrest of women offenders, we feel there are competent women in our State whose services could be utilized. It is very necessary that women offenders and women suspects, who are taken into custody or who are taken to Court when their guilt has not been established before a court of law, should be helped and should be taken care of. They should be escorted only by women officers. I do not want that these officers should be designated as women police officers. Let them be merely designated as women welfare workers. There should be one or two such women officers at each police station. Their services may be requisitioned for taking into custody or escorting women offenders because these women offenders have to be in the police station for some time before the case sheets are prepared. The honour of these women must be protected and their safety ensured, when they are under such detention. The provision of such facilities was described by some old minister as ‘providing colourful facilities’. Is it a good answer to our just demand, I ask? Again a plea was put forward that money could not be found for this. With a little money one or two women officers could be appointed to look after this work, one by the day and another by the night. Will it be too much for this Government to spend a little money for the safety and dignity of the innocent women?”

“Sir, I am glad that hon. Member Mrs. Clubwala Jadhav, who is a very active worker in the field of women's welfare, has referred to women patrols. The Hon. Law Minister mistook the whole thing. Women patrols are not for roaming about in the night and they are to be at the railway stations where the poor and ignorant girls from upcountry arrive in search of shelter and food and they even come here seeking admission into the several women's institutions in the City. As there are not many women institutions in the mufassal parts, some such girls when they arrive here, are misled by rickshaw-wallahs and evil-minded people who are waiting there to take advantage of their ignorance, and they leave them in the houses of traffickers. Some such cases have come to our knowledge and many a husband, many a father and many a brother of such young girls under 18 years came to us in search of them. These young women are quite ignorant of the conditions prevailing in Madras and they easily fall a prey into the hands of traffickers. It is a great tragedy. Therefore, we must have women patrols, just as we have Women Guides at railway stations. The Government should do whatever is possible in this matter. These are all suggestions coming from us who have been moving intimately with women for all these years.

“About the Children's Aid Society, the Hon. Law Minister said that whenever we send a child there, it would be admitted. The matter is not so easy. Even though we write letters and

12-40
p.m.

[Dr. S. Muthulakshmi Reddi] [2nd January 1954]

petitions, the child has to be sent only in charge of a policeman and the policeman is ignorant of the provisions of the Children's Act. On one occasion, I called a policeman and asked him to take a child to the Children's Aid Society. He refused to do so by saying, 'who is to pay the bus fare?'

"Sir, we, women, are here not for honour but for doing some service to our country. It is said that women are not competent to hold certain posts. During the last freedom struggle, many of our women took an active part in the *satyagraha* movement. They stood the lathi charges and police terrorism. Sometimes they were taken in a bus to distant places and were left there. In our State, women's education is more advanced than in any other State. We have more women graduates in our State, and Dr. Lakshmanaswami Mudaliyar will testify to that fact. So, for filling up posts like the Head of the Children's Aid Society or the Vigilance Home, the Government should call for applications from women candidates and appoint them. It is not as if women are not good administrators. Sometimes it is very necessary that women alone should perform certain functions. Women are good teachers. In every country it is recognized that women are born teachers. In our State we have got a good number of women teachers. There are nurses in the hospitals to take care of the sick.

"Sir, in Adyar, on the Greenaway Road, a Boys' Home has been started. On that occasion, when I put a question to the Chief Minister that a Girls' Home could also be started, the Chief Minister asked us to wait for some time. On the other hand, we find more girls are in need of homes than boys. I do not say that the boys should be neglected. They must be given equal treatment. After all, these Devasthanam Homes are started by religious heads of temples out of the donations subscribed by both men and women devotees who worship God in the form of a mother. If that is so, I cannot understand why Girls' Homes could not be started out of this subscription. Another reason advanced against the starting of Girls' Homes, by the Devasthanam, is that when the girls grow and attain the age of 16 or 17, they have to be married; hence there is difficulty in starting Home for girls. I am unable to understand these arguments. Sir, after all, marriage should not be the end and aim of a woman's life."

THE HON. SRI C. RAJAGOPALACHARI:—"Does not the hon. Member try to get her girls married, every one of them if possible? So, what is the good of saying that marriage is not the aim of life when we all feel that it is the aim of life."

DR. S. MUTHULAKSHMI REDDI:—"Sir, it should not be the end. I do not say that they should not marry. But my point is that discrimination should not be shown between boys and girls. As a matter of fact, I know many cases where marriage has produced very unfortunate results. Let the Government look at the large number of married women seeking admissions in our Homes. They are either widows or deserted wives. We must

[2nd January 1954] [Dr. S. Muthulakshmi Reddi]

make some provision for our girls before we make them marry. What I feel is, that they should be made economically independent. A woman should not only be a wife or a mother but also be a full citizen. That is what I want. They should be educated as much as the boys are educated. They should not depend upon others and if they do so, there is always a risk. When I put the question the other day on the registration of marriages, I wanted that married couples should be compulsorily asked to insure their lives so that the conditions of widows and their children may not be miserable. I know many instances where illiterate widows with a number of children came and sought admissions in our Homes. In some cases they even sell their children. Recently we have read in the papers that children were thrown into wells by the mothers themselves and the mothers also attempted suicide to end their lives. Mothers with children do not find employment. Therefore, Homes for girls are also necessary as for boys. I hope this matter will engage the attention of the Government.

"Again in the matter of education, the parents do not give equal facilities for education to their boys and girls. Why should the State also make a distinction between boys and girls? In my opinion, girls also should be educated as much as the boys are educated.

"Sir, I would bless the new Scheme of Elementary Education, if it brings many more girls within its purview. I find from the Education Report of 1951—only this Report is available—that the ratio of boys and girls is 2 : 1 in the primary stage, 5 : 1 in the next higher stage and still less in the university stage. I do not say that every one should get collegiate education. I would be satisfied if primary and secondary education are made available to girls. In any scheme of education, girls' education should be given the first place, because it is believed that the education of women is the education of the whole family.

"Sir, I congratulate the Government on appointing a woman as the Director of Public Instruction, which is unprecedented in the annals of this State. I also congratulate the Government on promoting four Women Civil Assistant Surgeons as Civil Surgeons.

"Sir, there are hundreds of midwives who are unemployed, and when I drew the attention of the Hon. Minister for Health to this fact, he said that they should be prepared to go to rural areas. I say, they are willing to go. Some scheme should be drawn up by the Government to give them employment and thus they should be enabled to give maternity aid to women in our villages where there is great need.

"Sir, some hon. Members said that women have a place only in the home. Even a woman in a home has to attend to the education and the health of her children, cooking of food, cleanliness and other things. For attending to all these things and to be useful at home, she should have proper education. Why not that knowledge and experience that she gains in the home, be

[Dr. S. Muthulakshmi Reddi] [2nd January 1954]

extended to the larger home, the country? That is what I ask. The nation is only a greater family and she who is serving a family should also have a place in the public life of the country and she should share the duties and responsibilities of public life. That is what some of us feel in this matter.

(Deputy Chairman in Chair.)

12.50
p.m.

Now, I should like to congratulate the Government on the inclusion of a woman in the Cabinet. But, what can one woman do? Prohibition is a very difficult subject and I wish the lady Minister in charge every success. I would also suggest to the Government that in making such appointments of women to responsible positions, the organized women's association may be taken into their confidence. However, we will all co-operate with her and see that the Prohibition policy proves to be a success. I said last time that educative propaganda was necessary in regard to Prohibition. Dr. Lakshmanaswami Mudaliar in the course of his valuable speech mentioned the evils of drink. These should be included in public health propaganda and the Health Officers should be instructed in this regard. Private organizations should also be requested to carry on prohibition propaganda and the Government could finance them to some extent. One suggestion which I have to make in regard to the enforcement of prohibition is that it should be done, not by the Police, but by volunteer organizations and by persuasion and other ways like educating the people in regard to the evils of drink.

"Another suggestion which I have got to make is that this Government should pay more attention to the preventive side of medicine. We find that only a very small sum has been provided for preventive items like health, education and medical inspection of children, etc. As I have not much time, I wish to conclude my speech by thanking the Deputy Chairman and others for giving me this opportunity to say a few words on this occasion."

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, I am thankful to you for giving me an opportunity to speak at least now on the Appropriation Bill and I think that I cannot but admit that the only appropriate thing that I can do in regard to the Appropriation Bill is not to speak but to vote silently. But, things have taken a different shape as I was not permitted to speak at the time of the general discussion on the Budget on account of various factors. I shall therefore crave your indulgence to permit me to say a few words on this occasion. I shall not be irrelevant and shall try to confine myself only to very important points and refer only to such of those things to which I think I ought to refer in respect of my constituency and the general electorate.

"The first thing that I want to mention is about the concern that I feel for debt charges that have been incurred by our Government. When I look at the Appendix to the Hon. the Finance Minister's Budget Speech, I find that the total of the debt

2nd January 1954] [Sri K. Balasubramanya Ayyar]

charges which are given under four items, comes to nearly Rs. 7½ crores. This is a very large amount. I know very well that the economy of a State is slightly different from the economy of a family or an individual. Still, when we take all factors into consideration, I should feel that this debt charge of Rs. 7½ crores is very heavy. When I look at it a little more carefully, I find that so far as temporary advances are concerned, they come to nearly Rs. 18 crores out of which the terms have not yet been decided in respect of 17 crores of rupees. This, I think, is not quite proper. The terms ought to have been settled by this time. We should have some idea as to what is the rate of interest and within what time it should be repaid. So far as the amount of Rs. 100 lakhs which has been repaid is concerned, the rate of interest is 3½ per cent."

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, I just want to invite the hon. Member's attention once again to the fact that the unsettled terms need not be a matter of discussion for this reason. The unsettled terms are in respect of our overdraft on the Government of India and we really wish to make a bargain of it. If we begin to settle terms too hastily, we will lose in the transaction."

* SRI K. BALASUBRAMANYA AYYAR:—"Then I need not dilate any more on this point. I was only anxious to point out that these Rs. 17 crores have remained unsettled for some time."

THE HON. SRI C. RAJAGOPALACHARI:—"We wish it remains so for some more time."

* SRI K. BALASUBRAMANYA AYYAR:—"If so, I shall not say anything more about it. I am glad that the Government is so clever and are going about the business in such an appropriate fashion."

THE HON. SRI C. RAJAGOPALACHARI:—"The Central Government know our difficulties but they do not want to make any discrimination in regard to our State and that is the difficulty."

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, so far as these 100 lakhs of rupees which have been returned, the rate of interest of 3½ per cent should also have been a matter of bargaining. For a temporary advance a rate of interest of 3½ per cent is too high.

"Ordinarily speaking, when we are acquainted with the transactions of banks, in the case of overdrafts taken by individuals, this rate of interest for a temporary advance must be considered to be a little too high. I think our Government ought to have bargained for 1 or 2 per cent rate of interest. Anyhow, this transaction has been completed and I do not want to take more of the time of the House on this matter.

[Sri K. Balasubramanya Ayyar] [2nd January 1954]

"I am glad that the Hon. the Finance Minister has given us a balanced Budget with a surplus of Rs. 23 lakhs. In presenting the Budget, even though the Hon. the Chief Minister was careful to point out that much need not be made of the simple fact that there was a surplus of Rs. 23 lakhs, when we consider the Budget as a whole, we have to take two items into consideration. One is that the Government have been able to make out a balanced Budget so far as capital works are concerned because the public of our State have been very sympathetic and have come forward with subscriptions to the Government loan amounting to nearly six crores and seventeen lakhs of rupees. The second fact is that the Government of India have also come forward with a loan of more than a crore of rupees at present and they may even help our Government more in the future. Our Government should therefore shape their policy taking these two facts into consideration.

"The purchasing power of our people as well as the credit structure of our country should be maintained and it is only when these two factors are kept in view that our State can go to the public for raising loans to the tune of Rs. 6, 7 or even 10 crores. I therefore wish and am anxious to point out that on two matters the Government of Madras should hasten slowly. One is in regard to land reforms. I should point out that all the landholders should be considered to be on the same footing as the true legal system of our country points out, namely, that they are ryotwari proprietors. They are not like zamindars or renters or farmers. They are proprietors of land and they have got as much interest and stake in the land and as much interest in producing as much out of the land as possible, as the cultivating tenant or anybody else. I am therefore anxious to point out that we should maintain the ryotwari proprietor in absolute contentment, happiness and security. Therefore the policy of our Government in this regard should be steady and slow because land reform is talked of in the Five-Year Plan and ceilings and other systems are suggested. We should not introduce any land reform which will create confusion in the country and which will not make the people responsible for increased production. After all, as the Hon. the Chief Minister has pointed out in speech, the most important thing is production and that means intensive cultivation. Apart from these irrigation schemes which are being put into execution for the purpose of bringing more land under cultivation in our country, the most important thing as the Hon. the Chief Minister has pointed out is intensive cultivation of the lands already under

1 p.m. cultivation.

"The two chief things that are required for intensive cultivation are capital and skill. These are supplied as much by the land-owner as by the tenant, and that is what I want to point out to the Government. If we take into consideration the number of ryotwari pattadars who are paying more than Rs. 50 as land revenue, we will find that only a small number of pattadars are paying more than Rs. 50 and that a majority of them are

[2nd January 1954] [Sri K. Balasubramanya Ayyar]

paying Rs. 50 and less. I have got with me the figures for the composite State and I find therein that out of four lakhs and odd pattadars three lakhs of them are paying as land revenue less than Rs. 50 and that most of them own five acres and less each. Therefore these pattadars should not be treated as big landlords. It has been suggested in some quarters that an agricultural income-tax should be levied in order to tax the wealth amassed by them. I wish to point out that these pattadars are merely small owners of land carrying on a hand to mouth existence and are as poor as, if not poorer than, tenants. These people should be enabled to take interest in production of more food and in cultivation. When our Government wanted subscriptions for their loans, these landowners and others gave them more than what the Government wanted, because they did not want the present state of affairs to be disturbed as required by the different political parties preaching different kinds of political ideologies in the State. Therefore nothing should be done to injure them in the name of land reform. As our Hon. the Chief Minister has stated, our State is a poor State. It is much poorer than other States. In fact, I can say it is poorer than even the Andhra State. It has no large natural resources for promoting extensive agriculture as Andhra has its mighty rivers. Our Tamil, Malayalam and Kanarese areas are also devoid of mineral resources. We have got only two effective rivers, the Cauvery and the Tambraparani. There are no other rivers even though our poet Bharathi sang "Thenpennai, Palar. . ." Thenpennai and Palar are not effective rivers. Unless the river Krishna is joined with the River Pennar, the latter will not be of any use. And as regards Palar whenever there are freshes, much damage is caused to irrigation. After the execution of the Amaravathi and other schemes, I am afraid, there will not be enough water in the river Cauvery itself for use in the district of Tanjore. Our Hon. the Chief Minister the other day pointed out that for long the people in the upper regions have been suffering and that the lower riparians can be harmed to some extent to benefit the upper riparians. I am putting the Hon. the Chief Minister's views in a rather crude form. As you know very well, Sir, the district of Tanjore is the only district in our State which is surplus in food. We should be self-sufficient in food and that is the most important problem in our State more than anything else, particularly so when the new Andhra State is not behaving as generously as it ought to towards our State. As we have to depend on Tanjore for feeding the people of the whole State, we have to be very careful in undertaking measures which have a bearing on agriculture or will affect conditions in which agriculture is being carried on in lower riparian areas. I am not against irrigation schemes like the Amaravathi, the lower Bhavani, etc., and people benefiting by them. I do not know how far these projects will affect adversely agricultural conditions in the lower riparian areas. But I know, even now lands which are irrigated by the Mettur canal do not get sufficient supplies of water. I am only trying to point out the need for concentrating on defensive

[Sri K. Balasubramanya Ayyar] [2nd January 1954]

agriculture. The Government have to nourish the ordinary ryotwari pattadar or the poor landlord as he is called and that they should not rest content with expending their sympathies on the poor tenants alone. They must expend their sympathies on the poor landowners also who have to bear the burden of paying the land tax to the Government. People are already talking of land reforms. I am only anxious to point out that the Government have to proceed rather slowly on these matters and that is one of the most important things I wanted to mention and I have done with it.

"The next point I wish to touch upon is with regard to reduction of expenditure on public services. I spoke on this subject when we were discussing the Budget on the last occasion, and I am emboldened to raise it again, because the Hon. the Chief Minister has stated that the Government would undertake even things which are unpopular. Otherwise I would have refrained from mentioning this. He stated that he would even effectuate the modified elementary education scheme if it was good for the public. Similarly the expenditure on the public services ought to be reduced in spite of what the affected parties will say and in spite of what those people in charge of these matters will say. Even as early as 1911 the politicians belonging to the liberal school of thought like Shri Ghokale were pointing out to the then alien Government here that they were supporting one of the most top-heavy administrations in the world. Now, our State which is poorest of all the States in our country has to support a very top-heavy administration. I know administration is necessary and also it must be effective. We must not concentrate on mere efficiency of Government servants alone. The Government must also see that they secure their full money's worth from their employees. There is a feeling among certain people that unless they secure a few jobs in Government service, they will not be better off or unless they agitate for that, their lot cannot be bettered. The less we depend upon appointments the better it will be for us. My colleagues should not mistake me as saying that social justice should not be done and that is not my point. Government appointments should be taken up only by those people who are qualified for them. Therefore I request that the Government should appoint a Committee for the purpose of investigating the whole question of the expenditure on the public services and security services. The Hon. the Chief Minister stated that only 32 per cent of the total expenditure was expended on security services like Police, Judiciary, Prisons, etc., and it was less than the pre-war figures. I have not examined the pre-war figures and I must take his figures as correct. Still, I feel that our expenditure on our services is too great for this poor State. I hope and trust that our Government will investigate this matter and see how the number of officers, clerks, etc., can be reduced. Those who have been retrenched can always be given other employments. They can also be given lands under the new irrigation schemes like the Amaravathi, etc. I am making this suggestion because I am most anxious that all efforts should be made to make our State self-sufficient so far as food is

[Sri K. Balasubramanya Ayyar] 2nd January 1954]

concerned. Our Hon. the Chief Minister said that much hard and sustained work will have to precede an appreciable increase in the general standard of living.

"The time has come when all of us should turn our eyes to the villages, when all of us should take to cultivation and when all of us should become cultivators. Then alone we could step up our food production and then alone will this State become self-sufficient. Otherwise I am afraid the balanced budget we are having now will dwindle into a melancholy budget (laughter).

"Sir, I shall mention one or two points which I consider important without dilating much upon them.

"The hon. Member Mr. Narayanaswami Pillai mentioned that a sum of Rs. 40 lakhs was left over as balance when the Hindu Religious Endowments were taken over by Government and this had been subsequently absorbed in the general revenues of the State. My friend pleaded for the setting apart of that sum for the definite object of promoting the welfare of those religious institutions. I fully echo his sentiments. What is the state of our temples at the present moment? Can we say with confidence that our temples are now free from any thefts? No, surely the answer is in the negative. The crimes taking place in our temples are on the increase. Very often we find newspapers reporting some crime or other perpetrated in our temples. Stealing of 'idols' which we worship and greatly revere is on the increase. The renovation of the Baskhararajapuram temple near Tiruvadaimarudur was completed recently and Kumbabishekam was performed when the devotees and those who were in charge of the Kumbabishekam ceremony retired to bed after heavy work during the day some miscreants took the opportunity to burgle the temple, remove the sacred idol and knocked off the gems underneath the idol. I suppose hon. Members are aware of the fact that it is the custom among Hindu devotees to put some valuable gems under the idol before it is installed. I do not know whether there is a big organization in this part of our country which encourages such activities or whether conspirators are behind all these, or whether there is a big agitation by some parties for removal of idols. I do not want to refer to anyone in particular. My only idea in referring to these things is to bring them before the Hon. the Minister for Religious Endowments, who is a pious man and one who is very much interested in the proper upkeep of our cultural heritage and in the preservation of our ancient temples which are treasure houses of our ancient arts, so that he might take cognizance of the mischief now taking place in those sacred institutions and do the needful to put an end to those crimes. I leave it to the good sense of the Hon. Minister in charge of Religious Endowments and the Hon. the Chief Minister as to how best they could put an end to the crimes that are now taking place in our temples and as to how best they would maintain our temples in proper condition. I am referring—rather I should say I am constrained to refer—to these things because crimes have become frequent."

[2nd January 1954]

THE HON. SRI C. RAJAGOPALACHARI:—"Not so frequent."

* SRI K. BALASUBRAMANYA AYYAR:—"They have become frequent."

THE HON. SRI C. RAJAGOPALACHARI:—"There have been crimes. But let us not do propaganda for the criminals."

* SRI K. BALASUBRAMANYA AYYAR:—"But I have to bring it to the notice of the Government so that they might take action to prevent any future occurrence."

THE HON. SRI C. RAJAGOPALACHARI:—"I would like the hon. Member to remember that when we are maintaining rich institutions without maintaining the faith to support such institutions, these crimes are bound to take place."

* SRI K. BALASUBRAMANYA AYYAR:—"I am not levelling any charge against anybody. If these crimes had been of a stray occurrence, nobody would have taken serious note of it. But they have become frequent. On 14th December an incident took place. The 'Ayyanar' temple in Sathanur was desecrated. The mirasdars in the villages were robbed entirely of their belongings. All the paddy stored in their houses was taken away."

THE HON. SRI C. RAJAGOPALACHARI:—"When such is the case, why do you want to reduce the expenditure on the security services?"

* SRI K. BALASUBRAMANYA AYYAR:—"I am referring to the increase in public expenditure in the administrative field as a whole. I know what is happening in the Secretariat, how it has grown very big and how people have become more greedy to get appointments. I know that we are having a top-heavy administration which this poor State cannot shoulder. I know that our personnel are much greater than the service they render. They are paid more than the services that they do. These things have got to be investigated. That is my general impression."

"Let me not be mistaken as though I am against efficiency. I am one of those who say that the policeman is above party politics. I have said so in my last Budget speech. I do not want to say anything against the Police. By all means if the expenditure in the other departments where there is at present top-heavy administration is reduced and that saving is utilized for the strengthening our security services, I would be the first to welcome it (cheers)."

"The Government at the time of taking over these religious institutions were faced with a balance of Rs. 40 lakhs. But they have subsequently absorbed this sum in the general revenues. Why should they merge this sum of Rs. 40 lakhs in the general revenues? I would request them to utilize this sum for the propagation of religious ideas in the temples, for teaching the Vedas and Agamas to the students and, for the running of patasalas. The Hon. Sri C. Rajagopalachari: 'We are doing it'."

2nd January 1954] [Sri K. Balasubramanya Ayyar]

"After all, this sum had been taken from the endowments of the temples and I see no reason why it should not be spent for the sake of temples."

"One more point, Sir, and I have done. Many of the hon. Members who spoke before me mentioned about the sales tax. I shall not dilate upon it. I understand from a report published in the newspapers—I may be corrected if I am wrong—that the Government are going to appoint a Committee to investigate the question whether the single point levy of the sales tax may be adopted in this State or whether the multi-point system now in operation may be continued. If the report is correct, I would request Government to consider the views I am now going to put forth. I shall not take much time. I know there are already some articles like cotton, yarn and cigarettes wherein the single point system is being adopted. The single point system may be adopted in the case of many more articles. Of course the whole question may be left to the Committee that is going to be appointed."

"I know that sales tax is one of the major sources of revenue invented by the genius of our Chief Minister. I looked into the Budget and I find that the income from sales tax is Rs. 5 crores."

THE HON. SRI C. SUBRAMANIAM:—"For six months."

* SRI K. BALASUBRAMANYA AYYAR:—"Yes, for six months. I am not for reducing or repealing of sales tax. I am not one of those who consider it an immoral tax. Of course it is the consumer who is responsible for the payment of this tax. I am for a revision of the tax structure. The poor man should not be unduly burdened. Why can't the sales tax be increased on luxury goods, which the rich handle? Surely I am for it. The tax on entertainments may be increased. Of course I may become unpopular if I say it. But I want to stress that point. I would even recommend a tax on music. If anyone wants to hear good music, he must pay for it. It is worthwhile paying for it."

THE HON. SRI C. SUBRAMANIAM:—"What about the hon. Members Academy?"

* SRI K. BALASUBRAMANYA AYYAR:—"Of course I belong to the Music Academy. If I were to speak like this there, I would be driven out of it (laughter.) I am a music lover but all the same I am for increasing the tax on entertainments and luxury goods and at the same time lessening the burden on the poor man. Even in foreign countries we find the tax on luxury goods and entertainments is high. But in our country we have a peculiar kind of legislation. We have the agricultural revenue. I think even agricultural income-tax will come. We have the betterment tax. Of course we have now the Amaravathi scheme and I find that the Government are going to levy a betterment fee on the agriculturists, who were not much hopeful previously of the Amaravathi project but who now find themselves suddenly with

[Sri K. Balasubramanya Ayyar] [2nd January 1954]

the prospect of early execution of the Amaravathi Project. I am not for the levy of betterment fee. This betterment tax is not a proper tax. I may have to oppose it when the subject comes before the House. I shall not talk much about it now. Of course we have not come to a decision on the same. Therefore I shall leave it at that point.

"I am with the Government for getting the revenue under this sales tax, a milch cow."

SRI MOHAMMAD RAZA KHAN:—"It is Gopal Reddi's 'Khamadhenu' (laughter).

SRI K. BALASUBRAMANYA AYYAR:—"I am not for reducing that milch cow to the level of the cows, therefore comes across in the streets of Madras (laughter).

"As I said before, the single point system may come into operation on almost all articles which are of daily use. At the same time let the tax on luxury goods be increased. The tax on the purchase of motor cars may come in under the latter category. Of course hon. Members know that even for small minor repairs in our cars ten or fifteen rupees is charged and when the final bill comes, it is for a much larger figure.

"In conclusion let me thank you, Mr. Chairman, for having given me this opportunity where I feel that I am irrelevant because I am talking on 'appropriation'." (Cheers.)

1.20 p.m. MR. CHAIRMAN:—"I am sorry the hon. Member Mr. Balasubramanya Ayyar did not get a chance before. I have got to take into account so many considerations in calling upon an hon. Member to speak. But he got more time today than what he would have got if I had called him on any one of the two days allotted for the general discussion of the budget.

"At the special request of hon. Member Dr. John, I am allowing him to speak."

* DR. V. K. JOHN:—"I thank you, Mr. Chairman, for allowing me to speak. I propose to confine myself to the Appropriation Bill and not go over the budget.

"I want to make one preliminary remark. If we use any strong words in our criticism of the Government, they are not used with any ill-will or animosity or bitterness. I say this both on my own behalf and on behalf of my Party. When we talk, sometimes we forget ourselves. I have been told by many friends that the criticism of the Government will not be forgotten or forgiven by the Government. I do not believe in it, because I know almost all the Ministers. If they remember our criticisms, I am sure it is only for the purpose of answering them and they do not carry any bitterness when they leave this hall. Many of us are accustomed to arguments in courts of law and sometimes we have to appear against our best friends. I want to give this assurance to the

[Dr. V. K. John] 2nd January 1954]

Government that any strong language that I may use—I do not promise that I will not use strong language—is not meant to hurt anybody. Even to-day somebody asked me to move a motion in this House against some observations of the Hon. Sri C. Subramaniam attributing to Sri S. B. Adityan the motive of gaining popularity. I at once replied that I had known Sri Subramaniam for a long time, in the heat of the argument he might have said something and that I did not think that he would even remember it at this stage. Nobody should take amiss any strong language used by the Members. I take any observation made about my speech in that light only and I am not in the least offended by anybody criticising me."

THE HON. SRI C. SUBRAMANIAM:—"As far as my remark with reference to Sri Adityan was concerned, it was not said in the heat of the argument. I said it deliberately."

* DR. V. K. JOHN:—"Any way, there was no ill-will or bitterness behind it.

"As regards the Appropriation Bill, I want to submit that it has been introduced in violation of article 204 (1) of the Constitution. It says:

"As soon as may be after the grants under article 203 have been made by the Assembly, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the State of all moneys required to meet—

(a) the grants so made by the Assembly; and

(b) the expenditure charged on the Consolidated Fund of the State but not exceeding in any case the amount shown in the statement previously laid before the House or Houses."

It is only after laying the statement before this House also that the Appropriation Bill can be introduced in the other House. There must be a discussion in this House. Since the statement was not laid before this House previous to the introduction of the Appropriation Bill in the Assembly, I say there is a violation of Article 204 (1) of the Constitution. I want the Government to consider this matter and not to repeat the mistake hereafter if they have made a mistake now.

"In this Appropriation Bill, an amount of Rs. 19,58,48,400 is asked for under the Demand relating to Capital Outlay on Schemes of State Trading. This is an enormous amount, especially when we consider that the appropriation is only for a period of six months. The Hon. Finance Minister did not make any reference to this in his budget speech delivered on 14th December 1953. But he has referred to this subject in some of his previous budget speeches. In paragraph 18 of his budget speech, dated 27th June 1952, he has stated as follows:—

"With the decontrol of foodgrains and the abolition of procurement, the transactions under State Trading Schemes will diminish very considerably. At this time of flux, it is impossible to forecast whether there would be any net credit or debit under this head affecting the general ways and means budget. For the present, it is presumed that these transactions will balance each other. The Budget provides for a net outlay of Rs. 9 lakhs only under this head to cover the subsidy and establishment charges mainly on certain manure distribution schemes."

[Dr. V. K. John] [2nd January 1954]

In paragraph 16 of his budget speech, dated 14th March 1953, he has stated as follows:—

‘The budget for the year anticipated a net disbursement of Rs. 9 lakhs under State Trading Schemes. The net disbursement is now expected to be Rs. 391 lakhs and this worsening is due to the large stocks of rice and chemical manures expected to be held on Government account at the close of the year.’

Now the appropriation for State Trading Schemes for six months is as much as Rs. 19 crores and odd. In 1946, that is in the first year of the Congress Government after the Section 93 regime when Sri T. Prakasam was the Chief Minister, I remember that the loss on State Trading Schemes was enormous. It amounted to a few crores. I took up the question and the reason given by the Accountant-General was that the loss due to loss in transit, loss in godowns and loss due to pilferage. We must know how this money is spent and whether any loss is incurred.

“I find that the item relating to State Trading Schemes has been transferred from the Revenue Account to the Capital Account. What is the reason for the transfer? What are these plus and minus figures? Do the minus figures represent any losses? Heavy losses may be incurred in spending so much money. I would suggest to the Government with all respect that the State Trading Schemes may be entrusted to the normal trade channels. Government may not be able to carry out these schemes successfully, as Government officers may not care for the losses. I am quite sure that this Government are very particular to avoid as much loss as possible.”

THE HON. SRI C. RAJAGOPALACHARI:—“The main item is the buying and selling of rice.”

* DR. V. K. JOHN:—“That work also can be entrusted to the normal trade channels.

“I wish to raise one more point. I want this Government to utilize some money for finding out whether our middle class is disappearing. No statistics are taken regarding this. I feel and some others also feel that the middle class is being wiped out and that we have got only the poor class. In England statistics have been taken. There, in 1938-39, there were 13½ million people earning less than £150 per year, and in 1945-46, this figure got reduced to 7½ millions. In 1938-39 the number of people earning between £150 and £1,000 was 4½ million, and 1945-46 this figure rose to 8 millions. It will be very good if the Government find out whether we are progressing or retrogressing.”

THE HON. SRI C. RAJAGOPALACHARI:—“We are going down.”

* DR. V. K. JOHN:—“The Hon. Chief Minister says that we are going down. We must have statistics and we must know the reason for it.”

MR. CHAIRMAN:—“The House will now rise for lunch and meet again at 2-30 p.m. and finish its sitting at 4 p.m.”

2nd January 1954]

(After lunch—2-30 p.m.)

* SRI P. B. K. THIAGARAJA REDDIAR:—“Mr. Chairman, Sir, in supporting the Appropriation Bill presented to this House by the Hon. the Finance Minister, I wish to make a few observations. I fully agree with the view expressed by the Hon. the Chief Minister that we have really exhausted the great and dependable water sources and that the projects now being sanctioned are marginal ones, involving huge capital outlay. It is gratifying to note that the Government feel that they cannot justify these unproductive works before the general tax-payer and that attention should be turned to the minor irrigation works. Schemes have been sanctioned and executed where more than one thousand rupees are spent to irrigate one acre of land. It is high time that we cried halt to the major irrigation projects which involve crores of rupees. Government should turn their attention to the long-neglected minor irrigation works, especially in the old zamindari areas. Loud protests were made that the zamindars had neglected the irrigation tanks and that many tanks had become ruined. More than five years have passed since the abolition of the zamindari estates. I am afraid that no steps have been taken to investigate the condition of these tanks and to gather particulars thereon. The prosperity of this State lies in renovating these ruined tanks scattered all over the districts. It is a matter for regret to note that this Government have allotted only a few lakhs of rupees for these minor irrigation works. I appeal to the Government that full investigation must be made and that a plan must be chalked out immediately regarding these minor irrigation tanks. I hope that the Government would allot more funds for these works at least in the Budget for 1954-55.

“The next point that I wish to impress upon this Government is with regard to rural electrification. The Hon. the Chief Minister is expressing on many platforms that villagers should not depend upon electricity for their agricultural operations. I entirely agree with his view that we cannot replace animal power by electricity in the agricultural sector. But one tedious and expensive operation in agriculture is baling out water from deep wells. We should remember that our forefathers had given a name for this operation ‘கவலை’ which is distressing both for men and bullocks. It is only for lessening this distressing operation and for minimising the cost of production that villagers demand electric energy. A scheme for extension of 110 K.V. lines to Rasipuram and Namakkal had been sanctioned in the year 1951-52. But I regret to find that no allotment of funds has been made in the Budget even though the villagers of Namakkal and Rasipuram taluks had contributed their mite appreciably to the Government loan floated in July last. I appeal to the Government to execute this scheme and allot funds for this purpose in the next year's Budget.

“The next and last point which I want to speak about is animal husbandry. I really congratulate the Hon. the Chief Minister on allocating the portfolio of Animal Husbandry to the Hon. Sri V. C. Palanisami Gounder who is a keen and practical agriculturist.

[Sri P. B. K. Thiagaraja Reddiar] [2nd January 1954]

Even though a separate Minister is in charge of this portfolio, I find, with great regret, that a sum of only Rs. 17 lakhs and odd is found in the Appropriation Bill for this department which has to serve as important function in the agricultural sector. I am really proud to say that this Government are maintaining a good cattle-breeding farm at Hosur in Salem district—I say a good farm, not a useful farm. The main function of this farm is to supply pedigree breeding bulls to the ryots. Has that objective been achieved? The answer is in the negative. Let me pass on an interesting information to the Hon. the Minister in charge of Animal Husbandry—who is unfortunately not here now—that Hosur breeding bulls are notorious for their impotency. The reasons for this sorry state of affairs are the climate, the environment, the feed and psychology. When I visited this farm last month, I saw 400 bulls kept there for sale for which there was no demand from the public. The Government must take immediate steps to auction these bulls without incurring expenditure on their maintenance. Let me offer my suggestion, Sir, as one who has some experience in cattle breeding. If the Government permit to sell the bull calves at one or one and a half years of age, they may serve a useful purpose since they can acclimatise themselves in the environment of the ryots in their early age. Expenditure on feeding these bulls would be reduced and the price may be reasonable for the ryots who purchase them.

“Sir, this one farm cannot meet the demand of the whole State and cannot serve its useful purpose. I appeal to the Government to start model cattle-breeding farms, one for each district with at least 200 animals to start with. Then only we can say that the Animal Husbandry Department is contributing something to the cause of the agriculturists.

“Sir, in this connexion, I wish to refer to one more point. The land hunger is prevalent everywhere. Some hon. Members pointed out during the Budget debate that all available lands should be assigned for cultivation. While doing so, the Government must bear in mind the cattle problem also. In my district of Salem, unauthorized occupation of tank-bed lands has become a common feature so much so that the occupiers of these lands divert and damage the sources of supply to these tanks. I earnestly appeal to the Government that orders should be sent to the Collectors to see that no tank-bed lands are assigned or unauthorizedly occupied, in the interests of food production and grazing for the cattle.

“With these few observations, Sir, I support this Appropriation Bill presented to this House.”

2-40
P.M.

* SRI T. M. DAIVASIKHAMANI ACHARIAR:—“Mr. Chairman, at the outset let me thank you, Sir, for the opportunity that you have given me to speak on this occasion. Reference has been made by the hon. Leader of the Opposition to the belated presentation of the budget in this Council. Though he has not

[Sri T. M. Daivasikhamani Achariar]

expressed it in so many words what he said was tantamount to saying that this House was called upon to whip up a dead horse as it were. I submit there is some truth in his statement. This House was considered superfluous by some persons elsewhere and some people even went to the extent of taking advantage of a provision in the Constitution and were insisting upon that. Luckily this House has passed that ordeal. But let me tell the hon. Members of the House that this sort of agitation is not peculiar to India. This agitation was set afoot in England by Prof. Laski and he was carrying on this agitation widely in season and out of season against the House of Lords. For about 25 years he was working to that end. Fortunately, he did not succeed in his lifetime. The argument put forward by him was that when the Lower House was entrusted with various important matters and finance, the Upper House was superfluous. If the Upper House endorsed what was said by the Lower House, he thought that the former was superfluous. If a Bill was condemned by the House of Lords, he said it was impertinent. Applying some sane principle to this House, I think some sort of legislation is necessary to safeguard the interests of this House. With my knowledge of things in the past years, I have come to the conclusion that this House consists of elderly gentlemen and level-headed politicians like hon. Members Sir A. Lakshmanaswamy Mudaliar, Mr. Narayanaswamy Pillai and Mr. Balasubramania Ayyar, if I may include him also. These gentlemen have been giving sage counsel not only for the upliftment of the masses, but also in regard to legislation in general. We cannot put the clock back. We must move with the current. We must see what is taking place in other countries. When once the Constitution provides for an Upper House, in a State, it must continue until it is found absolutely unnecessary.

“I wish to say that hon. Member Dr. Lakshmanaswamy Mudaliyar has raised some pertinent points in his speech. Hon. Member Dr. John who spoke before him said something about statesmen and statesmanship. I have come to an age from which I can very well understand who were the statesmen in the past and who are the present-day statesmen of this country of ours. I recall to you the great statesman Sir A. Seshayya Sastri under whose feet Lord Curzon sat at a time. That great Lord Curzon, who had a very poor opinion about Indians, was with him for hours and discussed the general politics of this country. In the present modern times also, this country has produced great statesmen. Hon. Member Dr. John, in the course of his speech on the floor of this House made mention of two statesmen of the State. He referred to Sir A. Ramaswamy Mudaliar and his great talents. He also referred to Sir C. P. Ramaswami Ayyar and his abilities. I admit that they are great statesmen. But he has omitted one name and it is that of hon. Member Dr. Lakshmanaswamy Mudaliyar. He is not an ordinary gentleman. He has got an international reputation to his credit. These three great men of this State are unfortunately bottled up in three Universities. Given the chance, these three gentleman will shine as great administrators. Till now, I have not referred to great statesmen of

[Sri T. M. Daivasikhamani Achariar] [2nd January 1954]

Hon. Sri Rajagopalachari's type. He is above everybody. Time will prove and show that he is going to occupy a great place of honour. He is going to occupy that place and win the admiration of the people of this country, why, the whole world. I am sure he will occupy that place very soon for the benefit of his countrymen.

"Sir, mention was made about the change in the tone of administration of the State. I admit any administration is capable of improvement in the matter of tone. No doubt we have a great administrator, Rajaji. But, do we allow him or do we give him a chance to ponder over things calmly and take decisions? Do we give him the necessary peace of mind which an administrator requires? There are unfortunately people who try to oust him. Rightly or wrongly, some of them think he is a misfit in administration. Sir, I entirely differ from those people. He is the best man who can tide over the present troubled conditions. He is the best person who can also pour oil on troubled waters. I am sure his administration would greatly benefit our State, especially at this state of development. I hope he will make up his mind not to mind these minor pin-pricks and that he will go ahead with his good work for the benefit of the masses of this State. I hope he will also bring forward all the legislations required for the well-being of the people of this State.

2-50 p.m. "Sir, some hon. Member said that the Congress is going to lose its popularity in the coming elections. I also have got my own fears about it. But, still the Congress must be there. Instead of saying that the Congress is going to be defeated in the next elections and things like that, I would urge on all Congress-minded people and others who are interested in the welfare of the masses of this State to earnestly work for putting the Congress organisation of the State on a very sound basis. There are certain Augean stables in it which should be cleared and we want a Hercules of the type of Rajaji to work towards that end. Having said this, Sir, with great restraint, I shall pass on to other subjects.

"It was said that the promises made by Ministers in this House are not kept by Ministers. I have got a little grievance in this respect. What I would suggest to the Government is that they should remember them and take action and also give information to the House at its subsequent sitting as to what has been done on those promises. This is the usual procedure adopted even in small societies and we are all anxious that some such procedure should be adopted here also in future. This is only a suggestion and it is for the Government to consider it or throw it in the dust.

"I next come to another point. I am one of those who have supported and are supporting here and elsewhere the new Elementary Education Scheme. I have got great belief in it not only because it is going to produce an army of young artisans in future but will help the growth of industries in general in the country.

[Sri T. M. Daivasikhamani Achariar] [2nd January 1954]

The improvement of cottage industries is one Delilah of my existence. For the past thirty-five years, I have been working for the improvement of cottage industries in this country. So far as the South is concerned, it has been considered as a famous land where cottage industrialists had done wonderful works and raised stupendous monuments of art. There were not only enduring monuments of art, but also there were handicrafts for which this part of the country had been noted. But arts and crafts have all disappeared. This scheme which I was dreaming of and which the Chief Minister has rightly dreamt, will, if given a chance to work, help to re-kindle the light of extinct cottage industries. It is not only going to resuscitate cottage industries; it is going to do away with unemployment for ever and the parents, at the same time, will be given an opportunity to learn more about these industries which are absolutely needed for the progress of the Nation. Unfortunately, this State so far has not improved in spite of the many Acts providing aid and subsidies to cottage industries and they are standing to-day in the same place as they stood in 1937. Some honest efforts on the part of Government should be made to improve them. Some hon. Members pointed out that there was no provision in the Budget to improve cottage industries. It is unfortunate that this subject has not been taken note of by the Government in framing the Budget. The country can progress not through the advancement of the big industries alone. The cottage industries alone can help its rapid progress. Even in countries like England and Switzerland, they are helping industrial progress. The watches made in the cottage in Switzerland are famous and when that is so what need is there for me to expatiate on the need for improvement of cottage industries? I want the Government to take measures to improve them.

"Then, Sir, referring to the Committee that went into the scheme of Elementary Education, I complained and rightly complained—and I hope not only this House but the country as a whole would admit—that not even a single industrialist was included in the Committee. So, that Committee had to go into the Educational Scheme only and not into other factors. Of course, there is a stray paragraph about cottage industries in the report and that too is not correct from an industrialist's point of view. Taking all these into consideration and considering also the view expressed by our great Prime Minister, we must do something in earnest to improve them. I hope the Government before pushing the scheme to any great extent, will consult the right type of men in this regard and get their opinion. I want then a working programme to be chalked out. It was pointed out in the House that statues are being cast in Italy, because our artisans are not trained to make hollow-casting. I would add one thing more to the list. Even paintings for a Government of India publication are done in Italy. For another publication which is intended to bring out Indian talent, the paintings are made in England. These are very humiliating facts no doubt. Our ancient Indian craftsmen had great belief in turning out strong and substantial works. Brass

[Sri T. M. Daivasikhamani Achariar] [2nd January 1954]

vessels were made not for one generation but for three generations to come. And the present-day Indian craftsmen follow their ancestors. So, an absolute necessity has arisen for the reorientation and improvement of our cottage industries and they must be organized on workable, profitable and efficient lines. With these words, Sir, I conclude my speech and in doing so I support the Appropriation Bill which is before the House."

3 p.m. * SRI V. BASHYAM AYYANGAR:—"Mr. Chairman, Sir, at this fag end of discussion connected with Budgets proposals, I do not propose to take much time. I wish to make only a few general observations. I do not propose to concern myself at this time of the day with the general high policies of the Government. The observations which I wish to make will be with reference to the man in the village. As far as principles and policies are concerned, the Government which is now at the helm of affairs is going in the right direction. There is no doubt that its intentions are very good and they will do the greatest good to the whole country. But taking the ordinary man in the village, we have to examine how he is treated and what opportunities he has got to get his small needs met. Now a villager may want to obtain some information in the village itself. It may be about the land revenue due on his lands, or number or extent of his land or some such thing. The villagers are generally illiterate and even literacy will not make much difference in solving his problem. To get any small information he has to go to the village officers, the karnam and the village munsif. Though these village officers are permanent residents of the village they are not easily available to the ordinary man. They are absent somewhere else. Even when they are available they are not ready to furnish the information. The village munsif will not himself be able to assist the villager so far as the village accounts are concerned. The next higher authority whom he may approach to get the information is the Revenue Inspector. That officer is very often under obligation to the karnam and he is not eager to help the villager with the information required by him. The next office where the villager could get information is the Taluk Office. Looking at these offices generally, I am afraid, the morale and discipline in these offices have not at all improved in recent years. On the other hand, I think there is reason to say that they have gone down. I will challenge any officer of the Government or even any Minister to make a surprise visit to these offices and see how they work. The Minister or the Government officer would find the clerks going about here and there and the general public crowding round the place. There is no discipline maintained in those offices. And with the peons and clerks in the offices, the villager generally finds it very difficult to get any information from Taluk offices.

"In the Taluk offices I find no register is maintained for applications or tapals received as it used to be done before. Some years before a register was maintained for tapals received in the office. I think this has been given up now. Recently I had sent some letters to a Taluk office. I did not receive any reply to

[Sri V. Bashyam Ayyangar] [2nd January 1954]

them. When I went to make enquiries about it, I was told that no such register was maintained. There is no knowing as to how the tapals received in the office are disposed of. It is very difficult to ascertain how tapals received in the office are disposed of. About two months after sending a letter to the taluk office I went to the Tahsildar to enquire what had happened to my letter. A search was made in the office for an hour and a half and the letter could not be traced. Nobody knew when it was received and to whom it was sent. Luckily I had sent it by registered post and I showed the postal acknowledgment to the Tahsildar. Thereupon he insisted on my letter being traced. With great difficulty it was found in a bundle of papers. One of the senior clerks in the office said that he maintained an unauthorized register to register tapals received by registered post. My letter had not been registered even in that register. When I pointed out this, it was explained to me that tapals were not registered in the order in which they were received but were distributed to concerned clerks whose duty it was to register them in their section registers. So, between the receiving clerk and the section clerk any number of papers may be lost and nothing is done to check this. What I want to impress upon the Government is this. It is in their interest to see that these offices are kept at the highest pitch of efficiency, morale and discipline. The best way in which this could be done is by making surprise inspections. These surprise inspections should be made by officers of the grade of Sub-Collectors or Collectors. But these Officers have so much work in general to do that they are unable to attend to this important duty. I earnestly request Government to devote some attention to this matter and see that the lower grade offices are maintained efficiently so that the villager could get any information that he wants readily. In some departments of Government something like the 'Courtesy week' or 'Know thy customers week' is celebrated in order to bring the officials in close contact with the non-officials and also to impress upon the officials the necessity to oblige or give all available information to the people with whom they have to deal. Some sort of such campaign will be useful for these offices also. I was talking only about Taluk offices. Other offices are also in the same condition. The villagers are not able to get any information they want. I must confess here, that there is a general idea among the people, that unless one has some extra influence or is prepared to go out of the way he cannot get the help that he is entitled to from these offices. That is the state of affairs. The sooner it is put down, the better it would be for the Government. There is no doubt we have fine discussions here. The policies and principles are discussed here. One of the best leaders of the country is in charge of the Government. There is therefore nothing to be desired so far as the Cabinet or Higher ranks of the officers are concerned. But this does not help the villager very much. Here we discuss questions of law, questions of principle, the Five-year Plan and all that. But the benefits of these discussions and policies and principles should trickle down to the villager in order to produce a permanent benefit.

[Sri V. Bashyam Ayyangar] [2nd January 1954]

"The next point I would like to mention is about want of guidance for these villagers. There are a number of officers. There is no scarcity in this regard. But if we go to the village and make enquiries we will be appalled at the ignorance of the villagers on many things. The Hon. the Chief Minister in presenting the Budget said that everybody should work hard. No doubt it is true hard work alone can produce prosperity. The villagers are quite willing to do hard work. But they do not know how to work and what to work at. They do not have ready work to do. They cultivate their lands only when there is rain or water. But at other times they have no work and they require guidance to do useful work during that period. Government must take paternal care of these village folk. They must start cottage industries and make the villagers get interested and get employed in those industries. Simply saying that people must work hard does not help them. They are willing to do work but do not know how to work. Therefore there must be some officer to guide them and find them employment. In big cities like Madras you have got the Employment Exchange and other offices to help the unemployed to get employment. How far these Employment Exchanges have solved the problem of unemployment, I do not know and I do not want to discuss it here.

3-10
p.m.

"Sir, even that facility is available only in the cities but what about the villages? Supposing a man in a village wants to have some information about the availability of work and he is willing to work. At present there is no facility for him to get that information. There must be some one to guide him in this respect. Therefore, I would suggest that there should be some sort of guide in certain localities to instruct such a needy person so that he may usefully spend his time to his advantage and to the advantage of the whole country.

"Sir, I wanted to say something about Prohibition but after hearing the effective speech of the Hon. Chief Minister, I do not wish to take up the time of this honourable House by referring to it.

"Next, I come to social welfare work. My hon. Friend Mrs. Clubwala Jadhav has spoken eloquently about it and impressed the whole House. The Government which are now running a Welfare State have to take the help of voluntary social welfare workers. Otherwise, the Government will not be able to do much to the society. When there is an organization willing to help the State, I think, it is the duty of the Government to give them the necessary help and take their co-operation. The Guild of Service, of which hon. Member Mrs. Clubwala Jadhav is the Honorary and energetic Secretary, is doing a lot of very good work in all directions. It has got a number of workers who are willing to give their time and energy, not for a salary, but voluntarily and gratuitously for social work. It is the duty of the Government to take the fullest advantage of such an organization. Hon. Member,

[2nd January 1954] [Sri V. Bashyam Ayyangar]

Mrs. Clubwala Jadhav, has already referred to the various activities in which this social service organization is engaged in this City and in the districts. The Guild of Service is extending its activities at so fast a pace, that to-day in almost every district, we have got a branch of the parent organization. They are doing very useful work in the districts. The Government would do well to take advantage of these organizations.

"Now, let me come to the School of Social Service to which special reference has been made by hon. Member, Mrs. Clubwala Jadhav. This school is doing very important work. As the House is aware, very recently Professor Wadia, who is an authority on the subject of Social Welfare, visited the school and observed its working. He was full of praise for this institution. Its recognition by the Government is an urgent matter and I hope the Government will grant it without delay. The Committee which has been appointed by the Government has already looked into the affairs of this school and, I think, they have been fairly well-impressed with the work this institution has done during the short time that it has been in existence. I would request the Government to give not only recognition but also greater financial help to this school. This school is really doing the work which the Government ought to do. As a matter of fact, the House knows that the original proposal was that the Government themselves should start this school. Now that a voluntary agency has come to the help of the Government, they should liberally help, them both financially and in other respects. With these words, I support the Bill that has been placed before the House."

* SRI A. M. ALLAPICHAJ:—"Mr. Chairman, Sir, when I came to this House this morning, I thought I would not speak. But for the remarks and observations made by the hon. Member, Sri Raza Khan, I would not have spoken to-day. While making his speech on the Budget, Sri Govinda Menon made certain remarks about the Muslim League. He said that the Government were encouraging the Muslim League and, as a result of that encouragement, the Hindu Maha Sabha and other communal organizations are raising their heads in some taluks of the Malabar district. I thought that the Government would answer but, perhaps, due to some oversight, they did not answer that point. My own feeling is that the Government, as they are situated to-day, cannot prosecute any communal organization. The communal organizations as such, do exist but it is left to the sanity or wisdom of the leaders of these communal organizations to see that it is not in the interest of the communities which they represent, that such communal organizations should exist in this great country. My hon. Friend, Sri Govinda Menon, would have been very correct if he had said that the Government have suffered the Muslim League and other communal organizations to exist. That would have been more correct and not that they are encouraging it because it is the great policy of the great Congress not to encourage in any way any communal organization. Such being the case, the Government which is a Congress Government, I am

[Sri A. M. Allapichai] [2nd January 1954]

positively sure, would not have encouraged and have not encouraged the Muslim League. I personally do not like to indulge in any kind of cheap attack against any organization. But one thing is clear. In so far as that matter has come up before this House, I think, it is my imperative duty to say that. The Pakistan issue was fought some years back on this basis, viz., that the Muslims represent one nation and the Hindus represent another nation. That was the most dangerous theory and some of the nationalist Muslims in the country and some of the greatest Muslims in the country had protested against that theory and did their best in that direction. Well, it might have been a genuine mistake on the part of the Muslims in India, but soon after the partition, they should have realized that there is no place for the two nation theory. As the hon. Member Sir Mohamed Usman has correctly observed, the leaders of the Muslim League organization should have made it clear, soon after the partition of the country, that the Muslims and Hindus of India constitute one nation. They have failed. They have not done their job properly by the Muslims. We have to say so.

"I come to another point. Really it is a question affecting two different States, viz., Pakistan and India."

MR. CHAIRMAN:—"Let the hon. Member leave it at that."

* SRI A. M. ALLAPICHAJ:—"I shall leave it at that, Sir."

3-20
p.m.

"My hon. Friend, Sri Raza Khan, has made a good observation regarding cotton betting. Perhaps, most of the Members may not know what cotton betting is. We know much about horse betting and there is legislation prohibiting the betting on horses. As a matter of fact, cotton betting also comes under the City Police Act and it is punishable under this Act. Perhaps, most of the Members also do not know that every day our people are wasting about fifty thousand rupees on this betting. There are about ten or fifteen agents in the City who run this show. No doubt the Police are taking action against them but they have to take much more effective action to put an end to this thing."

"Another point which I wish to suggest is this: Hon. Friends, in this House, spoke a lot against prohibition which my party and the Government are pursuing. Perhaps, they may not know that our Government, viz., the Composite State have not lost about Rs. 20 crores but taking into account the money the people were wasting on drinks, we have saved our people nothing less than Rs. 100 crores which came chiefly from our poorest countrymen. The poorest of the poor were paying this money. The people are really happier than what they were during pre-prohibition days. Some Members may no doubt say that there is a big number of prohibition cases in the courts. But, we have to remember that those who were making their living by dacoity by theft, by cheating, have now given up these kinds of professions and have taken to the preparation of illicit liquor. They have done so because by spending about Rs. 5 they can get illicit arrack worth about Rs. 10

[2nd January 1954] [Sri A. M. Allapichai]

or Rs. 15 and they make a good profit. I do not find fault with the Government because, after all, the Police is also a limb of the Government. I, however, feel that the Police are not taking as effective steps as they ought to have taken against these offenders. Perhaps, they may have other difficulties. Another point which I want to bring to the notice of the Government in this connexion is that there is not as much co-operation between the Prohibition department and the Police department. They must co-operate much more in this direction and, if they did so, I think it will be much better. Finally, I thank the Hon. Chairman for giving me this chance to speak."

* SRI S. P. SIVASUBRAMANYA NADAR:—"Mr. Chairman, Sir, I must in the first instance congratulate the Government on the timely Ordinance which they have passed. I refer to the moratorium which has been given to the agriculturists. It has come as a timely help. Many a family was facing ruin on account of the continuous drought conditions prevailing in the country due to lack of rain. They were groaning under heavy debts and the creditors were at their heels to realize their dues. Fortunately, owing to good rains conditions have now improved and this Ordinance has come in time to save them. At the same time, I want to impress on the Government certain salient factors which affect the agriculturists consequent on the passing of this enactment because as soon as any enactment is passed people are only too anxious to get over its provisions. One such move now adopted is the number of insolvency petitions which are filed to declare these unfortunate ryots as insolvents. Though the Ordinance contemplates stay of execution proceedings no provision has been made to stay insolvency proceedings against these debtors."

"Another method adopted to circumvent this legislation is that whenever a cultivator has to borrow for cultivation or other purposes, he is asked to convey or, rather, to sell the property to the money-lender with an oral promise that if the amount is returned within a stipulated period the money-lender would reconvey the property. But, we know the mentality of the money-lenders. Once these unfortunate debtors commit themselves in writing and convey their properties to the money-lenders, they scarcely ever get them back and the promise to reconvey the properties is never honoured. Provision ought to have been made to prevent such unconscionable transactions."

"The hon. Member Sri Alexander Gnanamuttu, referred to the panicky condition in which Palamcottah is on account of some repeated robberies. No doubt the tone of the Police administration has greatly improved during the past two years but, at the same time, I may point out that the staff in the Police station is not adequate to meet the growing necessities. As far as Tirunelveli, Palamcottah and Melapalayam are concerned, these are three contiguous towns which for purposes of local administration are divided into three municipalities. As compared to Tiruchirappalli and other places, these three together form a big town. But,

[S. P. Sivasubramanya Nadar] [2nd January 1954]

unfortunately, as far as Police administration is concerned, there is no separate Crime Branch and these three places are policed with inadequate staff as in any other local area. I therefore request the Government to make provision for opening a separate Crime Branch as far as these three towns are concerned.

"As regards jail administration I have been a sub-jail visitor for a number of years and my experience is that the cells are always overcrowded. Sometimes, even more than thrice the number of convicts or under-trial prisoners are clubbed together in one cell and the result is that their health is impaired. The headquarters sub-jail at Kokkarakulam is always overcrowded and sometimes it contains more than five to six times the number of inmates it could ordinarily contain. Originally this building was not intended to be a sub-jail. An old Sub-Registrar's office has now been converted into a sub-jail with very little amenities. I would request the Government to make adequate provision to have a separate sub-jail which would conform to rules and regulations.

"Sir, lastly, I would like to refer to one other matter before I finish, viz., the palmyra tax to which reference was made by representatives from Tirunelveli district. The palmyra trees are mostly grown in the taluks of Nanguneri, and Tiruchendur in the Tirunelveli district. They grow mostly on the sand dunes 'சேதரி' as they are called in Tamil. These sand dunes are unfit for any other kind of cultivation. Therefore, if the land tax is to be raised to the maximum dry rate and with the palmyra trees also not yielding much revenue now, the tax will be a very heavy burden on the landholder. I will therefore request the hon. Minister in charge to reconsider the matter from this aspect and to fix up at an early date the land tax consistent with the quality of the soil on which the palmyras are grown. With these words, Sir, I support the Appropriation Bill."

3-30
p.m.

* THE HON. SRI C. SUBRAMANIAM:—"Mr. Chairman, Sir, I am grateful to the hon. Members for making a useful contribution to today's debate. Before I proceed to refer to the various points raised in the debate, I would first like to clear certain misapprehensions with regard to the contents of the Appropriation Bill which were pointed out by hon. Member Dr. John. He referred to the provision of Rs. 19½ crores provided for State Trading Schemes and wondered why there should be such a large expenditure under this head. The Appropriation Bill is intended to give authority to the Executive Government to draw money from the Consolidated Fund of the State and it does not take into account what we put into that Consolidated Fund. Even though we may be putting into the Consolidated Fund the entire amount, still if we wish to draw any amount within the course of the year the Legislature will have to give authority to the Government specifically. That is why we are making a provision for Rs. 19½ crores under State trading which money we will be drawing from the Consolidated Fund. We will, of course, be putting back into the fund from time to time the sale proceeds from such State

[2nd January 1954] [Sri C. Subramaniam]

trading, but that cannot be taken into account in asking for authority to draw necessary funds from the Consolidated Fund. This provision represents the gross amount which we would be drawing from the Consolidated Fund.

"Hon. Member Dr. John also referred to the transfer of State Trading from Revenue Account to Capital Account and asked why it had been done. In 1951 or so it was decided to transfer this State trading from the Revenue to the Capital Account and I suppose that Dr. John was a Member of this House then but he did not raise the matter at that time. I am glad he has taken notice of it now. In State Trading Schemes, it is not possible to close the accounts within the financial year and sometimes large stocks will have to be carried over at the end of the financial year. The result will be that the account under State trading will be showing a large deficit which is not real and this deficit will be reflected on the Revenue Account as a whole. Sometimes we might carry over at the end of the year large surplus stocks. Sometimes we might have sold the stocks immediately or sometimes we might have a large sum of money in the Consolidated Fund provided for under State Trading Schemes. So, the actual position of the Revenue Budget was not reflected when State Trading Schemes were kept in the Revenue Account. These State Trading Schemes do not after all form part of the normal activity of the Government. I agree with Dr. John that these activities should normally be carried on through trade channels. But with reference to certain articles, certainly we cannot hand over the entire responsibility to private trade. That is why, it was found necessary that we should take over the rice trade especially the rice that we were able to get from outside our State by allotment by the Central Government or through imports from foreign countries or through procurement within our State, and we had to sell it at controlled price. That policy we are still continuing to a limited extent and not on the same scale as we used to do before. We have given up almost 75 per cent of it to the private trade now and we are restricting ourselves to only about 25 per cent. The figures of percentages given may not be quite accurate, but I am only giving the Members an idea of what we are doing by way of State trading. In addition to rice, in regard to manure also the State has the monopoly to get it here and sell it through authorized agents. Though sale of manure has been decontrolled and though there is absolutely no control over the sale of manure, still we have to get manure on Government account and then hand it over to merchants. That is why this large sum of Rs. 19½ crores has been provided for State trading schemes. We are giving separate figures for State trading schemes when we are presenting the usual Budget and if only hon. Members would look into the papers given in last March they would find therein that I have given a separate statement showing the state of affairs in the State trading schemes. The plus and minus figures shown therein pointed out the gains that we had made or the losses that we had incurred. Sometimes we make a small gain in these State trading schemes and sometimes we make

[Sri C. Subramaniam] [2nd January 1954]

a small loss. Due to great fluctuations in the market prices in 1946, we have been put to huge losses, as was pointed out by Dr. John, during the time of Sri Prakasam's Ministry. That loss was immediately made up next year. On the whole, if we take into account the result of State trading during the past seven or eight years, we have made no loss and on the other hand we have made a little gain. So hon. Members need not have any misapprehension with regard to these State trading schemes.

"The question of general tax structure was again raised by hon. Members to-day. They seemed to have in mind when they raised this question the general level of taxation prevailing in this country. They seem to be under the impression that the general level of taxation in our State is very high and there is scope for lowering it. I have got comparative figures with reference to the various States and the hon. Members will be interested to know them. As far as the State of Bombay is concerned, the annual per capita tax works at Rs. 13.7 and next in the order comes West Bengal with Rs. 12.2 per head. The figure for Madras before partition was only Rs. 8.6 as against Rs. 13.7 per head in Bombay and Rs. 12.2 in West Bengal. After partition, from the available figures, I have calculated the incidence at Rs. 8.8 per head, and the increase of Rs. 0.2 is not much. So when compared to other States, we are taxing much less. Uttar Pradesh comes next to Madras with Rs. 8 per head."

DR. V. K. JOHN:—"May I know how this incidence of tax is compared with the per capita income of the State?"

THE HON. SRI C. SUBRAMANIAM:—"The per capita income of the State of Bombay is slightly high. Even then, the incidence of taxation compares favourably with Bombay and West Bengal. When I present the Budget for the next year I will try to give these figures also by way of percentages so that hon. Members may compare the percentage of taxation to income in this State with the figures for other States. We should also take into consideration that a minimum of taxation has got to be maintained. If we take this into consideration we will find that the level of taxation is not very high. If hon. Members says that a particular sector of the community is being unduly oppressed by the burden of taxation, that is a matter which has got to be looked into. I am sure hon. Members do not have statistics in their hands to show that the incidence of any taxation falls very heavily on a certain sector as against the other sectors. (Dr. V. K. John; May we have figures for other States apart from Bombay, West Bengal and Uttar Pradesh?) These are the major States and I am sure there will be figures for other States also. I think the Reserve Bank publishes every quarter a pamphlet wherein very useful information is given in regard to all these matters. The hon. Member can call for these pamphlets. We have to keep in mind that we cannot further reduce the level of taxation. I have absolutely no doubt that we are maintaining a fairly good equilibrium.

[2nd January 1954] [Sri C. Subramaniam]

"Sales tax, in spite of the difficulties which hon. Members 3-40
may find in the working of it is a scientific form of taxation where p.m.
everyone is charged according to his capacity. A person who is better placed and who is rich purchases more and consequently pays more, rather should I say, is forced to pay more. Similarly the poor man whose purchasing power is less buys less and consequently is taxed less. So we find that the sales tax is a scientific form of taxation. Poor people whose purchasing power is less resort to poor retail sellers who are not much affected by this tax. I gave the figures in the other House in respect of the receipts under sales tax on foodstuffs. Hon. Members should remember that 75 per cent of our produce do not come into the open market. They are consumed by the producers and the labourers who work in the fields. That being so all these labourers who get the grains directly from the producer by way of wages are *not at all* affected by this sales tax. Therefore hon. Members should realise that this tax in fact does not affect the poor cultivators and labourers who work in the fields and for whom they have so eloquently pleaded that this tax has in fact been affecting them (cultivators and poor people) very badly. In spite of all the criticisms levelled against the levy of this sales tax, I still believe that this tax is a scientific form of taxation taking from each according to his capacity. Hon. Member Mr. Raza Khan, in his own usual way, had made mention of some useful points, though it was perhaps not necessary for him to have used either unpleasant or harsh words. We shall take note of the useful suggestions he had made with reference to the handloom industry. He had said that in spite of the attempts made by the Hon. Chief Minister and in spite of the concessions granted both by the Centre and by the State, the condition of the handloom weavers has not improved. I admit that. Of course it is true that the condition of the weavers has not improved to the extent we would like it to improve. I admit that all their grievances have not been redressed. But it should not be forgotten that to some extent their grievances have been redressed. I am glad to say that we have been able to convince the Government of India about the gravity of the situation. The Central Government have taken note of the seriousness of the situation. They have realised the fact that this problem should be solved one way or the other. That is why they levied this cess on mill cloth and made it available for the purpose of giving relief to the handloom industry. In that connection Mr. Raza Khan had complained that this relief had been extended only to the co-operative sector alone to the detriment of the majority of weavers who are outside this sector. But unfortunately the Government of India insist that this relief should be given only through Co-operative institutions and that co-operative schemes alone should be adopted. They say unless this is done it is likely that the money would be wasted. That is why we have taken steps to bring in as many of the handloom weavers as possible into the co-operative fold. I am glad to say that as a matter of fact a good portion of the funds allotted to this State is being utilised to bring in more number of weavers into

[Sri C. Subramaniam] [2nd January 1954]

the co-operative fold. It has been proposed to bring in 33,100 weavers into the co-operative fold by giving them free loans for taking shares in the Co-operative Societies. That amounts roughly to Rs. 6,62,000. So also various other schemes have been formulated. We want to give a certain subsidy for pushing the sale of handloom cloth to the Co-operative and other institutions. Therefore it is the intention of Government to use the grant of the Centre to the fullest extent possible by bringing more number of weavers into the co-operative fold. But the fundamental problem is different. We cannot be going on giving subsidy. When lakhs of weavers have got to be fed, it could be done only by reserving a specific pattern for them. That is why we have pleaded for the complete reservation of the manufacture of dhoties and saris for the handloom weavers. That is what this Government pleaded for at the recent Development Council Meeting held at Delhi when the various Chief Ministers of the States met. But the Government of India are concerned with the country as a whole. They want the problem to be solved on a national scale. We pleaded for reservation of the production of saris and dhoties to the handloom weavers. But the Chief Minister of Uttar Pradesh stood up and told that they in Uttar Pradesh do not use dhoties and that the saris which their ladies use are entirely different from ours. He said, therefore, that if at all any reservation is made, it should be made with reference to each particular State in a variety which the State asks for. That was the problem which the Government of India were confronted with. That is why we have now definitely come to the conclusion that even though complete reservation of dhoties and saris to the handloom weavers may not be granted, at least so far as this State is concerned, the flow of mill-made dhoties and saris from the North might be stopped forthwith and at least in this part of the country the reservation of dhoties and saris to the handloom industry might come into force. I sincerely hope and trust that our effort in this regard might prove fruitful."

SRI M. P. GOVINDA MENON:—"What about the dhoties and saris manufactured by mills in our own State?"

THE HON. SRI C. SUBRAMANIAM:—"Of course we are having only few weaving mills. We have some in Coimbatore. Fortunately for us our mills have specialised only in spinning yarn (laughter). Inasmuch as our mills are only few, I do not think it is a great problem. We will not have much competition from our mills once we stop the flow of mill-made dhoties and saris from North India and allow our handloom weavers to go along with their production of dhoties and saris for us."

* SRI K. BALASUBRAMANYA AYYAR:—"I read from the paper this morning that the Government of India are going to give relief to the handloom industry only from the Handloom Cess Fund and not any further assistance from other sectors? What is the attitude of this Government in this regard?"

[2nd January 1954]

* THE HON. SRI C. SUBRAMANIAM:—"No final decision has been taken in the matter. As a matter of fact this subject was discussed in the recent Development Council Meeting and it was resolved that we should await the publication of the report of the Committee which has been appointed to go into this problem. In the forthcoming meeting this problem would be discussed fully and I hope properly solved. Let us not believe rumours. Let us await the report of the committee that has been appointed to go into that question. I hope and trust they would go into all aspects of the problem and make suitable recommendation for the protection of the handloom industry. I also hope that the Centre would take into consideration the various problems involved and also our plea for reservation in that regard. Therefore let us not be hasty in forming our own conclusions that relief will be given only in this form or that. I am sure that the Government of India are also interested in seeing that the handloom industry is properly protected. The Prime Minister had assured us that this industry would be protected. In fact he has said so in a public meeting here."

SRI M. P. GOVINDA MENON:—"Have the Government of Madras communicated to the Centre to prohibit the flow of mill-made dhoties and saris from other parts of South India into Madras?" (Sri Mohammad Raza Khan: "And particularly into Malabar.")

* THE HON. SRI C. SUBRAMANIAM:—"We have already communicated. Sir, with regard to the City bus transport it was complained that we were taking a complacent attitude in the matter. The Hon. Minister for Transport informed the House only the other day that we are going to put 50 more buses on the roads within a short time. If there is increasing demand we are going to provide 50 more buses. The very fact that we want to increase the fleet by 50 more, is proof of the fact that we are alive to the increase in passenger traffic. But unfortunately we cannot at one stroke put all these 50 buses on the road. We have to purchase the chassis and build the coaches and this has got to be done in our factory at Chromepet. We have programmed to purchase these in such a way that it will be possible to build up all the bodies in our own factory, and I am sure hon. Members will welcome that programme. There may be a certain amount of difficulty for bus passengers; I do not say that we have put it all on a sound basis and that there is absolutely no problem to be solved. The very fact that we are adding to the strength of the fleet shows that we are alive to the existence of the problem. I request hon. Members to have some patience and give some time to the Government to introduce these fifty buses. If there is a demand for more buses even after the addition of these fifty buses, certainly the Government will take that into consideration and will not hesitate to come before this House for sanction for the purchase of some more buses.

"The question of peak-hour traffic will have to be solved only by the introduction of more buses. To however maximum an

3-50
p.m.

[Sri C. Subramaniam] [2nd January 1954]

extent we may make use of the present fleet, the problem of congestion arises at some point or other. Therefore let us wait till we introduce the fifty buses which we have programmed to introduce. I am sure that will greatly relieve congestion in bus traffic.

"I am glad that hon. Member Mr. Raza Khan had a good certificate to give to this Government with regard to the maintenance of law and order. But he pointed out that the betting habit was spreading among the people. I do agree that the instinct of gambling is spreading to a certain extent. It is an instinct which is natural to human beings. Do we gamble only on horses and cotton prices? We are gambling even in education. When a middle class family sends a boy for higher education, the family spends almost all its resources on his education in the hope that he will get some Government employment. What bigger gamble can there be?"

SRI A. M. ALLAPICHAJ:—"That gambling is in the right direction."

*THE HON. SRI C. SUBRAMANIAM:—"It is not in the right direction because it causes great distress when a middle class family has spent its entire resources on the education of the boy and ultimately the boy finds he is unable to get any employment. A person who loses in horse racing loses only that much of money which he has in his pocket. But unfortunately, in the case that I referred to, the entire resources of the whole family is lost. That is why I say that it is more dangerous than the gambling in which some people indulge."

"We have to see that education ceases to be a gamble. Education should be a real training to face the problems of life. Every educated person need not and should not depend upon Government service alone. He should be able to face the problems of life apart from Government service and in spite of Government service."

DR. V. K. JOHN:—"May I enquire whether politics is not a game in gambling." (Laughter.)

*THE HON. SRI C. SUBRAMANIAM:—"The very fact that hon. Member Dr. John, is here shows that it is a gamble. (Laughter.)"

"Hon. Member Sri Sivagnana Gramani referred to the question of the Library Committee and the vacancies in it not being filled for the last eight months. If this matter had been brought to my notice earlier, certainly I would have looked into it. Now that it has been brought to my notice, I assure him that I will look into the matter and whatever possible will be done."

"He pleaded for the adoption of Tamil language with his usual eloquence and power—not that hon. Member Sri Gajapathy Nayar was not eloquent enough. Hon. Member Sri Gramani has got

[2nd January 1954] [Sri C. Subramaniam]

his own powerful manner of putting things as far as Tamil is concerned. His speech amply demonstrates that it will be possible to carry on the administration of this State in Tamil language. But the adoption of Tamil does not solve the small problem to which I referred in my reply to the general discussion of the budget. But I assure Sri Gramani that every step will be taken to encourage the use of Tamil language wherever possible. As a true Tamilian I request him to have some patience, as all Tamilians are supposed to have a certain amount of patience."

"Hon. Member Dr. Muthulakshmi Reddi referred to the non-consultation of women's organizations in matters pertaining to women. I am afraid that she is still thinking of the old days when women had no vote. After all, as was pointed out by her, about fifty per cent of the voters are women. They can command any party and chalk out any programme and get it enforced. Women have got equal rights with men in the matter of vote. In some places the number of women voters is more than the number of men voters. That being so, they should not have it both ways that they should have the power of selecting their representatives and after selecting their representatives, women's organisations established in some of the cities should be consulted in matters pertaining to women. That naturally shows that women have not been careful enough in selecting more lady representatives. So I would request these associations to concentrate on this and see that in the next general elections at least fifty per cent of the representatives are lady representatives so much so we will have a really lively and colourful House instead of a few women being scattered here and there as at present. There is nothing that they cannot accomplish if they come in sufficient numbers. They can insist upon the adoption of Tamil language and help Sri Gajapathy Nayar in that direction."

"Hon. Member Sri K. Balasubramanya Ayyar referred to many things, especially the debt charges which we cannot avoid as we are situated to-day. He made a reference to land reforms and said that we should hasten slowly. I am glad that he said that we should hasten but hasten slowly. We are not proceeding hastily. We are looking into the matter as a whole and taking such decisions as will not adversely affect production. If the dismemberment of large estates will lead to increase in production, I will straightaway do it. The experience of the small holdings which form a vast majority of holdings is not very encouraging. But I am not prepared to accept the other view also that merely because there are large holdings, the owners thereof have been helpful in increasing production. If we take the Tanjore district which sets the pattern for large holdings taking the State as a whole, the average production is 1,700 lb. per acre, whereas it should be nearly 3,500 to 4,000 lb. What have the rich mirasdars done all these years for improving cultivation and increasing production on their lands? As a matter of fact, production, instead of increasing, is going down. We have to look at the question not merely from the point of view of breaking up large estate and the creation of

[Sri C. Subramaniam] [2nd January 1954]

small estates; we have to look at it from the point of view of the method of cultivation. That is what my Hon. Colleague the Minister for Agriculture is looking into. I am hoping that in the next budget we will be able to submit to this House and the other House a scheme by which we will be able to increase production to a tangible extent. I enquired about the method of cultivation in Japan. I was told that the average holding in Japan was not more than sixty or seventy cents, so much so that a family consisting of the husband, his wife and their children are able to look to the entire operations themselves and produce on an average about 4,000 to 5,000 lb. per acre. By paying personal attention, the Japanese are able to concentrate on intensified cultivation. In our State, we have got a certain number of enlightened land holders who are keen on, and are taking every step for increased production. But a majority of the land holders—if I am wrong in my statement, I will be glad about it—are not keen on increased production. It is enough for them if they get sufficient production for enabling them to carry on their life in Madras or any other city. If that is the attitude of mirasdars, they cannot blame the Government or the representatives of the people if they take any step for the dismemberment of such large estates. Whether large estates will remain intact or not depends upon the estate-holders themselves.

4 p.m. If only they take to cultivation seriously, adopt improved methods of cultivation and show tangible increase in production, I have absolutely no doubt that they will be maintained. The Planning Commission has stated that those large estates which are concentrating upon improved methods of cultivation and are able to show increased production, will not be touched. Therefore, the justification for the existence of these big holdings will depend upon the attitude of the holders themselves to agriculture and upon their own contribution to increase production.

“Sir, I shall reply to only one more point and then close. The hon. Member Sri Narayanaswami Pillai referred to the Devasthanam funds and said, that we had taken them away for ourselves. I would like to give him the information that out of the amount of Rs. 40 lakhs, Rs. 23 lakhs are in the form of securities and they continue to be so. As for the balance of Rs. 17 lakhs, which was in the form of cash, it has to go into the general account. Once that department becomes a department of the Government, there is no provision in the Constitution to have a separate account with reference to that. Therefore, the sum of Rs. 17 lakhs has gone into the general accounts. But a portion of this amount is set apart for contribution to the provident fund of the employees. The balance of the amount is available for the use of the department. Simply because it is merged in the general accounts—which is unavoidable under the Constitution—it is not as if this amount will not be available for any improvements that may have to be carried out in the department as such. Therefore, I may assure the hon. Member that it is not a question of misappropriation by this Government of any temple money or money belonging to the Gods. As far as the development, improvement and maintenance

2nd January 1954] [Sri C. Subramaniam]

of the temples are concerned, I am sure the Government will take sufficient care and, more than that, the public also should have sufficient faith in the Gods, so much so that there will be a necessity to maintain these temples. Thank you, Sir.”

DR. V. K. JOHN:—“Sir, the Hon. the Finance Minister, I think, did well in giving some figures of taxation in other States. We shall be obliged to him if he will give us, when he presents the next Budget, figures for all States relating to income and expenditure on various items, the income per capita and all factual information.”

* THE HON. SRI C. SUBRAMANIAM:—“That means that I will have to distribute to all the hon. Members the Budget Memoranda of the various States. They are available here and I shall place them on the table of the House so that the Members interested in them can go through them.”

MR. CHAIRMAN:—“The question is—

‘That the Madras Appropriation (No. 2) Bill, 1953 (L.A. Bill No. 26 of 1953), as passed by the Legislative Assembly, be taken into consideration.’”

The motion was carried.

Clause 2, the Schedule, Clause 1, and the Preamble were put and carried.

* THE HON. SRI C. SUBRAMANIAM:—“Sir, I move—
‘That the Bill be read a third time and passed.’”

MR. CHAIRMAN:—“Motion moved—

‘That the Madras Appropriation (No. 2) Bill, 1953 (L.A. Bill No. 26 of 1953), as passed by the Legislative Assembly, be read a third time and passed.’”

SRI M. P. GOVINDA MENON:—“Sir, I only want to thank the Hon. the Finance Minister for curbing the enthusiasm of the Tamil propagandist. I really admire the people who want to conduct the administration in their own regional language. I long for the day when the whole Kerala area will be administered by the people of Kerala in their own language. But so long as we the people of Kerala and South Kanara are here, I protest vehemently from Malabar and South Kanara are here, I protest vehemently against calling this State as Thamizhagam and making Tamil the official language of the State. I admire the hon. Member Sri Gramani as a great champion of the cause of Tamil language. But so long as we are here, this State must be called the Madras State and Tamil should not be made the official language. With this protest, I support the Bill.”

[2nd January 1954]

MR. CHAIRMAN:—"The question is—

'That the Madras Appropriation (No. 2) Bill, 1953 (L.A. Bill No. 26 of 1953), as passed by the Legislative Assembly, be read a third time and passed.' "

The motion was carried and the Bill was passed.

MR. CHAIRMAN:—The House will now adjourn and meet again at 4 p.m. on Tuesday, the 5th January 1954."

The House then adjourned.

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

Bill passed by the Assembly and received therefrom in the Council—

The Madras Appropriation (No. 2) Bill, 1953 (L.A. Bill No. 26 of 1953).

[2nd January 1954]

APPENDIX I.

[Vide answer to starred question No. 46 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 2nd January 1954, page 290, *supra*.]

G.O. Ms. No. 3284, Public (services), dated 23rd December 1953.

Government servants—Permission to join Bharat Sevak Samaj—Granted.

READ—the following paper:—

Office Memoranda of the Government of India, Ministry of Home Affairs, No. 25/48/52-Ests., dated 11th October 1952 and 31st January 1953.

Order—No. 3284, Public (Services), dated 23rd December 1953.

The Bharat Sevak Samaj is an All-India non-official and non-political organization started at the instance of the Planning Commission with the object of enabling individual citizens to contribute in the form of an organized co-operative effort to the implementation of the National Development Plan.

The Government of India are of the opinion that, in view of the non-political non-sectarian character of the Samaj and the nature of work in which it is engaged, Government servants should, if they so wish, be encouraged to join the organization and to participate in the activities provided that this can be done without detriment to the proper discharge of their normal official duties. The Government of Madras accordingly permit Government servants wishing to join the Bharat Sevak Samaj, freely to join it after consulting the Head of the Department or the Government and to participate in its activities. It is hereby made clear that participation in the activities of the Samaj should not be permitted to interfere with the due discharge by Government servants of their official duties and that this permission does not absolve them from the observance of any of the rules and instructions relating to their conduct and behaviour.

(By order of the Governor)

[2nd January 1954]

APPENDIX II.

[Vide item IV on page 302 supra.]

THE MADRAS APPROPRIATION (No. 2) BILL, 1953.

(L.A. BILL No. 28 OF 1953.)

(As passed by the Assembly.)

A Bill to provide for the appropriation of moneys out of the Consolidated Fund of the State for the service of the period of six months commencing on the 1st October 1953.

WHEREAS it is necessary, to provide for the appropriation of moneys out of the Consolidated Fund of the State for the service of the period of six months commencing on the 1st October 1953; It is hereby enacted as follows :—

1. *Short title.*—This Act may be called the Madras Appropriation (No. 2) Act, 1953.

2. *Appropriation out of the Consolidated Fund for the period of six months commencing on the 1st October, 1953.*—The State Government may appropriate out of the Consolidated Fund of the State, for the period of six months commencing on the 1st October 1953, a sum not exceeding sixty-two crores, three lakhs, fifty-seven thousand and five hundred rupees, being moneys required to meet—

(a) the grants made by the Madras Legislative Assembly for that period, as set forth in column (3) of the Schedule; and

(b) the expenditure charged on the Consolidated Fund of the State for that period, as set forth in column (4) of the Schedule.

THE SCHEDULE.

Demand number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
(1)	(2)	(3)	(4)	(5)
		RS.	RS.	RS.
I	Land Revenue Department.	38,10,500	..	38,10,500
II	Excise Department.	17,81,700	..	17,81,700
III	Stamps Administration.	6,50,300	..	6,50,300
IV	Forest Department.	26,96,500	..	26,96,500
V	Registration Department.	13,75,800	..	13,75,800

2nd January 1954]

Demand number.	Services and purposes.	Sums not exceeding		
		Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
(1)	(2)	(3)	(4)	(5)
		RS.	RS.	RS.
VI	Motor Vehicles Acts Administration.	3,82,900	32,74,500	36,57,400
VII	General sales tax and other taxes and duties—Administration.	50,80,300	..	50,80,300
VIII	Irrigation ..	54,71,800	1,86,03,300	2,40,75,100
	Debt charges ..	..	1,79,39,800	1,79,39,800
IX	Head of State, Ministers and Headquarters staff.	32,08,700	4,81,600	36,90,300
X	State Legislature ..	16,50,800	20,000	16,70,800
XI	District Administration and Miscellaneous.	2,26,13,100	100	2,26,13,200
XII	Administration of Justice.	43,44,100	8,56,100	52,00,200
XIII	Jails ..	55,95,500	..	55,95,500
XIV	Police ..	2,35,16,000	..	2,35,16,000
XV	Education ..	4,82,45,600	..	4,82,45,600
XVI	Medical ..	1,25,46,900	..	1,25,46,900
XVII	Public Health ..	52,94,100	..	52,94,100
XVIII	Agriculture and Fisheries.	1,14,58,700	..	1,14,58,700
XIX	Veterinary ..	17,66,500	..	17,66,500
XX	Co-operation ..	24,20,800	..	24,20,800
XXI	Industries and Cinchona.	92,30,000	3,93,100	96,23,100
XXII	Harijan Uplift ..	39,89,200	..	39,89,200
XXIII	Labour including Factories.	6,12,000	..	6,12,000
XXIV	Civil Works —Works.	2,00,03,800	2,61,300	2,02,65,100
XXV	Civil Works—Establishment and Tools and Plant.	45,03,700	..	45,03,700
XXVI	Civil Works — Grants-in-aid.	19,06,500	..	19,06,500
XXVII	Electricity ..	1,33,63,100	1,53,47,000	2,87,10,100
XXVIII	Famine ..	21,09,700	5,00,000	26,09,700
XXIX	Pensions ..	71,93,500	1,11,200	73,04,700
XXX	Stationery and Printing.	34,00,900	4,73,900	38,74,800
XXXI	Miscellaneous ..	22,90,700	..	22,90,700
XXXII	Community Development Projects.	42,12,500	..	42,12,500

[2nd January 1953]

Demand number. (1)	Services and purposes. (2)	Sum not exceeding.		Total. (5)
		Voted by the Legislative Assembly. (3) RS.	Charged on the Consolidated Fund of the State. (4) RS.	
XXXIII	Road Transport Schemes.	67,73,200	1,68,000	69,41,200
XXXIV	Compensation to Zamindars.	10,90,000	..	10,90,000
XXXV	Capital Outlay on Irrigation.	2,69,73,900	..	2,69,73,900
XXXVI	Capital Outlay on Industrial Development.	12,33,600	..	12,33,600
XXXVII	Capital Outlay on Civil Works.	48,78,100	..	48,78,100
XXXVIII	Capital Outlay on Electricity Schemes.	4,18,68,200	..	4,18,68,200
XXXIX	Capital Outlay on Road Transport Schemes.	27,700	..	27,700
XL	Commuted Value of Pensions	6,58,900	3,100	6,62,000
XLI	Capital Outlay on Schemes of State Trading.	19,58,48,400	..	19,58,48,400
XLII	Loans and Advances by the State Government.	2,37,06,300	..	2,37,06,300
	Public Debt—Repayment.	..	2,21,40,000	2,21,40,000
	Grand Total ..	53,97,84,500	8,05,73,000	62,03,57,500

26th December 1953.

R. V. KRISHNA AYYAR,
Secretary to the State Legislature.

I certify that this is a Money Bill.

26th December 1953.

J. SIVASHANMUGAM PILLAI,
Speaker, Madras Legislative Assembly.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, 5th January 1954.

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.

Proposed amendments to the Constitution of India.

* 58 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Chief Minister be pleased to state—

(a) whether the Central Government have sought the views of the State Government with regard to some proposed amendments to the Constitution of India, and, if so, whether the Government will be pleased to lay the reply of the State Government on the table of the House; and

(b) whether the Government would ascertain the views of both the Houses of Legislature on the subject for submission to the Central Government?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) Communications from the Government of India or issued from here to the Government of India cannot be made public either in the actual form in which they were issued or in the form of an abstract without the sanction of the Government of India. In this particular case, a demi-official communication was received by the Chief Minister from the Home Ministry of the Government of India and a reply was sent. I am sorry the contents of the communications must be treated as confidential.

“(b) The attention of the hon. Member is invited to Article 368 of the Constitution which prescribes the powers of the State Legislature in relation to amendment of the Constitution. I may add that it was just a preliminary enquiry in the nature of an exploration. There was no particular proposal sent.”

SRI T. PURUSHOTHAM:—“May I ask, Sir, whether the Government will examine the views, bearing on the Constitution, expressed on the floor of this House and the other House during the budget debates and convey them to the Central Government?”

THE HON. SRI C. RAJAGOPALACHARI:—“Yes, Sir.”

SRI MOHAMMAD RAZA KHAN:—“While appreciating the difficulties of the Government in not divulging what they have

[5th January 1954]

written to the Central Government, may I ask the Hon. the Chief Minister to tell us what the Central Government have asked for from this State Government?"

THE HON. SRI C. RAJAGOPALACHARI:—"They have asked for suggestions regarding the amendments to the Constitution."

DR. V. K. JOHN:—"Do not the Government think that a discussion on the floor of the Legislature will be helpful to them?"

THE HON. SRI C. RAJAGOPALACHARI:—"The discussion in Parliament on the amendments, as hon. Members know, will be very full. There is also the particular section dealing with the majority required for effecting changes in the Constitution. Before putting forward any proposals, the Government of India have been taking advice all round. But if we open a formal debate in the Assembly before Parliament takes up the matter, it may lead to some embarrassment and difficulty."

Staff working in the Civil Supplies Department.

* 59 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Finance and Education be pleased to state the number of (1) Officers; and (2) Subordinate staff working in the Civil Supplies Department as on 1st November 1953 and what steps have been taken to disband the entire establishment?

THE HON. SRI C. SUBRAMANIAM:—"A statement* showing the number of gazetted and non-gazetted staff working in the Civil Supplies Department of the Madras State as on 1st November 1953 is placed on the table of the House for information."

This staff is the minimum required to carry on the work till 31st December 1953. Government have under consideration the food policy to be adopted for 1954 and if they decide upon further measures of decontrol, necessary retrenchment in staff will be effected."

MR. CHAIRMAN:—"Questions are over."

II.—ANNOUNCEMENTS BY THE HON. CHAIRMAN *RE.*

(1) RESIGNATION OF SRI S. B. ADITYAN.

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 S. B. Adityan representing the Madras Legislative Assembly has tendered his resignation of the office of Member of the Madras Legislative Council with effect from the 2nd January 1954."

* Printed as Appendix on pages 405-408 infra.

[5th January 1954]

(2) MESSAGES FROM THE ASSEMBLY.

MR. CHAIRMAN:—"I have to announce to the House that I have received the following messages from the Hon. the Speaker, Madras Legislative Assembly, dated the 4th and 5th January 1954:—

'State Co-operative Societies (Reconstitution and Formation) Bill, 1954.'

"In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the State Co-operative Societies (Reconstitution and Formation) Bill, 1954 (L.A. Bill No. 1 of 1954) as passed by the Assembly on the 4th January 1954 and signed by me, for the concurrence of the Council."

The Madras General Sales Tax (Amendment) Bill, 1954.

"In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the Madras General Sales Tax (Amendment) Bill 1954 (L.A. No. 2 of 1954) as passed by the Assembly on the 4th January 1954 and signed by me, for the concurrence of the Council."

'The Madras Contingency Fund Bill, 1954.'

"In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the Madras Contingency Fund Bill, 1954 (L.A. Bill No. 3 of 1954), as passed by the Assembly, on the 4th January 1954 and signed by me for the recommendations of the Council."

2. I certify that this is a Money Bill within the meaning of Article 109 of the Constitution of India."

'The Madras Preservation of Private Forests (Amendment) Bill, 1954.'

"In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the Madras Preservation of Private Forests (Amendment) Bill 1954 (L.A. No. 5 of 1954), as passed by the Assembly on the 5th January 1954, and signed by me for the concurrence of the Council."

The Madras Slum Improvement (Acquisition of Land) Bill, 1954.'

"In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the Madras Slum Improvement (Acquisition of Land) Bill, 1954 (L.A. Bill No. 6 of 1954), as passed by the Assembly on the 5th January 1954 and signed by me, for the concurrence of the Council."

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

III.—GOVERNMENT MOTION.

AMENDMENTS TO SCHEDULE IV TO THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920 (MADRAS ACT V OF 1920).

* THE HON. SRI K. RAJARAM:—"Sir, I move—
'That the following draft of the rules proposed to be made by the Governor of Madras under sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), for altering Schedule IV to the said Act be approved:—

In rule 19 of Schedule IV to the Madras District Municipalities Act, 1920—

(1) after sub-rule (1), the following Explanation shall be inserted, namely:—

"Explanation.—Where, in pursuance of section 97, a statement regarding the income of a company or the salary or income of an employed person has

[Sri K. Rajaram] [5th January 1954]

been furnished to the executive authority, nothing in this sub-rule shall be deemed to require that authority to serve a notice on such company or person”;

(2) in sub-rule (2)—

(a) *after the words, brackets and figures “If a return is made, as required under sub-rule (1)”, the words and figures “or a statement regarding the income or salary is furnished under section 97” shall be inserted;*

(b) *for the words “such return”, the words “such return or statement” shall be substituted;*

(3) in sub-rule (3), *for the words, brackets and figures “If no return is made as required under sub-rule (1), or if the executive authority is satisfied that any return so made,” the following words, brackets and figures shall be substituted, namely—*

“If no return is made as required under sub-rule (1) or if no statement is furnished under section 97, or if the executive authority is satisfied that any return so made or any statement so furnished.”

“Sir, for purposes of levying profession tax in municipalities, section 97 of the Madras District Municipalities Act, 1920, empowers the executive authorities of Municipal Councils to issue requisitions on the employers or their representatives to furnish lists of persons employed by them with information regarding the salary or income of the employees and particulars in regard to any company of which such employers or representatives are agents. Rule 19 of Schedule IV to the Madras District Municipalities Act casts an obligation on the executive authorities of Municipal Councils to serve a notice on all persons assessable to profession tax, requiring them to furnish particulars of income for purposes of assessment to profession tax. It is considered unnecessary and wasteful to ask such employees individually to make a return of their income, as the particulars can be secured from the employer under Section 97 of the Act. It is accordingly proposed in the draft rules to amend Rule 19 of Schedule IV to the Act so as to give the executive authority discretion to call for return of income only from persons in respect of whom he has not secured information under Section 97 of the Act. I accordingly move this motion for the acceptance of the House.”

5th January 1954]

MR. CHAIRMAN :—“ Motion moved—

“That the following draft of the rules proposed to be made by the Governor of Madras under sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), for altering Schedule IV to the said Act be approved:—

In rule 19 of Schedule IV to the Madras District Municipalities Act, 1920—

(1) after sub-rule (1), the following Explanation shall be inserted, namely:—

“Explanation.—Where, in pursuance of section 97 a statement regarding the income of a company or the salary or income of an employed person has been furnished to the executive authority nothing in this sub-rule shall be deemed to require that authority to serve a notice on such company or person”

(2) in sub-rule (2)—

(a) *after the words, brackets and figures “If a return is made as required under sub-rule (1)”, the words and figures “or a statement regarding the income or salary is furnished under section 97” shall be inserted;*

(b) *for the words “such return”, the words “such return or statement” shall be substituted;*

(3) in sub-rule (3), *for the words, brackets and figures “If no return is made as required under sub-rule (1), or if the executive authority is satisfied that any return so made,” the following words, brackets and figures shall be substituted, namely:—*

“If no return is made as required under sub-rule (1) or if no statement is furnished under section 97, or if the executive authority is satisfied that any return so made or any statement so furnished.”

* SRI K. BHASHYAM :—“Sir, I rise on a point of information. In a case where the information is supplied by the employer, and an employee takes objection to it in any manner, where is the opportunity for him to take that objection unless he (the employer) is also asked to furnish a copy of the information to the employee and the employee is asked to say whether the information is correct or not.”

* THE HON. SRI K. RAJARAM :—“There is another provision. A demand notice will be given to the employee after the receipt of the return. He can raise any objection that he has within 15 days of the receipt of that notice. Therefore there is no difficulty.”

[5th January 1954]

4-10 P.M. * DR. V. K. JOHN :—" Mr. Chairman, Sir, I support this motion. This amendment is an improvement on the existing Rule, Rule 19. I am pleased that this Government have gone into the matter after the Hon. Minister took over charge of the portfolio. In this connection I would like to suggest that when Government want to amend a Rule, as in this case, they should print and circulate the existing rule, for the information of hon. Members. Otherwise they would not be able to follow the amendment. Of course some lawyers who have the facility to find the existing rule may know what the effect of the amendment is. I would therefore request that hereafter when it is proposed to amend a particular Section of an Act or Rule, it would be better if the existing Section or Rule is printed alongside of the amendment proposed.

"Sir, the amendment proposed by the Hon. Minister is definitely an improvement on the existing Rule and I support it with the suggestion I have made. I hope my suggestion will be accepted by Government when new amendments are brought before the House."

SRI V. CHAKKARAI CHETTY :—" Sir, I heartily endorse the request made by the hon. Member Dr. V. K. John. When I read the amendment I could not understand it for the simple reason that I had no idea of the original Rule, whether the present amendment makes any change in the existing rule for the better or for worse. Therefore, I would request Government to furnish us the original Rule whenever they want to amend it for better or for worse."

* THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Chairman, Sir, I quite appreciate the desire for information and explanation. We shall duly consider the suggestion. But I think I might at once say that what is required is a small secretariat note whenever such a thing is done explaining the position fully."

MR. CHAIRMAN :—" The question is—

"That the following draft of the rules proposed to be made by the Governor of Madras under sub-section (1) of section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), for altering Schedule IV to the said Act be approved :—

In rule 19 of Schedule IV to the Madras District Municipalities Act, 1920—

(1) after sub-rule (1), the following Explanation shall be inserted, namely :—

"Explanation.—Where in pursuance of section 97 a statement regarding the income of a company or the salary or income of an employed person has been furnished to the executive authority nothing in this sub-rule shall be deemed to require that authority to serve a notice on such company or person."

5th January 1954] [Mr. Chairman]

(2) in sub-rule (2)—

(a) after the words, brackets and figures "If a return is made as required under sub-rule (1)", the words and figures "or a statement regarding the income or salary is furnished under section 97" shall be inserted,

(b) for the words "such return", the words "such return or statement" shall be substituted:

(3) in sub-rule (3), for the words, brackets and figure "If no return is made as required under sub-rule (1), or if the executive authority is satisfied that any return so made", the following words, brackets and figures shall be substituted, namely—

"If no return is made as required under sub-rule (1) or if no statement is furnished under section 97, or if the executive authority is satisfied that any return so made or any statement so furnished." "

The motion was carried.

IV.—NON-OFFICIAL BUSINESS.

A. Bills.

(1) THE MADRAS ESTATES LAND (REDUCTION OF RENT) AMENDMENT BILL, 1953 (L.C. BILL NO. 1 OF 1953).

SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, I beg to move—

'That the Madras Estates Land (Reduction of Rent) Amendment Bill, 1953 (L.C. Bill No. 1 of 1953), be taken into consideration.'

"In placing this Bill for the consideration of the House I beg to state that the Madras Estates (Abolition and Conversion into Ryotwari) Act was passed in 1948 as the prevailing rents in the estate areas which were proposed to be taken over by the Government were substantially higher than the rates of ryotwari assessment. The Madras Estates Land (Reduction of Rent) Act was passed even in 1947 providing for the fixation of rent in such cases to the level of the ryotwari assessment in the neighbourhood. This has been specifically stated in the Act, namely, that the rates of assessment in such lands should be reduced to the ryotwari level in the neighbourhood. When in pursuance of this enactment the rates were revised it was found that in the case of grain rent areas where the rent in kind was commuted in money value it was abnormally high. So the Government introduced Section 2-A in the Act which provides that when the aggregate money value of rent payable in the areas in question exceeds the highest rate of ryotwari assessment payable for any land of the same class in the 'revenue district' in which such ryoti land is situated, then only the latter rate of rent shall be payable in respect of the land. The ryots in the grain rent

[Sri T. Purushotham] [5th January 1954]

areas still found no relief and represented to the Government about their hardship and as the policy of the Government was to fix the rents payable in these estate areas only at the rates applicable to the adjacent ryotwari areas, Government passed an order last year that instead of the highest district rate being levied in such cases, the highest rate of assessment in the Taluk be levied. This was made applicable to certain taluks in a particular district. Later on, on further representations to Government this was extended and made applicable to all such cases throughout the State. The object of my Bill is only this, that the original intention of Government that the assessment in the 'neighbourhood' should apply to these lands should be given effect to. So it is I have come forward with this Bill for consideration. For the benefit of hon. Members who may not have got the copy of the original Act I will read out Section 2-A as it now stands:

'Notwithstanding anything contained in sub-section (2), where the rate of rent payable in respect of ryoti land of any class, whether in virtue of the first or of the second paragraph of that sub-section, is wholly in kind or partly in kind and partly in cash and the aggregate money value of the rate of rent so payable exceeds the highest rate of ryotwari assessment payable for any land of the same class in the revenue district in which such ryoti land is situated, then, only the latter rate of rent shall be payable in respect of the land.'

"My Bill virtually substitutes the words 'revenue village' for the words 'revenue district' so that the object set forth in the original enactment, namely to fix rents payable by the ryots in grain rent areas of estate villages on a level with the ryotwari assessment in the neighbourhood might be achieved. I, therefore, request the Government and the House to accept the Bill."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Mr. Chairman, Sir, I have much pleasure in seconding this Bill. When this legislation was introduced the then Revenue Minister who was the only Member on the Treasury Bench to agree to hear any of the comments made on the subject and promised everything in the way of reasonable amendments and solutions, within a very short time before the Bill could be implemented transplanted himself into another sphere of activity and we were left in the lurch to explain what it was that was promised by the then Revenue Minister. Subsequently I wrote on more than one occasion to the Revenue Minister of the day and requested him to consider the serious hardship and anomaly that arises out of a differentiation in the assessment of two adjacent properties, one under the ryotwari and the other under converted zamindari. I think this is a matter to which Government must pay attention. Now that the zamindari areas have been reduced after the partition, the Government may not have much difficulty in examining individual cases and come to a fair method of assessment. I do not want any favours to be shown but I think it would be a hardship for two landowners or tenants to find that when the land is subject to the same laws of nature in regard to benefit the assessments are different."

5th January 1954]

* DR. V. K. JOHN:—"Mr. Chairman, Sir, I support this Bill. The object of the Bill is only to carry out the intentions of the Legislature. The preamble of the Madras Estates Land (Reduction of Rent) Act, 1947 is: 'Whereas the rents now payable by ryots in Estates governed by the Madras Estates Land Act, 1948 are in many cases substantially higher than the assessment levied on lands in ryotwari areas in the neighbourhood.' I invite the kind attention of hon. Members of the House to the word, 'neighbourhood' occurring in 'and whereas it is expedient to provide for the reduction of such rents approximately to the level of the ryotwari assessment in the neighbourhood and for the collection of such rents exclusively by the State Government'. The word 'neighbourhood' is used in two places in the preamble of the 1947 Act. The intention of this Act was that the rent should be reduced to the level of the ryotwari rent in the neighbourhood. Later on, I understand, an Act was passed stating that the rent should be the maximum payable in the district, not in the neighbourhood. After this Government came to power they thought that this was rather inequitable and they ordered that the rent should be on the level of rents in taluks."

"Sir, I am not quite sure that the Government Order passed in 1953 was quite in order because they cannot amend an Act of the Legislature. Nevertheless, the Government thought that it was just to keep the level of rent existing in the taluk. Now, Mr. Purushotham Mudaliyar's Bill provides that it must be brought to the level of rent existing in the neighbourhood. In other words, the rent must be reduced to the level of rent paid for lands in the neighbourhood. I say, there must be equity and after all, if we pass this Bill, the Government will only be doing justice and equity to ryots in the estates taken over by the Government."

4-20
p.m.

"I take this opportunity to ask the Government to reconsider the whole question of the abolition of zamindaris and the Rent Reduction Act and find out, what is just and equitable to all concerned. The other day, I had an occasion to point out that the Government should not pay compensation to the zamindars out of the general revenues unless they are benefited by the abolition of zamindaris. If the Government are benefited, the public are benefited. If the Government are not benefited but only tenants under the zamindars are benefited, certainly we must collect from them the money paid to the zamindars at least to the extent of the benefits conferred on them as they have become the ryotwari owners of the land which they were holding under the zamindars. I hope the Government will look into the matter carefully and see that public money, the common tax-payer's money is not spent to the disadvantage of the public and to the benefit of a few people."

"Now, Sir, the question is to make the rent just and equitable. One ryot should not pay more rent than what another ryot pays"

[Dr. V. K. John] [5th January 1954]

for the same kind of land in the neighbourhood. I think this Bill ought to be accepted by the House and may I hope the Government will not resist the passage of the Bill into law."

* SRI K. BHASHYAM :—“ Mr. Chairman, Sir, I do not know, what is the position of the Government in respect of this matter but I do want to point out a few things for their consideration before they express their opinion on the Bill which has been moved by the hon. Member, Sri Purushothama Mudaliyar. Sir, when the Madras Estates Land (Reduction of rent) Act was passed, it was felt at that time that all the rents must be reduced to the level of the *ryotwari* assessment so that all the lands in any particular locality should bear the same burden. That was the original idea and intention of the Government. But I do feel that really the Government did not propose to bring all such rents to the level of the *ryotwari* assessment because at that time they felt that there would be further opportunities for the officials to go into the matter and then finally determine the rent that is to be paid. Therefore the question was left open that way. It is in view of this aspect of the question, I think, the Government were justified when in 1952 they issued directives to the survey officials to fix the rent of the estate lands taken over by the Government on a level with that of the *ryotwari* assessment in the adjoining taluk instead of the district. I do not think, changing an administrative order is legal. They felt impelled to do so because even under the Estates Land Act, the average rent for ten years in respect of lands in the neighbourhood enjoying the same facilities is taken into consideration for commutation of rent. If that is the criterion, the same criterion must be followed in this case also. Therefore, there is justice and equity in what the hon. Member Sri Purushothama Mudaliyar has asked for in his Bill.

“ Sir, there is one other point which must also be taken into consideration in respect of the fixation of rent. The Government have abolished the zamindaris and they are paying Rs. 14 to Rs. 15 crores as compensation for the estates taken over from them. They are paying compensation out of the general tax-payer's money. Really this money ought to come from the tenants who have been actually benefited by the abolition of these zamindaris. As a matter of fact, at the time of passing the Estates Land Act, it was suggested that the tenants who were to be actually benefited should contribute some amount, at least one year's rent, towards compensation to zamindars. That was not done. Evidently the Government thought that the tenants wanted protection and relief which they did not get before. Therefore, the Government fixed the highest *ryotwari* assessment payable in the neighbouring district. Now, when we have actually worked it out, we have found that there is disparity between the rent of estate land and the land in the *ryotwari* area. As a matter of fact, in the Chingleput district, we find that the rent of an estate land is Rs. 3-6-0 whereas the rent of a *ryoti* land is only Rs. 1-6-0. In another place, if it is a wet land, the rent is Rs. 10 for an estate land and Rs. 3 for a *ryoti*

[Sri K. Bhashyam] 5th January 1954]

land. In view of this disparity in rent, difficulties have been experienced by the tenants and they made representations to the Government to do justice in this matter. Therefore, while the Government were justified in putting the original Act on the Statute Book, the time has now come when they should put an end to all these distinctions and disparities in rent and fix a uniform rent for all lands of the same kind. I do not think there is anything wrong in the object of this Bill and there is already provision in the Rent Reduction Act for a final adjustment of rent in respect of various lands. The rent now fixed is not definite and it is only provisional. There will be a further revision in respect of this matter so that all rents may be equal and be on the level of the *ryotwari* assessment."

* SRI S. O. S. P. ODAYAPPA :—“ இந்த வரியினால் மிகவும் பாதிக்கப்படுகிற ஜில்லாக்களில் இராமநாதபுரம் ஜில்லாவும் ஒன்றாகும். நீண்ட காலமாக சரி பாதி வாரம் கொடுத்து வந்த பிறகு ஜமீந்தாரி பிரதேசத்தை கவர்ன்மெண்டு எடுத்துக்கொண்டு, ஒரே மாதிரி (uniform)-ஆக அரசாங்கத்திற்கு வரி செலுத்த முடியாமல் இன்னும் பாகுபாடு இருக்கிறது. அப்படிப்பட்ட ஒரு பாகுபாடு இருப்பதினால், ரயத்துக்களுக்கு மிகவும் பாதகமாக இருக்கிறது. அயன் ஏரியாவில் 'கவுல்' நிலம் என்று இருந்தது. அதற்கு வாரம் இருந்த காலத்திலே 'கவுல்' நிலத்திற்கு 20 ரூபாய் ரேட் என்று பின்னால் போட்டார்கள். 20 ரூபாயோ அல்லது ஒரு குறிப்பிட்ட தொகையையோ நிர்ணயம் செய்தார்கள். இப்பொழுது ரூ. 6 என்று வந்த பிறகும் அவர்கள் ரூ. 10½ கட்ட வேண்டுமென்று எங்கள் ஜில்லாவில் இருந்து வருகிறது. ஒரு நிலத்திற்கு ரூ. 6 இருந்து, அடுத்தது 'கௌல்' ஆக இருந்தது என்ற கர்ரணத்திற்காக ரூ. 10½ கேட்பது நியாயம் இல்லை. “ தர்மாசன கிராமங்களிலே பண்ணை நிலங்களுக்கு ரூ. 10½ என்றும், மற்ற நிலங்களுக்கு ரூ. 6, 4, 2 என்று இப்படியாக இருக்கிறது. ஆகையால், ஒரே மாதிரியாக இருக்குமானால், அது விவசாயிகளுக்கு நன்மை பயப்பதாக இருக்கும். சர்க்காருக்கு வருமானம் குறைந்தால் சுமார் 1½ லக்ஷம் ரூபாய் குறையலாம். இதனால் ரயத்துக்கள் அடையக்கூடிய நன்மை அதிகம். இதனால் அதிகப்படியான ரயத்துக்கள் நன்மை அடைவதனால், இந்த மசோதாவை நான் ஆதரிக்கிறேன்.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :— 4-30 p.m.
“ Mr. Chairman, Sir, I am thankful to the Leader of the Opposition for giving us a bit of the past history of this legislation and also to the other hon. Members for expressing their points of view. The hon. Member, Sri K. Bhashyam, rightly pointed out that a large amount has to be paid to the zamindars as compensation and money has to be found for that. Money, as we all know, must come only from the exchequer and it does not come from anywhere else. So, the Government have to find the wherewithal to pay the compensation amounts. This does not, however, mean that it should work as a hardship on the ryots. The Bill under consideration pertains only to the rents which were paid either fully in kind or partly in kind and partly in cash. There is no difficulty about cash rents because it does not affect them. Suppose the rent is collected according to the old formula and, if it is converted into cash value, it will be at least four or five times the rent paid in the neighbouring areas. But, under the present method the proportion is very much less. No doubt there may be cases in certain

[Sri M. A. Manickavelu Naicker] [5th January 1954]

areas where the rent for the neighbouring ryotwari area is lower than the zamin area which has been taken over. But, the difference is not so steep as it would otherwise be if the kind rent or the partly kind and partly cash rent is converted into cash value. I am just mentioning this so that the hon. Members may know that there is no undue hardship caused and that the Rent Reduction Act has brought some relief though when the zamindari areas which have been taken over are juxtaposed with the neighbouring ryotwari areas the rent for the zamin areas may appear to be a little more than that of the ryotwari area. When the Estates (Abolition and Conversion into Ryotwari) Act was passed, it was contemplated that the ryotwari settlement should apply to the estates taken over and section 23 of the Act lays down a certain procedure by which the rents are to be fixed, namely, according to the Madras Estates Land (Reduction of Rent) Act, 1947. Under the Rent Reduction Act, a Special Officer is appointed and he goes into the whole matter and finds out what the rent is in the neighbouring ryotwari area. What Dr. John said applies only in this context. The Special Officer takes into account the rent in the neighbouring area and comes to certain conclusions. We thought that this system worked well. It was only a sort of rough and ready method to be adopted till the ryotwari settlement took place. As is the case when such rough and ready methods are adopted, some hardships were brought to the notice of the Government. So the Government brought in an amending Act, the Estates Land (Reduction of Rent) Second Amendment Act, 1951, and it was laid down that in the calculations arrived at by the Special Officer the aggregate money value of the rate of rent payable which may be wholly in kind or partly in kind and partly in cash should not exceed the highest rate of ryotwari assessment prevailing in the district. Even after this amending legislation was enacted, it was brought to the notice of the Government that particularly in the Tanjore district there was a steep difference between the rents in certain areas of the district and in certain other areas. This was particularly so with reference to a couple of hundreds of acres of land in the Tanjore district. The rents were very high and the difference was so great that the Government thought that this state of affairs should not be allowed to continue. The Government, therefore, by an executive order said that the highest rate should be only the taluk rate and not the district rate.

"Now, my hon. Friend, Sri T. Purushotham, says that the highest rate should not even be the taluk rate but it should be the highest rate in the village. As I have already said, this is only a temporary measure and the whole matter will be put on a proper and scientific basis when the settlement takes place. This would naturally take some time and we are trying our best to hasten the whole process. Some of the estates taken over in the Chingleput district have been surveyed and new settlement rates have also been fixed and we will try our best to finish it as quickly as possible in regard to the other estates taken over. But, what

5th January 1954] [Sri M. A. Manickavelu Naicker]

I wish to impress on the mind of my hon. Friend, Sri T. Purushotham, is that even if we adopt this village system there will still be some disparity between one area and another and it would be difficult to work it out. Therefore I would like to inform the hon. Member that if any case of a glaring or steep difference between one area and another is brought to the notice of the Government, they have got the power to interfere but the Government cannot accept a general legislation like this. As the hon. Member, Sri K. Bhashyam pointed out we have to find the money also for paying compensation. After all these rates are going to be fixed on a proper basis. I request the hon. Member, Sri T. Purushotham, to consider this aspect and I would request him to withdraw the Bill."

Dr. V. K. JOHN :—"Mr. Chairman, Sir, may I interfere on a point of information. The Government have already provided in section 22 (1) of the Madras Estates (Abolition and Conversion into Ryotwari) Act that the Settlement Officer shall effect a ryotwari settlement of the estate or part thereof, in accordance with a settlement notification framed and published by the Government for the purpose. Have any steps been taken up to this time by the Government to effect a ryotwari settlement as provided for in section 22?"

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"Sir, a ryotwari settlement can be effected only after the survey is over and before that the rent was worked out by the Special Officer according to a rough and ready method. Certain difficulties were brought to the notice of the Government and the Government made a provision that the highest rate so arrived at should not be in excess of the highest rate in the district."

* THE HON. SRI C. RAJAGOPALACHARI :—"Mr. Chairman, Sir, I am probably repeating only what has been said by the Hon. the Minister for Land Revenue. The present position is that unless the classification of the land is settled there cannot be a final adjustment. Therefore survey and settlement are awaited. It is being done in all these cases though it may not be done quickly. It is being done from district to district and it takes time for a large party to move from district to district. At present the area is reduced and we will try to hurry it up. Before this could be done, the ryots have to pay as a temporary measure the highest rate in the district. Now, we have reduced it to the taluk rate so that the neighbourhood is reduced to this extent. It is now the highest rate of assessment for the same quality of land in the ryotwari Taluk area. Generally speaking, this is the assessment that is imposed. The final assessment has to wait till the actual settlement and the particular classification of the land are over when things would be normal. Even then it may not be equal because the neighbouring land may be inferior or superior as the classification is done on principles well known to the Revenue Department."

374 THE MADRAS ESTATES LAND (REDUCTION OF RENT)
AMENDMENT BILL, 1953 (L.C. BILL NO. 1 OF 1953)

[Sri C. Rajagopalachari] [5th January 1954]

and even to the ryots. I think the Hon. the Revenue Minister will ask the mover to withdraw the Bill in view of what we have been doing."

* SRI K. BHASHYAM :—" Sir, I should like to know from the Hon. the Revenue Minister whether the rule is that the highest rate in the taluk shall be the rent payable in the cases of all zamindari taken over? The rule read out by the Hon. Minister applies only to cases where the rent was payable in kind or partly in kind and partly in cash. It is only in these cases that the disparity is very great."

4 40 p.m. * SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, the Government have explained their position in regard to this Bill. I wish only to say that though there may have been many such cases prior to the separation of the Andhra, there may not be many such cases now in our State. I believe there are only four or five cases in each district. My hon. Friend Sri K. Bhashyam has pointed out clearly that compensation was paid for all these estates taken over by the Government on the basis of the ryotwari assessment in the neighbourhood and not on the basis of the district or taluk assessment rates. Therefore the rent payable in respect of these lands should also be fixed on the rate of assessment scale obtaining in the neighbourhood."

* THE HON. SRI C. RAJAGOPALACHARI :—" The question is on what classification the assessment has to be fixed. They have taken now, as a rule of thumb, that the rate for the highest class in that taluk where a particular field is situated will apply to it. As to the exact classification of that particular field we will have to wait. I may also ask hon. Members to remember that there is no question of equity arising here because in the net result the Government have lost in this transaction and have not made any gain."

* SRI T. PURUSHOTHAM :—" Though the Madras Estates Land (Reduction of Rent) Act, 1947 envisaged the fixation of rent on the basis of the highest rate in the district, the Government thought it proper to fix it at the highest taluk level by an executive order. Our versatile Finance Minister also referred to such cases of hardship during the earlier debate when I sought for leave to introduce this Bill, and he stated that these cases require consideration. I would beg of the Government that if special cases are brought to their notice they should be favourably and sympathetically considered by the Government. If the Government will give an assurance that very hard cases will be sympathetically considered by the Government . . ."

THE HON. SRI C. RAJAGOPALACHARI :—" We have taken a certain amount of legal risk in reducing it to taluk level in spite of the Act. I do not think it would be safer to take more risks. We have hurried the Settlement work. We have sent Settlement parties to places where the complaints have been large. The

5th January 1954] [Sri C. Rajagopalachari]

Settlement will begin there at once and will be closed very soon. If we pass orders on different individual cases it may lead to a charge of discrimination."

SRI T. PURUSHOTHAM :—" I only request, Sir, that special cases of hardship should be considered by the Government."

THE HON. SRI C. RAJAGOPALACHARI :—" What guarantee is there that complaints of discrimination will not be received? "

DR. V. K. JOHN :—" Can an executive order of the Government fixing maximum rent at taluk level get round an enactment of the Legislature which fixes the maximum at the district level? "

THE HON. SRI C. RAJAGOPALACHARI :—" If anyone goes to the Court to test it, we have no objection to get the larger assessment."

* SRI T. PURUSHOTHAM :—" In the fullest hope that the Government will consider all hard cases sympathetically, I wish to withdraw the Bill."

The Madras Estates Land (Reduction of Rent) Amendment, Bill, 1953 (L.C. Bill No. 1 of 1953), was, by leave, withdrawn.

(2) THE MADRAS SHOPS AND ESTABLISHMENTS (AMENDMENT) BILL, 1954.

MR. CHAIRMAN :—" Before the hon. Member Sri V. Gurunandan Row moves his motion, I wish to point out to hon. Members that seats have been arranged at considerable labour and each hon. Member has got a seat allotted to him. I do not mind hon. Members sitting anywhere when they are not moving a Bill or speaking. But while moving or speaking, each hon. Member must move to or speak from the seat that is allotted to him."

* SRI V. GURUNANDAN ROW :—" Mr. Chairman, Sir, I beg to move—

'That leave to introduce the Madras Shops and Establishments (Amendment) Bill, 1954, be granted.'

Sir, I think there is a convention that at this stage there is no opposition from the Government though it does not mean any acceptance of the principle contained in the Bill. Therefore I request the Government not to oppose the introduction of the Bill and go against the convention. If the Government want to oppose the introduction of the Bill, I request the Hon. Chairman to give me an opportunity to explain the scope of the Bill I seek to introduce."

SRI K. BHASHYAM :—" Sir, we have not been supplied with copies of the Bill. Before we give leave to introduce the Bill, we are entitled to know what the contents of the Bill are."

THE HON. SRI C. RAJAGOPALACHARI :—" There may be more than one objection, but at the introduction stage it is not the convention to oppose."

[5th January 1954]

SRI K. BHASHYAM :—" Before we make up our minds to give leave to introduce the Bill, we should like to know what the Bill seeks."

DR. V. K. JOHN :—" I am very familiar with the working of this Shops and Establishments Act. I have studied it very carefully. I can tell the House that it is a most ill-digested Act and it should be revised. I should suggest to the Government to go into this matter and revise the Act."

MR. CHAIRMAN :—" There is no provision for a speech at this stage. If the Government are opposing the motion, then the mover of the Bill will speak first."

THE HON. DR. U. KRISHNA RAO :—" Mr. Chairman, Sir, without going into the merits of the case and giving an opinion in respect of the various provisions on behalf of the Government, in conformity with the convention of the House not to oppose the Bill at the first reading, I do not oppose the motion and I allow hon. Member Mr. Gurunandan Row to get the permission of the House to introduce the Bill."

The motion was put and carried and the Bill was introduced.

(3) THE MADRAS HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS
(AMENDMENT) BILL, 1954.

* SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, I beg to move—

'That leave to introduce the Madras Hindu Religious and Charitable Endowments (Amendment) Bill, 1954, be granted.'"

THE HON. SRI K. VENKATASWAMI NAIDU :—" Mr. Chairman, Sir, in conformity with the convention, I do not propose to object to the Bill at the stage of introduction."

SRI K. BHASHYAM :—" Though the Government may not oppose the motion to give leave to introduce the Bill, I would like to know what the broad features of the Bill are, and why the mover of the Bill wants to amend the existing Madras Hindu Religious and Charitable Endowments Act, so as to enable members to exercise their judgment whether leave is to be given or not."

MR. CHAIRMAN :—" The hon. Member can go into this matter when the Bill is introduced."

SRI K. BHASHYAM :—" We want to know, Sir, why the Bill is introduced."

* SRI T. PURUSHOTHAM :—" I will explain the object of the Bill in a few words : It is to provide for the better administration and governance of Hindu Religious and Charitable Institutions by making suitable provisions in the present Act for the protection

5th January 1954] [Sri T. Purushotham]

of the temple idols, improvement of properties—both movable and immovable—for preservation of the ancient art and architecture and for ensuring proper and regular conservation of temple buildings, etc. With this object in view, I have proposed an amendment to the Madras Hindu Religious and Charitable Endowments Act and I request the House to grant me leave to introduce the Bill."

The motion was put and carried and the Bill was introduced.

(4) THE MADRAS STATE (OFFICIAL LANGUAGE) BILL, 1954.

SRI A. GAJAPATHY NAYAGAR :—" I beg to move—

'That leave to introduce the Madras State (Official Language) Bill, 1954 be granted.'"

THE HON. SRI C. RAJAGOPALACHARI :—" According to the convention, the Government do not oppose the motion for leave to introduce the Bill."

The motion was put and carried and the Bill was introduced.

MR. CHAIRMAN :—" As the hon. Member Sri T. M. Narayanaswami Pillai who has given notice of the Madras State (Official Language) Bill, 1954 is absent, I pass on to the next item on the agenda."

B. Resolutions.

(1) IMPLEMENTATION OF THE RECOMMENDATIONS OF THE SECONDARY
EDUCATION COMMISSION.

* SRI T. PURUSHOTHAM :—" Sir, my hon. Friend Sri Parameswaran requested me to move this resolution. If the House gives me permission, I will move the resolution standing in the name of the hon. Member Sri Parameswaran." 4-50 p.m.

MR. CHAIRMAN :—" I hope the House gives permission to the hon. Member Sri T. Purushotham to move the resolution standing in the name of the hon. Member Sri Parameswaran."

The House gave permission.

* SRI T. PURUSHOTHAM :—" Sir, I move that—

'This Council recommends to the Government that steps be taken at an early date to appoint a Committee to examine the recommendations of the Secondary Education Commission and suggest ways and means of implementing the same.'

I do not propose to make a speech on this resolution, because it is self-explanatory. It proposes to appoint a committee to examine the report of the Secondary Education Commission."

SRI K. BALASUBRAMANYA AYYAR :—" Sir, I second the resolution. In doing so I think I should say a few words about the report of the Secondary Education Commission that has been

[Sri K. Balasubramanya Ayyar] [5th January 1954]

published and that has been with us for some months now. As we all know very well that Commission was appointed by the Government of India, and the distinguished Chairman of that Commission was hon. Member Dr. A. Lakshmanaswami Mudaliyar. The other members of the Commission were distinguished persons. The fact that hon. Member Dr. Lakshmanaswami Mudaliyar was the Chairman of that Commission is itself a guarantee that the report of the Commission is a valuable and illuminating document. It has surveyed all the problems of Secondary Education in all the States of India. It has also taken into consideration the hard realities of the situation, namely, the difficulties of finance, etc., which have to be considered for the purpose of implementing those recommendations. I feel that the report has been given in such a form that the States will take into consideration all the recommendations. In fact the Secondary Education Commission has made both short term recommendations and long term recommendations. It has taken into consideration the difficulties which may stand in the way of implementing the recommendations, namely, financial difficulties, etc. The Secondary Education Commission Report, I feel, has been so written that it is easy for the States to take into consideration all the recommendations. We have got a summary of the recommendations in each chapter. All that has to be done has been clearly set out in every chapter. There is also a chapter on Finance. The Commission has asked the Government of India to come to the help of the States so far as all India matters are concerned, especially the introduction of vocational education and technical education. When the report has taken into account all aspects of the question, it is only proper that the Government should appoint a committee for the purpose of going into the matter. In the last paragraph, the Commission begins by saying 'many Commission Reports have already been shelved and no action was taken before, but now we hope that the States will take action in this matter. Therefore it is we have written such a report that the States will easily be able to take such action as is necessary for the purpose of re-orientation of Secondary Education'. If the Government of India appointed a Commission, it was due to the widespread feeling, among all the thinking citizens of our country, on the question of secondary education. There are grave defects in the system of secondary education at present obtaining in our country. Therefore, the Government of India appointed such a Commission. This Commission is the first of its kind so far as secondary education is concerned. When the report is before us, I feel that it is only proper for the Government to appoint a committee for the purpose of implementing all the recommendations of the Commission. The committee also should look into the financial implications, and see how far they can implement the recommendations in the course of a few years. The Commission in conclusion states that a committee should go into the whole question, consider, and prepare a ten-year plan so that the short term recommendations may be implemented early and the long term recommendations may be implemented later on as and when finances permit.

5th January 1954] [Sri K. Balasubramanya Ayyar]

This report is a very reasonable document, and I would request the Government to take steps soon for the purpose of implementing the recommendations of the Secondary Education Commission."

MR. CHAIRMAN :—" Motion moved—

'This Council recommends to the Government that steps be taken at an early date to appoint a Committee to examine the recommendations of the Secondary Education Commission and suggest ways and means of implementing the same.'"

SRI K. BHASHYAM :—" Sir, in this connexion I want to say a few words about the resolution itself. We have got a very splendid report. Though I cannot say that I have gone through the whole report, certainly I can say that I have gone through the recommendations made by the Commission. The report is so well written and so well analysed, and the whole thing is put in a form which has to be considered not by a committee. There is no need for a committee at all now. The Government have to say what recommendations they propose to accept."

SRI K. BALASUBRAMANYA AYYAR :—" The ten-year plan is mentioned in the report."

SRI K. BHASHYAM :—" I am aware that there is mention of a plan to be worked out. This is the recommendation of the Commission. But I think, in the first instance, the Government must consider the recommendations and come to a definite conclusion as to which of the recommendations they should accept. They should then come before the House with their own recommendations. The House can discuss those recommendations for the purpose of implementing them. My view is that at this stage the appointment of a committee is not quite necessary. It is for the Government to move in the matter in the first instance. They must go into the recommendations themselves to see how far they can accept them, what recommendations they can implement now, and how those recommendations can be fitted into the plan they have. These can be done much better by the persons in the Education Department rather than by a committee. Once the Government come forward with the recommendations, it will certainly be open to us and others interested in education to criticise those recommendations and also make suggestions for improving the recommendations. A committee at this stage may be therefore a superfluity. My view is that a committee may be necessary at a later stage, that is, when the Government have thought about the recommendations and have come to their own conclusions. A discussion then will be much better. A committee at this stage is a little premature."

* SRI G. KRISHNAMURTHI :—" Mr. Chairman, Sir, I heartily support this resolution. I welcome the recommendation to the Government to appoint a committee to go into the details of the recommendations of the Secondary Education Commission and

[Sri G. Krishnamurthi] [5th January 1954]

see that they are implemented. I quite follow the suggestion thrown out by the hon. Member Sri Bhashyam. But a committee does seem to be a necessity, because there may be occasions when further recommendations may be given by teachers in regard to the various recommendations of the Commission. A priority list has to be drawn by the committee. Chapter XII, recommended by the Commission in its report, has to be given first priority. There have been many reports on education, and it was expressed just now by an hon. Member that there had always been a fear in the minds of the public that the report of this Commission also might meet with the same fate the various reports submitted previously met with, namely, being shelved into the pigeon-holes. But this report is unique by itself in that it has come just at a time when the modified scheme of elementary education is on the anvil. So, we would like the committee to probe into the details to see whether the recommendations of this Secondary Education Commission cannot be a superstructure on the foundation indicated by the modified scheme of elementary education.

5 p.m. "It is but natural that Madras should lead the rest of the States in the Indian Union, since we have already chalked out a scheme of elementary education. The committee now proposed can go into details and see whether the recommendations made by the Commission,—the superstructure as it were,—fits in exactly with the foundation laid by the Modified Scheme of Elementary Education. For that at least, it is necessary to constitute a Committee. Priority should be given to recommendations made in Chapter 12 of the Commission's Report inasmuch as they deal with the question of improving the teaching personnel. Though I do not accept certain of the recommendations which are very illiberal with regard to security of service, leave rules and free education for teachers' children, yet they are an improvement over the present conditions. I would therefore insist on the appointment of a committee to go into the recommendations made in Chapter 12 of the report and press on the Government the need to improve the conditions of the teachers first so that other recommendations made by the Commission may bear fruit.

"With these observations, Sir, I heartily support the motion for the appointment of a Committee."

SRI V. CHAKKARAI CHETTY:—"I do not know, Sir, under what rules of procedure this motion has been moved for the appointment of a committee to go into the recommendations made by the Secondary Education Commission. The Commission was appointed by the Union Government and I understand that the Commission has submitted its report to the Union Government. Now we want to appoint a committee to go into the recommendations made by the Commission. Where will this business of appointing committees end? If we accept this resolution, a committee would be appointed. It would go into the recommendations made by the Commission and submit its report.

5th January 1954] [Sri V. Chakkarai Chetty]

Then we will say another committee may be appointed to examine the report of the earlier committee. So one committee will go on reporting on the recommendations of another committee, and there will be no end to this.

"After all, in these matters, Government have to make up their mind and they can do so only from the materials at their disposal and by eliciting public opinion. Government cannot excuse themselves of the responsibility to find out what the teachers, the managements and the public say in regard to these matters. The mere appointment of a committee will not help Government to get over the difficulties. Education is such a complicated subject in India that nobody can say what the country needs at the present time. Government should therefore proceed carefully and find out solutions for the various problems. Though the appointment of a committee will help the Government to a certain extent, it cannot absolve the Government from their responsibility to act with whatever little material they have at their disposal."

* DR. V. K. JOHN:—"Mr. Chairman, Sir, the need for the appointment of a committee like this is explained in the report of the Secondary Education Commission. The report says: 'that every State must prepare a plan for a particular period' and in this plan they must consider various matters. 'Such a plan', the report says, 'made by each individual State should take into consideration the existing distribution of secondary schools of various types in urban and rural areas, should lay down clearly the priorities in the opening of multi-purpose schools and agricultural and technical high schools, transforming high schools into higher secondary schools providing multiplicity of courses, proper distribution and location of schools and implement the other recommendations.' The carrying out of certain of the other recommendations, the report itself admits, will not entail additional cost to the State Governments. Of course I know our State should carefully examine recommendations involving financial commitments. Surely members of the committee, if one were to be appointed, would pay particular attention to this aspect of the question, that is, ability of the Government to supply the necessary finance to carry out the recommendations. There are other recommendations which could be implemented without incurring any additional expenditure such as the introduction of new curricula, reorganization of training schools and colleges. Priorities have to be laid down in regard to these also. To draw up a plan in regard to these as suggested by the Commission, a committee should be appointed. I do not think the Government have ever appointed a committee to go into the system of secondary education and make recommendations. At least after the Commission has submitted its report, the Government should appoint a committee to go into the recommendations made by the Commission. Of course it might be made clear to the committee that particular attention should be paid to recommendations, implementation of

[Dr. V. K. John] [5th January 1954]

which would involve additional expenditure. Before implementing the recommendations of the Commission a plan has to be made and that plan could be drawn up only by experts after careful study. For this purpose a committee is very necessary.

"Sir, this State has given the lead in many matters to other States. In respect of this matter also we should take it up immediately and give a lead to the other States. Probably the recommendations we make, the priorities that we lay down and the plan we draw up will be accepted by all other States. If the Government reject the motion for the appointment of a committee, they may not go into the recommendations made by the Commission in the near future. After all education is a matter which should engage the immediate attention of the Government. At the moment I know Government are paying attention to primary education. I submit that Government must also pay immediate attention to secondary education and appoint a committee to draw up a plan as suggested in the report of the Commission."

* THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, I fully appreciate the spirit in which this resolution has been moved. The mover of the resolution, I think, wants to bring to the notice of the Government, the recommendations made in the report of the Secondary Education Commission and also impress upon the Government the necessity to implement them as early as possible. By asking for the appointment of a committee I do not know whether he is asking for the proper machinery for the immediate implementation of those recommendations, because whenever we want to shelve a report which has been made by a committee, we appoint another committee and this process goes on endlessly and finally we take advantage of the report of one of the committees and say that the report of the committee is considerably different from the reports of other committees and therefore the matter should be shelved.

"I may assure the hon. Members that we have taken up the examination of the recommendations made in the report without waiting for anybody asking us to do so. As soon as we got a copy of the report, we asked the departments concerned to examine the recommendations expeditiously. We are anxious to examine these recommendations and implement them as early as possible, especially those which do not entail an extra expenditure. With regard to recommendations involving extra expenditure the Commission itself has made a recommendation to the Central Government that they should come to the aid of the State Government. To examine this recommendation, the Central Government has already appointed a committee to go into the matter and report on the financial implications and how they could be implemented. If at all a committee is necessary it may become necessary after we know the recommendations of the committee that has been appointed by the Central Government.

"As soon as the examination referred to by me is completed, if Government think that a committee is necessary to implement the recommendations of the Commission, Government will not

[5th January 1954] [Sri C. Subramaniam]

hesitate to appoint a committee. But my own view is that the appointment of a committee now may delay the implementation of the recommendations to a certain extent. Therefore I suggest that we should await the result of the examination of the recommendations by the department and after that if we find it necessary we ourselves will take steps to appoint a committee. We may have to come before the House at some stage or other in the implementation of the recommendations made by the Commission. If in the course of such implementation it should become necessary to appoint a committee Government will certainly do it. But now it will be a waste of effort to appoint a committee without knowing exactly the circumstances prevailing in the centre, and in the State with reference to the various recommendations made by the Commission. Therefore I would request the hon. Member to withdraw the resolution. As far as we are concerned I am prepared to give an assurance to the hon. Member on behalf of the Government that we are anxious to implement the various recommendations to the extent they are practicable. It is only with this end in view we have taken up the immediate examination of these recommendations. From this the hon. Mover of the resolution and other hon. Members will see we are not interested in delaying the implementation of the recommendations made in the Report of the Commission. On the other hand we are doing it as expeditiously as possible. Therefore I hope the House will be satisfied with the measures the Government are taking for the implementation of the recommendations. If further measures are necessary we won't hesitate to take them."

DR. A. LAKSHMANASWAMI MUDALIYAR :—"Mr. Chairman, Sir, if I intervene at this stage, I think, it will not be considered that I want to palm off my goods on the House or on the Government. I do feel, as a Member of this House, that this subject requires a great deal of attention from all quarters—the Government, the school managements, the teachers, the University, the Central Government and the public. The recommendations of the Commission are so interlinked that it is exceedingly necessary to have a proper visualization of all the recommendations, and the responsibilities which attach to each particular individual or group of individuals. We have made it clear that any useful purpose can be served only if there is a close link-up between the management of schools, the State Government, the Central Government, technical educational institutions and the University. This Report of the Commission has been before the public for some time. The comments that have been available from the newspapers of the day have been, on the whole, favourable and, particularly helpful and encouraging are, to my mind, the comments from those magazines edited by Teachers' Associations. It has also had the approval of the Executive of the Teachers' Guild in this State and of the All-India Education Conference which was held recently in Calcutta. I may also state for the information of the House that the Quinquennial Conference of

5-10
p.m.

[Dr. A. Lakshmanaswami Mudaliyar] [5th January 1954]

the Indian Universities held at Mysore recently have accepted the recommendations pertaining to any realignment of the University courses of study. I wish to take this opportunity to state that the recommendations of successive education commissions from 1882 when the Hunter Commission was first appointed, had not been implemented to any extent whatsoever. If only the Hunter Commission's recommendations had been implemented in 1882 when India was in a no worse position than the United States of America, our position to-day would have been quite different and no aid of any nature would be necessary from any quarter whatsoever. Therefore, I feel that in the consideration of these recommendations, the eternal trouble of finance should not always be held out as is sometimes the case for delaying improvements in education. I agree that finance is a very important thing but there are certain directions in which one should venture. The trouble of finance did not stand in the way of large hydro-electric and irrigation schemes being brought into fruition by the Government. Hundreds of crores of rupees have been spent on those schemes to tide over famine and food scarcity."

THE HON. SRI C. RAJAGOPALACHARI:—"They are capital expenditure."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"But I venture to submit that the irrigation of the intellectual level of the citizen is just as important and will prove to be a better capital levy than the irrigation projects to which the Hon. the Chief Minister referred."

THE HON. SRI C. RAJAGOPALACHARI:—"I do not question that statement at all. I entirely agree that it is a very good capital expenditure in the spiritual sense; but it is not customary to raise loans for such an expenditure." (Laughter.)

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Sir, even with regard to finance, we have been, as far as possible, practicable. We have not proposed any large commitments on the part of the State or the Centre. What I wish to suggest is, that this Government should immediately take necessary steps to have a planned method of development and should be in a position to present it to the Central Government. Then only the State Government can press upon the Central Government to give such assistance as they can to this State. Unless they have a planned method of development by which they can point out that they are going to have so many higher secondary multi-purpose schools and so many schools for Polytechnics and various other things—not taking into consideration the individual recommendation or the pressure put upon the Government by the various hon. Members of the Legislature but according to their lights and according to the strict needs of the locality and the purpose and manner in which they can be developed—they will find that other States may get an advance over us. I do not mind their getting an advance over us but let us not suffer on account of anything we

5th January 1954] [Dr. A. Lakshmanaswami Mudaliyar]

are lacking in regard to the prepared plan. I should like to state that when the plan is prepared, it will be well for the Government to take into confidence some of those in whom they have confidence so that they may throw some further light on it. Although this report has been written by us—I had necessarily to take a great deal of responsibility for every line that is written—we still feel that we could not express all that we wanted to say in the report within a limited number of pages. In fact, Sir, so far as the conditions in the University are concerned, where we have made certain fundamental recommendations, it was necessary for me to explain them at length at the Quinquennial Conference of the Vice-Chancellors and other representatives. There is also a proposal to hold a Conference of Principals in the month of February. Therefore, it will be necessary for the Government, even for the departments of the Government, which will examine this question with expert help, to have further enlightenment on what is exactly meant and how things can be so arranged and done without an undue burden on the financial resources.

"Sir, another warning has been given in the report. We do not expect any quick changes by way of converting the educational institutions, as by doing so, we will be stultifying ourselves in regard to the main recommendation, viz., that the higher secondary multi-purpose schools should be established. I do not know the number of schools in the Residuary State as it is called or the Madras State as I would prefer to call it and now I understand that it is officially called so and I hope it will be for a long time. I do not expect that out of 800 or 900 schools (an hon. Member: '1,000') or for that matter, 1,000 schools, even 10 per cent of these schools will be ready to be converted into higher secondary multi-purpose schools within the next three or four years. That is the very reason, why, if the recommendations pertaining to the reorganization of University are studied, it will be obvious for the University to step into the field. I also wish to state that so far as finances are concerned, if a proper method of appreciation of how best to use the financial resources is attempted by this Government, a great deal of economy and a better use of the funds will be made. I do not know what is taking place in the different departments of the Government. Each department have got their own schools. The Fisheries Department have their own schools. The Industries Department have their own schools. The Education Department have their own schools. With a view to see that all these schools are brought under a central body, we have suggested certain changes in regard to grades both at the Ministerial level and at the departmental level. I am glad that the Commission had an opportunity before finalizing this part of the report to discuss the matter with the Hon. Ministers of the State Government and at that time, they were of the opinion that they were desirable. These are things which can be immediately implemented. Sir, for instance, the railways are under the control of the Central Government. They have got a number of railway schools and workshops. But in the

[Dr. A. Lakshmanaswami Mudaliyar] [5th January 1954]

5-20 railway workshops, nobody will be given admission. This was
p.m. all right in the old days when a foreign Government were here. Once when I wanted, on behalf of the University, to send a certain number of apprentices of the Engineering College to these workshops to do some practical work, I got a blank refusal that it was not possible. There was not even the consideration whether they should explain to the University why it was not possible. That is bureaucracy and I hope that kind of bureaucracy does not exist at present.

"All that I wish to say at present is that it is very necessary that these recommendations should be examined by the Government in detail and after examining them they should come forward with tentative—I will not even say conclusions—suggestions. They should get certain experts to sit with them and see how the suggestions could be implemented. After this they should prepare a plan showing how they can implement part of the recommendations themselves, how they can implement part of the recommendations with the help of the Centre and how they can implement the remaining parts with the help of the managements themselves. I am sure, Sir, that if a proper approach is made to the managements of these schools, they will not be found wanting in coming to the rescue of the Government even in regard to finance. I am saying this from my own personal experience in regard to university education and I shall not be repeating it over and over again. If it has been possible for philanthropy to contribute during the last seven years three to four crores of rupees for University education, I do not think the Government need fight shy of finance if only the proper approach is made. Finally, I must conclude, Sir, by saying that this is the only chance if we are to reform ourselves educationally. The University Commission Report is there; the Secondary Education Commission Report and other reports are there and it is not merely a question of going through these reports. So far as I can say—I should not say it—but I can say boldly that although I was a Member of the University Commission and have been so closely connected with the framing of the Secondary Education Commission Report, it is not a question of examining these reports and finding out whether the suggestions are good, bad or indifferent but it is a question of implementing these suggestions. How best, how soon and how completely these recommendations can be implemented are the questions that we have to tackle and on them will depend the future progress of this country."

* THE HON. SRI C. RAJAGOPALACHARI :—"Mr. Chairman, Sir, once again I have the pleasure to say that I am in complete accord with what Dr. A. Lakshmanaswami Mudaliyar has just now said and that is exactly what we intend to do. The Government will examine in detail this report, not with a view to consider whether the recommendations are good or bad, but to see how we could implement them and thereafter, as suggested by my Colleague—and I may repeat it—we are going, if necessary, even then to call in a committee to throw further light on the difficulties that

5th January 1954] [Sri C. Rajagopalachari]

we may have to encounter. We are going to do, on the whole, what Dr. A. Lakshmanaswami Mudaliyar has suggested and I hope the resolution will be withdrawn."

THE HON. SRI C. SUBRAMANIAM :—"Sir, may I also add that I am always grateful to be guided by the hon. the Leader of the Opposition in this matter and I am really grateful to him for the various suggestions that he has made."

* SRI T. PURUSHOTHAM :—"Sir, I am glad that we have had an opportunity to hear the hon. Member, Dr. A. Lakshmanaswami Mudaliyar on this question and we are grateful to the Government for having given the assurance that the recommendations of the Secondary Education Commission would be fully considered, and that necessary steps would be taken to implement them. I therefore ask for the leave of the House to withdraw this Resolution."

The resolution was by leave of the House withdrawn.

(2) APPOINTMENT OF A BOUNDARY COMMISSION FOR SETTLING THE QUESTION OF THE TRANSFER OF CONTIGUOUS TAMIL AREAS IN THE BORDER OF THE ANDHRA STATE TO THE RESIDUARY MADRAS STATE.

* SRI T. PURUSHOTHAM :—"Mr. Chairman, Sir, I beg to state that I tabled this Resolution soon after the Andhra State Act was passed. After having given notice of this Resolution, I came to learn that there was correspondence going on about this question between the Government of this State and the Central Government. Also, I learnt there was a question about it in the Legislative Assembly on which the Hon. the Chief Minister made a statement. As I am perfectly aware, and I am sure other hon. Members also will agree with me that our Hon. the Chief Minister will do his best in the matter, I do not propose to move this Resolution."

(3) STARTING OF CANCER DIAGNOSTIC CENTRES WITH LABORATORIES IN ALL THE DISTRICT HEADQUARTERS HOSPITALS UNDER A SPECIALLY TRAINED STAFF.

* DR. S. MUTHULAKSHMI REDDI :—"Mr. Chairman, Sir, I beg to move the Resolution which stands in my name, namely :—

'That this Council recommends to the Government that Cancer Diagnostic Centres with Laboratories be started immediately in all the Headquarters Hospitals of the districts under a specially trained staff as for Tuberculosis and Leprosy.'

"Sir, the Resolution itself is self-explanatory. If we want to treat a patient his disease must be properly diagnosed first. Unfortunately, this disease of cancer which is insidious in its onset requires special training for diagnosing it correctly. If any hon. Member of this House would only walk through the Cancer Ward

[Dr. S. Muthulakshmi Reddi] [5th January 1954]

of the General Hospital and the Women and Children Hospital in the City he would see for himself number of patients in the most advanced stages of the disease. We have no doubt beds in these hospitals for these patients and we have also got certain equipment like X-ray and radium. We have also got a fairly well-trained staff. But, of what avail are these things? Cases come to these hospitals in the most incurable stage of the disease because of the fact that there are not trained medical practitioners in the mufassal hospitals to diagnose the disease early and advise proper treatment. This is the reason why I have given notice of this Resolution.

"A conference was convened by this Government in December 1952 and a number of eminent medical officers met and discussed this problem of how to tackle cancer. During the discussions it was stated that more than about one lakh of people die annually in our country from this most dreadful and painful disease. We have no statistics. The Director of Medical Services had said that because they had no diagnostic centres in the hospitals, in the mufassal many cases of cancer went undiagnosed. This particular disease is a most painful disease but the pain is only a very late symptom. The disease is diagnosed at a very late stage only when pain supervenes. It is the pain that drives the patient to the doctor and the doctor then advises the patient to seek treatment for cancer.

"Now, Dr. V. R. Kanalkar, Director of the Tata Memorial Hospital at Bombay and Chairman of the International Commission for Cancer Research has stated more than once that cancer tops the list among diseases in America and in other European countries. It is also bound to be so in India as the country develops. The Bhore Committee of which the hon. Member Dr. A. Lakshmanaswami Mudaliyar was a member has also expressed the view that the incidence of cancer in India is as high as in the European countries. The other day Prof. Berven, the Swedish Radium Expert, said that in Sweden 2,500 people for a population of a million suffer from cancer. Dr. Viswanathan, our Director of Public Health who toured Canada, stated at the Conference that in Canada 2,000 per million population are afflicted with cancer. Of course, in those countries, all those who are afflicted with cancer do not die because they have got facilities for early diagnosis and treatment whilst we have none. In our State alone more than one lakh of people die annually from this dreadful disease since there is no facility for early diagnosis and therefore the patients do not get adequate treatment. It is also not an infectious disease. Therefore, Sir, at a very small expense we can have these diagnostic centres in the Headquarters Hospitals at places like Madurai or Coimbatore or at least in the teaching hospitals. The laboratory costs only Rs. 10,000 and because these diagnostic centres do not cost much, it is very essential that there should be such centres at the District Headquarters Hospitals. We must also have statistics to know how many people in our country

5th February 1954] [Dr. S. Muthulakshmi Reddi]

suffer from cancer. This scheme to start cancer diagnostic centres to counteract this fell and cruel disease is one of the most important recommendations of the Cancer Conference convened by this Government and I am sure the Government would have come to certain conclusions. It also behoves the Government to carry out this recommendation of the Conference convened by them and as I do not wish to take up much of the time of the House, I conclude my speech with a request that they should do so, without any more delay."

* DR. A. LAKSHMANASWAMI MUDALIYAR :—"Mr. Chairman, Sir, may I have the pleasure of once seconding a Motion moved by an hon. Member belonging to the Treasury Bench."

MR. CHAIRMAN :—"Motion moved—

"That this Council recommends to the Government that Cancer Diagnostic Centres with Laboratories be started immediately in all the Headquarters Hospitals of the districts under a specially trained staff as for Tuberculosis and Leprosy."

* DR. C. NATHAMUNI NAIDU :—"This Resolution before 5-30 p.m.
the House which is of a non-controversial nature was aptly seconded by the Vice-Chancellor and the Leader of the Opposition. Sir, this cancer is a very dreadful disease commonly prevalent in the hovels of the poor and in the mansions of the rich alike and no class is immune to it. The Bhore Committee has pointed out that though this disease is prevalent in European countries many people do not die because there are facilities for early diagnosis. I think, the Government will do well to establish diagnostic clinics in almost all the district headquarters hospitals because the expenditure that the Government may be incurring will not be great."

SRI K. BALASUBRAMANYA AYYAR :—"Mr. Chairman, Sir, I am not a doctor, and therefore, I cannot speak with any authority on this subject. I only want to refer to the proceedings of the conference of doctors held by our Hon. the Minister of Public Health wherein it has been stated that the general consensus of opinion was that steps should first be taken to increase the facilities available for diagnostic purposes. As diagnostic clinics are not available, the hon. Lady Member, Dr. (Mrs.) Muthulakshmi Reddi wants them to be established."

* THE HON. SRI A. B. SHETTY :—"Mr. Chairman, Sir, it is not possible at present to establish cancer diagnostic centres at every district headquarters hospital. Neither have we got the trained personnel for this work nor have we got the required laboratory facilities. We have installed X-ray sets for diagnostic work in all headquarters hospitals but these are not manned by medical officers trained in radio-diagnosis work at some of these hospitals. We must have Pathological laboratories and trained staff for carrying out Pathological tests. This will require trained

[Sri A. B. Shetty] [5th January 1954]

personnel and a fair amount of expenditure. In the present financial stringency of the Government, it will not be possible to launch upon the implementation of the proposals contained in the resolution. We have at the General Hospital 100 beds for the treatment of cancer cases and another 100 beds for cancer patients at the Women and Children's Hospital in Madras City. The proposal to provide for cancer treatment in the Kasturba Gandhi Hospital, Madras City, and also in the Erskine Hospital at Madurai has had to be held up owing to financial reasons. There has also been a proposal for providing facilities for cancer treatment in the Stanley Hospital. This had also to be deferred for the same reasons. Recently, a cancer pavilion has been constructed at the Government General Hospital by the Women's Indian Association, partly with the help of donation received from the Madras Provincial Welfare Fund and partly with the funds available with the Association. On the occasion of the Bi-Centenary celebration of the General Hospital, Dr. (Mrs.) Muthulakshmi Reddi performed the opening ceremony of this pavilion. The Women's Indian Association has undertaken the work of constructing a private cancer hospital with a laboratory at Adyar. The Government of India have sanctioned a grant of rupees one lakh for this purpose. This Government also are considering the question of giving a grant to this Association for this hospital. Since we are not able to provide the required diagnostic equipment and secure enough number of trained personnel at present, we cannot think of implementing the proposals contained in the resolution for some time to come. At present it is not possible to provide D.M.R. trained medical men for several of the X-ray units set up at the district headquarters hospitals. Medical men do not come for training in this speciality in sufficient numbers as there are no good prospects for doctors who take to this work. It is no use having radio-diagnosis until we are able to provide sufficient facilities for radio-therapy. The expansion work in both these directions must proceed side by side. Therefore, we shall have to wait for better times. I request the mover of the resolution to kindly withdraw her resolution and I can assure her that as soon as circumstances permit Government will give their best attention to her proposals."

* Dr. S. MUTHULAKSHMI REDDI:—"Mr. Chairman, Sir, this question of decentralization of cancer treatment is before the Government from 1949 onwards and the proposals broadcast by the Government in this connection are the establishment of Cancer Centres at the Kasturba Gandhi Hospital for Women and Children, Madras, at the Stanley Hospital, Madras, at the Erskine Hospital, Madurai, and at each of the District Headquarters Hospital, Coimbatore, Kozhikode, etc. For all these five years, these proposals have not been given effect to. I have no idea as to how long these proposals will be kept pending without implementation. What is the use of having beds for cancer treatment in hospitals where there are no trained medical practitioners to diagnose cases of cancer in time? In this connexion, I wish to inform

5th January 1954] [Dr. S. Muthulakshmi Reddi]

the House that I have received a letter from Dr. (Miss) Ida Scudder of the Vellore Mission Hospital, informing me how general medical practitioners do not diagnose cases of cancer in time and how they postpone treatment till these cases become incurable and how in the first instance they treat these cases for ordinary ulcer, etc. I have also received a letter from the District Medical Officer, Tirunelveli, requesting our Association to open an exhibition at Tirunelveli. He has also stated in his letter that many advanced cases of cancer seek treatment in the headquarters hospital and that cancer is much prevalent in that district. I do not know as to how long this state of affairs is to continue. I would request the Hon. Minister to provide at least the elementary knowledge to diagnose this dreadful disease which claims as its victims two lakhs of people every year which works out to 300 people a day. No famine has claimed so many victims per day as this disease. Only those who have witnessed the pangs of the last stages of this disease will know the cruel nature of it. The Government should at least start diagnostic centres at the teaching institutions. What is the use of having projects like the Tungabhadra for prolonging the lives of the people when life itself is so miserable in this country? Even the elementary knowledge of diagnosing cancer is not now imparted to the students. The Government, therefore, should give an assurance that they will start diagnostic centres in the teaching hospitals within a few months or next year and also at the Headquarters Hospitals like Coimbatore, Madurai, etc. We have already got the personnel in the hospitals and these doctors can be trained under the Pathologists in the General Hospital quite easily. All that we need is the equipment for the laboratories like the microscope, micro-tome, etc., and for this only Rs. 10,000 is required. In this connection, I may say we have called for an estimate with regard to our own laboratory for cancer treatment and we have received an estimate for Rs. 10,000 only. I do not wish to say more on this subject. The very fact that Dr. Lakshmanaswami Mudaliyar has seconded this resolution is a testimony as to how important and how urgent is this starting of the diagnostic centres in this State."

* THE HON. SRI A. B. SHETTY:—"The House is well aware of the very great interest which the hon. Lady Member is taking in this cancer problem. It was on account of her interpellations on this subject and the notice of a resolution given by her sometime ago, a special conference was convened in my room at which the Director of Public Health, the Director of Medical Services and the Secretary of the Health Department were present. Certain recommendations were made at this conference and the Director of Medical Services has been asked to submit his proposals in regard to them and to let Government have an idea of the expenditure involved in implementing those proposals. I need hardly say that Government will give due consideration to the suggestions made by Dr. Mrs. Muthulakshmi Reddi, as early as possible."

[5th January 1954]

* DR. S. MUTHULAKSHMI REDDI:—"On the assurance given that the question will be taken up in a few months (the Hon. Sri C. Rajagopalachari: 'Yes, yes.') I am withdrawing the resolution. Rupees five lakhs or ten lakhs may be required for providing fifty beds in a hospital, but for a laboratory very much less is required. If required, I will send the estimate I have received for constructing a laboratory at Adyar, to the Hon. Minister."

The resolution was by leave of the House withdrawn.

(4) TEACHERS IN AIDED INSTITUTIONS TO BE PLACED ON A PAR WITH
TEACHERS IN GOVERNMENT SERVICE REGARDING SECURITY OF
SERVICE.

5-40
P.m.

* SRI G. KRISHNAMURTHI:—"Mr. Chairman, Sir, I beg to move the resolution standing in my name, namely,—

'This Council recommends to the Government that teachers in aided institutions be placed on a par with teachers in Government Institutions in regard to security of their service.'

Sir, in this connection I wish to inform hon. Members of this House that, as per rule 131 of the Council Rules, I have this day submitted a petition from 216 teachers covering six districts, wherein the prayer reads as follows:—

As such the petitioners humbly pray that teachers in aided institutions of all grades from the elementary school to the college be placed on a par with teachers in Government institutions in respect of security of service and that once they are confirmed, as per rules in force for Government teachers, they are not disturbed except under the provisions and the procedure laid down for Government servants . . .

Now, Sir, it may seem surprising to hon. Members of this House to know that teachers have been asking for security of service while they might have heard many times that they would be asking only for salaries. This is a very ordinary provision which has been denied to the members of the teaching profession, that is, members of the teaching profession serving in aided institutions. Hon. Members may be well aware that more than 50 per cent of the teachers in our State, that is, more than 50,000 (this figure is correct even after the partition of our State), are denied this security of service. There is an Appendix called Appendix 28 to the Madras Educational Rules which prescribes a contract between the management and the 50,000 teachers serving in aided institutions. This contract imposes a binding of only three months' notice on the part of the managements to discharge their teachers. If a particular teacher is not required, the management can send him away at any part of his service even without these three months' notice by giving him instead three months' salary and three months' dearness allowance. Such has been the plight

5th January 1954] [Sri G. Krishnamurthi]

of the teachers. Well, I can just invite the attention of the hon. Members of this House to the fact that the more service a teacher puts in, the more insecure he feels. A Matriculate teacher draws a salary ranging from Rs. 40 to Rs. 90. As soon as he reaches Rs. 90, the management prefer to send him away and employ instead two teachers on Rs. 40 or Rs. 45 each. They think that they are younger, they can render better service, and that this proposition is more profitable. Even if teachers go to the High Court on appeal, they get the ruling, 'well; you are all governed by the Contract Act, and this is the maximum you can get under the Contract Act, namely, three months' notice or three months' salary in lieu of three months' notice.' This is the plight of teachers in aided institutions. I have been pressing on the Government to give security of service for these teachers in aided institutions. I have already submitted to the Hon. Members of this House that more than half of the teachers in our (new) Madras State, that means 50,000 teachers and their families, are put to hardship for want of will on the part of Government to put, by one stroke of their pen, a condition that these teachers must be placed on a par with the Government servants in respect of their security of service. The Government do not want to put that condition by one stroke of their pen. This is not at all a financial matter. This is one of the most important things that can be done by the Government immediately without any reference to finance only if they have the will. The question of agency has been there for a number of years. We do not know how it was brought, by whom it was brought, and for what purpose it was brought. It serves nobody. Well, after all teachers have been doing national service. Especially after Swaraj they are the first persons to be eligible to wear the label of Government servants if anybody is to have a label. We, teachers, are discharging the foremost and the most important duty that a civilized Government are expected to discharge. In spite of this fact, we are not recognized as Government servants. What is it due to? Is it due to finance? Why should it be referred to in this matter where no finance is involved at all? The Government by one stroke of their pen, through their department, can issue an order even this evening itself to the effect that once a teacher is confirmed, he should not be sent out of service unless it be, according to the rules which are applicable to Government servants, viz., for gross negligence, dereliction of duty, or gross misbehaviour. There is no difficulty on the part of the Government to do this. I do not know why they have been delaying the issue of such an order. When I entered this Legislative Council some 20 months back, I thought this was the first and the easiest thing that I could achieve, especially under a regime headed by our revered Chief Minister Rajaji. I thought that it would be a very ordinary thing to be done by the Government, but which would be of very great benefit to the teachers. I do not know why this is delayed. Perhaps this resolution will give me an opportunity not only to

[Sri G. Krishnamurthi] [5th January 1954]

hear from the Government their words but also to see the Government do, by one stroke of their pen, that magical thing which our revered Chief Minister was able to do at the time of food decontrol. That magical pen which de-controlled food and gave the legitimate food due to every person from his own soil would, I think, do also this noble task of ensuring security of service for teachers. The poor teacher does not want anything more than security of service through this resolution. Is it anything high? Can we imagine of any other profession where a member of that profession craves for security of service? A member of any other profession just wants to get confirmed, and once he is confirmed and does his work without misbehaving in any manner and without neglecting his duties, automatically goes on in his scale of pay, unless he wants to put in more efforts for getting promotion. Here is a profession—a noble profession—which is extolled on so many platforms by Hon. Ministers, a profession in which a person has to think of the security of service every moment of his career. Can there be any other profession similar to this? How do the Government think that they have been doing the right thing by not giving the teacher his legitimate due at least in respect of security of service?

“ The managements naturally take advantage of this contract. I do not know who framed it and for what purpose. The contract says that any teacher can be sent away by the management by giving the teacher three months' notice. Of course there are certain conditions. In response to the various appeals made by the various teachers' organisations, the managements adopt this method, namely, the teacher will be given something like a charge-sheet, there will be an explanation from the teacher, and the orders of the management thereon will be final. There is no tribunal whatsoever. We do not want an industrial tribunal. We can have some other tribunal with a judicial officer, a member of the management, and some representatives of the staff as members. If we file appeals to the Divisional Inspector of Schools, it takes not three months, but sometimes even more than a year for the disposal of the appeals. I have got on my file cases of appeals which have not been disposed of for one year and more. It is impossible to bring everything to the notice of the Government during the question hour. That is the difficulty. I feel the poor teacher cannot just even turn like a worm. He is doing the right thing, but he is discharged by the management at their whims and fancies, because there is the loophole in the contract—Appendix 28 of the Madras Educational Rules. Is it impossible for the Government to remove this contract? We do not want any contract at all. Is it not the duty of the Government to see that the teachers who have been discharging the main function of the Government are treated as the servants of the Government, though not in financial matters at least in respect of security of service? Is it not the duty of the Government to see that

[5th January 1954] [Sri G. Krishnamurthi]

teachers are ensured security of service at least, and that they are not driven out so long as they do their legitimate duty in the proper way to the satisfaction of the department? The Government say ‘ our department is there to look after your interests ’. But we know, Sir, how difficult it is to convince the departmental officer, when the management are closely moving with the department. We, teachers, do not have frequent occasions to move with the department, nor have we the opportunity to move with the department closely. But the managements are moving with the department closely. So we are unable to convince the department that the managements are at fault. I can prove to hon. Members of this House, that the managements, whenever teachers are sent out, come forward with the allegation that the teachers have done something wrong, and under the rules, the relief they could get is only three months' notice. Sir, I have got on my file a number of cases where, for getting this pittance of three months' dearness allowance and pay, I had to write letters and letters to the department. So, I would entreat our revered Chief Minister to see that this agreement system is scrapped, and that teachers are ensured security of service by a rule in the Educational Rules that when once a teacher is confirmed, irrespective of the nature of the institution in which he may be employed, that is, aided institutions, etc., he ought to be treated as a Government servant in respect of security of service, and that he should not be sent out except on grounds which have been prescribed under the Government Servants' Conduct Rules.

“ This does not cost any money to the Government at all. 5-50
Actually we have seen teachers being sent away after they have p.m.
attained the age of 50 or 45 and when they are drawing the maximum. The managements derive the benefit by so doing. Even if I were a manager, perhaps I would get the temptation. In the place of one senior teacher, I would rather like to have two young men because the salaries of these two young men would not equal the salary of the senior man to be sent away. There has been this temptation on the part of the managements and this temptation has come to remain because of the loophole in the contract. We do not want the contract at all. Why should there be a contract at all? Is there a contract in any other profession? We have heard of it only in the engineering profession. Why should this contract system prevail in the noble profession of teaching? Continuity in the educational process is a great thing. Indeed the Hon. Minister for Education has been telling now-a-days that even professors should not be transferred frequently. That is a very good thing. There should be some continuity. Education is imparting of personality and not mere imparting of a little information. That being so continuity of teachers plays a great part and that continuity could be secured only by ensuring continuity of service. In aided institutions this continuity could be ensured as there is no question of transfer of

[Sri G. Krishnamurthi] [5th January 1954]

teachers, unless the management chooses to close the school. I have already submitted to the Hon. Minister and to this House in my Budget speeches that if the Government decide to take over control of all the aided secondary schools, paying a maintenance grant to managements they can have a profit of 1.68 crores of rupees. For instance if you take the case of elementary schools collecting fees, you will find that these are simply run with the Government grants. The poor teachers are paid only Government grants and all the fees collected go to the coffers of the management. No benefit whatsoever goes to the teacher. That is why we are thinking of requesting the Government to earmark at least 80 per cent of the fee collections in big city schools for the benefit of the teachers. The teacher is paid only the grant of Rs. 27, or Rs. 35 or so. The dearness allowance paid to the teacher is met in full by the Government. The managements do not pay anything to the teacher. That being so, why should the managements have any power to deal with the teacher as they like, to send them away at their whims and fancies? This power really belongs to the Government. If that power were vested with the Government we would really feel happy. We have faith in the Government that they would treat us as fairly as they have been treating their own servants. So at least in respect of security of service we want Government to have these powers. We want the rules in respect of this to be modified. Once a teacher is confirmed after the period of probation of one year he should not be removed from service except under the provisions prescribed for the Government servants for removal from service. It will be a great boon conferred on the teachers, if this is done by the Government.

"Sir, I need not describe the plight of the teachers further. We are driven out in our 50th or 45th year when we draw a salary of Rs. 150 or Rs. 200. Even L.T. teachers and headmasters are afraid of this. The Government know and the department also knows there have been many such cases. Many are sent away; even Principals of aided institutions are sent away in the middle of the year. The next day they have to run to another institution in search of a job and in many cases accept a job on the minimum scale of pay. We can very well imagine the plight of a teacher drawing a salary of Rs. 90 in a particular institution who, because of the loophole in the contract clause, has to leave the institution and seek a job on Rs. 45. A Principal getting a salary of Rs. 500 has to seek a job as professor or lecturer on Rs. 250 or Rs. 150. All these troubles are due to the existence of the contract clause in the Educational Rules, which should be scrapped by the Government by one stroke of the pen.

"Mr. Chairman, Sir, I hope I have sufficiently and graphically described the sufferings of the teacher. My description ends here, but the sufferings of the teachers do not end here. I hope that

5th January 1954] [Sri G. Krishnamurthi]

the Hon. Minister for Education will consider and admit my resolution and bring in suitable rules under the Education Rules and the Grant-in-aid Code to see that at least security of service is ensured to teachers during the regime of our revered Rajaji to which we were looking forward and which we pray will continue for a long duration."

* DR. V. K. JOHN :—"Mr. Chairman, Sir, I strongly support the resolution moved by the hon. Member Sri G. Krishnamurthi.

"Teaching is the noblest of all professions and the most essential profession for the welfare of the future generations, if not the present generation. I feel, in the matter of provision of adequate scales of pay, security of service and also provision for old age, sickness and social services, the teachers have been very badly treated. The resolution moved by the hon. Member deals with only security of service and the mover has explained how in many institutions teachers are sent away without any security of service. Although there are some aided institutions which treat the teachers well, there are many who do not treat them well. And it is right that Government should intervene in the interest of the public. The hon. Member referred to the general feeling among the teachers about the lack of security in service, and to restore confidence in the profession, Government must intervene.

"I am glad, Sir, that the Secondary Education Commission under the Chairmanship of hon. Member Dr. Lakshmanaswamy Mudaliyar, the Leader of the Opposition of this House, has dealt with security of tenure. I strongly commend the recommendation of the Commission to the Government. It is stated in the report that 'Arbitration Boards or Committees should be established to go into appeals of grievances of teachers and consider matters relating to suspension, dismissal, etc.'. Education of the citizen is the responsibility of the State. Some private agencies, or individuals philanthropically inclined have for many many years assisted the Government. But Government should not think that the responsibility for this rested on such agencies or individuals. The primary responsibility is that of the Government. As it is the primary responsibility Government should intervene and place the teachers in aided schools in the same position and under the same conditions of service as teachers in Government schools. I do not see any reason why the Government should not do it. There is another reason for doing this. The major portion of the teacher's salary is paid by the Government from out of the public revenues. After all only a small portion is given by the management of the aided school. When the Government are paying the amounts required to pay the salaries of teachers they have a right to intervene. This resolution says that the teachers in aided schools should be put in the same position as teachers

[Dr. V. K. John] [5th January 1954]

in Government service in regard to security of service. I would go a step further and say that they should be placed on the same footing as teachers in Government service in respect of every other matter. Teachers in Government service are granted pension, something to fall back upon in old age, whereas the teachers in aided schools do not get any pension."

THE HON. SRI C. SUBRAMANIAM :—" They have provident fund."

* DR. V. K. JOHN :—" But that is not sufficient. There are many teachers drawing only very small salaries. It may be that Government cannot raise the pay of the teachers to a great extent. But they must have a living wage. (Interruption.) There are many lawyers who do not make any money at all. Lawyers take the risk and enjoy the adventure. If one succeeds, well and good. If one does not succeed it is a different matter. One enters that profession with open eyes. But the teaching profession is not like that. It is not an adventure where a man when he reaches the age of 50 has already earned many many thousands as in the case of the medical or legal profession. A teacher does not make that much income by the time he reaches the age of 50 or 55. He gets the same income as when he started with a little increment.

6 p.m. " Sir, while I quite see that a large number of managements of aided schools are giving a good treatment to the teachers, there are still a number of institutions—not a very small number—which do not treat them very well. Therefore, I very strongly suggest that the aided school teachers who are mostly paid by the Government—at least a major portion of their salaries—and who are engaged in this essential profession, should have the same conditions of tenure as in Government schools not only in regard to security of service but also in regard to everything else. It is to the teaching profession that the Government should pay particular attention and provide them with all amenities. It is on the happiness and prosperity of the teachers who render such a great service by training the youths of this country, that the future of this country depends. Sir, under the New Scheme of Elementary Education, the teacher is required to spend another three hours in the school but the Government are not able to pay anything more for this extra work. I know the teacher is always patriotic and considerate and is willing to contribute his best to the future of this country but we should not take advantage of this attitude of the teachers. Sir, this resolution deals only with the security of their service. Certainly, the Government officials, if they misbehave, can also be dismissed. Why not the same rules be applied in the case of the teachers. (Interruption by the Hon. Sri C. Rajagopalachari.) The Hon. the Chief Minister says that it is more difficult to dismiss a Government official than hang a murderer. Anyway,

5th January 1954] [Dr. V. K. John]

I suggest that the Government should not oppose this resolution but should accept it and even go further and make their conditions of service exactly the same as in the Government institutions."

MR. CHAIRMAN :—" Motion moved—

' That this Council recommends to the Government that teachers in aided institutions be placed on a par with teachers in Government institutions in regard to security of their service.' "

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I am really grateful to the Hon. Deputy Leader of the Opposition for having taken up the cause of the teachers. As a lawyer, he is accustomed to take any brief, and, I think, he has repeated it here. The question is whether the resolution, as it stands, can be implemented. The first point we have to consider is whether we want private agencies in the field of education or not. Even though there have been complaints with respect to certain managements of schools, I am prepared to say that the private agencies have played a very useful and beneficial part in the field of education and it is necessary to encourage them so that more persons interested in education as such, even though they may not be teachers, may take interest in the promotion of education. We are glad that there are many such persons who have started many institutions and they have played a very useful part in toning up the general standard of education in our State.

" Sir, the question now before the House is whether the same conditions of tenure obtaining in the Government institutions should also apply to the teachers of aided institutions. First of all, I would request the hon. Members to consider the difference between the Government institutions and the private institutions as such. As far as the Government institutions are concerned, there are a few hundreds of teachers under our control, so much so, it is possible for us to transfer a person who is unable to get on at a particular place, to another place. Various other things could be adjusted. One other point should be taken into consideration. In the Government schools, there is nobody on the spot to act as manager but it is only the headmaster who takes the place of the manager. Therefore, there is no other person to look after the day-to-day management of the school. But in the aided schools, there is the manager who is responsible for the running of the institution and it is he who comes into contact with the teachers in the day-to-day administration. Therefore, we cannot apply the same set of rules which are being applied to Government schools to the aided schools also. We must look into all aspects of the question and see what is reasonable to the teachers and the management. I am afraid, we cannot adopt wholesale all the conditions of tenure applicable to the teachers in Government schools. But we are aware that in certain cases, the teachers are not properly treated and they are being sent out under the pretext of some fault or other. There is also what is called ' victimization ' in certain cases. That is why the Government have made certain rules with

400 TEACHERS IN AIDED INSTITUTIONS TO BE PLACED ON A PAR
WITH TEACHERS IN GOVERNMENT SERVICE REGARDING
SECURITY OF SERVICE

[Sri C. Subramaniam] [5th January 1954]

reference to aided elementary schools that no dismissal should be made or punishment given without referring the matter to the Deputy Inspector. Further, the teacher is given an opportunity to appeal to the District Educational Officer. We have also prescribed in the rules that appeals should be disposed of within a specified time. When the appeal is received by the Deputy Inspector, he sends it to the District Educational Officer who, after taking into consideration the facts of the case, gives his decision on the appeal. So, it is not as if the teachers in aided schools are left to the sweet will and pleasure of the management as such. We have provided certain safeguards.

"The hon. Mover of the resolution, in his eloquent speech, said that they are governed by the contract terms. After all, these contract terms are mutually agreed upon between the teacher and the management. We have got draft agreement forms which have got to be signed by both the teacher and the management. So, there is sufficient safeguard for the teachers. Apart from that, we are considering the question of prescribing a uniform procedure in respect of punishment to be awarded to the teachers working in elementary schools under private management. Sir, I have gone through the recommendations of the Secondary Education Commission with reference to the security of tenure very carefully. No recommendation has been made therein that whatever rules are applicable to the teachers in Government schools should be made applicable to the teachers in schools under private management. They have suggested that in addition to the officials, there should be an Arbitration Board to look into these matters. Certainly, this suggestion is under the consideration of the Government and, I am sure, action will be taken on the recommendation and the teachers will be satisfied with the machinery we will be providing for the purpose of looking into grievances like dismissal, victimization, etc.

"Sir, with reference to the aided colleges also, I do not find that there are any specific rules but, I think, they are better educated people and they would be able to take care of themselves. Even in their case, we are considering what rules should be made for the purpose of regulating their service. I am sure the hon. Mover of the resolution will realize that the resolution as such, which wants to place the teachers in aided institutions on a par with the teachers in Government institutions, will not work in practice.

6-10
p.m.

"Sir, that is why I am unable to accept the resolution. It is not as if I do not sympathise with the lot of the teachers and it is also not as if I do not know that there have been certain instances of victimization and punishment of teachers for no fault of their own. If we accept the recommendations of the Secondary Education Commission, there will be Arbitration Boards set up wherein, I am sure, teachers will be adequately represented and, in which case, they will be judged by people belonging to their own cadre. So, I would request the hon. Member not to press this resolution

TEACHERS IN AIDED INSTITUTIONS TO BE PLACED ON A PAR 401
WITH TEACHERS IN GOVERNMENT SERVICE REGARDING
SECURITY OF SERVICE

5th January 1954] [Sri C. Subramaniam]

but to take this assurance that the recommendations of the Secondary Education Commission will be examined and they will be adopted with reference to elementary school teachers, secondary school teachers and teachers in colleges also with necessary modifications. With the acceptance and implementation of these recommendations, I am sure the grievances of the teachers in aided institutions with reference to security of tenure will be properly safeguarded."

* SRI G. KRISHNAMURTHI :—"Mr. Chairman, Sir, I am sorry that my arguments in respect of ensuring security of tenure to teachers have not borne fruit with the Hon. the Minister for Education. I think the Hon. Minister knows that I am always rather sincere with my facts and figures. I have been just dealing with vigilance work in my own way for the past ten or twelve years and even after the so-called recent amendment of the contract with reference to elementary school teachers, the department has not been doing any good at all. I have just now got back the Service Register of a particular teacher who served in the Holy Redeemers Elementary School, Palakarai, Tiruchirappalli. In spite of the fact that no entry has been made in the column called 'Special instructions', this teacher was transferred against the rules. Justice has been meted out to this teacher in a most extraordinary way after a delay of over one year that nothing can be done for the teacher. I have appealed to the Secretary to Government for at least three months' salary and the papers must be with the Government. While the officers are taking their own time, this poor teacher who has been going without a job for over a year has recently got married and has got a family also to support.

"The argument of the Hon. the Minister for Education has not convinced me with reference to this point. There is the agency system but it does not mean that the agent can act in any way he pleases. Even according to the law of contracts an agent has got some connexion with the person for whom he acts. In this case, the Government is the principal body for whom the agent is functioning and therefore for the mistakes of the agent the Government are responsible. How can the Government therefore evade their responsibility and say that because these agents are running these schools they can just play with these teachers as if they were mere tools? How is continuity of work possible with these agencies especially when teachers who are more than 40 or 50 years old and are in need of a larger income are thrown out of employment by these managements? Aided schools have been doing good work; but I can just quote facts and figures to our revered Education Minister to show that only those aided schools, where there has been security of tenure for teachers, where there has been continuity of service without any disturbance, and where teachers have been kept on as if in Government service they have been able to do good work. I need only mention the name of the E.R. High School, Tiruchirappalli, which has been known throughout the State as doing very good work. I do not want to mention the names of schools but I can furnish the Minister for Education with the names

[Sri G. Krishnamurthi] [5th January 1954]

of a hundred schools where teachers are disturbed. How is it possible to improve the general tone of educational administration if these agencies are given the power to disturb the teachers as they like? The Government think that these agencies will start something like a revolution. They are afraid to ensure continuity of service to teachers because they think that they might hurt the feelings of these managements. These teachers are to be the playthings of these managements simply because the Government are afraid to meet any additional expenditure they might get involved in by running the schools themselves, in the absence of managements.

"But, Sir, a rule has been laid down that every teacher seeking an appointment should submit at the same time a copy of his application to the District Educational Officer. No management has grudged against this provision and even for the elementary schools the Government want that the teachers should be supplied through the Employment Exchanges. No management has again objected to this. These managements know fully well that they are benefited by these Government grants and they have been getting a lot of money from the Government under this provision though it had always been at the cost of the poor teachers. The rules regarding the Grants-in-aid Code are so wonderful that the managements always benefit. If they do not want any grants, they need not even submit their accounts and they can levy any amount of fees. They can run the schools as they like and only if the deficit exceeds 15 per cent they need contemplate applying for grants. As regards secondary schools if they are surplus institutions they do not want any grant at all. The managements can run their institutions in their own way and it is only with regard to syllabus and departmental supervision that they are bound by the departmental rules. These managements are continuing to run these schools only because they are getting a profit out of them. Only the other day the Hon. the Minister for Finance and Education said that the bus owners are continuing their services because of the profits they make. Similarly these managements are continuing their schools because they stand to get some benefit at the cost of the Government and at the cost of the poor teachers. Why should the Government fight shy of prescribing overnight that these teachers should not be disturbed because they come under the rules prescribed for Government teachers? I do not know what the fears of the Government are.

"I suggested this point as early as in 1946. I have submitted a parallel Grant-in-aid Code when Sri T. S. Avinashilingam Chettiar was the Minister for Education. It must be with the files of the Secretariat. I have suggested therein that the District Educational Officer should act as an Employment Exchange for each elementary, middle and high schools. The District Educational Officer should supply the new entrants and where a teacher has to be thrown out for lack of attendance in the school such a case should also be registered by the District Educational Officer. I

5th January 1954] [Sri G. Krishnamurthi]

have submitted this humble scheme of mine to the Government as early as 1946 and I can submit a copy to the Government even now. It might be said that in the case of aided schools there are no chances for transfer. Just now the Hon. the Minister for Education pointed out that in the case of Government servants where they prove undesirable or for other reasons they are transferred. So also, in the case of aided schools if the District Educational Officer acts as the Employment Exchange, if a management is dissatisfied with a teacher for some particular reason, he can be transferred within that district under the orders of the District Educational Officer according to the list of vacancies maintained by his office as an Employment Exchange. There will be no difficulty whatsoever. My point is that if the Government can do a particular thing without any cost and without detriment to education, why should they hesitate to implement it simply for the reason that it may be unpleasant to the managements? The managements should not be allowed to say 'let us live as capitalists and crush these teachers and therefore the Government should not do this thing or that thing'. I do not know what difficulty there is in granting security of tenure to the teacher when the District Educational Officer acts as the Employment Exchange. He could even arrange for mutual transfers. Finally, I would just request the Government to see that this security of service is ensured to the teacher and he should not be allowed to suffer simply for the sake of pleasing the managements which were created as a product of the agency system. Though it may be some months before the Government consider any enhancement of the salaries of teachers, I expect them to look into the grievances of teachers especially when it does not cost them anything. Sir, it is but proper for me to request every Member of this hon. and sacred House to see that my motion gets the largest number of votes if the Government do not find it convenient to accept this motion. Sir, I do not want to withdraw my Resolution."

* THE HON. SRI C. SUBRAMANIAM :—"Sir, as I have already said, I am not unaware of the grievances of teachers in this respect. The motion as such says that teachers in aided institutions should be placed on a par with teachers in Government institutions and I have already explained the difficulties in regard to this. As far as securing proper tenure for the teachers in the various schools managed by private agencies, I am in full sympathy with the hon. the Mover of this motion. But the question is whether the motion under consideration could be adopted for this purpose. It has got to be slightly altered and it is not properly worded. I can understand adopting this resolution with the necessary modifications suggested by me but it is very difficult for me to accept the suggestion that the rules relating to teachers in Government institutions should be applied wholesale to the teachers in private schools also. I am prepared to give an assurance to the hon. Mover of the resolution that I will look into the whole question and if revision is necessary in respect of these existing rules certainly I will look into the

**404 TEACHERS IN AIDED INSTITUTIONS TO BE PLACED ON A PAR
WITH TEACHERS IN GOVERNMENT SERVICE REGARDING
SECURITY OF SERVICE**

[Sri C. Subramaniam] [5th January 1954]

matter. If as the hon. Member has stated that he has got some scheme and if he is prepared to give it to me, we shall have it examined and see if it is possible to accept it. That, however, does not mean that the same rules which are applicable to the Government teachers should be made applicable to the teachers in aided institutions. The hon. Member made a suggestion that the District Educational Officers should be made to act as an Employment Exchange. It may be that one management might wish to transfer a teacher and put another teacher working in another institution in his place. The other management might not agree to transfer him because he is working properly. Thus this will lead to all sorts of difficulties. Unless we are prepared to abolish the private agency system altogether and are prepared to see that education should be conducted by Government agency, we have to put up with the existing state of things with a little bit of difficulty. We shall try to get over all difficulties. It will not be practical politics to insist that whatever is applicable to Government servants should be made applicable to teachers under private agencies. I would appeal to the hon. Member to withdraw his resolution and leave it to Government to see that proper protection is secured for all teachers in the aided primary schools, or in the aided secondary schools or in the aided colleges. I am prepared to go into the whole matter if only the hon. Member is prepared to make practical suggestions."

MR. CHAIRMAN :—" May I know whether the hon. Member is withdrawing his resolution? "

SRI G. KRISHNAMURTHI :—" Sir, I am pressing my resolution."

The resolution was then put and lost.

MR. CHAIRMAN :—" The House will now adjourn and meet again at 4 p.m. on Thursday, 7th January 1954."

The House then adjourned.

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

The Madras Estates Land (Reduction of Rent) Amendment Bill, 1953 (L.C. Bill No. 1 of 1953).

5th January 1954]

APPENDIX.

[Vide answer to starred question No. 59 asked by Sri T. Purushotham at the meeting of the Legislative Council held on 5th January 1954, on page 362 supra.]

Statement showing the number of Gazetted and Non-gazetted Officers working in the Civil Supplies Department of the Madras State as on 1st November 1953.

I. Gazetted.

(i) Staff in the office of the Board of Revenue (Civil Supplies)—				
Assistant Secretaries	..	..	..	2
Chief Accounts Officer	..	..	..	1
Deputy Chief Accounts Officers	..	..	..	2
State Road Transport Officer.. .. .	..	..	..	1
(ii) Staff in mufassal—				
District Supply Officers	..	..	..	4
Personal Assistants	..	..	..	3
Special Officers at Nagpur and Visakhapatnam	..	..	..	2
Area Transport Officer	..	..	..	1
Assistant Entomologists	..	..	..	2

II. Non-Gazetted.

(i) Staff in the office of the Board of Revenue (Civil Supplies)—				
Superintendent, grade I	..	..	..	1
Superintendents, grade II	..	..	..	17
Superintendents, grade III	..	..	..	3
Upper division clerks	..	..	..	27
Accountants	..	..	..	36
Lower division clerks	..	..	..	16
Stenographers	..	..	..	3
Typists	..	..	..	10
Attenders	..	..	..	5
Peons	..	..	..	28
(ii) District Establishments—				
Superintendents, Rice Scheme	..	..	..	3
Huzur Head Clerks	..	..	..	15
Civil Supplies Tahsilars	..	..	..	10
Taluk Supply Officers	..	..	..	74
Office Assistants	..	..	..	3
Assistant Superintendents	..	..	..	9
Assistant Taluk Supply Officers	..	..	..	9
Reception Deputy Tahsildars	..	..	..	11
Taluk Head Accountants	..	..	..	15
Office Managers	..	..	..	2
Marketing Assistant	..	..	..	1
Food Inspector	..	..	..	1
Upper division clerks	..	..	..	101
Supervisor	..	..	..	1
Joint Accountants	..	..	..	4

[5th January 1954]

II. Non-Gazetted—cont.

(ii) District Establishments—cont.

Lower division clerks	348
Godown-keepers	9
Special Clearance Inspectors	108
Tally clerks	13
Typists	21
Peons	299
Workmen	26
Watchmen	47
Escort peons	8
Night watchmen	10
Shroffs	9
Reception Revenue Inspectors	24
Attenders	3
Masalchi	1

(iii) Entomological staff—

Superintendent	1
Deputy Tahsildars	2
Taluk Head Accountant	1
Upper division clerks	2
Grain Inspectors	6
Lower division clerks	33
Typists	4
Loading Inspectors	20
Peons	43
Marketing Assistants	4
Stenographer	1
Storage Assistants	17
Fieldmen	2
Maistries	17

(iv) Staff in the Government Milk Factory—

Manager	1
Superintendent	1
Accountant	1
Upper division clerk	1
Typist	1
Attender	1
Peons	2
Electric Foreman	1
Electrician	1
Wireman	1
Boilerman	1
Assistant Boilerman	1
Compressormen	2
Tinker	1
Factory guards	2
Mazdoors	20
Gate-keeper	1
Sweeper	1

5th January 1954]

II. Non-Gazetted—cont.

(v) Staff in the Rationing Offices—

Rationing Officer, II grade	1
Rationing Officers, III grade	8
Assistant Rationing Officers, IV grade	31
Upper division clerks	4
Lower division clerks	68
Checking Inspectors	9
Enquiry Officers	11
Typists	2
Attender	1
Peons	55

(vi) Transport staff—

Assistant Transport Officer	1
Senior Foreman	1
Junior Foreman	7
Executive Assistant	1
Senior Superintendent (190-240)	1
Senior Accountant (140-190)	1
Upper division clerks	6
Lower division clerks	10
Senior fitters	6
Drivers for lorries, jeeps and land rovers)	137
Cleaners	8
Watchmen	8
Tinkers	2
Blacksmiths	2
Typist	1
Junior fitters	17
Electrician	1
Painter	1
Carpenters	2
Hammerman	1
Tyre-fitters	2
Time-keepers	13
Labour Inspector	1
Peons	7
Attender	1
Junior cleaners	33

(vii) Storage staff—

Deputy Tahsildars (including Wheat Supervisor and G. Superintendents in the same grade).	6
Head Accountants	5
Upper division clerks	3
Lower division clerks	13
Reception or Food Revenue Inspectors	4
Godown-keepers	44
Tally clerks	30
Peons	13

[5th January 1954]

Non-Gazetted—cont.(vii) Storage staff—*cont.*

Watchers (ordinary watchmen)	135
Workmen	40
Junior Accountant	1
Checking Inspector	1
Clearance Inspectors	5
Escort peons	7
Gurkha watchmen	10
Reception officers in the grade of Assistant Taluk Supply Officers	3
Stitchers and lifters	4

(viii) Anti-smuggling staff—

(1)	(2) South Arcot.	(3) Coimbatore.	(4) South Kanara.	(5) Madurai.	(6) Malabar.	(7) Salem.	(8) Tirunelveli.	(9) Total.
Chowkidars	39	..	38	22	14	32	50	195
Sub-Inspectors	2	..	..	..	..	..	..	2
Head Constables	6	13	..	..	6	..	..	25
Police Constables	6	..	8	..	6	..	..	20
Deputy Tahsildars	..	2	1	1	1	..	2	7
Peons	..	2	10	4	1	..	2	19
Revenue Inspectors	..	..	2	2	..	..	..	4
Lower division clerks	..	..	..	1	..	..	2	3

(ix) Harbour staff (Madras and Cochin Ports) —

Deputy Tahsildar	1
Special Tahsildar	1
Forwarding Inspectors	2
Upper division clerks	3
Lower division clerks	5
Typist	1
Clearance Supervisors	6
Tally clerks	6
Escort peons	6
Workmen-cum-sweepers	6
Peon	1

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, 7th January 1954.

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.

Professors in the Medical Colleges in Madras and Andhra States.

* 60 Q.—SRI K. BALASUBRAMANYA AYYAR (on behalf of Sri Alexander Gnanamuttu): Will the Hon. the Minister for Health be pleased to state—

(a) the number and names of Professors (Tamilians) working in the Andhra Medical College who have been sent back to the Madras State; and

(b) the number and names of Professors (Andhras) who are kept on in the Medical Colleges in Madras State and the reasons for their retention?

THE HON. SRI A. B. SHETTY :—“(a) None so far, Sir.

“(b) The following three Professors who are Andhras, have been retained in this State in view of the paucity of fully qualified and experienced Professors in their speciality and in the interests of this State :—

(1) Dr. D. V. Subba Reddi, Professor of Physiology, Medical College, Madras.

(2) Dr. C. Venkataramayya, Professor of Physiology, Stanley Medical College, Madras.

(3) Dr. C. Satyanarayana, Professor of Ear, Nose and Throat Diseases, Stanley Medical College, Madras.”

SRI T. PURUSHOTHAM :—“May I know whether these Professors who are Andhras and who have been retained in this State have still got a long period of service or whether they are due to retire shortly?”

THE HON. SRI A. B. SHETTY :—“Dr. D. V. Subba Reddi is on the eve of retirement.”

SRI K. BALASUBRAMANYA AYYAR :—“May I know whether there are Tamilian Professors in the Andhra Medical Colleges?”

THE HON. SRI A. B. SHETTY :—“Dr. Padmanabha Menon, Professor of Surgery, Dr. Ramanathan, Professor of Bio-Chemistry, and Dr. Govinda Rao, who is said to be a Mysorean Professor of Pharmacology, have been retained in the Andhra Medical College.”

[7th January 1954]

SRI V. CHAKKARAI CHETTY :—“ May I know whether the Hon. the Chief Minister and the Hon. the Health Minister were consulted in the matter of sending away of these doctors who are Tamilians to the Andhra Medical College and whether they made any protest against their transfer? ”

THE HON. SRI A. B. SHETTY :—“ Yes, Sir. The Trivedi Committee has gone into this matter.”

SRI T. PURUSHOTHAM :—“ May I know whether these Professors working in the Andhra Medical College are allotted to the Andhra State or merely transferred? ”

THE HON. SRI A. B. SHETTY :—“ They have been allotted.”

Grant of loans to Co-operative House Building Societies.

* 61 Q.—SRI M. K. M. ABDUL SALAM : Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state—

(a) the conditions under which Government loans are being given to co-operative house building societies;

(b) the amount so far sanctioned and paid to such societies;

(c) the number of detected cases of misuse of such moneys and the total amount involved; and

(d) what arrangements have been made for effective supervision and audit to avoid misuse of such money?

THE HON. DR. U. KRISHNA RAO :—“ (a) to (d) The answers (a) to (d) * are printed and placed on the table of the House.”

SRI V. GURUNANDAN ROW :—“ May I know whether the Government are aware of the fact that a certain Co-operative House Building Society at Villivakkam is putting its members to inconvenience and expense by demanding a fee for certifying the plan by an engineer when the Secretary of the society himself is an engineer? ”

THE HON. DR. U. KRISHNA RAO :—“ I am not aware of such a case. But if the hon. Member will write to me, I will look into it.”

Steps taken by the Government on the cessation of the tramway service.

* 62 Q.—SRI T. PURUSHOTHAM : Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state in detail the steps taken by the Government to meet the needs of Madras City traffic consequent on the cessation of the Madras Electric Tramway Service?

THE HON. DR. U. KRISHNA RAO :—“ (a) Steps taken immediately on the cessation of the tramway service.—(1) Increase

* Printed as Appendix I on pages 473-477 infra.

[7th January 1954]

in the number of buses on the road by 40 units, by withdrawing vehicles from some mufassal routes over which private services were also operating, and by temporary reduction in the number of vehicles normally withdrawn for periodical servicing.

(2) Addition of 14 Civil Supplies lorries converted for use as lorry buses.

(3) Retention in service of the old buses which should have been replaced by 43 new buses added to the fleet in the course of the current year. These continue in service even to-day.

“ (b) Immediately after it was definitely known that the tramway service will not be resumed.—(1) Accord of sanction for the purchase of 50 heavy diesel vehicles, each of which could carry 60-70 passengers. These new vehicles will be available in the next financial year.

(2) Replacement, now in progress, of 50 over-aged petrol engines in existing buses, by diesel engines, to make the older vehicles continue to be serviceable without breakdowns.

(3) The conversion of a further number of 90 engines is also under consideration.”

SRI T. PURUSHOTHAM :—“ May I request the Hon. Minister to enlighten us as to the number of ex-tramway workmen who have been absorbed in the City-nationalized bus service and how many ex-tramway workmen are still unemployed? ”

THE HON. DR. U. KRISHNA RAO :—“ So far as the Government Transport is concerned, all applicants who were desirous of joining the Transport were asked to send in their applications to the Transport Commissioner before the 15th of December. The Government appointed a Committee consisting of the Joint Transport Commissioner, the Assistant Commissioner of Police, the Assistant Transport Commissioner for the Running Staff and the Mechanical Engineer of the technical staff. These officers were asked to look into these applications and select as many as are necessary for vacancies that are at present existing and are likely to arise in the future, looking into the suitability of the candidate, his qualification, his experience and other things. I am not aware, how many of the total number of tramway workers who are out of job are now employed.”

SRI MOHAMMAD RAZA KHAN :—“ May I know whether the Government are satisfied that they have put in sufficient number of buses in the City after the cessation of the tramways? ”

THE HON. DR. U. KRISHNA RAO :—“ Sir, I must confess that I am not entirely satisfied because there is no upper

[7th January 1954]

limit to the number of buses which we can put into operation. Apart from that, buses are not available anywhere in India. Even if chassis are available, it just takes time to build bodies."

SRI MOHAMMAD RAZA KHAN :—" Should not the Government have an idea, after the cessation of tramways, how many buses should be put on the road to cope with the present traffic? "

THE HON. DR. U. KRISHNA RAO :—" That is why, in the next financial year, we propose to spend Rs. 30 lakhs for the purchase of 50 heavy diesel vehicles. We hope that with the introduction of these heavy diesel vehicles, we shall be able to remove such of the extra traffic which the tramways were conveying."

SRI V. GURUNANDAN ROW :—" May I know whether the Government have any proposal to reduce the bus fares? "

THE HON. DR. U. KRISHNA RAO :—" There is no such proposal at the present moment."

SRI V. GURUNANDAN ROW :—" May I know whether it is a fact that the number of persons travelling by buses are far fewer than the number of persons travelling by buses and tramways put together? "

THE HON. DR. U. KRISHNA RAO :—" It may be correct and I do not deny it. The tramways were conveying about two lakhs of passengers. The buses were conveying about two lakhs. Now we take about three lakhs and odd which means that about fifty thousand persons are going by some other vehicles."

SRI K. BALASUBRAMANIA AYYAR :—" Have the Government, Sir, finally decided that there should be no tramways? "

THE HON. DR. U. KRISHNA RAO :—" It is for those people in charge of the tramways to decide. So far as we are concerned, we are fairly certain that there will be no trams in the City."

4-10 p.m. SRI MOHAMMAD RAZA KHAN :—" Are the Government aware, Sir, that during peak hours, hundreds of people have to wait at bus stops, and they do not get buses even if they wait for half an hour or three-quarters of an hour? "

THE HON. DR. U. KRISHNA RAO :—" I am aware of that, Sir. That is why we try our best to put more vehicles on the road during peak hours. That is why I said that no upper limit to the number of buses, during peak hours, could be fixed."

SRI V. CHAKKARAI CHETTY :—" What conditions do the Government propose to impose on the tramways to resume their service? Are negotiations going on between the Government and the tramways in the matter? "

[7th January 1954]

THE HON. DR. U. KRISHNA RAO :—" Sir, hon Members must be aware that the Government are not responsible for the closure or stoppage of the tramways. There are certain conditions which must be fulfilled by them. If that is done, we shall be happy to allow them to re-start. I have always held that the train service is a cheap service. It can take a lakh of people. But that does not mean that we can help a service which is not financially sound."

SRI MOHAMMAD RAZA KHAN :—" Sir, is the Hon. Minister aware that sometimes the buses are so fully packed with standing passengers that the buses look worse than the railway goods waggon? "

THE HON. DR. U. KRISHNA RAO :—" It is certainly better than leaving passengers stranded in bus stops and on the roads."

DR. C. NATHAMUNI NAIDU :—" Is the Hon. Minister aware that all the pickpocketing in the city takes place while travelling in buses? "

THE HON. DR. U. KRISHNA RAO :—" Pickpocketing is not confined to buses. It can happen wherever there is a crowd. Where more than 10 people jostle together, there is the chance for a pickpocket. I do not think the hon. Member's suggestion, that overcrowding in buses is the only cause of pickpocketing, is correct."

DR. C. NATHAMUNI NAIDU :—" Sir, is the Hon. Minister aware that some of the Assembly and Council Members have lost their purses when travelling in buses? "

THE HON. SRI C. RAJAGOPALACHARI :—" I would advise hon. Members not to carry money in their pockets." (Laughter.)

Report on the working of the Madras Shops and Establishments Act, 1947.

* 63 Q.—SRI V. GURUNANDAN ROW : Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state with reference to starred Legislative Council Question No. 180 answered on 23rd July 1953, the action taken by the Government on the report of the Special Officer appointed for examining the working of the Madras Shops and Establishments Act, 1947?

THE HON. DR. U. KRISHNA RAO :—" The Government have examined the report and passed orders in G.O. Ms. No. 4060, Development, dated 7th September 1953, copies^b of the report and the Government Orders^a thereon have been placed on the table of the House."

^a Placed on the table of the House on the 15th January 1954.

^b Printed as Appendix II on pages 477-496 infra.

[7th January 1954]

SRI V. GURUNANDAN ROW :—" In the Government Order referred to in the answer, the last paragraph says that the Central Government are contemplating legislation. Is that a communication from the Central Government or is it only a statement made somewhere in a public speech by a Minister of the Central Government? "

THE HON. DR. U. KRISHNA RAO :—" Section IV, as the hon. Member knows, is ' Suggestions for the amendment of the Act.' We had definite information, if not now, at any rate, some time ago, that the Central Government intended to bring a new Industrial Disputes Bill which might contain some provisions for improving the Act. It was agreed at the Tripartite Conference and also at the Central Conference that this should be done. The Central Government also told us that if this Bill was passed, it might be an improvement on the existing Act. We are only awaiting that. When we know definitely they will not bring forward that Bill, we will take action."

DR. V. K. JOHN :—" Sir, have the Central Government drafted a Bill and sent a copy of it to this Government? "

THE HON. DR. U. KRISHNA RAO :—" Not yet, Sir."

SRI V. GURUNANDAN ROW :—" Will the Government be pleased to forward the report of the Special Officer to the Central Government to help them in drafting the proposed Bill? "

THE HON. DR. U. KRISHNA RAO :—" I was just now answering the hon. Member Dr. John's question. If the Central Government send to this Government the draft Bill, then this Government can send along with their opinion, the report of the Special Officer."

DR. V. K. JOHN :—" Are the Government aware, Sir, that both the employers and the employed are dissatisfied with the provisions of this Act? "

THE HON. DR. U. KRISHNA RAO :—" Not with all the provisions of the Act. There may be dissatisfaction in regard to certain matters. But on many matters, there is complete satisfaction."

MR. CHAIRMAN :—" Questions are over."

UNSTARRED QUESTIONS.

Bench Court at Karaikudi.

5 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR : Will the Hon. the Minister for Law be pleased to state—

(a) whether any decision has been taken by the Government regarding the continuance or abolition of the Bench Court at Karaikudi; and

7th January 1954]

(b) whether any representation has been made by the members of the Legislature recommending the retention of the Bench Court at Karaikudi?

A.—(a) No.

(b) Sri A. R. A. R. M. Chockalingam Chettiar, M.L.A., and Sri T. M. Daivasikhamani Achariar, M.L.C., made oral representations to the Joint Secretary to Government, Home Department, in March 1953 that the term of the Bench Court at Karaikudi expired and that the public were put to much inconvenience as the Bench Court was not functioning.

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

II.—MESSAGES FROM THE GOVERNOR.

MR. CHAIRMAN :—" I have to announce to the House that I have received the following Messages, dated the 17th and 20th December 1953, and 6th January 1954, from the Governor of Madras :—

(1) *Madras Slum Improvement (Acquisition of Land) Bill, 1954.*

'In pursuance of Article 207, clause (3), of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Slum Improvement (Acquisition of Land) Bill, 1954.'

(2) *State Co-operative Societies (Reconstitution and Formation) Bill, 1954.*

'In pursuance of Article 207, clause (3), of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the State Co-operative Societies (Reconstitution and Formation) Bill, 1954.' and

(3) *Madras Contingency Fund Bill, 1954.*

'In pursuance of Article 207 (3) of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Madras Contingency Fund Bill, 1954.'

III.—GOVERNMENT BILLS.

(1) THE STATE CO-OPERATIVE SOCIETIES (RECONSTITUTION AND FORMATION) BILL, 1954 (L.A. BILL NO. 1 OF 1954) (AS PASSED BY THE ASSEMBLY).

* THE HON. DR. U. KRISHNA RAO :—" Sir, I move—

'That the State Co-operative Societies (Reconstitution and Formation) Bill', 1954 (L.A. Bill No. 1 of 1954), as passed by the Legislative Assembly be taken into consideration.'

Sir, the partition of this State necessitated the reconstitution of the three State co-operative institutions, that is, the State Co-operative Bank, the Co-operative Central Land Mortgage Bank and the State Handloom Weavers' Society. An Ordinance—The Madras State Co-operative Societies (Reconstitution and Formation) Ordinance, 1953 (Madras Ordinance II of 1953), was, therefore, issued providing for the reconstitution of these societies by

[Dr. U. Krishna Rao] [7th January 1954]

excluding from their area of operation the territory now comprised in the Andhra State and for the formation of the new societies for the said territory. The then existing societies have accordingly been reconstituted and new societies have been formed. As the Ordinance will cease to operate at the expiration of six weeks from the reassembly of the Legislature, it has become necessary to enact legislation to give permanent effect to the acts done and decisions taken in pursuance of the Ordinance. The Bill which is before this House achieves this object. I, therefore, move that this Bill be taken into consideration."

MR. CHAIRMAN :—" Motion moved—

'That the State Co-operative Societies (Reconstitution and Formation) Bill, 1954 (L.A. Bill No. 1 of 1954), as passed by the Legislative Assembly, be taken into consideration.'

* DR. V. K. JOHN :—" I feel, Sir, that further information or fuller information should have been given to this House. I have read a copy of the Ordinance, dated the 4th September 1953. That Ordinance provides for general body meetings of these various societies and their consent being taken for reconstitution. Now the Hon. Minister does not tell us whether general body meetings have taken place, whether consent was taken, or whether the vote was unanimous or whether it went before a judge. If the reconstitution was with the consent of the general body, I do not see any reason why there should be an enactment binding on the members and the creditors, because, general body meetings have taken place, and the general bodies concerned have decided to reconstitute the societies. So, fuller information as to how the Ordinance was worked out should have been given to this House to enable the House to know the need for this enactment. Secondly, the Ordinance provides that the guarantee of the Government for the liability of these various societies would still continue. As a matter of information, I want to know whether the guarantee of the Madras Government continues in the case of the newly constituted societies in Andhra. We would like to know this. I feel that, if these societies were reconstituted with the consent of the share-holders, this enactment is unnecessary and superfluous."

4-20 p.m. * SRI S. NARASAPAYA :—" Mr. Chairman, Sir, while fully supporting the Bill moved by the Hon. Minister for Co-operation, I think it will not be out of place, if I take this opportunity to bring to the notice of the Government and to this House one or two matters in particular which have come into being as a result of the splitting up of this composite bank. At the time of the separation of the Madras State, the Madras State Co-operative Bank was functioning for the entire State and advanced various sums of money to the District Central Co-operative Banks. One such bank which had taken a large sum of money was the Bellary District Central Co-operative Bank. At the time of partition a

7th January 1954] [Sri S. Narasapaya]

sum of Rs. 18 lakhs was due from this bank to the Madras State Co-operative Bank. That debt remains unpaid even to-day. Formerly the Registrar of Co-operative Societies had jurisdiction over the Bellary District Co-operative Bank. After partition he has no control over that bank and he can do nothing to recover the debt.

"The Bellary District Co-operative Bank which borrowed the money had in its turn advanced this money to the various co-operative societies in the undivided Bellary district. A sum of about Rs. 12 lakhs was advanced to societies which are existing and functioning in the three taluks of Adoni, Rayadurg and Alur which have now gone to the Andhra State and Rs. 6 lakhs to societies in seven other taluks in Mysore State. Now, the Andhra State Co-operative Bank cannot take responsibility to pay the debt because it has no jurisdiction over these seven taluks. The Bellary Central Bank has no jurisdiction over the banks in the other three taluks and they refuse to undertake responsibility to pay the debt due from those societies. So, the sum of Rs. 18 lakhs remains unpaid even now since three States, namely the Mysore, Andhra and Madras States are involved in this matter. Therefore there is no use of taking up the matter for discussion at the lower levels. It is a matter which has to be taken up and dealt with at Government level. I bring this to the notice of the Government so that necessary steps might be taken in consultation with the Governments concerned to recover the sum of Rs. 18 lakhs that is due to the Madras State Co-operative Bank.

"There is another matter which I wish to bring to the notice of the House and the Government. Hon. Members are well aware that in co-operative banking there are different grades of societies and banks with very well-defined areas of operation. In the villages we have the village co-operative bank, in the districts we have the district co-operative bank and in the State we have the State co-operative bank. The Madras State Co-operative Bank was operating and functioning for the entire State of Madras. Now it is operating over the entire residuary Madras State or the Madras State, as it is now called. Another co-operative bank was started for the Andhra State with the definite object of serving the Andhra area. It is necessary that each co-operative bank should function within its area of operation. Now the Andhra Co-operative Bank intends opening a branch of that bank in the Madras City. Now this will result in unhealthy competition and a lot of complications because they will be infringing the fundamental principle of co-operative banking, namely, the area of operation of one society or bank should not extend into the area of operation of another bank or society. For example if a village society is lending money to its members, the district bank should not come in there; similarly, the State Bank cannot come into the jurisdiction of the district bank or society. So the area of operation of these banks are very well defined and kept exclusive of one another. So far as the Madras State is concerned if any

[Sri S. Narasapaya] [7th January 1954]

one society or bank should infringe upon the area of operation of another society or bank there is the Registrar of Co-operative Societies who comes and says: 'Your area of operation is this. You cannot go out of your area.' So far as the Andhra Bank is concerned the Registrar of Co-operative Societies, Madras, has no jurisdiction over the bank. Even in ordinary banking business, branches can be opened only after obtaining the permission of the Reserve Bank of India. The Reserve Bank refuses permission to open a branch if there is a possibility of competition or complications arising as a result of the opening of a branch in a particular locality. But the Reserve Bank has no hold upon co-operative banks. If it is the branch of a bank functioning within the State then the Registrar of Co-operative Societies can supervise the work of the bank and see that no complications arise. But the branch proposed to be opened in Madras City is that of a co-operative bank of a different State over which the Registrar of Co-operative Societies of the Madras State will have no jurisdiction. It is Government alone that can take suitable action in this matter. Unfortunately there is a lacuna in the Co-operative Societies Act of the Madras State. There is no provision in it prohibiting another State Co-operative Bank opening a branch in this City. It does not also say that the entire Madras State must be under the exclusive jurisdiction of the Madras State Co-operative Bank. It is time Government looked into this matter. As it is, they cannot prohibit the Andhra State Co-operative Bank from opening its branch here. They must therefore immediately bring in necessary amendments to the Act and prevent the Andhra State Co-operative Bank opening a branch in the City. It may be asked: 'Why should the Andhra State Co-operative Bank be prevented from opening a branch? Why should they not be allowed to open a branch?' If they are allowed to open a branch, a lot of complications will arise as I said already. The fundamental idea of co-operation is that there should not be competition between two co-operative institutions. If the Andhra State Co-operative Bank is allowed to open a branch here there is bound to be competition in the matter of deposits, in the matter of lending and so on. The Registrar of Co-operative Societies, Madras, cannot supervise the work of the branch of the Andhra State Co-operative Bank. It is therefore not proper to allow the Andhra State Co-operative Bank to open a branch here. It is time and right too for the Madras Government to prevent the opening of a branch under the existing laws or if necessary by bringing in suitable amendments to the existing Act.

"With these observations, which I hope the Government will take note of, I support the Bill moved by the Hon. Minister for Co-operation."

SRI K. BHASHYAM:—"Mr. Chairman, Sir, I am really indebted to the previous speaker for the points that he has put forward. The principle of the Bill which separated the original State Co-operative Bank into two banks was that each separated bank will have responsibility for the loans and other things that

7th January 1954] [Sri K. Bhashyam]

were given in their respective areas. I think this principle was also accepted by the general body meeting of the separated banks. That being so, if the Bellary District Co-operative Bank went to the Mysore Government they take the liability or at least the responsibility of supervising the work of the banks there, which had taken loans in that area. Similarly the Andhra Government will take responsibility for the banks within its jurisdiction. That being so, I do not know how the question of recovering the 18 lakhs of rupees can arise at all. I am unable to see the point raised by my hon. Friend. Because he is connected with the bank as a member of the Managing Committee he will be able to explain it further with the permission of the Chairman. As regards the principle he has enunciated, I agree with him. But, what I want to know is this. Who will suffer by the Andhra State Co-operative Bank opening a bank here? Under the Co-operative Societies Act, the Registrar of Co-operative Societies has got the power to have these matters examined, by an arbitrator or anything like that, pass awards and have the awards summarily executed as between the banks and the parties which come under the Act. If as was stated by the hon. Member, the Andhra Registrar of Co-operative Societies has no jurisdiction over the branch to be opened in Madras, it follows that the branch here taking deposits or granting loans to third parties may not be able to recover the amounts summarily which they can do under the Act. It is the Andhra State Co-operative Bank that will suffer if they open a branch here.

"Perhaps they want to take a risk, thinking that even if it is so, they will still take steps to open a branch and also think of suing in ordinary courts of law for the purpose of recovering loans which they may advance to persons in the Madras City. It is a risk that they are taking and I do not know why they are taking it. We do not know the motive behind it. Perhaps they want to claim that Madras City still belongs to the Andhras and that it is a City jointly owned by Andhras and Tamils. Is it their idea to keep alive that controversy? It may be that way or it may be from the commercial point of view. Perhaps, they do not want to forgo the advantage of having a branch here and receiving deposits from the Andhra people of this City. After all, any bank can open a branch here. There is nothing to prevent it. But the depositors must be aware that if it is a co-operative bank, they have got the right to ask the Registrar of Co-operative Societies to supervise the working of the bank from time to time. If the Andhra State Co-operative Bank opens a branch here, they would be taking a risk and perhaps they will gain more here by receiving large deposits from the Telugu-speaking people here. As my hon. Friend has suggested, the Government must take steps in respect of this matter and even correspond with the Andhra Government. It is a valuable suggestion and nothing should be done against co-operative principles. I, therefore, endorse all that has been said by the previous speaker and support the Bill."

[7th January 1954]

* SRI P. N. MARTHANDAM PILLAI :—“ Mr. Chairman, Sir, I do not see any difference between an Andhra State Co-operative Bank to be opened here and the Hyderabad Bank which has been opened. The British Government can open a bank here. The Government of the United States of America can open a bank here. If the bank is called a co-operative bank, we are not in the least affected by it. It may not come within the jurisdiction of the Registrar of Co-operative Societies, Madras. Therefore, the naming of a bank as a co-operative bank need not offend us. It is an independent institution. We are not concerned whether they call it a co-operative bank or some other bank. Our Acts do not apply to it. Our Registrar of Co-operative Societies is not going to have jurisdiction over it. As the hon. Member, Sri Bhashyam, has pointed out, the Andhra Co-operative Bank is taking a risk and, therefore, there is no point in saying that the Andhra Co-operative Bank should not open a branch here.”

* THE HON. SRI C. SUBRAMANIAM :—“ Sir, with regard to the question, whether the Andhra State Co-operative Bank can open a branch here, I confess, I have not studied it. As far as ordinary banks are concerned, there is an all-India Act, under which they can be constituted and certainly they have got the liberty to open branches anywhere in the country and carry on their banking operations. But, as far as co-operative banks are concerned, they are the creatures of State Acts and those Acts can apply only within the State. There is no question of extra-territorial application of any State Act. That being so, that bank can operate only within the area where that Act has validity and force. Certainly it cannot come from outside the State and operate here under a law which is not applicable to it. Therefore, I have got very serious doubts whether they are right in opening a branch here at all. That is a matter for consideration and certainly we shall take note of it and have it properly examined. I think, we should, if necessary, correspond with the Andhra Government and arrive at a settlement in regard to this matter. But my own view is, if it is possible, this should not be allowed to happen here. It is not as if it is an ordinary bank but it is a co-operative bank and we will have to examine the matter fully.

“ Sir, with reference to Rs. 18 lakhs borrowed by the Bellary District Co-operative Bank, my hon. Colleague will deal with it. I think, even with reference to that, the Andhra Act is applicable so far as the guarantees are concerned.”

SRI S. NARASAPAYA :—“ The Hospet Co-operative Bank is outside the Andhra area.”

THE HON. SRI C. SUBRAMANIAM :—“ If this amount of Rs. 18 lakhs has nothing to do with the Andhra Act, we will have to refer the matter to the President who will intervene and pass orders on it. My hon. Colleague will deal with the other matters mentioned by the hon. Members.”

7th January 1954]

* THE HON. DR. U. KRISHNA RAO :—“ Sir, I thank the hon. Members for their valuable suggestions. The hon. Member, Dr. John, wanted more information on the necessity for the Ordinance. Sir, the Ordinance was issued for the purpose of overcoming any objections that might be raised or any point of view that might have arisen as a result of partition of the State. Luckily, nothing has happened and the division took place most amicably and there was no necessity for either the Registrar to intervene or to seek the help of a High Court Judge. It was only as a safeguard that the matter relating to the intervention of the Registrar or the High Court Judge was mentioned. Since that catastrophe did not occur, it does not find a place in the Bill itself.

“ With regard to guarantees, surely all the guarantees that we are making are only for the Residuary State. The Andhra Government will give guarantees with regard to the banks in the Andhra area.

“ With regard to the points raised by the hon. Member, Sri Narasapaya, my hon. Colleague, the Finance Minister, has answered them. We have also written to the Mysore Government pointing out the difficulties mentioned by the hon. Member and asked them to undertake the necessary legislative measure and see that any lacuna is rectified. They wrote back to us saying that the matter is receiving their most urgent attention but actually we have not received any information about the action taken in respect of this matter.

“ As regards the opening of a branch of the Andhra State Co-operative Bank in the Madras City, the hon. Member will see from the discussion in this House itself, that there are many opinions on this question. The hon. Member who pointed out the consequences of opening the branch here also referred to the lacuna in the Act which does not give the State enough power to prevent it. As my hon. Friend, Mr. Bhashyam, and the Finance Minister have made it clear, perhaps the Bank is taking a big risk in the matter and it may not be desirable. In this connexion, I must say that I was aware of this matter only this morning and I have not had enough time to consult my departmental officials on this matter and see whether any political aspect is involved or the interests of the depositors in this State are affected. I will examine and do what is needful in the matter. I can only say that, at this moment, I have no official intimation of the branch being opened here.

“ But, whether in the general political interest it is feasible to permit such a bank to function here is another matter. It has got to be taken up at the State level and discussed at ministerial and Governmental level. I cannot answer now what will be the result of that discussion. I can only give an assurance that I shall initiate that correspondence and I hope it will be fruitful to us. Both these points are really outside the purview of this Bill because it is only intended to validate the Ordinance and to see that the division is made properly and the guarantees for the existing shareholders

[Dr. U. Krishna Rao] [7th January 1954]

are continued. I feel that with the assurance given on these two vital points as also with the assurance that my hon. Colleague, the Finance Minister and I have given on the other points, the hon. Members will pass this Bill unanimously."

MR. CHAIRMAN :—" The question is—

' That the State Co-operative Societies (Reconstitution and Formation) Bill, 1954 (L.A. Bill No. 1 of 1954), as passed by the Legislative Assembly, be taken into consideration.' "

The motion was carried.

Clauses 2 to 4 were put and carried.

Clause 1 and the Preamble were put and carried.

* THE HON. DR. U. KRISHNA RAO :—" Sir, I move—

' That the State Co-operative Societies (Reconstitution and Formation) Bill, 1954 (L.A. Bill No. 1 of 1954), as passed by the Legislative Assembly be read a third time and passed.' "

MR. CHAIRMAN :—" The question is—

' That the State Co-operative Societies (Reconstitution and Formation) Bill, 1954 (L.A. Bill No. 1 of 1954), as passed by the Legislative Assembly, be read a third time and passed.' "

The motion was carried and the Bill was read a third time and passed.

(2) THE MADRAS GENERAL SALES TAX (AMENDMENT) BILL, 1954
(L.A. BILL NO. 2 OF 1954) (AS PASSED BY THE ASSEMBLY).

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Mr. Chairman, Sir, I beg to move—

' That the Madras General Sales Tax (Amendment) Bill, 1954 (L.A. Bill No. 2 of 1954), as passed by the Legislative Assembly, be taken into consideration.'

" Sir, in the year 1951 an Appellate Tribunal was constituted to hear appeal cases arising in the working of the Madras General Sales Tax Act. It consisted of three persons, namely, one of the status of a District Judge, the second a Chartered Accountant and the third being the Deputy Commissioner of Sales Tax. We found certain drawbacks in the working of this tribunal. I may mention one or two of them. There are three officers in the tribunal and if one of them took leave the tribunal could not function because under the law all the three had to sit together. Each one of them is entitled to a month's privilege leave. If every officer exercises this right, three months go away from one year. The second difficulty is that if it so happens that an assessee is a relation of one

7th January 1954] [Sri M. A. Manickavelu Naicker]

of the members of the tribunal, this member cannot sit on the tribunal and it cannot work. So also, in the case of the Deputy Commissioner of Sales Tax who is also a member of the tribunal, even if he does not happen to be a relation of the assessee but had disposed of the case as Commercial Tax Officer he cannot sit on the tribunal and take part if this particular case is to come up before it. To obviate this difficulty it is proposed to constitute a Bench of two. The hon. Member, Dr. John, and other advocate friends know very well that in the High Court even big cases involving large sums of money or other big issues are decided by a Bench of two. Similarly in the case of the Sales Tax Appellate Tribunal I do not see any reason why there should be three members on the Bench. Two members can as well do the function.

" There is also another reason, namely, that on account of the partition of the State two of the members of the tribunal were allotted to the Andhra State. This meant that the tribunal was left with only one member and it could not function. Therefore, on 30th October 1953, the Government thought it necessary to issue an Ordinance on which this Bill is based, namely, that two people could carry on the work of the tribunal. We have also provided that in cases where no question of law is involved a Bench of two consisting of the Chairman and another member or the other two members alone deal with them, and where any question of law is involved the full Bench sit including the Chairman. When a Bench of two sit and the members are divided in their opinion the point or points on which they differ shall be found against the appellant, that is, the original decision will stand or the *status quo* will be maintained. This Bill has been introduced only to regularise the Ordinance which the Government found it necessary to promulgate. I, therefore, commend this motion to this honourable House."

MR. CHAIRMAN :—" Motion moved—

' That the Madras General Sales Tax (Amendment) Bill, 1954 (L.A. Bill No. 2 of 1954), as passed by the Legislative Assembly, be taken into consideration.' "

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, I am taking it that the present Bill is only an amendment to section 2-A of the General Sales Tax Act and therefore we have nothing to do with the question whether section 2-A should be there or not. We are all agreed about it. The only point is that this amending Bill is for the purpose of enacting that the Appellate Tribunal need not always function with all the three members being present but it can function with only two, the Chairman and one other member or the other two members only. As regards sub-clause (c) of clause 3, I have given notice of a small amendment about which I shall speak later but, so far as the principle of the Bill is concerned, it is quite all right and it has to be put on the Statute Book. All the three members need not sit together. In

[Sri K. Balasubramanya Ayyar] [7th January 1954]

regard to this, I would also point out another difficulty. If any member ceases to exist as a member of the tribunal, the decisions of the tribunal will certainly be affected. I do not find any Clause in the Act as it is to cover such cases. If, on the day on which the tribunal is functioning, a member ceases to be a member on account of his being on other duty, difficulties are bound to arise. In the case of the Bank Tribunal, when Justice Chandrasekhara Ayyar who was a member of the Tribunal was on other duty, it was decided that the whole of the proceedings of this tribunal were vitiated."

THE HON. SRI C. SUBRAMANIAM :—"What does it matter, if only two members sit on the tribunal?"

SRI K. BALASUBRAMANYA AYYAR :—"Sir, so long as the tribunal has been constituted with three judges and one member has to be away on other duty, the difficulty that arose in regard to the Bank Tribunal is bound to arise here also. This must also be provided for in the Act."

* THE HON. SRI C. SUBRAMANIAM :—"Sir, the High Court is constituted as such with 15 judges and out of them Benches of two Judges are constituted. Because a Bench is so constituted, the judgments do not in any way become ineffective. Similarly in the case of the Sales Tax Appellate Tribunal, even though there are three members in the tribunal a Bench can be constituted with two members. Therefore, if a member goes away on other duty the proceedings will not be vitiated. If the hon. Member wishes to say that even though two members sit as a Bench for hearing a taxation appeal they should sit together throughout the particular case as otherwise the proceedings will be vitiated, we are prepared to consider the suggestion."

SRI K. BALASUBRAMANYA AYYAR :—"Sir, I will make the position clear."

* THE HON. SRI C. RAJAGOPALACHARI :—"Mr. Chairman, Sir, the point raised by Sri K. Balasubramanya Ayyar is this. A certain function is given to a tribunal constituted in a particular statutory way and, if there is any defect in that statutory constitution, all acts committed by that tribunal would be affected including even the continuity of a previous order of the Bench and the like. It is a nice point of law which may be argued in these days when every possible point is taken advantage of by eminent advocates and Judges are confused in giving judgments in appeals and the like. No doubt, it is very good that Sri K. Balasubramanya Ayyar has suggested it but there is one difference in the circumstances. In the case of the Bank Tribunal it was one of long drawn proceedings, arbitration, etc. There was room for such difficulty arising and seriously affecting the decision. Here the judges, that is the members of the tribunal, take up a particular case at a

7th January 1954] [Sri C. Rajagopalachari]

particular time and it is very likely that when there is a vacancy it will soon be filled up and there will be no practical difficulty. Anyhow, the point will be remembered by Government and we are grateful to the hon. member Sri K. Balasubramanya Ayyar."

SRI K. BALASUBRAMANYA AYYAR :—"Sir, now that we are passing this legislation, it is better to have it done properly."

SRI V. CHAKKARAI CHETTY :—"Mr. Chairman, Sir, it has been stated in the Bill that where an application or appeal is heard by a Bench consisting of two members, and the members are divided in their opinion on any point, the point shall be found against the applicant or the appellant. I do not see any reason why the appellant should be put at a disadvantage when there is a difference of opinion between the two members constituting the Bench. I am not a lawyer and I do not know why the Government want that the difference of opinion should operate against the appellant and not in favour of him."

* DR. V. K. JOHN :—"Mr. Chairman, Sir, in my opinion, this is a most mischievous amendment which can be proposed by any Government. The General Sales Tax Act was passed in 1939 and the final authority for adjudication of cases under this Act was the executive. The Board of Revenue was the revising authority and we all know how the Board of Revenue was exercising their revisionary powers. There were many complaints—continuous complaints—and great hardship was felt by the assesseees. As a result of these complaints and State-wide agitation, in 1951 the Government thought it fit to introduce a Bill for the purpose of creating an Appellate Tribunal. Under that Bill, they created an Appellate Tribunal of three members, one of whom should be a judicial officer not below the rank of a District Judge and the other two Members should possess such qualifications as might be prescribed by the Government. As a matter of fact, what the Government did was to have a District Judge as the Chairman of the Tribunal and an Accountant and an Officer of the Sales Tax Department as the other two members of the Tribunal. You know, Sir, that a person under the employ of this Government is the third member of this Tribunal."

"Now, Sir, the Government are very unhappy that all the three members of the Tribunal should sit together and dispose of cases and that decisions should be arrived at by a majority of two members. I quite recognize the difficulties of having a Tribunal of three members functioning continuously throughout the year. One member may sometimes take leave or one member may be ill. But the Government, if only they wish to do justice to the assesseees can certainly appoint four or even five members. I do not mind Sir, having a Bench consisting of even two members if only the Government can provide a rule that if there is a difference of opinion between the two members, the points of difference should either be referred to a third member or the points should be decided in favour

[Dr. V. K. John] [7th January 1954]

of the assessee. I do not want to say anything about the members of the Tribunal although they are drawn from the executive but I must say this frankly and boldly that what will really happen in a Bench constituted without the Chairman of the Tribunal or even with the Chairman and the third member of the Tribunal—an executive officer of the Government—is that the latter will differ from the former and that the appellant will lose his case. Thus, from a practical point of view, the functioning of such an Appellate Tribunal will become really useless and this Government, instead of trying to do justice to the assessee by making the Tribunal really useful, want to make it a farce. Have the hon. Members here ever heard of a law which provides that when two members in a Bench differ in regard to an appeal the points of difference will be found against the appellant when especially a third member is available to whom these points of difference can be referred? What is happening, Sir, in the High Court is that if there is a difference of opinion between two judges constituting a Bench the matter is referred to a third judge."

THE HON. SRI C. SUBRAMANIAM :—" Are there not cases in the High Court where such points of difference between two Judges constituting a Bench not being referred to a third Judge? "

SRI K. BHASHYAM :—" There are such cases."

* DR. V. K. JOHN :—" My point is this. In matters of taxation, when there is a difference of opinion between the two members constituting a Bench the points of difference should be decided in favour of the assessee because it is a fundamental principle of taxation that the law relating to taxation must be construed, and construed in favour of the assessee, even if one of the two members constituting a Bench decides in his favour."

THE HON. SRI C. RAJAGOPALACHARI :—" Is it about the principle regarding interpretation of sections or is it about taxation? "

* DR. V. K. JOHN :—" The rule, as far as taxation is concerned, should not be that if there is a difference of opinion between two members constituting a Bench the points of difference should go against the appellant. I suggest that the points of difference should be referred to a third member. Then only, Sir the public will have confidence in this Tribunal. Let not the Government destroy the confidence of the people in the Tribunal constituted under this General Sales Tax Act. It is of paramount importance that the public should have confidence in the judiciary and in Tribunals which are quasi-judicial. This Bill as presented by the Government is calculated to do injustice to the assessee and this will also destroy that faith which ought to be preserved in quasi-judicial bodies like the Sales Tax Tribunal. This Government is very unhappy about the amending Bill passed in 1951 regarding the constitution of the Sales Tax Appellate Tribunal. I

7th January 1954] [Dr. V. K. John]

protest, Sir, against the amendment now proposed by the Government. The Government by passing this Bill are opening the flood-gates of discontent and there will be wide agitation in the State against it. It has even been conceded by the Hon. Minister for Finance that there is some oppression in the matter of collection of this Sales Tax. There will be strong and wide agitation and deep discontent over the passing of this Bill by the Government. By passing this Bill the Government will only be discrediting the Tribunal and not enhancing its prestige. Therefore I suggest to this Government to withdraw the Bill or at least to provide in the Bill that if there is a difference of opinion between the two members constituting a Bench the points of difference will either be referred to a third member or the points will be decided in favour of the assessee. (Sri A. M. Allapichai: 'In favour of the citizens.') Regarding the suggestion of the Hon. Deputy Chairman who himself is an eminent lawyer I wish to point out that we are concerned now with 'assessee' and not with 'citizens'. I suggest that in the interest of Government, in the interest of the reputation of quasi-judicial bodies, in the interests of fairplay and justice and in the interest of assessee, I want the Government not to pass the present Bill as it is. The amendment suggested in the Bill by the Government is a mischievous one though it may look all right.

"The Hon. Minister, a learned lawyer himself, will notice how 5 p.m. necessary it is to have a Bench of three instead of two. I quite agree that we can have a Bench of two. But the mischievous part of the Bill is that, when there is a difference, the assessee suffers. Let District Judges be appointed. Then the public will have confidence. By appointing the Tribunal contemplated in the Bill, let not the good name of quasi-judicial tribunals be spoiled. Because justice is not only to be done, but must appear also to be done. I very strongly protest against the introduction of this mischievous rule, when there is a difference of opinion."

SRI T. PURUSHOTHAM :—" 'Mischievous' has been used once, twice and thrice."

* DR. V. K. JOHN :—" Sir, I do not use any unparliamentary language at all. It is said that the law is an ass but not the lawyer. (Laughter.) I am only criticising the measure and not the men. I very strongly protest against this rule, because the assessee will suffer, when there is a difference of opinion between the two Members of the Tribunal."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, let me first speak about the words used. It is quite open to the hon. Member to say in various degrees of intensity of voice that a measure is fraught with mischief. But if he repeats the word 'mischievous' so often, then it means that the intention is mischievous. That is wrong."

DR. V. K. JOHN :—" That was not my intention at all. Far from it."

[7th January 1954]

* THE HON. SRI C. RAJAGOPALACHARI :—“ I now come to the merits of the points that were put forward by hon. Members. It is true that this is a taxation appeal and not a mere appeal as ordinary appeals on facts and law. It is an appeal involving accounts. The scheme of the tribunal is to have at least one judicial officer in the Tribunal. The intention is to have two others, namely, one who is a Chartered Accountant and another a departmental officer. The practical difficulties that have arisen have already been pointed out in the Statement of Objects and Reasons and also in the speech with which this Bill was introduced. I think the generality of opinion in this House will not object to the power given to the Tribunal to constitute a Bench. This power has been exercised in all Tribunals and High Courts of all States. There are rules by which sometimes, when there is a difference of opinion, the judgment of the senior judge prevails as against the junior judge. This has been long in force, and no great mischief has resulted from such a provision. Here too it could easily have been provided that the senior judge's decision shall prevail. But it was thought that that would not be satisfactory in transactions of the kind in question. Because seniority alone either in age or otherwise may not quite suit the circumstances of a taxation appeal. So, it was suggested that provision should be so drafted as to bring about this result, namely, that where questions of facts are concerned the decision, if it is a confirming decision of the lower Court's decision on the facts, by the Bench that is constituted by the Tribunal, shall stand confirmed. But if there is a reversal, the position is different. If it is a unanimous decision of the Bench, it prevails. But if in reversing a judgment, there is a difference of opinion, and, therefore, there is no majority decision, the idea is that if it is a question of confirming the judgment on facts, it must confirm that judgment. But if it is a question of law, power is given here to resort to another Bench. It is open to the Bench to provide that it shall be referred to a second Bench of which the Chairman shall be a member. This is a non-mischievous, innocent and effective provision in the Bill. There is nothing more in this. Of course, the remedy suggested is there. That is a matter for appointing more and more judges, but which is not relevant just now.”

* SRI A. GAJAPATHY NAYAGAR :—“ கனம் அவைத் தலைவர் அவர்களே சென்னை ஜமீந்தாரி ஒழிப்பு மன்றத்திலே நான் தலைவராக இருந்தேன். அப்போது அந்த ட்ரிபுனல் செய்து வந்த வேலை நான் அறிவேன். அந்த அனுபவத்தையொட்டி இப்பொழுது பேச விரும்புகிறேன்.

“ஹைகோர்ட் ஜட்ஜுகள் என்றால் ஒவ்வொருவருக்கும் ஒரு தனி உயர்வு உண்டு. ஒரு ஜட்ஜுக்கு இருக்கும் அதிகாரம் இன்னொரு ஜட்ஜுக்கும் இருக்கிறது.

“இந்த ட்ரிபுனல் என்பது மூவரைக் கொண்ட ஒரு உடல் ஆகும். அதில் ஒருவர் ஜட்ஜ், இன்னொருவர் அந்தத் துறையிலே வேலை செய்தவர் அவர் ஜட்ஜ் அல்ல; மற்றொருவர் சார்ட்ட்டர் அக்கௌண்டென்ட். ஆக, இந்த மூவரும் சேர்ந்தால் தான் அது ஒரு ட்ரிபுனலாகும்.”

7th January 1954]

* THE HON. SRI C. RAJAGOPALACHARI :—“ The suggestion is that a lawyer may be made a Munsif and the Head clerk may be made a Munsif. Once he is made a Munsif he is a Munsif.”

SRI A. GAJAPATHY NAYAGAR :—“ இந்த மூவரும் சேர்ந்தால் தான் ட்ரிபுனலாகுமேயொழிய, ஒருவரை லீட்டு, மற்ற இருவர் மட்டும் ட்ரிபுனலாகாது. ஜமீந்தாரி ஒழிப்பு ட்ரிபுனலில் இருந்த இரண்டு பேர்கள் மட்டும் செய்த தீர்ப்பு செல்லாது என்று ஹைகோர்ட்டு தீர்ப்பு கொடுத்திருக்கிறார்கள். ஆகையால், சட்ட பூர்வமாக ஜட்ஜுகளுக்கும் ட்ரிபுனலுக்கும் பல வித நியாசங்கள் இருக்கின்றன. அப்படியிருக்கும்போது, மூவரும் சேர்ந்து செய்யும் தீர்ப்பு ஒன்றுதான் சரியான தீர்ப்பு என்று எடுத்துக் கொள்ளலாமே தவிர, இருவர் சேர்ந்து ஒரு தீர்ப்பு செய்வது அதற்கு மேல் மற்றொரு வரிடம் அப்பீல் செய்வது என்பது சட்டத்திற்கு விரோதமானது. தலை, கை, கால் ஆகிய மூன்று உறுப்புக்களும் சேர்ந்தால்தான் உடலாகுமே ஒழிய கையும், காலும் மட்டும் சேர்ந்து, தலை இல்லாமலிருந்தால் அது உடலாகாது. ஆகவே, மூவரும் சேர்ந்து ஒரு தீர்ப்புக் கொடுத்தால்தான் செல்லாகும். மூவரில் ஒருவர் மாறுபட்ட அபிப்பிராயத்தைத் தெரிவித்தால், மேஜாரிட்டியின் தீர்ப்பே முடிவானதாகும். இதுதான் ட்ரிபுனலின் சிறந்த குணம். அம்மாதிரி இருவர் சேர்ந்தாற்போல் சொல்வது நியாயமான தீர்ப்பாகும். அதை ஆலோசிக்கும்படியாக அரசியலாணைக் கேட்டுக்கொள்ளுகிறேன்.”

SRI K. BHASHYAM :—“ Sir, a good deal of controversy has arisen over this question of difference of opinion. The matter is going to be decided by a Bench of two judges. Of course the composition of the Tribunal is somewhat peculiar. One of the Members will be a trained judge, the other is a trained accountant, and the third is a Government officer and the Government think it is quite suitable. The one guarantee that all assesses want is that there must be some judicial element in the Tribunal which decides these cases. In a Bench of two members alone, very often it may happen that the Chairman may not be there. Where is the trained lawyer and where is the trained judge then? Therefore, I am only saying that many of these cases may be decided by a person who is not trained in law and who has had no experience in judging cases. These assesses in that case will not be satisfied. It is possible also that the fair name of the Tribunal itself is may be spoiled which would otherwise not be the case. This Bench of two judges alone, I would welcome, if one of the two is one who has judicial experience. This would be the proper thing to do. There must be some judicial element in the Tribunal for the purpose of assessing a person to sales tax. This point has really been overlooked in constituting a Bench of only two judges. No serious objection has been raised by the hon. Member Dr. John. True, there are cases in the High Court where if two judges differ in their opinion, the ruling of the senior judge prevails under the Letters Patent though there is no provision to that effect in the Civil Procedure Code. But there is this guarantee. You can file an appeal against the judgment. Here there is nothing like that. True, there is provision in the Letters Patent that when the matter is heard by a Bench of two judges, and if there is difference of opinion between the two judges, the senior judge's opinion should prevail. But the practice is to refer it to a third judge. I

[Sri K. Bhashyam] [7th January 1954]

know even recently in a particular case there was difference of opinion between Justice Subramaniam and another and the judgment of the senior judge prevailed. But the party has always the right even then, to appeal against that judgment because the judgment was only that of one judge. This is a fact which has to be considered. (Interruption.) If there is difference of opinion there is provision for appeal. I will give references to the Hon. the Chief Minister if he wants. I will send the records of the relevant case to the Hon. the Chief Minister for his reference. (Interruption.) On the floor of the House one should not say anything which is not correct and if a statement is disputed it is much better it is proved by producing relevant records. My view is that the party can go on appeal to a higher judge. Therefore what I would suggest is, in case there is a difference of opinion, it would be quite alright if it is referred to a third judge. Simply because one member of the Tribunal who is a departmental official, has come to a definite conclusion and another member agrees with him and the third alone is against the decision, it is not correct to call it a majority decision. The only justification for a provision of that sort is that this is a taxation measure. Taxation measures are generally considered to be oppressive and not popular with the public. Therefore one has to be very careful in framing taxation measures. If not, the Government are likely to become more unpopular than they are today. In the matter of setting up a Tribunal, it is very necessary that they should be so constituted as to command the general acceptance and confidence of the assessee. Therefore I suggest that the amendments given notice of may perhaps be considered favourably by Government. Otherwise I support the Bill."

SRI V. CHAKKARAI CHETTY :—" Mr. Chairman, Sir, I am sorry prominent lawyer Members here disagree among themselves. That being so, to whom are we to refer this problem, this disagreement? How are the Government going to find a solution? When there is a difference of opinion between the two members of the Tribunal, then the case may be referred to a third judge. That seems to be the opinion of some hon. Members. I do not know whether this would rectify matters. Unless there is a majority opinion in the Tribunal, I do not think the assessee will be satisfied even if the case is referred to the Chairman who may after all be a Government servant. These District Judges and others are Government servants, and assessee may say they are favourable to the Government. I do not see how a reference to the Chairman would satisfy the assessee, unless the decision of the Tribunal is a majority decision."

* THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Chairman, Sir, will you kindly allow me to say a few words. I am not replying to the discussion. I just want to explain the position. The practical position is known to the Members on the Government Benches and to some hon. Members on the other side but

7th January 1954] [Sri C. Rajagopalachari]

not to every one. The trouble is to get people to serve on these tribunals. It is very well to say 'you must have lawyers with judicial experience and all that'. But hon. Members must realize that there are varying degrees of capacity among lawyers. It is very difficult to get leading lawyers even to take up a High Court Judgeship. It is almost impossible to get these people to serve on Tribunals of this kind. Therefore, we get only ordinary people for these Tribunals, the younger people who do not like taking a chord in the profession. Therefore, Government servants are appointed to these Tribunals. This is the practical difficulty. It is not the intention of the Government to win all Government appeals and all that. If we wanted to win all appeals, we could have framed different laws. But as it is we have given Tribunals. As the hon. Member Sri Bhashyam suggested we might make improvements on that provision also. But hon. Members must realise the amount of arrears that had accumulated in these appeals. The accumulation is so enormous and very difficult to justify. We have to dispose of these cases quickly so that the assessee may know where they stand. We have been able to dispose of a good lot with a special drive. Here in this legislation we have provided a Bench, so that the cases may not keep on accumulating. The best thing under the circumstances has been done. The observations made by hon. Members during the course of the discussion will certainly be kept in mind in constituting these Benches as well as in making references wherever there is a substantial question of importance to be decided by a judicial mind. With these observations, Sir, I hope the Bill will not be sent back to the Assembly with amendments but accepted by this House."

* SRI MOHAMMAD RAZA KHAN :—" Mr. Chairman, Sir, as usual the hon. Member opposite, Sri Bhashyam criticised the provisions but supported the Bill. There is therefore nothing surprising in his speech. I do not know whether the Hon. Minister in-charge of the Bill went through the proceedings of the last Assembly discussions on this subject in 1951. As I said on the previous occasion Government must make out a case for a definite change in the composition of the Tribunal. The provision for constituting a Tribunal is made after four years of agitation in the last Assembly and in the Council. There has been a good deal of harassment in this matter. The then Finance Minister who was in charge of this portfolio also agreed to the setting up of Tribunals. There was a good deal of discussion on the floor of the House then regarding the constitution of the Tribunal and many different points of view were put forward. It was impressed on the party in power then, that the Tribunal should be similar to the one constituted for Income-tax assessment cases. After a good deal of discussion it was decided that the Tribunal should consist of three members, one District Judge, one accountant and the other from the department, who is just on the verge of retirement. It was then agreed by the Hon. Minister that the member from the department should be on the verge of retirement, a man who has a year or two to retire from

[Sri Mohammad Raza Khan] [7th January 1954]

service. The very purpose of setting up a Tribunal was to create confidence in the assesses. I know the Sales-tax officer. His tendency always is to get as much money as possible for the Government coffers. It may be a good tendency from the Government point of view. But there is considerable dissatisfaction among the general public about the way the assessments are made. Small traders are asked to pay sums out of all proportion to their turnover with the result many of them have to close down their business. Therefore it is, they wanted that Tribunals should be set up so that they could appeal against the orders of these petty officers. And the Government have now decided to set up the Tribunals. But, what have the Government really done? It seems to me that what was done by the then Hon. Minister Mr. B. Gopal Reddy is being undone by the present Minister in-charge of the portfolio, Sri Manickavelu Naicker. This is not a thing for which he would like to take credit. I admit there was an enormous amount of accumulation of work. After partition, I think there must be some reduction in the number of cases pending. If there were 2,000 cases pending then, now it may not be more than 1,000 or 1,200 at the most. But there is this contingency. One of the members of the Tribunal may be absent. The Tribunal can be constituted with only two members. Again I do not know how the Tribunal is working, whether they sit from 10 in the morning to 5 in the evening and dispose of cases every day or whether they will sit only on some days in the week and for a few hours in the forenoon or in the afternoon and dispose of cases.

"Sir, I do not think, in spite of what the Hon. the Chief Minister has said, we are satisfied with the way in which these Tribunals are going to be constituted. I would appeal to Government to take the view points expressed by the Members of this House into consideration in constituting these Tribunals.

5-20 p.m. "Sir, before I conclude. I wish to refer to one other matter. With regard to the point raised by our Deputy Leader of the Opposition as to why a point of fact should not be referred to the Chairman of the Tribunal by a Bench consisting of two members, the Hon. the Chief Minister said that only a question of law could be referred to the Chairman of the Tribunal and not a question of fact. I hope the Hon. the Chief Minister will agree that in most of the appeals, it is not a matter of law which is involved but a matter of fact. I do maintain that in 99 cases out of 100, only a matter of fact is involved and not a matter of law. Sir, if this is the attitude of the Government in respect of this matter, I am afraid they are not giving the parties concerned a fair trial. Even a point of fact should be referred to the Chairman of the Tribunal."

DR. V. K. JOHN :—"Even this reference is in the discretion of the Bench."

SRI MOHAMMAD RAZA KHAN :—"In short, there is no immediate urgency for this measure and they are not going to lose

7th January 1954] [Sri Mohammad Raza Khan]

anything by withdrawing this Bill. I hope, after the way in which it was forcefully opposed by our Deputy Leader, the Government will withdraw it."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"Sir, the Tamil-biassed hon. Member—I mean the hon. Gentleman who spoke in Tamil—referred to the High Court and High Court Judges and said that the Tribunal also must have 'a head, legs, hands, etc.' Sir, the High Court Judges do not drop ready-made from the sky. They are just selected by the Government. The posts of High Court Judges are filled up from among advocates, munsifs and I.C.S. officers. Once they occupy the position of High Court Judges, they are all equal and deal with all cases. So also, when an officer belonging to the department becomes a judge, he is really a judge and not a departmental man. He has nothing to do with it. But he has got the additional advantage of the experience of the department which the judges do not have. So also with regard to Chartered Accountant, he has got a lot of experience in respect of this matter and would have spent most of his lifetime in winning cases for the assessee. His whole bent of mind will be in favour of the assessee. When he becomes a judge or a member of the Tribunal, he gets equal status and judges each case on its merit. There is no difficulty about it. Therefore, it is not necessary that only High Court Judges should be members of the Tribunal.

"Now, let me come to the point raised by my hon. and learned Friend, Dr. John. I do not know, what attitude he took when the Madras General Sales Tax (Amendment) Act, 1951, was passed. I believe, he was then a Member of the Legislature. Now only, I am aware of his attitude. He is also afraid that a member of the Tribunal selected from the department will have all the bias of an officer. Sir, the member selected will be a senior man and only the Deputy Commissioner of Commercial Taxes is selected. He occupies that position practically at the fag end of his official career and so there is no difficulty about it. I do not think, there will be any possibility of his reverting back to the department. Even if it is not so, I will bear in mind while selecting these officers that only the seniormost are selected."

* DR. V. K. JOHN :—"Even if he gives a decision in favour of the Government, it will only be *bona fide*!"

* THE HON. SRI M. A. MANICKAVELU NAICKER :—"It would not be that way, but it would be the other way. If he is a little disgruntled man, he may also do quite the opposite thing." (Laughter.)

"Sir, one hon. Member said that after the partition of the State, there would not be much work for the Tribunal. On the other hand, there is a lot of arrears. Hundreds of cases are pending disposal. Unless we have recourse to the constitution of a Bench

[Sri M. A. Manickavelu Naicker] [7th January 1954]

with two members, it may not be possible to dispose of these cases. Even in the High Court, the Bench dispose of cases and I do not know why the Bench envisaged in this Bill should not do it."

* DR. V. K. JOHN :—" I may tell the Hon. Minister that in the High Court, a single Judge disposes of important cases. But the Tribunal is not the High Court."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" For the sales tax cases, the Tribunal is more or less the High Court. A senior District Judge and other experienced men will be in the Tribunal. Most probably a senior Civilian Judge will preside over the Tribunal. I may assure the House that there will be no failure of justice, but justice will be done. As there is a lot of cases pending disposal, this Bill is necessary and I request hon. Members to put themselves in my position and judge. As regards the amendments given notice of by hon. Members, I will deal with them as and when they are moved."

MR. CHAIRMAN :—" The question is—

' That the Madras General Sales Tax (Amendment) Bill, 1954 (L.A. Bill No. 2 of 1954), as passed by the Legislative Assembly, be taken into consideration.' "

The motion was carried.

* DR. V. K. JOHN :—" Before the amendments are moved, I wish to rise on a point of order. Sir, the procedure which is prescribed in the Council Rules should be followed and exemptions should not be given in every case. In this connection, I might refer to rule 107 of the Rules of Procedure of the Madras Legislative Council. Rule 107 says—

' Unless the Chairman otherwise directs, no such motion shall be set down in the list of business for any day which is less than three days from the receipt of the notice.'

The Chair has waived notice in this case and I do not complain about it. According to Rule 108, we have discussed the principles of the Bill. Under rule 109, unless a Joint Select Committee of both Houses considered the Bill, any Member may move, as an amendment, that the Bill be referred to a Select Committee. Then, I come to rule 110 which says—

' If the motion that the Bill be taken into consideration is carried, the Bill shall be taken into consideration, and the provisions of the rules of the Council regarding consideration of clauses of Bills and the amendments to such clauses and the subsequent procedure in regard to the passing of Bills shall apply.'

That requires us to revert back to the rules 93 and 94. Rule 93 (2) says—

' If the Member in-charge moves that the Bill be taken into consideration any Member may move as an amendment that the Bill be re-committed.'

Then rule 94 says—

' When a motion has been agreed to by the Council that a Bill be taken into consideration, any Member may propose an amendment of such Bill.'

7th January 1954] [Dr. V. K. John]

The principle is that amendments are brought in only after a discussion of the general principles underlying a Bill. Then only any Member will be in a position to move an amendment. The next rule makes it very clear. Rule 95 says—

' (1) Notice of a proposed amendment shall be sent to the Secretary at least three clear days before the sitting of the Council at which the Bill is to be considered.'

Now, Sir, there must be a motion to take the Bill into consideration. When this motion has been agreed to amendments may be given and three days' notice must be given. Then there is a fundamental rule, namely, rule 98, which gives the spirit of the procedure."

MR. CHAIRMAN :—" We know all these things. Rule 114 covers all such cases."

* DR. V. K. JOHN :—" Sir, rule 98 says—

' (2) If, when a Bill is considered, any amendment is made, any member may, at the conclusion of the consideration of the Bill, object to a motion being made at the same sitting for its being passed. Thereupon, the Chairman shall, unless he considers that the request is frivolous or unreasonable, not allow a motion that the Bill be passed into law to be moved at the same sitting, but the Bill shall be brought up for further consideration at a subsequent sitting.'

These are the various stages and even at the last stage a Member may say that the third reading shall not be taken up that day and unless this request is found to be frivolous or unreasonable, the rule says that you, Mr. Chairman, shall not allow it but shall adjourn it to another date. No doubt, Sir, there is another rule 114 which enables you to dispense with the rules regarding periods of notice and the interval between the different stages of a legislation. I submit, Sir, that in appropriate cases you may exercise your discretion under rule 114. If this exception is to be made the general rule, let us delete all the other rules in the Rules of Procedure. You may exercise your discretion under rule 114 in exceptional cases but, I submit, Sir, with great respect that in almost every case this exception under rule 114 is made the general rule and the various stages of a Bill are considered at the same sitting, and at a stretch. I submit, Sir, that we the Members on this side of the House feel that we should have time as provided for in the rules to bring in and move amendments. Sufficient time may be given to us particularly in regard to important Bills and this is a very important Bill affecting a very large number of persons in the State."

* THE HON. SRI C. SUBRAMANIAM :—" Mr. Chairman, Sir, we have to transact the business of the House and you exercise your discretion as such to enable us to carry on. Certainly, if there are very important Bills which require careful study and time for the giving of notice of amendments, you will certainly exercise your discretion against the carrying on of the business of the House without the necessary periods of notice mentioned in the rules. Sir, in these cases you have exercised your discretion not to follow the rules strictly with regard to the periods of notice provided for in the rules as these are very small Bills and it is quite unnecessary

[Sri C. Subramaniam] [7th January 1954]

to follow the usual procedure. In this instance, you have exercised your discretion in favour of carrying on with the Bill as it is now and the House has voted in favour of considering the Bill. We have therefore to proceed with the consideration of the Bill and whatever amendments you have already admitted will be discussed. Only, later on it is open to hon. Member, Dr. V. K. John, to say that the third reading of the Bill be postponed and then it is for you to decide whether it is frivolous or proper. But, that stage has not arisen. We have therefore to consider the Bill clause by clause. Dr. V. K. John may raise his objection at the third stage."

MR. CHAIRMAN :—" As a matter of fact, hon. Members had three days' notice and they had enough time to put in amendments. There has really been no departure from the proper procedure."

* DR. V. K. JOHN :—" Sir, my point is that amendments can be moved only after the motion for taking the Bill into consideration is adopted. That is the provision in the rules."

SRI K. BHASHYAM :—" Sir, hon Member Dr. V. K. John's objection is a little premature. He can raise it only after we have considered the Bill clause by clause."

Clause 2.

MR. CHAIRMAN :—" The motion is—

'That clause 2 stand part of the Bill.'

"May I know whether the hon. Member, Sri K. Balasubramanya Ayyar, is moving his amendment?"

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, I beg to move—

'That in sub-clause 3 (c), for the words beginning with "the point shall be found" and ending with "divided" the following be substituted :—

"the point shall be referred by the Bench to the third member of the Tribunal for his decision on the point and the appeal or application shall be decided in accordance with his decision on the point".'

This amendment confines itself to the question where two members constitute the Bench and where they differ on a particular point. The sub-clause as at present says—

"the point shall be found against the appellant or applicant and the members shall, after delivering their separate opinions, pronounce a joint judgment announcing the result of the findings, if any, on which they are agreed and of the findings recorded against the appellant or applicant on points on which they are divided."

This, I submit is rather a clumsy way of mentioning it. Nobody in a Legislature can say 'the point shall be found against the appellant or applicant'. It is a matter for the Judges to say whether a point will be found against the appellant or applicant or not. I take it that in substance it means that the point shall be decided

7th January 1954] [Sri K. Balasubramanya Ayyar]

against the appellant or applicant. It is rather a very awkward phrase in any legislation. The Legislature cannot order the Judges and say 'the point shall be found against the appellant or applicant'. I submit, Sir, that even if my amendment is to be voted against, this is a very clumsy way of putting it and the Bill should be properly worded. My amendment is to the effect that the point shall be referred by the Bench to the third member and the point of the appeal or application shall be decided in accordance with his decision. This is the procedure which is laid down in section 98 of the Civil Procedure Code and so far as these Tribunals are concerned the general principle is that the provisions of the Civil Procedure Code apply to them and I therefore submit that the question of Letters Patent does not arise at all. In the Letters Patent the judgment of the senior Judge shall prevail but it is applicable purely to the High Court and has nothing to do with these Tribunals. The Letters Patent was conferred on the High Court by His Majesty when we were under British rule."

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Why not we adopt the Letters Patent? "

SRI K. BALASUBRAMANYA AYYAR :—" Sir, it is not as easy as the Hon. Minister for Revenue says. Let us not imitate the Letters Patent here. If so, another difficulty will arise. Two members may constitute a Bench and the question will arise as to who is the senior, because this is a Tribunal to which appointments will have to be made from time to time. Further, as constituted the Tribunal consists of three members and if they sit together as a full Bench the question of seniority will not arise. The Bill does not therefore say that the view of the senior member shall prevail. I am not saying anything against this but my objection is to the provision 'the point shall be found against the appellant or applicant'. So far as this is concerned the better rule would be what I have proposed in my amendment that the difference of opinion may be submitted to the third member which is in accord with section 98 of the Civil Procedure Code. This may very well apply to the case where there are two members sitting as a Bench and they differ on a particular point. This particular point may be referred to the third member of the Tribunal and if the third member agrees with the opinion of one of the two other members, his opinion should prevail. Section 98 of the Civil Procedure Code makes it clear that when a point is referred to a third Judge and the third Judge agrees with the opinion of either of the two Judges, then they together form a majority and their judgment shall therefore prevail."

"The procedure I have suggested is workable and no delay also will be caused by referring the point of difference to a third Judge for settling them. After all questions arising out of this Act are not very difficult questions. They are very ordinary questions which may very easily be decided. My amendment only says this that the point of difference shall be referred by the Bench to the

[Sri K. Balasubramanya Ayyar] [7th January 1954]

third member of the Tribunal for his decision on the point and the appeal shall be decided in accordance with his decision on the point. If the decision of the third member is favourable to the decision of one of the two members then that decision becomes a majority decision. My point, therefore, is a clear one and I request that my amendment may kindly be accepted."

SRI T. M. NARAYANASWAMY PILLAI :—" I second the amendment proposed by Sri K. Balasubramanya Ayyar."

MR. CHAIRMAN :—" Amendment moved—

'That in sub-clause 3 (c), for the words beginning with "the point shall be found" and ending with "divided", the following be substituted :—

"the point shall be referred by the Bench to the third member of the Tribunal for his decision on the point and the appeal or application shall be decided in accordance with his decision on the point".

* DR. V. K. JOHN :—" I strongly support the amendment for the reasons given by the mover of the amendment. I repeat, Sir, that the amendment suggested in the Bill by the Government is the most objectionable one. The amendment of Sri K. Balasubramanya Ayyar only seeks to remove the grave objection to the Bill."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Mr. Chairman, Sir, the points raised by the hon. Member who moved the amendment and those who supported the amendment were also made at the time of the general discussion of the Bill. No doubt the amendment proposed is very tempting from the standpoint of a lawyer but from the point of view of laymen the amendment will not be very conducive for the working of this Sales Tax Tribunal. As regards the language used in clause (2) I admit that the clause will read better if the language can be improved. But there is this difficulty. Even if some verbal changes are made in the clause, we will have to send the Bill again to the other House for their approval of the changes made here in this House. When we are seized of the substance of the points we need not fight for the shadow. Even though the language may not be quite appropriate, still we can read the meaning correctly. Sir, I oppose the amendment."

MR. CHAIRMAN :—" The question is—

'In sub-clause 3 (c), for the words beginning with "the point shall be found" and ending with "divided", substitute the words,

"the point shall be referred by the Bench to the third member of the Tribunal for his decision on the point and the appeal or application shall be decided in accordance with his decision on the point".

7th January 1954] [Mr. Chairman]

The amendment was put and declared lost. A poll was demanded and division bells were rung. The motion was again put and declared lost. The demand for poll was not pressed.

* SRI V. GURUNANDAN ROW :—" I beg to move—

'in the last sentence of sub-clause (1) after the words "the other two members" and before the words "shall possess" insert the following words :—

"who shall not be persons in Government service".

I will state briefly why I have brought forward this amendment. It has already been stated by the Government that the Appellate Tribunal consists of three members, of whom one is a judicial officer not below the rank of a District Judge and another is an officer of the department. The Hon. Minister for Revenue stated that the officer of the department nominated for membership of the Tribunal will be a person of very great experience in the department and that he will certainly be in favour of the assessee. I do not know whether the Hon. Minister is talking with his tongue in his cheek. We know as lawyers what the department has instructed their subordinates. Their motto is 'when in doubt, tax'. There is no question of the departmental people deciding things in favour of the assessee and the very fact that such a large number of appeals are pending before the Appellate Tribunal is proof of the fact that these officers do not go into the claims of the assessees properly. In fact I am not very particular about the appointment of the Tribunal at all. As a matter of fact, the only way by which the assessees will be satisfied is to allow them to appeal to the High Court direct. This will prevent them from wasting their time. Because the Tribunal happens to be in the City, people from the mufassal, who have been taxed, will have to come to this City on appeal. They have to come from far off places leaving their business to suffer in these days of slump. The Act provided for a judicial Tribunal to decide the cases, because, no justice can be rendered by the Deputy Commissioner of Commercial Taxes or the Commercial Tax Officer. Therefore it is there is the need to have a real and impartial Tribunal which does not consist of Government servants. In my amendment I have suggested that anybody may be appointed with the necessary qualifications, but those persons shall not be Government servants. I have no objection to people, who have retired from Government service, being appointed to the Tribunal. But as long as a person is in Government service, it is really a fiction to say that when once a person in the Sales Tax department has been appointed to the Tribunal, he will give up his ideas on levying taxes."

THE HON. SRI C. SUBRAMANIAM :—" Is the District Judge not a judicial officer?"

* SRI V. GURUNANDAN ROW :—" He is a judicial officer not under the control of the executive Government. The District Judge

[Sri V. Gurunandan Row] [7th January 1954]

is a person who is under the direct control of the High Court. Nobody can do anything to him. His prospects do not depend upon the views of the executive Government. But a person in the department, e.g., the Deputy Commissioner of Commercial Taxes, will always be thinking 'what will be my future if I do not assess this assessee'. It is all right to say that once a man is on the tribunal, he will be impartial. But in practice we know what happens. If the Government want really an impartial tribunal and if they want the purpose of the tribunal to be fulfilled satisfactorily, they must not appoint Government servants to the tribunal. They should not appoint anybody over whom they can exercise their influence. As a matter of fact, a person like the Deputy Commissioner of Commercial Taxes who has come up to that position from below will, when in doubt, tax. It is impossible for me to conceive that from such a person we can get justice. To-day if that Deputy Commissioner of Commercial Taxes sits along with the other judge, there is no hope for the assessee. What is the point in having a tribunal like the one mentioned in the Bill? It is better that it is not there. It is better that the whole tribunal idea is dropped. If the Government find so much difficulty in constituting this tribunal, let them give the direct remedy, namely, an appeal to the High Court. That would be the best thing. I am sure that most of the assessees will thank this Government if they are given the right of a direct appeal to the High Court against the decision of the Commercial Tax Officer. This Sales Tax Tribunal, though it may be good for lawyers has become a real engine of oppression and harassment. It is no use of going to the Deputy Commissioner of Commercial Taxes on appeal against the decision of the Commercial Tax Officer. I am not one of those who say 'we want more and more tribunals'. If the Government are really serious in constituting an impartial tribunal, I submit that my amendment will achieve the object in view."

THE HON. SRI C. SUBRAMANIAM :—"The amendment says that the members shall not be in Government service. After their appointment will they be non-officials or Government servants?"

* SRI V. GURUNANDAN ROW :—"They may be members of the tribunal."

THE HON. SRI C. SUBRAMANIAM :—"The amendment says that they shall not be Government servants. The amendment is not properly worded."

The amendment was duly seconded.

MR. CHAIRMAN :—"Amendment moved—

'In the last sentence of sub-clause (1) after the words "the other two members" and before the words "shall possess" insert the following words :—

"who shall not be persons in Government service." "

7th January 1954]

* DR. V. K. JOHN :—"Sir, I rise to support this amendment. I make a suggestion to the Government that they may utilise the provision in Section 2-A (1) to the effect that the other two members shall possess such qualifications as may be prescribed by appointing judicial officers—retired judges—or District Judges who are in service. If the Government would agree to this, I would even go to the extent of saying that instead of a Bench, let one judge decide. That would be sufficient, because we will have one who has judicial experience. And, people also would be satisfied with his appointment. If the Government do not want to have more judges, let us have at least one man who will have that judicial temperament and impartiality in whom the public will have confidence. A judge of the High Court or the District Court, either in service or retired, can be the tribunal. There will surely be a lot of complaint against the tribunal if the tribunal is packed with people in whom the public do not have any confidence. Without moving any amendment in this regard, I appeal to the Government to appoint a District Judge or a High Court Judge to the tribunal. I am sure that this Government, after hearing the criticisms of this House, will certainly do their very best to see that persons in whom the public have confidence are appointed. I have no doubt that it is not the intention of the Government in introducing this Bill to constitute a tribunal which is useless. If only the Government appoint persons to the tribunal in whom the public have confidence, the people will be satisfied. Let me express the hope that this Government headed by our revered Rajaji will appoint only those persons who command the confidence and trust of the assessees. It does not matter at all if the tribunal should decide against the assessee although I would prefer that that decision should go before a third judge. Anyway some judicial minded man must be appointed to the tribunal. The real point of criticism in this House is that persons who command the confidence of the assessees should be appointed to the tribunal. I am quite sure, as far as I am able to see, that it is not the intention of the Government at all to constitute tribunals who will not command the confidence of the assessees and the public. I appeal to the Government that, without amending any of these provisions, they should give an assurance that only men who command the confidence of the public will be appointed. I express the hope that this Government will certainly see to it, and will not give room for any complaint."

* THE HON. SRI C. RAJAGOPALACHARI :—"Sir, I am grateful to the speech of the Deputy Leader of the Opposition. The intention is to appoint the best possible men available. The intention is also to appoint those who will give satisfaction to all people concerned. The amendment proposed, however, is not suitable, and we cannot accept that. Sometimes an official of experience and long satisfactory service will be a better appointee than a raw judge or somebody from somewhere. It is necessary to appoint the best men. It is not their technical qualifications that count. But here we must remember the general principle involved,

[Sri C. Rajagopalachari] [7th January 1954]

namely, that we want a judicial officer, a man knowing accounts, and also one who knows the trade and the business with which he is concerned. With these things in view, the Government will do their best to appoint the right type of men and will even take advice before appointing such men. Then only they will appoint the men. That is the usual procedure. Therefore, I submit that the amendment need not be pressed."

6 p.m. * THE HON. SRI M. A. MANICKAVELU NAICKER :—
" Mr. Chairman, Sir, regarding the remarks of the hon. Member about the probable leanings of the Member selected for the tribunal, I made only a hypothetical argument; I met his extreme argument with another extreme argument. As a lawyer he ought to be familiar with such types of arguments. A diamond alone can cut another diamond. In that way only I made those arguments."

The amendment of Sri V. Gurunandan Rao was by leave of the House withdrawn.

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 1 and the Preamble were put and carried.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
" Mr. Chairman, Sir, I move—

' That the Bill be read a third time and passed. '

The motion was put and carried and the Bill was read a third time and passed.

(3) THE MADRAS CONTINGENCY FUND BILL, 1954 (L.A. BILL
NO. 3 OF 1954).

* THE HON. SRI C. SUBRAMANIAM :—" Mr. Chairman,
Sir, I move—

*' That the Madras Contingency Fund Bill, 1954 (L.A. Bill
No. 3 of 1954), as passed by the Legislative Assembly, be
taken into consideration. '*

" Sir, I do not think any argument is necessary in support of this Bill. We had a Contingency Fund Act of 1950. By the time the separation of the Andhra State was effected, we had spent about Rs. 75 lakhs out of the one crore of rupees. It is not possible to reimburse that fund now because the accounts have been closed up to the 30th September 1953. We have therefore taken steps to have another Act to constitute another fund. Whatever is left over in the other fund will go into the Consolidated Fund of the State. We are asking for the creation of this fund only under Articles 204, 205 and 206 of the Constitution of India. I therefore hope that this Bill will be accepted by the House."

* Printed as Appendix V on pages 499-500 infra.

7th January 1954]

MR. CHAIRMAN :—" Motion moved—

*' That the Madras Contingency Fund Bill, 1954 (L.A. Bill
No. 3 of 1954), as passed by the Legislative Assembly, be taken into
consideration. '*

* DR. V. K. JOHN :—" Mr. Chairman, Sir, this appears to me to be an unnecessary Bill. I want to put three questions and would like the Hon. Minister to answer them. The Contingency Fund of 1950 consisted of a crore of rupees drawn from the General Reserve Fund of the State. Now this Bill proposes to transfer Rs. 75 lakhs to the Fund from the Consolidated Fund of the State. That is one difference between the previous Act and the present Bill. Then, for the composite State of Madras they had a crore of rupees in the Fund. Why should the Government require Rs. 75 lakhs now when the State has been partitioned? A smaller amount would do for the residuary State of Madras. Then, the third point is, Section 2 (3) of the Madras Contingency Fund Act of 1950 says : ' As often as any such expenditure is authorised by law as aforesaid, the State Government shall recoup to the Contingency Fund an amount equal to the advance taken from such Fund to meet the expenditure '. The Government have not done that. This action of Government is not only against the 1950 Act but it is against the provisions contained in Article 267 (2) of the Constitution. That Article of the Constitution says that the Fund shall be recouped. In the Statement of Objects and Reasons, it is stated that expenditure incurred from the Fund from April to September 1953 on account of the composite State of Madras could not be recouped to the Fund as required by Section 2 (3) of the 1950 Act, due to the partition of the State. Probably the Hon. the Minister for Finance will explain to us how the partition of the State affected the recoupment and why the provisions of the 1950 Act and the Constitution were offended. I want to be enlightened on these three points."

* SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, I rise to support the Bill and in doing so I wish to make one observation. This Bill is being brought before this House under Articles 204 and 206 of the Constitution of India. While this House has to accord legislative sanction for such Bills, it is regrettable to note that this House has no power to scrutinise the details of State expenditure. The report of the Public Accounts Committee is being circulated to the Hon. Members of this House but they have no opportunity to discuss the report on the floor of this House as is done by the other House. I should like a convention should be set up by which the report of the Public Accounts Committee will not only be circulated to the Members of this House but the Members will be given an opportunity to discuss the report. In this connection I may also refer to the observation I made the other day that two or three Members of this House should be appointed to serve on the Public

[Sri T. Purushotham] [7th January 1954]

Accounts Committee. As it is no Member of this House is a Member of the Public Accounts Committee. I hope the Government would consider this suggestion also. With these remarks I support the Bill."

* SRI V. GURUNANDAN ROW :—" Mr. Chairman, Sir, in the Statement of Objects and Reasons it is stated that this Fund was constituted for the composite State of Madras with a crore of rupees drawn from the Revenue Reserve Fund and that the expenditure incurred from April to September 1953 could not be recouped to the Fund. The Hon. the Finance Minister has not explained to us how that money was spent, for what purpose the money was spent, why it was necessary to constitute that Fund from the Revenue Reserve Fund while the sum of Rs. 75 lakhs required for the present Fund is proposed to be drawn from the Consolidated Fund of the State. No supplementary grant was asked for, for the amounts spent from the Contingency Fund. A Budget was presented recently. Why was not a supplementary grant asked for, for the amount spent from the Contingency Fund then? And as far as I could see, there was no provision in the Budget for constituting a Contingency Fund with Rs. 75 lakhs. It is only fair that the Hon. the Finance Minister should explain these matters to the House."

6-10
p.m.

* THE HON. SRI C. SUBRAMANIAM :—" Sir, with regard to the wording, 'the sum of Rs. 75 lakhs to be transferred from the Consolidated Fund of the State' and the language used in the previous Act of 1950, I wish to say that I do not know, how that was used in the previous Act. We had a Revenue Reserve Fund which has been exhausted. The hon. Deputy Leader of the Opposition referred to it and said that we had squandered away about Rs. 43 crores."

DR. V. K. JOHN :—" I did not say that."

* THE HON. SRI C. SUBRAMANIAM :—" Those forty-three crores of rupees have been spent and now there is no Reserve Fund. Now if we refer to a Fund wherein there is no amount available, it will have no meaning at all. Apart from that, under Article 266 of the Constitution, whatever money we have, has to come into one Fund, known as the 'Consolidated Fund of the State', whether it is obtained by loans or taxes. Whatever be the form, it has to go into the Consolidated Fund of the State. Whatever money has to be drawn, it has to be drawn only from that Fund. Therefore, at any rate, the wording in the present Bill, 'Consolidated Fund of the State' is correct."

"With regard to the point, why the expenditure incurred from April to September 1953 could not be recouped to the Contingency Fund, as required by the Act of 1950, the only answer I can give, is that that expenditure was incurred with reference to the composite State of Madras and the entire expenditure has been validated

7th January 1954] [Sri C. Subramaniam]

by an Act of Parliament. Therefore, the matter is completely closed and nothing further can be done. The procedure laid down in Articles 204 and 205 of the Constitution for recouping the amount drawn from the Contingency Fund could not be followed in this case as these accounts have been completely closed by virtue of the provisions of the Andhra State Act. There was only a small amount of about Rs. 30 lakhs left. We wanted a sufficiently large amount to meet the expenditure on new services and therefore it became necessary to enlarge that amount. Of course, we could have asked for sanction to draw some more money but instead of doing that, we thought that it would be better if we re-enacted the Contingency Fund Act and revised the amount also. The hon. Member Dr. V. K. John, also wanted to know why that amount should be Rs. 75 lakhs when it was one crore of rupees for the composite State of Madras. If only he looks into the financial position of the State, he will find that the present Revenue is nearly 75 per cent of the composite State. Apart from that, simply because we make a provision of Rs. 75 lakhs or one crore of rupees, it does not mean that we spend away anything without any account or proper estimate or without placing it before the Assembly. For that also, the procedure is laid down in Articles 204 and 205. Even though we may spend it from the Contingency Fund, it will have to be placed before the Assembly by way of Supplementary Demand for Grant and it has got to be discussed and voted upon by the Assembly and formally presented and discussed in this House also. Now, the only question is, what should be the amount? We think there should be a sufficiently large amount in the Contingency Fund to meet any expenditure which we could not anticipate in the Budget. Sir, if we want to draw any money from the Consolidated Fund, there should be a legal authority given by the Legislature as such and that is the Appropriation Bill which we pass every year. Without the Appropriation Act, no amount can be drawn from the Consolidated Fund. That is why the Legislature constitutes another fund known as the 'Contingency Fund', from which money can be drawn under the authority of the Governor to meet the expenditure on any new services which may be started and which could not be anticipated in the Budget. Therefore, it is only for the purpose of getting over the difficulty of obtaining the specific sanction of the Legislature to draw any amount from the Consolidated Fund to meet such an expenditure, that we have made this provision."

"The hon. Member, Mr. Purushotham, referred to the Public Accounts Committee. It has nothing to do with the Constitution of the Contingency Fund. Whatever we spend from the Contingency Fund, will come by way of Supplementary Demands before this House. But with regard to the Public Accounts Committee, it is a separate matter. I do not know exactly the procedure which is being followed in Parliament. I do not think, the Council of States discusses the Report of the Public Accounts Committee. Anyway, I am prepared to look into the matter and if necessary, amend the rules of this House in this respect so

[Sri C. Subramaniam] [7th January 1954]

that members of this House can also be members of the Public Accounts Committee. We have constituted a Committee to revise the rules of the other House. I do not know whether any such Committee has been constituted to revise the rules of this House. My own view is that it would be better if we have an Estimates Committee. Then it may be useful to have some Members of this House on that Committee. I am not giving a final opinion in the matter. It has got to be considered.

"The hon. Member, Mr. Gurunandan Row, wanted to know, what has been done to the one crore of rupees. It has been validated and when we give revised figures in the next Budget, some observations may then be made in respect of that matter."

SRI T. M. NARAYANASWAMY PILLAI:—"Has that expenditure been made with the sanction of the Legislature?"

* THE HON. SRI C. SUBRAMANIAM:—"The expenditure has been made without the sanction of the Legislature and that is why it has been validated by an Act of Parliament. As the Andhra State Act was enacted for the specific purpose of forming a new State, that expenditure was not validated by the Assembly as such, but validated by the Parliament. In any event, there will be an opportunity to scrutinize the expenditure under that 'head' when the next Budget is presented. We will give details in that Budget. In fact, most of the amount was spent for the purpose of constructing buildings in Kurnool and for carrying out flood relief operations in Godavari. We cannot be thinking about it now and it has been validated."

MR. CHAIRMAN:—"The question is—

'That the Madras Contingency Fund Bill, 1954 (L.A. Bill No. 3 of 1954), as passed by the Legislative Assembly, be taken into consideration.'

The motion was carried.

Clauses 2, 3 and 4 were put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM:—"Sir, I move—

'That the Madras Contingency Fund Bill, 1954 (L.A. Bill No. 3 of 1954), as passed by the Legislative Assembly, be read a third time and passed.'

MR. CHAIRMAN:—"The question is—

'That the Madras Contingency Fund Bill, 1954 (L.A. Bill No. 3 of 1954), as passed by the Legislative Assembly, be read a third time and passed.'

The motion was carried and the Bill was read a third time and passed.

7th January 1954]

(4) THE MADRAS PRESERVATION OF PRIVATE FORESTS (AMENDMENT) BILL, 1954 (L.A. BILL NO. 5 OF 1954) (AS PASSED BY THE LEGISLATIVE ASSEMBLY).

* THE HON. SRI M. A. MANICKAVELU NAICKER:— 6.20 p.m.
"Mr. Chairman, Sir, I beg to move—

'That the Madras Preservation of Private Forests (Amendment Bill', 1954 (L.A. Bill No. 5 of 1954), as passed by the Legislative Assembly, be taken into consideration.'

The Madras Preservation of Private Forests Act came into being in 1949 and it was amended in 1951. By the amending Act of 1951 it was extended up to and inclusive of 2nd December 1953. The idea was that in the meantime the Forest Act itself would be amended in an all embracing manner and the provisions of the Preservation of Private Forests Act also would be embodied in it. This could not be done and this Act itself expired on the 2nd December 1953. The Government was therefore constrained to issue an Ordinance on 2nd December 1953 and in pursuance of this Ordinance this Bill has been drafted and it is now before this House. The simple object of this Bill is to extend the life of this Act by a year and nothing more."

MR. CHAIRMAN:—"Motion moved—

'That the Madras Preservation of Private Forests (Amendment Bill, 1954 (L.A. Bill No. 5 of 1954), as passed by the Legislative Assembly, be taken into consideration.'

* DR. V. K. JOHN:—"Mr. Chairman, Sir, this Bill does not reflect much credit on the Government. The Government wanted to examine an Act of 1882 and introduce certain changes. They wanted to do this in 1946, eight years ago, and the preamble to this Madras Preservation of Private Forests Act of 1946 stated that pending further legislation the indiscriminate destruction of private forests should be prevented. Everybody agreed and the Act was passed. This Act provided that the Government might extend the period of the Act by notification in the Fort St. George Gazette by a period not exceeding two years in the aggregate. Again in 1949, they brought in an Act to extend the period by another year up to 1950. Of course the Government had four years' time but they never made any amendment to the Act of 1882. Again a third Act was passed in 1951 extending the period to 2nd December 1953. Now, this is the fourth Act preceded by an Ordinance. Can any Government who had an intention to introduce legislation for the purpose of amending an Act of 1882 and had this thought in their minds eight years ago in 1946 take credit now for passing this Bill into law and extending the period up to and inclusive of 2nd December 1954? I am quite sure that at the end of another year they will come forward with a fifth Act extending the period by another year and I am also sure that the Forest Act of 1882 will not be amended. This reflects no credit on the Government who ought to

[Dr. V. K. John] [7th January 1954]

have gone into this matter, I say in 1947, or 1948, or 1949 or 1950 or, at any rate, earlier than to-day. I say again, Sir, that this Bill does not reflect any credit on this Government."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
"Mr. Chairman, Sir, as regards the past delays, I am afraid the hon. Member Dr. V. K. John was also partly responsible when he was a Member of the Legislature. I am responsible for this latest delay which is due to events in the nature of a major dislocation like the formation of the Andhra State. This dislocated the whole work of the Government for a considerable time. But for this, things would have moved a little faster and probably the amended Forest Act also would have been passed into law. But it has not happened and we could not help it. If we had not been able to pay more attention to this, the blame could be partly laid at the doors of the Andhra partition business."

MR. CHAIRMAN :—"The question is—

"That the Madras Preservation of Private Forests (Amendment) Bill, 1954 (L.A. Bill No. 5 of 1954), as passed by the Legislative Assembly, be taken into consideration."

The motion was carried.

Clauses 2 and 3 were put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI M. A. MANICKAVELU NAICKER :—
"Sir, I move—

"That the Madras Preservation of Private Forests (Amendment) Bill, 1954 (L.A. Bill No. 5 of 1954), as passed by the Legislative Assembly be read a third time and passed."

"I hope the Hon. Members including Dr. V. K. John will support it."

The motion was carried and the Bill was read a third time and passed.

(5) THE MADRAS SLUM IMPROVEMENT (ACQUISITION OF LAND)
BILL, 1954 (L.A. BILL NO. 6 OF 1954).

* THE HON. SRI A. B. SHETTY :—"Mr. Chairman, Sir, I beg to move—

"That the Madras Slum Improvement (Acquisition of Land) Bill, 1954 (L.A. Bill No. 6 of 1954), as passed by the Legislative Assembly, be taken into consideration."

"The Statement of Objects and Reasons indicates briefly the purpose of this Bill and the need for it. As the hon. Members of this House may like to have some further information, I wish to speak a few words.

• Printed as Appendix VII on pages 501-506 infra.

7th January 1954] [Sri A. B. Shetty]

"Sir, the problem of slums in this City has been engaging the attention of the Government for some time past. There has been a growing influx of labouring classes from the rural areas to Madras City during the last few years due, among other causes, to drought, food shortage and unemployment. This class of population forms the largest percentage of pavement dwellers who are said to be about 18,000 in number in this City. The more enterprising among the persons coming here in search of work and wages occupy vacant plots of land wherever they are available and they put up huts of their own. It is unauthorized occupation in the case of Government and Corporation lands, and sometimes in private lands also. Some of the private owners parcel out vacant lands on rental to these people. Many slums have grown up in the City. The poorest sections of the community are huddled together in conditions of squalor and filth in these highly congested areas. Madras City is said to have now 241 such slum areas. Of these, 49 slums are on Government lands, 44 on Corporation lands and 148 on private lands. The number of huts in these slum areas is 36,671 and the slum dwellers are about 265,000 in number. Insanitation, overcrowding, etc., make these slum areas a danger to the health of the people living there and to the public health of the City.

"The removal of such slums from the midst of the City to other places makes it difficult to re-house the displaced families. Slums will develop again in the areas where these people are shifted. The City dwellers want men for domestic service and other kinds of work. The labouring classes cannot live far away from their places of work. Government have therefore decided upon a new policy, namely, to stop liquidation of slums and carry out improvements in slum areas providing roads, water-supply, sewerage, sanitary conveniences, side drains, etc.

"The City Improvement Trust have been executing some improvement schemes with the aid of contributions from the Government and the Corporation and also the loans provided by Government. They have cleared the slums in a few areas and provided house plots to the lower middle class and poor class people. Government have passed orders that slum improvement work should be done by the Corporation. The Madras Corporation has, during the last two or three years, provided civic amenities in several slum areas and spent about Rs. 26,00,000 so far out of the public loan of Rs. 30,00,000 raised for the purpose. All slums on Corporation lands, 12 of the slums on Government lands and a few of the private slums have been improved. The Corporation has made a demand for a sum of about Rs. 5½ lakhs from Government for the work done calculating 50 per cent grant for the cost of improvement on Government land slums and 25 per cent grant for the Corporation and private land slums. The work remaining to be done for the benefit of about 30,000 families including the pavement dwellers will require a sum of a little over Rs. 4 crores. The Corporation has submitted a comprehensive Slum Improvement Scheme to the Government of India in connexion with their

[Sri A. B. Shetty] [7th January 1954]

scheme of financial assistance to slum improvement works. They have asked for a loan to cover half the cost of improvements and a subsidy to meet the rest of the expenditure in four equal instalments. This Government have forwarded the scheme with their own recommendations to the Central Government who are considering it now.

"Private owners are not willing to incur expenditure on improving the slums on their lands since they cannot enhance the rental or recover from the occupiers the money spent for improvements. They resist the demands of the Corporation for carrying out slum improvement and they file suits for the eviction of tenants. The only solution is to acquire their lands and provide the necessary amenities. When the City Improvement Trust institute land acquisition proceedings, the owners demand compensation at high rates on the basis of the value of similar lands in their neighbouring areas. Land acquisition under the existing enactments provides for payment of compensation on the basis of market value which becomes very costly. This legislation is intended to authorize such acquisition on a valuation basis related to the present income the owner is getting and not based on market values. The provision for payment as compensation has been reduced from 20 to 12 times the net average annual income during the five years immediately preceding the acquisition as a result of an amendment in the Legislative Assembly. I trust this Bill will meet here with the same warm welcome which it has received in the other House."

MR. CHAIRMAN :—" Motion moved—

'That the Madras Slum Improvement (Acquisition of Land) Bill, 1954 (L.A. Bill No. 6 of 1954), as passed by the Legislative Assembly, be taken into consideration.' "

SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, I extend a extend a warm welcome to the Bill which has been introduced by the Hon. Minister for Health, and the object of the Bill is indeed a very laudable one. I wish to speak only on one or two points about the procedure which the Government have adopted in this Bill.

"Slums are situated on Government lands, on Corporation lands and on private lands. I find from the figures given by the Hon. Minister that there are 93 slums on Government and on Corporation lands. On private lands, we have been told that there are 148 slums. Therefore nearly half the total number of slums are on Government and Corporation lands. I submit for the consideration of the House whether it is not the duty of the Government and the Corporation to see that they take upon themselves the duty of improving the slums on their own lands, before they undertake the improvement of slums on private lands. I think, the Government can very well wait for some more time before they embark upon the improvement of slums on private lands. The Hon. the Minister for Health has stated that the work of

7th January 1954] [Sri K. Balasubramanya Ayyar]

improvement of the slums remaining to be done will require a sum of a little over Rs. 4 crores. This amount must necessarily be paid by the public either by way of subscriptions to public loans or by way of taxes. Provision has been made in the Bill for payment of compensation at 12 times the net average annual income during the five years immediately preceding the acquisition and this compensation amount must naturally come from the tax-payer's money. I submit, Sir, that this extraordinary procedure of acquiring lands for the sake of improving a portion of slums on private lands can very well be postponed for some more time. I am very anxious that we should contribute for the improvement of slum areas and in fact we are contributing as general tax-payers to the general revenues of the Government from which the latter spend for the improvement of slums. My first point, therefore, is that this Bill can very well be postponed for some more time.

"It has been stated in the Statement of Objects and Reasons that the only method of carrying out improvements on slum areas is by acquiring the lands and providing the necessary amenities and that this can be done only by enacting a special legislation. I have got very great doubts whether slums can be improved by means of legislation. I have looked into the literature regarding clearance of slums in European countries and I find therein that the various Governments there have taken advantage of private philanthropy. The action of the Government in trying to acquire lands of private owners where slums are situated compulsorily by means of a special legislation creates altogether a very different psychology among the people and they will cease to think that the improvement of slums is a very laudable object. I would very much request the Government to proceed slowly in this matter as I have been urging them to go slow on all matters. Let us not try to cover the track of centuries on a giddy basis. Even in European countries which have a very disciplined population it has taken fifty or hundred years for effecting improvements on slums. Here our people cannot appreciate these things and it is better that the Government educate public opinion on this matter, as they have been doing on so many other matters. They must also see that private owners also contribute voluntarily for the improvement of slums on their lands. Instead of the Government trying to acquire the lands of private owners on which slums are situated and paying them compensation from the general tax-payer's money, it would be very much better if we appeal to the philanthropy of these private owners and we somehow induce them to part with some money for slum work. At any rate, if the Government and the Corporation improve the slums situated on their own lands, the private owners also, I am perfectly sure, will begin to effect improvements in regard to slums situated on their own lands. That is the latest procedure adopted in the European countries. It has been stated so in 'Housing problems in European countries.'

"Our Government have decided to pay compensation for lands acquired by them and I am very glad about it. Article 31 of the

[Sri K. Balasubramanya Ayyar] [7th January 1954]

Constitution says that no person shall be deprived of his property unless compensation is paid. I do not know why the principles of payment of compensation prescribed in the Land Acquisition Act are not applied in this Bill. The Land Acquisition Act provides for payment of compensation on the basis of market value. But in this Bill the Government propose to pay compensation based on actual income of the land. The principle of 'purchase system' adopted in the old system is, if the money representing property is invested in gilt-edged securities, the interest that is paid on those gilt-edged securities if multiplied by the period of the securities, should make up the capital.

(Deputy Chairman occupied the Chair at this stage.)

6-40 p.m. "I will give an illustration. If the gilt-edged security is at 3½ per cent, then thirty years hence it will come to 100. That is the general principle that has been adopted by the High Court in all decisions. That is why our Chief Minister who is a great lawyer, put it originally at twenty times. Unfortunately there is the Communistic ideology on all matters, and on account of the havoc of the Communistic ideology, in the Legislative Assembly our Chief Minister had to accept the amendment to reduce the compensation to twelve years' net average annual income. This is no compensation. This is a very little amount. Therefore it is I say that when once we depart from the general principles of the Land Acquisition Act, we will not know where we go. (The Hon. Sri C. Rajagopalachari: 'What is the compensation in Burma?') I say that no compensation need have been paid at all there. But our Constitution says that there should be some compensation. I do not find even that 15 per cent solatium, which is the usual rule under the Land Acquisition Act for the purpose of compulsory acquisition. (Interruption by the Hon. Sri C. Rajagopalachari.) Because it is compulsory, 15 per cent is given. Why should this rule be removed? Put it at 10 per cent. Why should nothing be mentioned about compensation at all? I am sorry to say, even though I much sympathise with the necessity for slum improvement, that the Government can very well wait for some time. First let them put their own houses in order before they ask others to put their houses in order or to contribute for the slum improvement. So many have given land free. Is that not an act of philanthropy to some extent? They want to recover the cost of acquisition from these very people in slums in some proportion. Of course, the Leader of the Opposition in the Assembly said 50 per cent, and nothing more than that. But the Chief Minister said that it might even be reduced, and, therefore, it should not be put at 50 per cent. I feel that the Government may not recover even 15 or 20 per cent. It is good so far as the tenants are concerned. The Government must have some general principles. We are talking in the name of the poor and the common man. I too want to talk in the name of the common man. We are not a communist State. We are in a democratic State. All land is nationalised in a Communistic State. We are

7th January 1954] [Sri K. Balasubramanya Ayyar]

living in a democratic State where people have got their rights to property, etc. They have to get the full value of their land. All decisions under the Land Acquisition Act have emphasized the fact that full compensation should be paid. We do not find here any mention of damage to property. I do not want, for the sake of the poor, to insist on this. But Government should choose between thirty years' purchase price and twenty years' purchase price. The 15 per cent addition should be there as a solatium. (The Hon. Sri C. Rajagopalachari: 'We can have ten years' purchase price.') Any calculation by which the amount is reduced! I am not for that kind of argument. I want that full compensation should be paid to private owners."

* SRI V. BASHYAM AYYANGAR :—"Sir, I wish to support this Bill very heartily. This Bill has been long overdue, and there ought to be no objection to it from any quarter. I do not know if the hon. Member Mr. Balasubramanya Ayyar has seen any of these slums.

(Mr. Chairman resumed the Chair at this stage.)

"He asks, when the slums on Government land and Corporation land are not kept well, where is the urgency for the Government to acquire private lands on which there are slums. I have seen slums on Government lands and also slums on Corporation lands. I have also seen slums on private lands. I have seen more than 50 per cent of these slums, in this City. I can assert without fear of contradiction that slums on Corporation lands and Government lands are hundred times better than the slums on private lands. Slums on private lands are kept in a very insanitary condition. To say that private slums ought not to be acquired and improved because greater improvements to slums on Government lands and Corporation lands have yet to be effected, is, I think, neither just nor equitable. The hon. Member while extending his lip sympathy to the residents of these slums in private lands has stated that the acquisition of these private lands can wait for some more years. These residents have waited long enough, and the inconvenience and trouble which the owners of these private lands have caused to them are indescribable. When the Corporation proposes improvements in these slums, the owners will not come forward to effect them and instead raise legal objections. The private owners will not also agree to the improvements being made by the Corporation, and the cost being recovered from them. Unfortunately, the Corporation has no legal power to insist that the improvements should be effected by private owners. I think this Bill has been long over-due. So far as compensation is concerned, I beg to disagree with the opinion of the hon. Member Mr. Balasubramanya Ayyar. For every one rupee these people have been getting so far, they will now get a lump sum of Rs. 144 if twelve years' rental is taken as the value. I think this is a fair compensation—especially in a case involving the improvement of slums. There is no cause for complaint. I do not agree with the 15 per cent addition which is asked to be given for compulsory acquisition. Owners of these

[Sri V. Bashyam Ayyangar] [7th January 1954]

slums, as a rule, have been very obstructive as regards the improvement of their slums. The hon. Member Mr. Balasubramanya Ayyar said that if only we made some propaganda, the private owners would voluntarily come forward to effect improvements on their land. I am unable to agree with him. Social reform workers have tried to do their best. But the owners of these slums have been hard-hearted, and they would not do anything themselves nor would they allow others to effect any improvements on their land. I very strongly support this Bill, and I request the House to accept it."

6-50
p. 2

* SRI T. PURUSHOTHAM :—" Mr. Chairman, Sir, I rise to support this Bill. The slums in Madras City are so bad and my hon. Friend Sri V. Bashyam Ayyangar has put forward the case of these slum dwellers very forcefully. He has also shown how it is very necessary to improve their condition. If land acquisition proceedings are instituted under the Land Acquisition Act, it is not only a costly course as stated by the Hon. Minister but it is also very tardy in spite of the emergency clauses in the Act. Therefore there can be no two opinions about the need for the improvement of these slums whether they be on Government lands or Corporation lands or on private lands. I disagree with the view put forward by the hon. Member Sri Balasubramanya Ayyar that improvement of slums in private lands should wait till the Government discharge their duty of improving the conditions in slums on Government lands. The Madras City Improvement Trust Board in its Administration Report for the year 1951-52 has stated that the big obstacle in the way of achieving quick results in slum improvement is the delay in acquiring the lands. They have also suggested that for all their improvement schemes a better and more speedy land acquisition procedure should be set up. I believe Government have done well now in devising a suitable measure for reducing this delay. I submit that provision should be made in this Bill for extending it with suitable amendments if necessary for all cases of acquisition of lands required for improvement schemes undertaken by the City Improvement Trust. If that is done I am sure it will be possible for the Trust to show appreciable progress in their programme of work which covers not only slum improvement but other improvements also.

"The present Bill, I presume, is intended to tackle the existing slums. If that is so, it would be better to make a list of existing slums in the State and publish it. Government must take steps to stop new slums springing up. The problem of squatters should be seriously considered. Private owners are helpless against squatters and all open spaces and even garden lands may become squatting grounds. This menace, I feel, should also be tackled. Such a legislative measure as the present one should be restricted in its scope and ought not to apply to future cases.

"The Bill provides for the transfer of land acquired to the Corporation of Madras and the City Improvement Trust for the purpose of undertaking improvement of the slums. When such

7th January 1954] [Sri T. Purushotham]

transfers are made, specific provision should be there for the fulfilment of the object of the acquisition within a period to be stated in the Bill itself. There is such a provision in the Land Acquisition Act stating that the purpose of acquisition should be carried out within a specified period. Even in this Bill, it should be laid down as a statutory obligation that the improvement of the slum areas transferred to the Corporation or the Trust Board should be carried out within a period of two or three years. A similar condition must also be enforced in respect of land held by Government so that improvements could be carried out within a specified time. Mere acquisition of land will not do. The primary object of acquisition is to improve the slums from the public health point of view. The Government must provide adequate finance by way of loan to the Corporation and the City Improvement Trust for such purposes. The aid of the Planning Commission should also be sought by submission of definite schemes to them as there is provision for the same in the Five-Year Plan.

"As regards payment of compensation, under the Municipal Act the capital value of land for the purpose of property tax assessment is calculated at twenty times the annual rental value. So compensation in respect of lands acquired under this legislation should be equal to twenty times the net average income. I wish that this is considered by the Government. I find in clause 13 of the Bill, a ban is put on the jurisdiction of civil courts. I am sure legal pundits here will examine the constitutional aspect of this question and see whether any State legislation of this kind could be passed which lays an injunction against any court or any other authority questioning any action taken under this enactment. I feel that the right of private individuals for obtaining lawful relief in civil courts is sought to be taken away and I think this is not justifiable. With these remarks I support the Bill."

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Mr. Chairman, Sir, it is a matter for congratulation that after all the Government have come to realize that slum clearance is one of the most important and urgent measures that has to be taken if the health of the public are to be satisfactorily protected. Not only in the City of Madras but in several large cities and even in smaller towns large numbers of slums have grown up in several places. As a resident of the City for over fifty years, I can say that to-day slums are existing side by side with very big buildings. Wherever there are vacant lands and whomsoever may be the owner, these slums have come up. The difficulty was so great that the Hon. the Chief Minister once said it was necessary for these people to go and occupy the vacant lands so that they could live somewhere. We therefore fully appreciate the act of the Government in bringing forward this measure to improve the conditions of the slum dwellers and remove the slums as far as possible. In that way there will be an appreciable reduction in the expenditure that they will have to spend on the maintenance of the health of the population. If therefore, after supporting in full the measure for slum reclamation one feels inclined to offer certain criticisms also, it must not

[Dr. A. Lakshmanaswami Mudaliyar] [7th January 1954]

be taken, or nobody need jump to the conclusion that the person who offers such criticisms is necessarily against the dwellers or against these poor people. Such sort of criticisms are being made everywhere and I should certainly not wish hon. Members of this House to take it that if there are criticisms offered about the Bill it necessarily means that the policy underlying the Bill so far as slum clearance is at any time questioned.

"I only hope that this Bill will not share the same fate of many other Bills, that it will not be a mere legislative enactment to be recorded in one of the four big volumes. I find there are four big volumes of the Madras Code. I have asked for the supply of these volumes on payment so that I may know what are all the Bills that have been passed at least since I became a Member of this Council and what are all the Bills that have been kept in cold-storage so far. I think a majority have been kept in cold-storage. Let me quote an instance. Sri Kala Venkata Rao, when he was Revenue Minister brought in a measure to prevent agricultural land from being utilized for construction of buildings. But actually we find large extents of agricultural lands are being now utilized for construction of houses. The Bill has been kept in cold-storage. Nobody looks into it. I only hope that the Bill before us will not share the same fate."

THE HON. SRI C. RAJAGOPALACHARI:—"Tinnevely has been completely urbanized. Beautiful lands that could grow rice have been used for construction of houses."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Three-fourths of Mylapore in my student days were green fields. To-day I would say it is a slum of well built houses."

THE HON. SRI C. RAJAGOPALACHARI:—"A number of houses have been built and every house has become a shop now-a-days."

7 p m DR. A. LAKSHMANASWAMI MUDALIYAR:—"Sir, I only hope that apart from the acquisition of slums, the Government will proceed logically to the next and more important step of remodelling these slums and constructing proper houses for those who have to utilize the vacant land—the poor city dwellers.

"Sir, this Bill follows the traditional pattern of this Government over a long period of years. First of all, it is an expropriatory measure. Secondly, it is a measure which bars all legal proceedings being instituted. Thirdly, it seeks to keep up this expropriatory measure by a curious method of calculation which is just to avoid the particular section in our Constitution regarding payment of compensation and for nothing else. I wish that section was not there. When we wanted to acquire the Zamindaris, we, first of all, reduced the rent on no proper basis whatsoever. As the Government could not afford to pay the amount, they

7th January 1954] [Dr. A. Lakshmanaswami Mudaliyar]

reduced the rent. Having reduced the rent, it had to be multiplied by a number. The result is more or less like an arithmetical formula. What is a multiple of zero is well-known! It is more or less on that formula, that the rent was reduced, the amount was multiplied and the compensation was calculated on that basis. I find the same principle enacted in this measure also. Sir, I have one great fear, which I have expressed on more than one occasion, about the rule-making power of the Government, envisaged in this Bill. This power gives the Government perfect freedom to change from time to time many of those things which they consider as matters of policy. Sometimes, it is carried to such an extent that we do not know where we may stand when the rule-making power is exercised."

THE HON. SRI C. SUBRAMANIAM:—"In the schedule, we have provided for calculation."

DR. A. LAKSHMANASWAMI MUDALIYAR:—"Let me come to the schedule. Clause 3 under the schedule to section 6 says—

'Where there are trees on the land acquired, the prescribed authority shall take into account the income, if any, actually derived by the owner from such trees during the said period of five years.'

There are certain trees like the mango trees and coconut trees—very valuable trees—planted five years ago but which may not yield anything at all at the end of five years. According to this schedule, the owner of these trees is entitled to no compensation, because he was not getting any income from these trees during the last five years. I am only pointing out this example to show that rules can be interpreted in this way and quite rightly according to the provisions of this Bill. (Interruption.) Sir, neither the Finance Minister nor I have visited the slums. But I can say that there are certain 'topes' where people have come and settled in huts. In Tondiarpet, it has occurred. I would like to tell the Hon. Minister that this is no exaggeration and there are also other places where this has occurred. According to this Bill, it is quite open to the Government to take over the slum area and pay no compensation for what the landlord can reasonably expect when the trees mature and give very good yield to him. But I realise that it is very little use talking about these things. I am not the owner of slums or for that matter I am not the owner of many other things but I do feel that all the Bills that we pass take into consideration only one aspect of the question, viz., how little the Government may spend on any of these measures and how much benefit they can get—not for themselves, no-doubt—but for the common man. The benefit for the common man is all to the good of the community. By passing a Bill of this kind, we are really giving a good handle to those people who think and feel that they have a different ideology of their own. When such people come into power—I hope they may never come into power but if unfortunately they come into power—one single instance or

458 THE MADRAS SLUM IMPROVEMENT (ACQUISITION OF LAND)
BILL, 1954 (L.A. BILL NO. 6 OF 1954)

[Dr. A. Lakshmanaswami Mudaliyar] [7th January 1954]

one single clause is quite enough. (The Hon. Sri C. Subramaniam: 'They do not honour precedents.') The Government have shown the way and it is much more easy to quote them as example and guidance in the future. Sir, many of these expropriatory measures—I must respectfully call them 'expropriatory measures'—are not calculated to give the just dues to those who are entitled to them. I do not want a slum owner to make a profit but, at the same time, I do not want him to feel that he has become a poverty-stricken pauper. Let us not, in our zeal to improve the slums—a most laudable idea—forget what we owe to those who have been and are getting some benefit. Even a poor widow may be the owner of a slum. Let the impression not be with the Government that only rich people own slums. On the other hand, the majority of slums are owned by people who are poor and who are, therefore, not in a position to improve their slum area and get the benefit of the modern price that is given for the lands there. All such poor people will also be affected. This Bill may, in its attempt to do everything possible to the poor people in a left-handed manner, make others poorer still and bring about a problem. I know that the Government, having had to pass this Bill and having been forced to accept the amendment in the Assembly reducing even the amount of compensation from twenty to twelve times the net average annual income, will not be in a position to change their mind at the present moment. If they do change, whatever the argument may be, they may find themselves in a difficult position. I would only appeal to Government that, under the rule-making powers, they must make things a little more clear and just—I would not say, generous—so that there may not be a feeling that a certain section of the people have been badly treated on account of the improvements which are so necessary and urgent for another section of the people "

SRI MOHAMMAD RAZA KHAN :—" Can we not adjourn now and meet to-morrow? "

DR. V. K. JOHN :—" It is a very important measure and many of us want to speak on this Bill. "

MR. CHAIRMAN :—" I have limited the speech of each hon. Member to five minutes. "

DR. V. K. JOHN :—" This is a very important Bill and it should not be rushed through. "

MR. CHAIRMAN :—" It is not rushed through. The limitation of time is left to me. "

DR. A. LAKSHMANASWAMI MUDALIYAR :—" Can we not have a meeting to-morrow? There is a general feeling on this side of the House that a proper discussion of the Bill may not be possible to-day. I hope the Hon. Leader of the House will consider the matter. "

7th January 1954]

THE HON. SRI C. RAJAGOPALACHARI :—" The little time we have, need not be spent on discussing what we should do. It should be decided one way or the other. The idea is that to-morrow may be saved from being a working day for the House and that is what I told the Hon. Chairman when he wanted to know beforehand whether we would sit to-morrow. The Bill is important but the matters involved are not so long as to require much time. After all, we are discussing the Bill in a general way. Why not we sit till half-past seven and finish the Bill? "

SRI MOHAMMAD RAZA KHAN :—" There are a number of hon. Members who want to speak on the Bill. "

THE HON. SRI C. RAJAGOPALACHARI :—" Even our ablest and lengthy speakers have finished their speeches one by one. "

SRI MOHAMMAD RAZA KHAN :—" But poor speakers will take more time. "

MR. CHAIRMAN :—" The Bill is not rushed through if the speeches are limited to five minutes. "

THE HON. SRI C. RAJAGOPALACHARI :—" The trouble is, we have very difficult matters pending in the other House to-morrow and they will take a good deal of time. Moreover, hon. Members are aware that Pongal is approaching and many hon. Members wish to go home on the 11th. Also, there are some other Bills coming up for discussion here on the 11th instant. "

DR. V. K. JOHN :—" Then, let us sit till eight of the clock. "

THE HON. SRI C. RAJAGOPALACHARI :—" Yes, Sir. "

MR. CHAIRMAN :—" Let us sit till 8 o'clock and finish. I do not wish to hurry the speakers; it is only a question of time. "

SRI K. BHASHYAM :—" Sir, I hope the time-limit of five minutes does not apply now that we have extended the time for 7-10 P.m. discussion till 8 o'clock. I only want to say a few words on this Bill and I do not want to touch on topics which have been already dealt with by the previous speakers. One thing which I would, however, like to mention is the psychological effect of this Bill, which has been spoken of by other hon. Members, will really make these private owners come forward to improve their slums. Perhaps, it will not be possible to cajole them into doing this. In this connexion, I may remind the House that the Corporation has been insisting or rather requesting the various slum owners to improve their slums but they have not done so. These slums have been responsible, if I may say so, for spreading a lot of disease in the City. What the private owners have done to improve these disease-carrying slums is nothing and so it is better that something

[Sri K. Bhashyam] [7th January 1954]

is done to improve them in some form or other. I therefore think that this Bill which has been brought here is a thing of great urgency. One other fact which has to be remembered is that if the Government have such a legislation in their hands, it is possible to drive these people by threatening to use the powers under it to make them undertake improvements in their slum areas. They will be obliged to do these improvements if they want to avoid their slums being notified and acquired according to the provisions of this Bill. It is better that this Act is put on the Statute Book as a sort of threat against persons who are not complying with the request either of the Government or of the Corporation to undertake improvements in their own slum areas. It is therefore necessary that this Bill ought to be passed as a matter of expediency and the Government must be armed with the powers to notify such areas of private owners who do not at all comply with the request for improving them.

"As regards the question of the expropriatory nature of the Bill, I certainly sympathise with the owners. As a lawyer I must say I do not like this legislation at all. (Interruption.)

"Sir, lawyers may be a despised lot but it does not matter what happens to them. What I want to say is that considering the fact that these slums have been in existence for quite a long time, the question arises whether they ought not to be acquired at whatever cost it may be. But the slums having been the breeders of disease and the owners having brought about such a state of things, the question arises whether they ought not to be made to pay in some form or other. I want to place before the House how they should be made to pay. I would like to fine all these people, who have been allowing the slum dwellers to continue in the slum areas, in some form or other. But even when we are fining a man we have to be reasonable and we ought not to do it in a way that he cannot bear it. I therefore consider that the compensation to be paid which is itself in the nature of a fine, namely, 20 times the average annual income as mentioned in the original Bill may be held to be very reasonable. I think that considering all these circumstances 12 years' annual income has been accepted by the other House though 20 years is the usual rule which is applied in all cases. Even if we attempt to raise it to 20 or 30 years there is no hope of its being accepted by the other House. It will be thrown out and we have not got the power to enforce it on the other House. We can justify ourselves and take consolation in the fact that these people have been sinners in the past and therefore they must pay for it.

"As regards the trees standing on these slums, I do feel that there is great difficulty in accepting the Government's position. There are not merely trees of the ordinary kind but there are also a number of valuable trees like the tamarind tree. Though the cash value of the yield from tamarind may be low, the trunk of the tree is very valuable as firewood. There may be other trees whose trunks may be valuable as timber. It will be something,

7th January 1954] [Sri K. Bhashyam]

at any rate, if in the rules to be framed by the Government, they allow the private owners to cut and carry them away before the slums are acquired. It will go some way towards mitigating the rigour of the application of these rules. The Government should not therefore say that the yield from a tamarind tree is about Rs. 2 per annum and therefore they will pay Rs. 2 multiplied by 5, that is, Rs. 10, whereas the value of the tree itself as firewood would come to about Rs. 50 or Rs. 60. Therefore in the matter of paying compensation there must be some sort of reasonableness and fairness in dealing with these various persons who own these slums.

"This question of improvement of the slums is a very urgent one. I would also like to mention one other matter. As was pointed out, the Government themselves are the worst sinners because they have got a large number of slums in their hands and they have not tried to improve them in the way it ought to be done. It may be a question between the Government and the Corporation as to who has got to do it but I may respectfully submit to the Government through this House that they must start with their own slums in the first instance. Let them not enforce this enactment against the private owners but only keep it as a threat against them and really set to work in the slums in their lands as well as those on the Corporation lands so that the private owners may know how it is to be done and how profitable it would be to do so. When once the slums are improved, they will be able to get more money than they have been getting so far and also considering the fact that ultimately it will be to the benefit of the owners to do so it will be possible to induce the various owners to start work on their slums if only the Government set an example.

"I will make one appeal to the Government, namely, not to hand over this work to the Corporation or to the City Improvement Trust Board because it will not really achieve the object which the Government have in their minds. The Corporation is so deficit in finance that they will not be able to bear the cost. If the Corporation itself is not able to bear the cost, the person who has to occupy the improved area is also too poor to pay the cost. Therefore, it will bear heavily on the Corporation and I think it would be much better for the Government to keep this work in their own hands. So far as the City Improvement Trust Board is concerned, it is after all a Board created by the Government and financed by the Government. It is really like putting money into one pocket and taking it out of another. There is one other difficulty in respect of the Trust Board. They are for the purpose of getting rid of the persons who are slum dwellers out of the places which they are now occupying because they want to improve those areas and want the slum dwellers to go to another place where they can congregate and give them some facilities like transport, etc. These lands are improved at a very high cost and cost about rupees three to four thousands a ground. This is what

[Sri K. Bhashyam] [7th January 1954]

happened in the Mylapore slum area which the Improvement Trust took up. The present policy is to keep the slum dwellers at some place or other in the area which we are now trying to improve. This could not be done by the Trust Board which is a very very mercenary body. They want to make as much money as possible to make further improvements in other areas."

THE HON. SRI C. SUBRAMANIAM :—" They have lost as much as possible."

SRI K. BHASHYAM :—" The Hon. the Finance Minister mentions that the Trust Board have lost already on the work they have done. Naturally one cannot obtain quick results. They have to sell the improved lands at a high cost and only then the money spent will be recouped. This was so, so far as the Mambalam area was concerned.

" I would like to point out again that the City Improvement Trust Board cannot be trusted to give the slum dwellers a chance to dwell near their own places as the Board wants to get them out of it.

7-20 p.m. " How slums are created is itself a very interesting study. As soon as a person puts a little hut, he sends for his brother and other relations living the mufassal parts and each one of them as soon as they come builds a hut nearby, and thus a new slum area is created, by the side of slums which have already been existing. It is a very difficult thing to prevent the creation of new slums. It is very difficult to prevent the influx of poor persons who come to the city to earn their livelihood. Some method must be devised for the purpose of seeing that no more slums are created, along with the slums already existing."

* DR. V. K. JOHN :—" Mr. Chairman, Sir, I would support and support strongly any measure which is intended to improve the slums in the City and elsewhere. I must compliment the Government and congratulate them on the attention that they have paid to the improvement of slums in the city. Sri Rajaji, by his order that slum dwellers should not be ejected, has earned the deep gratitude of the slum dwellers in the city. It is a great pity to have them ejected for even improving the places and I think everybody ought to be obliged to Sri Rajaji, for giving this great boon to the slum dwellers all over the city.

" The question of slums has to be considered from three points of view, from the national point of view, from the view point of this City and from the point of view of the slum dwellers. Now there has been an exodus into the City from the villages, and there are people who have come here and not finding places to reside have created slums and have squatted wherever they could, either on Corporation lands or Government lands or on private lands. It is not fair to say that private owners have created slums. The attention of the Government must be directed to the cause of the

7th January 1954] [Dr. V. K. John]

creation of slums. Even if we improve hundreds of slums in the City, new slums will be created and they are in fact being created every day. What is the reason for this? The Government must now improve the rural parts, if they want to improve the slums in the City and prevent further slums from being created. They must see that people do not come to the City. They must find employment for the people in the rural parts. This can be done only by devolution of authority and power to the local authorities and they must be entrusted with the work of finding employment for the people. In my opinion, this Government must attend to this work immediately. Then only people will not come to the City and create more slums. In doing so, the Government will only be implementing Article 46 of the Constitution which states that the State shall promote the economic interests of the weaker sections of the people. When you, Sir, were the Mayor of this City, for the first time attention was paid to the improvement of the slums in the City. The late Sri Satyamurthi when he was Mayor of Madras wanted to make Madras 'the City beautiful'. Now, it is not the City beautiful! There are slums everywhere all over the City. More than the fact that the beauty of the City has gone, the health of the City has also gone, and we have to look at it from the point of view of slum dwellers. I have gone into hundreds of slums during the last two or three years and I can tell you that one would weep when they see these people living in squalor, dirt, poverty, hunger and unemployment. If one should go to any slum he will find that a large majority of people are not even having a single square meal a day. Therefore it is very good of the Government to give attention to the improvement of slums.

" As hon. Member Mr. Bhashyam pointed out, it may be that the object of the Hon. the Chief Minister in bringing forward this Bill is to frighten the private owners of lands on which slums are situated so that they may attempt to improve them. Much has been said that compensation provided for in this Bill for the acquisition of lands where slums exist is very low. It has been a principle provided for, not only in the City Municipal Act but accepted all over the world, that when persons own lands in a crowded place like the City of Madras, certain obligations are cast upon them. I do not know whether the framers of this Bill ever thought of Chapter X-A of the Madras City Municipal Act which gives powers to the municipal authorities to require the owner of a slum area to carry out certain improvements. If the owner of a slum area is too poor to carry out the improvements, the cost of effecting improvements will have to be borne by the Corporation. What is the principle underlying these provisions in the City Municipal Act? It is this, namely, that there is a responsibility cast on those people who own property to keep it neat and clean. Therefore the owner of a slum area is bound to keep it neat and clean. The Corporation has got powers under the City Municipal Act to ask him to improve that area. But unfortunately the man will not do it. The Corporation also has no funds to improve it. Thus these slum areas remain unimproved. In this connection

[Dr. V. K. John] [7th January 1954]

I must pay a very high compliment not only to the Mayors but also to the Commissioners who had been in charge of the affairs of the City Corporation during the last several years and also to the present Commissioner, who takes a great interest in the improvement of slums. It is a great pity that the Government owning more than 50 slums in the City have not been able to spend money for effecting improvements therein.

“ I must take serious objection to one provision in the Bill—Clause 4—which states that the cost of acquisition shall be borne by the persons to whom the land is allotted for residence. I say, Sir, this is a very cruel thing to do. The poor people living in the slum areas can never afford to pay the cost of acquisition. I say, Sir, that acquisition of lands is not required at all. The Government have got powers to proceed under Chapter X-A of the City Municipal Act and have the slums improved at the expense of the owners and at the expense of the Corporation if the owners are too poor to improve the lands. But, the Corporation has no finances and the Government also will not give them money as the policy of the Government is to starve the local bodies. The Corporation has been asking the Government to pay them Rs. 50 lakhs as compensation for the loss of income from the motor transport in the City. The Corporation is maintaining the roads in the City but the Government do not find it possible out of its own revenues to help the Corporation. Therefore the Corporation has been borrowing for effecting improvements to the slums. When Rs. 4 crores are required for improving the slums—and we must improve the slums—this Government must make every effort to see that the Government of India give this money half as grant and half as loan. If that is done, the slums can be improved. I do not think it is essential or very necessary to acquire the slums which means more money. What money the Government of India can spare, and what money this State Government can spare must be spent on improving the slums and not on acquiring the lands where slums are situated. I suggest that every rupee which we can find for improving slums be spent only on it, and the owner of the slums should also be required to contribute an equal amount if he is in a position to do so. There is provision in the City Municipal Act for acquisition of slum areas. It is said that the powers of the Courts are taken away. I find in one portion of the Bill that the City Civil Court is given powers. I do not quite agree with the taking away of the powers of courts. There may be occasions when expeditious acquisition of areas will be necessary. I suggest to the Government, though this Bill may be passed into law, not to enforce it. Let it, as the hon. Member Sri Bhashyam, pointed out, be the Damocles' sword hanging over the heads of private owners, so that they may be persuaded to effect improvements to the slums. Let Government give every financial help to the Corporation to improve the slums.”

7-30
p.m.

7th January 1954]

* SRI G. KRISHNAMURTHI :—“ Sir, I heartily welcome this measure. This is a measure that is long overdue, and I am glad that the present Government headed by our revered Rajaji has taken up this measure seriously. I am sorry that the hon. Member Sri Balasubramanya Ayyar has advised the postponement of this measure, which is none too early. I have got my own fears whether the Bill as it has come before this House will fulfil the objects of the framers of the Bill. The definition says that a slum area is an area which is or may be a source of danger to the public health of its neighbourhood by reason of the area being low-lying. There is every chance of this measure being extended to other municipal areas as has been promised by our revered Chief Minister in some other place. We find that even very good areas have become low-lying areas in recent years on account of the policy of metalling the roads over and over again. I do not know if the Government are aware of the fact that even the richest men's houses in places like Tiruchirappalli have gone two feet below the level of the road on account of the metalling of the roads very often—each time going down by two or three inches. The definition of the term ‘slum’ is rather vague. In my opinion, it ought to be improved. I do not know whether the object of the framers of the Bill will be fulfilled by not including a Clause here to the effect that the present occupants of the improved slums. preference in respect of the occupation of the improved slums. There is no provision like that, and there is every danger of middle-class men, just buying lands in various names and becoming the owners of these slums.

“ Regarding the question of compensation, as has been pointed out by several hon. Members, 20 times the annual income of the lands in question is a reasonable amount, but 12 times is not quite reasonable. The owner of the lands may not be hard hit. The Government must come to the rescue of the slum dwellers. It is but right on the part of the Government to pay 20 times the average net income and get only 50 per cent of the cost of acquisition from the slum dwellers. Even this 50 per cent must be recovered from them in easy instalments spread over a period of years. Nobody can be expected to pay in a lump sum the money that has to be paid—i.e., half the cost of acquisition. The money must be recovered in easy instalments from the future occupants of these slums. Let there be a guarantee that every present occupant of the slum must have preference over that place. Otherwise many middle-class men will interfere. They may purchase the slums, and the object of the Bill will be frustrated. While the Bill proposes to bring relief to the poor, it must also bring relief to the present owners of the slums. It must not hit them hard. The owners have to part with their property. Though they have been philanthropically allowing these people to remain on their land, justice requires that they must be given a proper sum. They have to completely give away their whole property. They get some immediate cash. That cash must be able to fetch some reasonable rate of interest which would at least amount to the price

[Sri G. Krishnamurthi] [7th January 1954]

money after 20 years. Of course there is the fluctuation. The owners may be prepared to overlook the fluctuation in prices. They must be paid at least 20 times the annual average net income.

"In regard to the point brought to the notice of the House by the Hon. the Leader of the Opposition just now, I should like to say I agree with him, and say that in regard to trees, the actual value must be fixed and not exactly as the income derived during five years. With these words, Sir, I support the Bill wholeheartedly."

* THE HON. C. RAJAGOPALACHARI:—Sir, the observations made by several hon. Members are most valuable and helpful. At the very outset let me defend the Governments which have not been successful. It was feared that this Government also will not be successful in respect of this legislation. After all, hon. Members should remember that the financial resources of this Government are reflected in every matter. I need not labour that point too much. Social reform is difficult. Social reform may be admitted to be difficult. But legal difficulties must first be got over before we attempt to bring in such social reforms and at such pace as we may be able to. Legal difficulties have to be removed from time to time in several matters including untouchability. We may abolish untouchability, but first we must remove the legal difficulties. That is the justification for a measure like this. It is not as if we pretend that everything will be accomplished as soon as the Bill receives the approval of this House and is put into force. The conditions in slums have been referred to. They have been referred to as a scandal and a disgrace. True. But they also are a reflection of the standard of income of the people who dwell there. This is no use of trying to get out of it. What are we paying to those people for the work that they do? How much do we expect them to save for housing after spending their money on primary necessities of life like food and clothing? Let us not imagine that it is all neglect on the part of the Corporation or this or that body. These are all reflections of very real matters which we cannot easily get over, unless we work hard and very long. So I say that we need not blame ourselves a little too much. We shall blame ourselves where it is justified, and we shall try to work more. But so far as the point of view of the hon. Member Sri Balasubramanya Ayyar is concerned—he appeared to be the sole advocate of the point of view that he represented—I wish to say this. These measures some people think will become precedents for greater expropriation. On the contrary, those who are ready to do anything expropriatory and about whom we are afraid in regard to expropriation do not want any precedents, as was stated at once by the Hon. the Minister for Finance.

7-40 p.m. "They do not wait for precedents. On the contrary what we do really stems the tide of such expropriation. If we do not

7th January 1954] [Sri C. Rajagopalachari]

do these things quickly enough that party will have more and more justification for claiming to govern the country and that is what is likely to happen. So I wish to assure hon. Member Sri Balasubramanya Ayyar and others who think with him that much as we may appear to be yielding to expropriatory demands, much as we may appear to be almost in league with those who wish to expropriate, much as we may appear to encourage them, we are really stemming the tide of such expropriation which is really hanging over our heads. If we do not like that kind of civilisation we must try to do something like what we are trying to do now. That is my only defence in support of the matter.

"Then, Sir, much was said that the Government is the main defaulter in this matter. It looks like that. But hon. Members should remember one thing. I have been made to see these slums because of the anxiety I had in the matter. The difference is this. Private slums are agreement slums. The men who live there have been allowed to remain there and rents are collected from them, large or small, irregularly or regularly. They are there by agreement as tenants of a kind. As I said the reflection of their financial condition is seen in the manner in which they are living. So far as Corporation lands are concerned they start with squatting and the Corporation levies a nominal fee. They reconcile themselves to levying one rupee, half a rupee, even four annas, two annas or one anna and things like that just to maintain their legal position in regard to the matter, so that it cannot be claimed by these people afterwards that they have acquired a right over these lands. So far as Government is concerned, we have not done even that. We do not levy any fees. We cannot levy any fees. We do not wish to accept that position. We do not wish to say they have a licence to live there. We have a longer time by way of prescription. Therefore there is this essential difference between the two or three kinds of slums. Government cannot afford to improve the slums unless they get a legal position like the one we are trying to get now. They cannot permit squatters to have a right unless they have a legal authority and undertake the business properly. Private owners' lands, we cannot touch. We have to get them under the present proposal in order that we may do something. The Corporation will be able to do it once the machine is set rolling.

"I should like to explain a little further the position with reference to private owners or private lands on which slums have come to exist. The private owners are getting rents. On what basis? Not on the basis of the value of the house in which these slum dwellers live. The houses are built by the slum dwellers themselves. I call them houses because the dictionary meaning of house is a place where a man lives. The houses are built by these slum dwellers and not by the owner of the land. Therefore it is not really any housing arrangement. It is really, the man is allowed to build a house there and the owner of the

[Sri C. Rajagopalachari] [7th January 1954]

land is entitled to only ground rent. These slum dwellers get this land under the condition, namely, continual fear of being evicted. There is no legality in the position. There is no stability. Therefore many of these very poor people who are rooted in Madras City, so to say, by reason of their occupation, but still having no house of their own and having no site of their own, are continually subjected to threats of eviction. When ever these people have some money, the landowners even use coercive methods to extort money from these people. That is not a desirable state of affairs. What we are proposing to do is to take over the lands where such slums have come up. Then the Government will be in possession of the land, so to say, on which the huts exist. Then improvements could be effected. But the very announcement of the policy of Government that we are not going to encourage any eviction, that we will even support the squatters and maintain them on the private lands has resulted in a certain amount of stability for the slum dwellers. Hereafter these owners of private lands will not be able to coerce the people to the extent they have been doing hitherto, because the insecurity has been removed. Therefore they will not be able to extort so much. That policy has itself done some good. Therefore I hope and believe that this plan will be welcomed even by the owners of lands. Hitherto they were bothered about the insecurity. That has been removed now. They would rather be eager to give us the lands on fair compensation. The owners of lands won't claim so much compensation as people just now imagine. The compensation that has been provided for in the Bill is not unreasonable. I do not say it is the market value that is proposed to be paid as compensation. In fact, if it were market value, the amount we may have to pay by way of compensation will go into crores of rupees as calculated by the Corporation and nothing could be done. What is after all this market value? It is a wrong term to call it market value, at all. Market value is the result of the condition of the slum dwellers and the necessity for their having to live there and the population ratio in Madras. All these things have given an unearned value to the lands in the Cities and the value will rise very fast as the population increases. So Government want to step in and put down a reasonable principle on which compensation should be given. I ask what were the landowners doing with their lands before? They did not put the lands to use. They should not claim an unearned income. They were getting something from these lands and Government now propose to give a multiple of that income. Therefore it is reasonable. The amount could have been fixed at 20 times as was proposed in the original Bill. But we had to agree to a compromise and that is why it stands as recommended by the Assembly at 12 times. It is not unreasonable. I wish our people get 12 times everywhere, the zamindars, or the people in Burma or elsewhere. If they got 12 times, it would be accepted immediately by everybody. I think, here the people who

7th January 1954] [Sri C. Rajagopalachari]

did not make use of their lands, who were only waiting for land values to go up by reason of other people's activities cannot complain that this is unfair. Twelve times is fair enough. It is true if they waited for some time and got the help of the Government to evict the people and sold the land to middle-class people or upper class people they might get better value. But they are not going to get the help of the Government to clear the lands of slum dwellers and the slum dwellers are not going to clear out voluntarily when they know that the Government will come to their assistance. So the value of these lands will not rise as they expect. Therefore the owners of these lands must accept this as a fair compensation. They must not expect to get anything like the market value. Market value is only a phenomenon arising out of several causes. When once the Government say they cannot evict the squatters, as a matter of policy and on humanitarian principles, the land value will not and cannot rise and the present estimate can be looked upon as proper market value so far as that is concerned.

"Regarding difficulties about trees and such other things, there is a section wherein we have provided for removing such difficulties. Government would frame rules to make allowance for cases not provided for in the valuation and all that. There may be trees, I accept, not yielding trees but still they will yield timber. It is not always the fruits that should be counted. The value of the timber would also be taken into account. We would provide for these things in the rules.

"Sir, I wish to say to hon. Members who said: 'First improve the slums on your own lands, show us your capacity to do your things and then come to private lands', that it is not right to say so, because by that time the population will increase and the value of lands also will increase. We will have to hasten in the matter of acquisition although the panning may be slow and gradual. Acquisition cannot wait. People living in these slums, must feel 'Now that the Government have taken over the slums, we are stable and we have a place to live.' Then they could spend a little more money to improve the houses and make their own houses more decent than they are. I have seen a glorious phenomenon, which hon. Members also must see. There, some of the houses are kept quite clean and nice. I actually saw a shop ugly to look at. They are clean and nice. I actually saw a shop which is run very well. The lady in charge of the shop could get me very easily whatever I wanted, as if they were all kept quite properly as we see in first class shops. That is how people adjust themselves. Not only that, I have seen high class people living in the midst of these people. I see the castes mixing up there. Poverty is a great social reformer, if I may say so. Thousands of these people will improve their houses once they know that Government have taken over these slums and that they will not be disturbed from their places. They will put a

[Sri C. Rajagopalachari] [7th January 1954]

little more money on their dwellings as they are earning well in these days. They do not spend on drinks; they cannot spend on drinks. They do not also spend much on vanities or waste money on other matters. Therefore they will be able to invest some money on improving their houses.

7-50 p.m. "As regards the improvement of slums, as soon as our position is stabilized legally, improvements will come in fairly and quickly by reason of the pressure of public opinion in regard to this matter. I have no doubt that we may even get philanthropy to rise to the occasion. If the owners of lands, taking their cue from all this, improve the position themselves and keep the place tidy, this Government are not going to interfere with such owners. They may rest assured that the Government have no hunger for land acquisition. What they want is improvement of the place and if that is done voluntarily and philanthropically out of their own initiative, nobody is going to interfere with them. Only the legal position will have to be cleared and nobody will interfere unnecessarily.

"Then, the question is about housing. Some people think that the huts are ugly and that the new cement structures that come up are very beautiful. It will take only a few more years for them to say that these cement houses are ugly structures and wish that they have thatched cottages, something green. Therefore, if we look after the sanitation by providing ordinary sanitary conveniences, lighting and a place to run about for the children, and tidy roads with green plants growing wherever possible, these places which are now called slums will really look more beautiful to the eye of the man who has a real taste for beauty, than the middle class or upper class houses of the same pattern, classified as 'A', 'B' and 'C', like prisoners in the jail (laughter). There is nothing specially beautiful in that kind of monotony of seeing the same pattern of houses. Outsiders who come and see the so-called slums will say that really they are the better and beautiful part of Madras and there is no question about it. Many people think that Madras is more beautiful than Bombay and other cities because of these thatched huts that they find here and there in between these houses.

"The hon. Member, Mr. Gurunandan Row, is not here and there is no need to discuss his amendment which wants that some provision should be made in the Bill against the eviction of slum dwellers. That is the policy of the Government but it cannot be put in a Bill. Stability or alternative accommodation can be provided by executive action and it is not a justiciable matter. So, it will be done as a matter of policy. The only thing I would request Mr. Balasubramanya Ayyar is that he must reconcile himself to this Bill and not press for the amendment as regards compensation."

7th January 1954]

SRI MOHAMMAD RAZA KHAN:—"On a point of information, Sir. There may be cases in which the slum dwellers may not be paying anything to the owners for the last so many years. I want to know whether they can get any compensation as they have not received any income from those lands."

* THE HON. SRI C. RAJAGOPALACHARI:—"If hitherto, the land owner simply allowed these slums to grow and took no income from it, I do not see why he should not get 12 times zero (laughter). But that is not a fact and there will always be some amount, and it will be very big. In fact the Opposition in the Assembly calculated and estimated that compensation would come to more than the market value—and wanted that it should be fixed at five times the average annual income."

* THE HON. SRI A. B. SHETTY:—"Mr. Chairman, the Hon. the Chief Minister has dealt with the several points raised by the hon. Members who have spoken on this Bill and it is hardly necessary for me to add anything to what he has said except to thank the hon. Members for the appreciation they have shown regarding the purpose of this Bill. I am glad that even our formidable friend, Dr. John, who is usually unsparing in his criticism of Government measures, has complimented the Government on bringing this piece of legislation. The hon. Member, Mr. Balasubramanya Ayyar, who opened the discussion, was also in sympathy with the objects of this Bill. He only stated that we ought to go a little bit slow. I may tell him that the Corporation have effected improvements in all the slums on their lands. They have carried out improvement work in some of the slums on the Government lands also.

"As regards the compensation, the Hon. the Chief Minister has already stated, how in the other House, some hon. Members wanted to reduce the compensation to five times the average annual income. As a result of his persuasion, a compromise was arrived at and it was fixed at 12 times. I am told that several private owners are hardly getting any rent from the slum dwellers and they would only be too glad to get the compensation which is now provided for in the Bill. I hope, Sir, the hon. Members of this House will agree to the passing of this legislation."

MR. CHAIRMAN:—"The question is—

"That the Madras Slum Improvement (Acquisition of Land) Bill, 1954 (L.A. Bill No. 6 of 1954), as passed by the Legislative Assembly, be taken into consideration."

The motion was carried.

MR. CHAIRMAN:—"Is the hon. Member, Mr. Balasubramanya Ayyar, moving his amendment to Clause 6? I have disallowed his amendment to Clause 13, as it is a negative amendment."

[7th January 1954]

SRI K. BALASUBRAMANYA AYYAR :—“ I am not moving my amendment to Clause 6 as I feel no useful purpose will be served.”

Clauses 2 to 16 were put and carried.

The Schedule was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI A. B. SHETTY :—“ Sir, I move—

‘ That the Madras Slum Improvement (Acquisition of Land) Bill, 1954 (L.A. Bill No. 6 of 1954), as passed by the Legislative Assembly, be read a third time and passed.’ ”

MR. CHAIRMAN :—“ The question is—

‘ That the Madras Slum Improvement (Acquisition of Land) Bill, 1954 (L.A. Bill No. 6 of 1954), as passed by the Legislative Assembly, be read a third time and passed.’ ”

The motion was carried and the Bill was read a third time and passed.

MR. CHAIRMAN :—“ The House will now adjourn and meet again at 4 p.m. on Monday, the 11th instant.”

The House then adjourned.

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

^a 1. Report of the Special Officer for Madras Shops and Establishments Act, 1947, and orders of the Government thereon referred to in Legislative Council Starred Question No. 189 (307) answered on 23rd July 1953.

^a 2. Balance sheet of the Madras Industrial Investment Corporation, Ltd., as on 30th June 1953.

^a 3. Bills passed by the Assembly and received therefrom in the Council—

(i) The State Co-operative Societies (Reconstitution and Formation) Bill, 1954 (L.A. Bill No. 1 of 1954).

(ii) The Madras General Sales Tax (Amendment) Bill, 1954 (L.A. Bill No. 2 of 1954).

(iii) The Madras Contingency Fund Bill, 1954 (L.A. Bill No. 3 of 1954).

(iv) The Madras Preservation of Private Forests (Amendment) Bill, 1954 (L.A. Bill No. 5 of 1954).

(v) The Madras Slum Improvement (Acquisition of Land) Bill, 1954 (L.A. Bill No. 6 of 1954).

^a Laid on the table of the House on 5th January 1954.

[7th January 1954]

APPENDIX I.

[Vide answer to starred question No. 61 asked by Sri M. K. M. Abdul Salam at the meeting of the Legislative Council held on 7th January 1954, page 410 supra.]

(a) The grant of loans to co-operative house building societies is governed by rules specially framed by Government for the purpose. A copy of the rules is annexed.

(b) The amount of loan sanctioned from 1946-47 up to 30th September 1953 is Rs. 621.39 lakhs and the amount disbursed during the above period is Rs. 402.93 lakhs.

(c) No such cases have come to notice.

(d) The following arrangements have been made for the effective supervision of the housing societies :—

(1) In most of the house building societies which undertake the construction of houses, departmental officers are working as secretaries of societies and they are in charge of the day-to-day administration of the societies.

(2) All housing societies are inspected by the Deputy Registrars of Co-operative Societies once in every half-year and they review the work done by the societies.

(3) Usually the expenditure of the housing societies is subject to concurrent audit and the audit is done by auditors of the department.

(4) A Special Deputy Registrar for Housing is working under the Registrar of Co-operative Societies. He periodically inspects and guides the housing societies and generally ensures that Government loans are properly used.

(5) The plans and estimates for the houses to be constructed are called for and scrutinized before the loans are sanctioned.

(6) To avoid any possible misuse of the money, the Government loans are disbursed in instalments after watching the progress of construction from time to time.

(7) The houses built with the aid of Government loans are inspected by the Officers of the Public Works Department during construction and are valued on completion.

Thereafter the houses are valued by departmental officer annually at the end of every co-operative year so long as the Government loan is outstanding.

(8) The progress in the collection of the Government loans is watched by the Registrar of Co-operative Societies and reviewed once a quarter. The district officers of Co-operative department are held responsible for realizing the dues to Government.

[7th January 1954]

ANNEXURE.

Rules for the grant of State Loans to Co-operative Housing Societies in the Madras State.

The grant of these loans will be regulated by the following rules:—

1. Only societies which are registered under the Co-operative Societies Act and which confine their membership to the poorer and middle classes and their operations to urban areas will be eligible for a loan from the Government. The question whether a particular society is eligible for a loan under this rule will be decided in each case by the Registrar of Co-operative Societies and his decision shall be final.
2. No society shall be eligible for a loan from the Government exceeding four times its paid-up share capital, if formed on the individual ownership system or exceeding eight times its paid-up share capital if formed on the co-partnership tenancy system.
3. No loan shall be given to a society except for the construction of new dwelling houses.
4. The rate of interest charged by Government on all loans granted to building societies shall be $3\frac{1}{2}$ per cent.* A penal rate of $7\frac{1}{2}$ per cent will be charged on all overdue instalments of principal or interest from the due date to the date of actual payment.
5. The period within which a building society formed on the individual ownership system must repay any loan or loans made by the Government shall not ordinarily exceed twenty years, but the period may, in special cases, exceed twenty but not thirty years, on the recommendation of the Registrar. In the case of societies formed on the co-partnership tenancy system, the period shall not ordinarily exceed thirty years. These periods exclude the time taken for completing the building as fixed by rule 10 and the period of one year referred to by rule 9.
6. Every loan made by Government to a building society will be a first charge on the society's assets. The society shall transfer to Government its interest in the mortgages obtained from its members or in the buildings constructed out of the Government loan.
7. Every society to which the Government have sanctioned a loan shall draw the money in instalments as the work of construction of houses progresses. The second and subsequent instalments shall, subject to the condition laid down below, be paid only on receipt of a certificate to the satisfaction of the Registrar or the Deputy Registrar having jurisdiction over the society from the managing committee of the society that the instalment or instalments already drawn have been properly utilized and that the work actually done together with the value of the land brought up to date represents expenditure exceeding by at least 25 per cent

* $3\frac{1}{2}$ per cent is the rate of interest for 1949-50. This is liable to be revised from year to year.

[7th January 1954]

of the actual amount already drawn. If in any case the Registrar or the Deputy Registrar considers that an independent certificate is necessary, the society shall arrange to get such a certificate from a qualified engineer of rank not lower than that of an upper subordinate of the Public Works Department approved by the Registrar or the Deputy Registrar for the purpose. If, for any reason, the whole amount sanctioned to a society cannot be drawn before the close of the financial year in which it is sanctioned, the society shall be entitled to take the balance outstanding from the loan allotment sanctioned for the subsequent years, subject to the conditions in force when the first instalment of the loan was drawn. But the rate of interest on such balance shall be the rate fixed for loans issued in the year in which it is drawn.

8. A society which has taken a loan from the Government shall repay the amount together with the interest due thereon either by equated annual instalments, or at its option in annual instalments together with interest due on the amount outstanding from time to time. After exercising its option, a society shall not ordinarily be allowed to change its method of repayment. Nothing shall prevent or debar a society from repaying at any time a larger sum than the annual instalment or from discharging the whole loan in a single payment.

Whichever method of repayment is adopted, repayments other than the payment made on the due date of the prescribed annual instalment may be classed as follows:—

(i) *Payment on the due date of a sum in excess of the amount due.*—Such excess payments should at once be credited in reduction of principal. In the case of housing societies formed on the individual ownership system, no postponement of any future instalment will be allowed on this account, nor will the amount of subsequent instalments be reduced. In the case of housing societies formed on the co-partnership tenancy system, reduction of the amount of subsequent instalments by refixation of instalments on this account will be allowed at the option of the society.

(ii) *Payment before the due date.*—Any sum paid before the due date shall first be credited towards the interest which was accrued up to the date of payment and the balance, if any, shall be credited towards principal, the society being required to pay or the due date the balance of interest due for the year and also the balance of principal, if any, due for the year. If the amount paid before the due date is in excess of the annual payment, the number of future instalments should be correspondingly reduced. In the case of housing societies formed on the individual ownership system, no postponement of such instalments will be allowed nor will the amount of subsequent instalments be reduced. In the case of housing societies formed on the co-partnership tenancy system, the reduction of the amount of subsequent instalments by refixation of the instalment will on this account be allowed at the option of the society.

[7th January 1954]

When a society is in default either in respect of an instalment of principal or in respect of interest, any sum paid shall be appropriated in the following order :—

- (1) Penalty levied under rule 4 of the rules.
- (2) Interest.
- (3) Principal.

9. Repayment of the first instalment of every loan made by Government to a society under these rules will fall due on the expiry of a full year from the date on which the buildings for the construction of which the loan is granted are finished or of thirty months from the date of disbursement of the first instalment of the loan, whichever is earlier.

10. The buildings for which a loan from Government has been obtained shall be commenced within three months and completed within eighteen months from the date of disbursement of the first instalment of the loan to the society.

11. The interest due to Government shall be payable annually along with the instalments of principal. But the interest accrued up to the date of completion of the buildings for which a loan is granted shall be payable in a lump-sum on the completion of the buildings or on expiry of eighteen months from the date of disbursement of the first instalment of the loans, whichever may be earlier.

12. Every society, receiving a loan from Government shall agree to an inspection of the buildings constructed out of the loan from Government during the progress of construction and a valuation thereof immediately on completion. The inspection and valuation will be made by a Government Engineer of rank not lower than that of an upper subordinate of the Public Works Department or Section Officer with lower subordinate qualifications with not less than ten years of service free of cost to the society. Subsequently the buildings will be valued annually by the officers of the Co-operative Department to test the security of the Government loan outstanding. They may, in cases of doubt of the sufficiency of the security, get the houses valued by the Department of Public Works.

This inspection and valuation will be dispensed with, where a co-operative housing society has undertaken the construction, etc., of houses under the supervision of an officer lent by the Public Works Department not below the rank of an upper subordinate.

13. Every society receiving a loan from Government shall furnish such information and submit such returns as the Government or the Registrar may call for from time to time.

14. Every society receiving a loan from Government shall make provision in its by-laws—

- (a) Prohibiting the alienation by any member of the house or houses (and the site or sites) on the security of which he has obtained a loan or loans from the society except to another member of the society or to a person whom the managing committee of the society is prepared to admit as a member.

7th January 1954]

(b) Fixing the maximum borrowing power of the society at not more than four times its paid-up share capital and the maximum borrowing power of a member at not more than five times his paid-up share capital in the case of loans for construction of houses on free-hold property and at not more than 4 (four) times his paid-up share capital in the case of loans for constructing houses on lands held under leasehold tenure.

(c) *Making shares non-withdrawable.*—But a member who has completely discharged his liabilities to the society may be permitted to withdraw his share capital entirely and a member whose liability to the society has been reduced to an amount less than his paid-up share capital, may be permitted to withdraw such portion of his share capital as is in excess of his liability. But in either case the share capital of the society, after the withdrawal plus the value of the sites and buildings of the remaining members according to the calculation made on behalf of the Government by the authorities of the Public Works Department or the Co-operative Department as on 30th June preceding, should be at least 50 per cent in excess of the outside liabilities of the society (including liability to Government) on the date of withdrawal.

(d) Prohibiting borrowing by the society either in the shape of deposits or otherwise, except from members.

(e) Prescribing that in the case of loans granted for construction of houses on a piece of land held under leasehold tenure, the term of the lease must be such that it will expire not less than ten years after the period of loan sanctioned expires, that the lease should provide a condition that there is no objection to the lessee putting up houses on such leasehold lands and that the lessor should pay adequate compensation to the lessee for the improvements effected to the property including houses constructed, etc., when he takes back the land.

NOTE.—The condition that the term of the lease must be such that it will expire not less than ten years after the period of loan sanctioned expires will not apply to lands held under 'Kanam right' and kuzhikanam right in Malabar district.

APPENDIX II.

[Vide answer to starred question No. 63 asked by Sri V. Guranandan Row at the meeting of the Legislative Council held on 7th January 1954, page 413 supra.]

REPORT OF THE SPECIAL OFFICER FOR MADRAS SHOPS AND ESTABLISHMENTS ACT, 1947.

I invite attention to G.O. No. 4642, Development, dated 31st October 1952, in which I have been directed to examine the working of the Madras Shops and Establishments Act, 1947, with special reference to the question of granting exemptions and launching prosecutions and submit a report. I issued a Press Note in the important dailies announcing my appointment as Special Officer

[7th January 1954]

and inviting suggestions and opinions from employers and employees. I also called for a list of employers' and employees' associations from the Commissioner of Labour and I sent letters to those of them who do not come under the Factories Act inviting their suggestions. I have so far received replies from nineteen employees' associations and employers. I have also held discussions with some of the Assistant Inspectors of Labour enforcing the provisions of the Act in the City and the Deputy Chief Inspector of Factories.

2. The Act has been passed with the object of ameliorating the conditions of employees in shops, commercial establishments, restaurants, theatres and other establishments. Sections 7 to 11 provide for the regulation of the hours of work in shops and the granting of weekly holidays. Sections 12 to 16 make similar provision in respect of establishments other than shops. Sections 17 to 19 prescribe restrictions regarding the employment of children and young persons. Sections 20 to 24 prescribe rules regarding health and safety. Sections 25 to 28 provide for casual leave, sick leave and other leave with wages. Sections 29 to 41 prescribe rules for the payment of wages. Sections 42 to 53 relate to matters necessary for the proper administration of the Act.

3. I enclose a list of exemptions that have been so far granted by the Government. This list has been classified under separate heads—

- (a) permanent exemptions from all the provisions of the Act;
 - (b) permanent exemptions from certain provisions of the Act;
 - (c) temporary exemptions from all the provisions of the Act;
- and
- (d) temporary exemptions from specific provisions of the Act.

The power to exempt either permanently or for any specified period, an establishment or class of establishments or person or class of persons from all or any of the provisions of this Act vests with the Government though the Commissioner of Labour has been empowered by the Government to grant exemptions for a period of thirty days in certain cases. I understand that no principles have been laid down to govern the question of granting exemptions. Applications for exemption have been dealt with as they were received from time to time and orders have been passed by the Government after getting the remarks of the Commissioner of Labour. It is found from an examination of the files that in some cases though the Commissioner of Labour has not recommended exemption, the Government, of their own accord, have granted it.

4. The employees in shops and establishments do not seem to be so well organized as employees in factories are. The number of representations received from them has been much less than I expected. Though they have referred to other matters covered by the Act, there has been practically no suggestion from any employee or employees' association on the question of the general principles

[7th January 1954]

which should govern the matter. So far as employers are concerned, though representations have been more numerous than in the case of employees, they have also made very few suggestions on this question. The result is that I have had to come to my own conclusions in the matter with little of guidance from either employees or employers.

5. Since the Act has been passed solely with a view to ameliorate the conditions of labour in shops and establishments and the provisions of the Act are not excessive and cannot be said to cause undue hardship to employers, I submit that it should be observed as a fixed principle that no exemption of any kind should be granted from the provisions of the Act. It seems to me that exemption should be granted only in the following types of cases:—

(1) The shops and establishments which come under the scope of the Act are of multifarious types. It may happen that inconvenience to the public will be caused, if some of the provisions of the Act are strictly enforced in respect of a particular class of shops or establishments. For instance, it may cause inconveniences to the public if the weekly closure is enforced in respect of shops selling the daily necessities of life like vegetables, bread, dairy produce, meat, fish, etc.—particularly in localities where there is not a sufficient number of such shops to have closure by rotation. In such cases therefore exemption has to be given in the interest of the public, and the exemption may be restricted in scope to the minimum extent possible consistent with the needs of the public and the employees. Many of the exemptions already granted by the Government will come under this clause, e.g., the exemption given under section 11 (1) weekly closure—in respect of shops dealing exclusively in vegetables, meat, fish, dairy products, etc. (G.O. No. 2528, Development, dated 1st June 1951, and G.O. No. 585, Development, dated 18th February 1952, and shops carrying on the business of the funeral undertakers (G.O. No. 3926, Development, dated 27th July 1949).

(2) There may be causes, where though the public interests are not directly involved, an employer cannot possibly avoid infringing one or other of the provisions of the Act, without causing serious dislocation in his business. For instance, a bank or other commercial establishment may find it impossible to observe the provisions of sections 13 and 14 of the Act at the time of the half-yearly and annual closing of accounts. In such cases exemption may be given to the minimum extent necessary, with due safeguards for the employees. The exemption granted in G.Os. Nos. 3345, Development, dated 18th June 1948, No. 3995, Development, dated 29th July 1948, etc., to scheduled and non-scheduled banks come under this class.

(3) Where an institution is run purely for the public benefit and without any motive of private profit, it may, on application, be granted exemption from the Act. This may cause hardship to the employees as compared with other employees, but this may be

[7th January 1951]

overlooked in the public interests. An analogy is to be found in establishments under the Central and State Governments, local bodies, etc., which have been exempted from the provisions of the Act under section 4. The case of the All-India Spinners' Association which has been exempted from time to time (for the last occasion in G.O. Ms. No. 2563, Development, dated 17th June 1952), will come under this class

(4) Where an employer runs his establishments either by himself or solely with the help of his close relatives to whom he does not pay any wages or salary and without employing outside labour exemption may be given. The provisions relating to the Visit Book, employment of children and young persons and health and safety should, however, continue to be enforced.

(5) Where the employer is illiterate and there is no literate employee and the concern is too poor to employ a clerk, it may be exempted from the obligation to maintain all registers except the Visit Book. This exemption may be issued in the form of an executive instruction to the enforcement staff.

(6) Where an establishment is governed by Legislation or by an award which gives the employees privileges not less than those conferred by the Act, it may be exempted.

(7) Where the employees in an establishment are employed on a contract basis and are paid according to the amount of work turned out by them and not by measure of time, the establishment may be exempted if the employees apply for it. The provisions relating to opening and closing hours, health and safety, employment of children and young persons and Visit Book should, however, continue to be enforced.

6. Since shops and establishments are of diverse kinds and some of them are governed by local situations peculiar to themselves it is not possible to list out once for all the shops and establishments which should be exempted. I submit that all that is possible is to frame general principles in the above manner and to deal with individual applications as and when they come in accordance with those principles. I also suggest that before exemption is granted, as far as possible, the views of the employees concerned should be ascertained (either directly or informally) through the enforcement staff, because employees are almost always averse to give expression openly to views which will be distasteful to the employer and their views considered before orders are passed.

7. I submit that some of the exemptions already granted by the Government cannot be justified according to the above principles and I do not know the reasons for granting them. For instance, the offices of the Air Service Companies operating in this State have been permanently exempted from all the provisions of the Act in G.O. No. 4190, Development, dated 11th August 1949.

[7th January 1954]

Prima facie there seems to be no reason why this exemption should be given. The companies are profit making concerns and there seems to be no reason why concessions which other employers have to give to their employees, need not be given by these companies. Similar remarks apply to the exemption granted in G.O. No. 4177, Development, dated 10th August 1949, to the offices of the Registered Accountants and Auditors and in G.O. No. 417, Development, dated 1st February 1950, to the offices of the income-tax practitioners. These offices are presumably run for profit and there seems to be no reason at all why the employees in them should be treated differently from the employees in other commercial concerns. Again all petrol bunks have been exempted from the provisions of Chapters II and III in G.O. No. 5260, Development, dated 29th October 1949, G.O. No. 5971, Development, dated 29th December 1949 and G.O. No. 5939, Development, dated 30th November 1951. There seems to be no reason why employees in petrol bunks should be exempted from the operation of all the sections of Chapters II and III though there may be case for waiving the conditions in some of the sections. In G.O. No. 3543, Development, dated 18th March 1952, the Government have granted exemption from all the provisions of the Act to the Mathurai Devi Bala Vinodha Sangeetha Sabha. Exemption is being granted to this Sabha year after year. I understand that this Sabha is run for private profit just like any other theatrical company. There appears to be no reason why an invidious distinction should be made in the case of this concern alone and exemption granted to it. I think that there are many more such cases where, *prima facie*, the exemption cannot be justified in accordance with the principles I have recommended above. All these exemptions may be reviewed if Government think fit.

8. As regards prosecutions there has been no representation from any employer that employers are being harassed unnecessarily by prosecutions in petty matters. I have examined the prosecution files relating to cases in Madras City and one or two districts in the mufassal and I find that in most of the cases prosecutions have been launched only in respect of some important defect and prosecutions in trivial matters have been comparatively rare. I find also that the fines levied by the Court are generally low, sometimes being even as low as Rs. 8. An analysis of the prosecutions launched in all the districts in the State for the year 1952 shows that out of a total of 5,177 prosecutions 2,289 were for failure to maintain the registers prescribed under the Act and the balance of about 3,000 were for infringement of sections 7, 9, 10, 11, 13 to 23, 25, 26, 30 to 35 and 46. Most of these are important sections and it is essential that the provisions contained in them should be enforced. As regards the maintenance of registers, the rules prescribed under the Act require the maintenance of an employment register in Form 'E', 'F', 'G', or 'H' a notice of the weekly holiday in Form 'J', a register of holidays in Form 'K', a fines register in Form 'B', a register of reductions for damage or loss in Form 'C' and a register of

[7th January 1954]

advances in Form 'D'. Of these registers the employment register in Forms 'E', 'F', 'G' or 'H' is quite important. Its proper maintenance must be insisted on. So also the register of holidays in Form 'K'. The register of fines and the register of reductions for damage or loss are comparatively unimportant because generally there are very few such cases. The register of advances in Form 'D' is also comparatively unimportant because the employer will almost always have a separate receipt to prove the advance that has been given. Failure to maintain the unimportant registers may be viewed leniently and it is not necessary to launch a prosecution unless there are special reasons but failure to maintain the other registers is a serious omission and must be dealt with by prosecution. The visit book must also be maintained and omission to maintain it must be deemed to be a serious defect. I submit that executive instructions may be issued on the above lines and it may also be prescribed that in the case of comparatively uneducated employers a warning should be first administered before a prosecution is launched, and that generally speaking prosecutions should not be launched in trivial matters. The rules at present require that a prescribed extract of the Act should be hung prominently in every shop or establishment. I have seen this extract. It is an extract of some of the important sections, as they stand. The legal language causes "headache" even to those dealing with it daily; it should be much more so to laymen. I think a readable extract in simple prose containing ten or twelve sentences should be prepared and it should be made obligatory on the employer to serve a copy of this extract on every employee and take his acknowledgment. A sample extract is enclosed.

9. The Government have asked me to report mainly on the question of exemptions and prosecutions. The representations received by me on the other hand mostly deal with respect to other matters. I submit below a gist of the more important representations with my remarks thereon for necessary orders:—

A number of employers have stated that the term "persons employed in any establishment in a position of management" in section 4 (1) has not been defined and one of them has queried whether the head of a section in an office which contains several sections will come under the definition or not. Another has suggested that a salary limit should be fixed for the employees to whom the Act should apply. It has been pointed out that a salesman in a firm of motor car dealers getting a salary of Rs. 1,000 per month and a commission on the sales has claimed to come under the Act. It does not seem to me that the intention of the Act is to interfere with the relations between the higher-paid employees and their employers. I would suggest that the term "person in a position of management" may be more comprehensively defined and also a salary limit of about Rs. 300 may be fixed in respect of employees.

[7th January 1954]

It has been represented that provision should be made in the Act for the grant of gratuity where an employee is dismissed under section 41. I think there is no justification for giving gratuity where an employee is dismissed for misconduct. There may be a case for providing for a gratuity depending on the length of service, where an employee is ousted on account of retrenchment, or retired on account of old age, in the case of bigger shops and commercial establishments, say those paying more than a certain amount of sales tax.

It has been represented that drivers and transport workers should be brought within the scope of the Act. I recommend this suggestion.

Wages and other emoluments payable under the Act are now recoverable only through a Civil Court. It has been suggested that provision similar to that in the Payment of Wages Act should be made to enable recovery or in the alternative the Payment of Wages Act should be made applicable to shops and establishments. I recommend this suggestion.

It has been suggested that there should be an appeal from the decision of the Labour Commissioner under section 50. I think there is no harm in providing that where an employee so desires he may take the matter in appeal to an Arbitrator or the Government. Such a right need not, however, be given to employers. So far as they are concerned the decision of the Labour Commissioner should be final.

It has been represented that co-operative institutions should not be exempted from the provisions of the Act. I agree with this suggestion. The profits of the co-operative society go to the shareholders and so long as the society has to employ persons for doing its work there is no reason why the beneficial provisions of the Act should not be made applicable to them. The sympathy normally shown to the co-operative societies as against private merchants should not be allowed to confuse the view to be taken of relations between the society and its own employees.

It has been represented that certain firms in the City purposely altered the existing privileges just before the Act was passed so as to escape the operation of section 50 and it has been suggested that section 50 should be amended so that the privileges which were in force on a date before the provisions of the Act were under discussion in the Legislature, should be fixed—say, a date one year before the commencement of the Act. I recommend this suggestion for consideration.

There are certain business firms in which the period of work both before and after the passing of the Act has been less than the prescribed maximum of eight hours. The question "What is overtime?" arises in the case of these firms. If we suppose that the number of hours of work in a firm is six and a half, is the employee

[7th January 1954]

entitled to overtime wages for half an hour when he is asked to work for seven hours; or will he become entitled to overtime wages only when the eight-hour period is exceeded. A ruling given by the Labour Commissioner on this point in favour of the employers seems to have been set aside by the High Court and this decision in turn was set aside by the Supreme Court on the ground that the Labour Commissioner's decision in the matter was final. It is also seen from the letters of different employers that they are following different interpretations. I submit that the position may be made clear and overtime wages may be made payable where work is done in excess of the normal hours of work obtaining in the firm though the total period worked on the day may be less than the period of eight hours fixed under the Act.

The Act does not apply to persons whose work involves travelling. What amounts to travelling has not been defined. Will cycle messengers who carry messages in the City come under the definition or not? I think the Act should be amended making the intention clear and that employees who have to travel within a City should not be exempted from the Act. Though the Act does not now apply to caretakers, it has been suggested that watchmen should be brought within the scope of the Act. I recommend that this may be done though different hours of work and periods of work may be specified for them.

It has been pointed out that the provisions of section 41 are not effective enough. The Appellate Authority can decide under section 41 that the dismissal of an employee was improper but he cannot order his reinstatement. It will still be open to the employer not to take back the employee into service and the only remedy for the employee is to go to a Civil Court. No doubt the decision of the Appellate Authority under section 41 will be given due weight in the Court but the procedure becomes complex and costly. It has been suggested that the decision under section 41 should have the force of a decree. I think that though the Act confers certain privileges to the employees it is ultimately only the employer who has to pay the salary of the employee and the Appellate Authority is not going to pay it. In spite of all possible legislation ultimately the employer and employee have to settle things mutually in an amicable manner and it will become a difficult and impossible situation if an unwanted employee is to be forced upon an employer under section 41. I think therefore that the section may be amended giving power to the Appellate Authority to direct that where the employer is not prepared to take back the employee, he should in the alternative make a specified lump sum payment as compensation to the employee. This may be giving some compensation to the employee, while saving the employer the necessity of having to take back an employee whom he does not like for some reason or other. I think it may be more convenient from the point of view of the employers and employees if a local officer, say the Inspector of Factories, is made the Appellate Authority in petty cases—where

7th January 1954]

the employee gets a salary below a certain limit. In the more important cases a second appeal or a reference to the Court preferably the latter may be provided.

As the Act stands at present sick leave cannot be accumulated. It has been suggested that casual leave and sick leave should not lapse at the end of the year. I do not think that it is possible to accumulate casual leave but I recommend that the Act may be amended so that the sick leave may be accumulated for a period of two years.

It has been represented that store-rooms, godowns and warehouses attached to commercial establishments which are now outside the scope of the Act should be brought within the Act. I recommend this suggestion. It has been suggested that canvassers should also be brought under the Act. I think that though it may not be possible to fix hours of work in respect of canvassers there seems to be no reason why some of the other provisions of the Act like payment of salary, granting of casual leave, privilege leave, sick leave, etc., should not be extended to them. I recommend that the Act may be amended suitably.

It has been suggested that there should be provision for tiffin or rest-rooms in shops where more than 20 employees are working. I recommend this suggestion.

Some important Banks have represented that the conditions of service of Bank employees were recently the subject of arbitration by the All-India Industrial Tribunal (Bank disputes), that this award was set aside in appeal but the matter is under enquiry and another award is going to be passed and that the award will cover all the matters covered by the Madras Shops and Establishments Act, that the previous award was more liberal than the Act and that for all these reasons the Banks should be exempted from the provisions of this Act. The banks find it inconvenient to comply with two sets of regulations, viz., those contained in the Tribunal's award and those in the Act. They also find the inspections by the Assistant Inspectors of Labour rather irksome. If an award or other decision confers privileges on the employees not less than those contained in the Act, then I submit that there is no need to enforce the Act. All such banks may be exempted. I would also suggest that in the case of reputed establishments which, of their own accord, have been maintaining their own registers, exemption may be given from maintaining the registers prescribed under the rules in the Act provided that all the required information can be obtained from the registers maintained by the establishment.

It has been represented to me that small shops or establishments employing less than four or five persons should be exempted from the operation of the Act. I do not recommend this suggestion. It has been suggested that the Act and the rules revised up to 31st March of every year should be published and that the Labour Commissioner's orders should also be published in the form of a Manual at annual intervals. I recommend this request.

[7th January 1954]

It has been suggested that the casual leave of 12 days is for a permanent employee and that there should be provision to reduce it proportionately in the case of employees who leave after three or four months. I think Section 25 (2) may be amended so that the full casual leave of 12 days becomes admissible only in the case of employees who have put in a service of not less than one year. In the case of new entrants who have not completed one year's service, the casual leave admissible may be restricted to two days for every month of service put in by them.

It has been stated that the option to work overtime now rests with the employee and that Section 14 (1) must be amended so that an employee may be required to work overtime subject of course to the payment of overtime wages. I think this matter is one to be settled amicably between the employer and the employee and it is unlikely that any employee will normally refuse to work overtime if he is paid the overtime wages. However, the Act may be amended giving the employer the right to demand overtime work up to a specified maximum subject of course to the payment of overtime wages except where the employee has reasonable cause for refusal.

It has been suggested that some offices are distempered once in three or four years and this is as good as annual white-washing. I recommend that such cases may be taken into account and Rule 5 in the Act which prescribes annual white-washing may be suitably modified.

It has been represented that some employees in firms are required to make a security deposit and that a monthly deduction is made in the salary towards the payment of this security deposit. It has been suggested that provision should be made under Section 34 for making such deductions. I recommend that where an employee agrees to such reductions they may be made and that Section 34 may be amended suitably.

It has been represented that holidays for festivals should be allowed. I recommend this. It should be made compulsory in the case of establishments. In the case of shops, restaurants, cinemas, etc., to which the public resort on festival days it should be made obligatory to give a compensatory holiday to the employee concerned.

10. Some of the Assistant Inspectors of Labour have represented to me the following difficulties :—

The term "any business connected with establishment" occurring in section 2 (2) of the Act has not been defined. There have been cases where a shop was kept open on the day of weekly closures and the shop-keeper on being prosecuted contended that the shop was kept open for receiving goods and not for effecting sales. The Court accepted this plea and acquitted the accused. I recommend that the term "closed" should be defined so as to make the intention clear.

[7th January 1954]

'In actual practice it has been found difficult to find out the name and address of the employer. The person in charge of the shop was prosecuted but he got acquitted in the Court on a representation that the employer was somebody else and he was only an agent on behalf of the employer. Sometimes it is difficult to find out the name and address of the employer. There should be a rule prescribing that the employment register must show the name and address of the employer. I recommend this suggestion. It has been suggested that there should be a provision making it obligatory on the employer to take the acknowledgment of the employee for the payment of the salary. This is recommended. There is no provision in the Act empowering any officer to prosecute cases under the Act. I do not think that this is an insuperable bar in the way of Assistant Inspectors of Labour conducting prosecutions as they are doing at present. Under the Criminal Procedure Code, a Court is bound to take cognizance of an offence of which a complaint is given in writing by a public servant. Therefore, the Court is bound to take action on a complaint in writing by the Assistant Inspector of Labour. However, this point seems to have been questioned in a case pending in the South Kanara district and the decision of the Court is awaited. It has been suggested by the Deputy Chief Inspector of Factories and I agree with him that specific provision may be made under the Act as in the Factories Act and some other enactments empowering prescribed officers to prosecute cases under the Act. It is the opinion of the Assistant Inspectors of Labour and the Deputy Chief Inspector of Factories that while the Act has undoubtedly improved the lot of employees by giving a weekly holiday, the provisions of the Act regarding the maximum number of hours of work and leave are largely evaded by employers, other than reputable business firms. It has been represented that employers do not grant leave when an employee asks for the same; and when the Assistant Inspector of Labour questions them they say that the employee never applied for the leave and so he was not given any leave. The employees concerned tell the Inspector confidentially that what the employer says is false and that they have applied for leave repeatedly but the employer refused to give the leave. The only remedy in such a situation lies in prosecuting the employer. But though the employees are prepared to give confidential information to the Assistant Inspector of Labour about the irregularities committed, they are afraid to come out into the open and give evidence because, though the employer may get convicted, the employee is bound to get dismissed on some pretext or other. The State has passed the Legislation but it is not going to come to the succour of the employee when he gets dismissed. This is an important fact which has to be borne in mind when assessing the results of the Legislation. The position seems to be that the leave provisions and provisions relating to hours of work are largely evaded. Some employers also seem to say—with some truth, particularly in the case of the smaller concerns—that it is a nuisance to employ a substitute just for 12 days when the permanent incumbent is enjoying his privilege leave and they would

[7th January 1954]

much rather pay him the leave salary and be done with it. I am given to understand that in many cases the Assistant Inspectors of Labour have succeeded in persuading the employers to pay leave salary to the employees for leave refused.

It has been represented by the Assistant Inspectors of Labour that the provisions relating to the hours of work are largely evaded particularly by less reputable concerns. The employer has now the choice of maintaining an Employment register in Forms 'E', 'F' or 'G' and 'H'. In some cases where an employee is found working in the shop at a time when it is supposed to be closed, the employer gives the excuse that the man came late. In order to minimise such evasions as far as possible, I think the form of the Employment Register should be amended and instead of three different Forms 'E', 'F' and 'G' only one form should be prescribed and there should be provision in it for the employee to note the hour of his arrival in the shop, the hour when he went for interval, the hour when he re-commenced the work and finally the hour of departure. Overtime work should be entered as soon as overtime commences. All these entries should be made by the employee himself against his name in the register wherever he is literate and where he is not literate it should be made by the employer.

11. In addition to what I have set out above there have been some other suggestions to me but I have not discussed them either because they are too unimportant or I consider them impracticable. I am submitting a summary of opinions received by me from employers and employees. The opinions are also enclosed in original. Some files and petitions relating to applications from parties for exemptions were forwarded to me by the Government. I am re-submitting them separately with my remarks.

G.O. No. 4060, Development, dated 7th September 1953.

[Act—Madras Shops and Establishments Act, 1947—Working of—
Report of the Special Officer—Orders passed.]

READ—the following papers :—

G.O. Ms. No. 4642, Development, dated 31st October 1952.

Letter from the Director of Controlled Commodities, dated
7th February 1953, No. 174/PC/53.

Letter from the Commissioner of Labour, dated 4th May 1953,
No. R. Dis. F-1/13053/53.

Order—No. 4060, Development, dated 7th September 1953.

In the Government Order cited, the Government appointed Sri V. V. Subramaniam, I.C.S., as Special Officer to survey and report about the working of the Madras Shops and Establishments Act, 1947, with special reference to the questions of launching

[7th January 1954]

prosecutions for offences and of granting exemptions under the Act. The Special Officer has submitted his report in the matter. The report besides dealing with the question of exemptions and prosecutions, contains some general suggestions regarding the enforcement of the Act and suggestions for the amendment of certain provisions of the Act. The Government have carefully examined the various recommendations contained in the report in consultation with the Commissioner of Labour and pass the following orders :—

I. Prosecutions.—The Government have already issued instructions that prosecutions should not be launched for infringement of minor provisions of the Madras Shops and Establishments Act and Rules and that it is the duty of the Assistant Inspectors of Labour to exercise their moral influence and persuade the employers to observe the provisions of the Act. The Special Officer has also recommended that failure to maintain the unimportant registers, such as those relating to fines, reduction of wages for damage or loss and advances may be viewed leniently. The Commissioner of Labour has agreed to the recommendation of the Special Officer. The Government accept the recommendation and direct that the rules concerning the maintenance of registers relating to fines, reductions of wages for damage or loss and advances need not be enforced strictly.

The Special Officer has pointed out that the legal language of the extracts of certain sections of the Act and Rules required to be displayed in the establishments covered by the Act under rule 16 (5) of the Madras Shops and Establishments Rules is apt to cause difficulties for laymen. He has therefore suggested that a readable gist of these extracts may be substituted for the existing extracts and recommended that it may be made obligatory on the employer to serve a copy of the gist on every employee and take his acknowledgment. The Commissioner of Labour has stated that the suggestion of the Special Officer is acceptable. The Government accept the suggestion of the Special Officer. The Commissioner of Labour is requested to submit suitable draft amendment to the rules. He is also requested to specify the number of copies of the gist to be printed in each language for supply to the employers.

II. General suggestions regarding the enforcement of the Act and Rules—Suggestion (1).—The Special Officer has pointed out that some offices are distempered once in three or four years and suggested that in such cases rule 5 of the Madras Shops and Establishments Rules prescribing annual white-washing may be suitably modified. The Commissioner of Labour has agreed to the suggestion of the Special Officer. The Government also accept the suggestion. The Commissioner is requested to submit a suitable draft amendment to rule 5 of the Madras Shops and Establishments Rules.

Suggestion (2).—The Special Officer has observed that in actual practice it has been found difficult to find out the name and address of the employer, and has therefore suggested that

[7th January 1954]

there should be a rule prescribing that the employment register must show the name and address of the employer. The Commissioner however apprehends that this will not solve the problem as the employment registers could disappear. In order to overcome the difficulty pointed out by the Special Officer, the Commissioner has recommended that registration of the shops as under the Factories Act may be prescribed and licences may be issued. The Government however consider that the objection of the Commissioner is far-fetched. They accept the recommendation of the Special Officer. The Commissioner of Labour is requested to send a suitable draft of the rule to be included in the Madras Shops and Establishments Rules.

Suggestion (3).—The Special Officer has recommended that a provision may be made requiring the employer to take acknowledgment of the employee for the payment of the salary. The Commissioner has accepted the recommendation. The Government however consider that as most of the employees are illiterate, they may not know what they acknowledge for and that it may make matters worse. They do not therefore accept the recommendation of the Special Officer.

Suggestion (4).—There is no provision in the Madras Shops and Establishments Act empowering any officer to prosecute cases under the Act. Under the Criminal Procedure Code, a Court is bound to take cognizance of an offence of which a complaint is given in writing by a public servant and the Court should accordingly take action on a complaint made by an Assistant Inspector of Labour under the Madras Shops and Establishments Act. As this point has been questioned in a case pending in the South Kanara Court, the Special Officer has recommended that specific provision may be made under the Madras Shops and Establishments Act, as in section 105 of Factories Act empowering prescribed officers to prosecute cases under the former Act. The Commissioner of Labour has accepted the suggestion of the Special Officer.

Section 105 of Factories Act relates to *cognizance of offences* and not to *conduct of prosecutions*. If all that is required is only a provision on the lines of section 105 of the Factories Act, there is no legal objection. The Commissioner is requested to make his intention clear, and also to send a copy of the judgment in the case referred to above.

Suggestion (5).—The Special Officer has pointed out that provisions of the Act relating to leave are being evaded largely by employers and that the employees are also apprehensive of reporting such evasions to the inspecting staff openly, lest the employers should dismiss the employees on some pretext or other subsequently. In certain cases the employers find it inconvenient to employ a substitute just for 12 days or so when the permanent incumbent is on leave and they are prepared to pay the leave salary and be done with it. In many such cases the Assistant Inspectors are reported to have succeeded in persuading the employers to pay

[7th January 1954]

leave wages to their employees for the leave refused. The Commissioner however considers that it is not advisable to pay wages in lieu of leave and expects the practical difficulties pointed out by the Special Officers to be overcome when the employees become conscious of their privileges and the trade unions function effectively.

The Government do not consider that any special instructions are necessary in this regard.

Suggestion (6).—With a view to minimize evasions of provisions relating to hours of work, the Special Officer has suggested that instead of three different forms in which the employment register is required to be maintained at present there should be only one form containing provision in it for the employee to note the hour of his arrival in the shop, the hour of rest, the time of commencement of work and the time of his departure. The Commissioner while agreeing to the suggestion of the Special Officer has observed that evasion of the provisions relating to working hours, etc., can be checked effectively only by shortening the period between the opening and closing hours of shops and by prescribing different periods for each kind or class of shops and for each locality.

The Government consider that the various registers and forms prescribed under the Act should be made simpler. The Commissioner is requested to examine this point and submit necessary proposals.

Suggestion (7).—The Special Officer has recommended that the Madras Shops and Establishments Act and Rules revised up to 31st March every year should be published and that the Labour Commissioner's orders should also be published in the form of a manual at annual intervals. The Commissioner of Labour has supported the suggestion. The Government agree that an up-to-date manual will be useful. The Commissioner is requested to state in consultation with the Controller of Stationery and Printing the cost of each copy of the manual with due regard to the number of copies that can be sold to the public every year.

III. *Exemptions—Recommendation No. (1).*—The Special Officer has observed that Government have not laid down any hard and fast principles for the grant of exemptions. The Commissioner for Labour while conceding that no fixed principles have been observed in the matter, has stated that though establishments may be exempted for some practical considerations, the employees should have been compensated for any loss of weekly holiday, for overtime work, etc. The Government consider that exemptions have to be granted in the larger interests of the community and that whether the workers should be compensated for any loss of privilege or not has to be considered on the merits of the case subject to the general consideration that the consumer is not asked to pay so much as to reduce his custom with adverse consequences to both the employers and the employees.

[7th January 1954]

Recommendation No. (2).—The Special Officer has recommended that wherever the interests of the public are involved exemptions may be granted from the provisions of the Act relating to weekly closure or opening and closing hours, etc. The Commissioner agrees that exemption has to be granted to shops dealing in perishable articles. But in respect of shops dealing in durable articles like medicine, the Commissioner considers that there is no need to grant any exemption unless absolutely necessary. He has suggested that, if there are more shops than one, dealing in these articles in a locality, they may be closed by turn without any inconvenience to the public.

The Government consider that the present position in regard to the grant of exemptions in such cases are advanced enough and that no further restriction can be allowed without injuring trade and employment. They accordingly accept the principle recommended by the Special Officer.

Recommendation No. (3).—The Special Officer has referred to certain cases where though the public interests are not directly involved, an employer cannot avoid infringing the provisions of the Act without causing serious dislocation to his business. In such cases the Special Officer has recommended that exemption may be granted to the minimum extent necessary with due safeguards to the employees. The Commissioner of Labour has agreed to the recommendation but has stated that the employees should be paid overtime wages, if they work extra hours of work. The Government however consider that in such cases, each case should be considered on its merits.

Recommendation No. (4).—The Special Officer has recommended that where an institution is run purely for the public benefit without any motive of private profits, it may, on application, be granted exemption on the analogy of the exemption granted to establishments under local bodies and the Government.

The Commissioner of Labour has stated that any exemption granted should be made conditional on the employees being allowed compensatory holidays, or overtime wages or other substituted benefits.

The Government accept the recommendation of the Special Officer.

Recommendation No. (5).—The Special Officer has recommended that where an employer runs his establishment either by himself or solely with the help of his close relatives, exemption may be given subject to the condition that provisions relating to the visit book, employment of children and young persons, and health and safety are enforced.

The Commissioner of Labour has stated that the term 'relates' may be confined only to 'husband or wife or dependant

[7th January 1954]

children' in order to avoid any misuse of the exemption and that provisions relating to opening and closing hours and weekly closure should be enforced in respect of these shops.

The Government accept the recommendation of the Special Officer subject to the condition that the relationship is restricted to members of the joint family.

Recommendation No. (6).—The Special Officer has recommended that where the employers and the employees are illiterate and the concern is too poor to employ a clerk, it may be exempted from the obligation to maintain the various registers prescribed under the Act, excepting the visit book. The Officer has also suggested that this exemption may be issued in the form of executive instructions to the enforcement staff.

The Commissioner is of the view that this exemption should be limited to only certain types of small shops which cannot afford to employ persons with any education.

The Government agree to the recommendation of the Special Officer. The Commissioner of Labour is requested to issue suitable instructions to the subordinate officers.

Recommendation No. (7).—The Special Officer has recommended that where an establishment is governed by a legislation or by an award which confers more liberal benefits than those under the Act, it may be exempted.

The Commissioner, while agreeing to the suggestion as a general principle has pointed out that in respect of awards it is not clear who will enforce the provisions of the awards. He has therefore suggested that exemption for such establishments may be granted, if Government are satisfied with the arrangements for enforcing such award.

The Government consider that each case should be considered on merits. The Commissioner of Labour is informed that he may bring such cases, as and when they arise, to the notice of Government for the grant of exemption on consideration of their merits.

Recommendation No. (8).—The Special Officer has recommended that where the employees in an establishment are employed on a contract basis and are paid according to the amount of work turned out, the establishment may be exempted if the employees apply for it, subject to the enforcement of the provisions relating to opening and closing hours, health and safety, employment of children and young persons and visit books.

The Commissioner does not agree with the recommendation and has pointed out that the purpose of the Act is not only to prevent the employers from exploiting labour but also to prevent labour from overstraining themselves.

[7th January 1954]

The Government are of the view that though the recommendation of the Special Officer cannot be accepted in toto, it is good in principle, and can be applied as justified in individual cases.

Recommendation No. (9).—The Special Officer has recommended that before granting exemption, as far as possible, the views of the employees concerned should be ascertained and considered before orders are passed.

The Commissioner of Labour considers that it may not be always practicable to consult the employees as most of the employees are illiterate. He has however suggested that wherever possible, it may be advisable to consult the employees' unions.

The Government accept the suggestion of the Commissioner of Labour.

Recommendation No. (10).—The Special Officer has stated that some of the exemptions already granted (e.g., exemptions granted to Air Services companies, Nataka sabhas, offices of income-tax practitioners, etc.), cannot be justified according to the general principles he has stated above. He has suggested that all the existing exemptions may be reviewed, if Government think fit. The Commissioner of Labour has recommended that a Tripartite Committee consisting of representatives of employers, employees and the enforcing authorities might be constituted to go into each of the exemptions so far granted and verify the necessity for such exemptions.

The Government consider that, the constitution of a Tripartite Committee of the type recommended by the Commissioner is unnecessary and that the Commissioner himself may review each of the exemptions already granted with reference to the principles laid down in this order by the Government. The Commissioner is accordingly requested to take necessary action in the matter and submit a report to Government by 1st December 1953.

Recommendation No. (11).—The Act at present does not apply to persons whose work involves travelling. The Special Officer has observed that what amounts to travelling has not been defined; and has suggested that the Act may be amended to make the intention clear. He has also recommended that the employees who have to travel within a City should not be exempted from the Act. The Government consider that the term 'persons whose work involves travelling' is clear enough and includes cycle messengers, persons employed as canvassers, etc., and that no amendment is necessary.

Recommendation No. (12).—The Special Officer has recommended that drivers and transport workers might be brought within the scope of the Act. In respect of canvassers, though hours of work cannot be fixed, the Special Officer recommends the application of other provisions like payment of salary, leave privileges, etc.

[7th January 1954]

The Commissioner of Labour has stated that there are many practical difficulties in enforcing the provisions of the Act in respect of outdoor workers.

So far as transport workers are concerned, the Act cannot be extended to workers in Government Transport unless section (4) (1) (c) of the Act is amended. This question was considered in another connection but since a separate manual governing the service conditions of workers in Government Transport is under compilation, Government considered that there was no need to extend the provisions of the Act to these workers. The question of extending the provisions of the Act to transport workers in private undertakings is separately under consideration.

Regarding other workers whose work involves travelling, such as salesmen, canvassers, etc., the Government consider that they need not be considered for application of the Act.

Recommendation No. (13).—The Special Officer has recommended that co-operative institutions should not be exempted from the provisions of Act and the Commissioner of Labour has agreed with him. This question is separately under the consideration of the Government.

Recommendation No. (14).—The Special Officer has pointed out that the Banks covered by the award of the All-India Industrial Tribunal (Bank Disputes) find it inconvenient to comply with two sets of regulations, viz., those contained in the Tribunal's award and those in the Act and has recommended that if the provisions of the award are more liberal than those in the Act, the banks may be exempted. The Commissioner has accepted this suggestion. The Government also agree that if in regard to matters dealt with by the Tribunal in its award the employees are placed in a more favourable position than they would be under the Madras Shops and Establishments Act exemption may be granted to such of those banks as are covered by this award. The Commissioner is accordingly requested to examine this question and submit proposals for the exemption of the banks covered by the award.

The Special Officer has also recommended that in the case of reputed establishments which of their own accord maintain registers which furnish all information required under the Acts and Rules, they may be exempted from the obligation to maintain registers prescribed under the Act. The Commissioner considers this to be reasonable and has suggested that each case may be dealt with on merits. The Government accept the suggestion of the Commissioner of Labour. He is requested to bring deserving cases of establishments to the notice of Government for necessary exemption.

Recommendation No. (15).—It has been represented to the Special Officer that small shops employing less than 4 or 5 persons

[7th January 1954]

should be exempted from the operation of the Act. But the Special Officer has not recommended this suggestion. This question is under consideration separately.

IV. *Suggestions for the Amendment of the Act.*—The Central Government are contemplating All-India Legislation for shops and commercial establishments throughout the country. In case that legislation is enacted there may be no need to amend the Madras Shops and Establishments Act. The Government have therefore deferred the consideration of the suggestions of the Special Officer involving amendments to the Madras Shops and Establishments Act till the Government of India have come to definite decision on the question of Central legislation.

(By order of the Governor)

APPENDIX III.

L.A. BILL No. 1 OF 1954.

(As passed by the Assembly.)

[Vide item III (1) at page 415 supra.]

A Bill to give permanent effect to the reconstitution and formation of State Co-operative Societies in the State of Madras.

WHEREAS, in pursuance of the Madras State Co-operative Societies (Reconstitution and Formation) Ordinance, 1953 (Madras Ordinance II of 1953), each of the following societies, that is to say, the Madras State Co-operative Bank, Limited, the Madras Co-operative Central Land Mortgage Bank, Limited, and the Madras State Handloom Weavers' Co-operative Society, Limited, was reconstituted by excluding from its area of operations, the territory now comprised in the State of Andhra and with the said territory as their area of operations, three new societies, called the Andhra Co-operative Bank, the Andhra Co-operative Central Land Mortgage Bank and the Andhra Handloom Weavers' Co-operative Society, were formed;

AND WHEREAS it is necessary to give permanent effect to the reconstitution of the then existing societies and the formation of the new societies;

It is hereby enacted as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the State Co-operative Societies (Reconstitution and Formation) Act, 1954.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force at once.

[7th January 1954]

2. *Definitions.*—In this Act, unless there is anything repugnant in the subject or context—

(a) 'Ordinance' means the Madras State Co-operative Societies (Reconstitution and Formation) Ordinance, 1953 (Madras Ordinance II of 1953);

(b) 'the then existing societies' means the Madras State Co-operative Bank, Limited, the Madras Co-operative Central Land Mortgage Bank, Limited, and the Madras State Handloom Weavers' Co-operative Society, Limited, as they existed on the date of the promulgation of the Ordinance;

(c) 'reconstituted societies' means the Madras State Co-operative Bank, Limited, the Madras Co-operative Central Land Mortgage Bank, Limited, and the Madras State Handloom Weavers' Co-operative Society, Limited, as reconstituted in pursuance of the Ordinance;

(d) 'new societies' means the Andhra Co-operative Bank, the Andhra Co-operative Central Land Mortgage Bank and the Andhra Handloom Weavers' Co-operative Society;

(e) 'corresponding new society' means the Andhra Co-operative Bank in relation to the reconstituted Madras Co-operative Bank, Limited, the Andhra Co-operative Central Land Mortgage Bank in relation to the reconstituted Madras Co-operative Central Land Mortgage Bank, Limited, and the Andhra Handloom Weavers' Co-operative Society in relation to the reconstituted Madras State Handloom Weavers' Co-operative Society, Limited.

3. *Acts done under Ordinance to be effective and binding on share-holders and creditors.*—The reconstitution of the then existing societies, the registration of changes in their by-laws consequent on the reconstitution of the said societies, the formation of the new societies and their registration, the division of assets and liabilities as between, in each case, the reconstituted society and the corresponding new society, the terms and conditions subject to which such division of assets and liabilities was made, the adjustments of rights, liabilities and guarantees, and the creation, transfer and allotment of liabilities as between, in each case, the reconstituted society and the corresponding new society and all acts done and decisions made in pursuance of the Ordinance shall, in all respects be effective and binding on all the share-holders and the creditors of each of the then existing societies, the share-holders and the creditors of each of the reconstituted societies and the Government of the State of Madras.

4. *Act to override certain enactments.*—The provisions of this Act shall have effect, notwithstanding anything to the contrary, in the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), and the Madras Co-operative Land Mortgage Banks Act, 1934 (Madras Act X of 1934).

[7th January 1954]

APPENDIX IV.

L.A. BILL No. 2 OF 1954.

(As passed by the Assembly.)

[Vide item III (2) at page 422 supra.]

A Bill further to amend the Madras General Sales Tax Act, 1939.

WHEREAS it is expedient further to amend the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939), for the purpose hereinafter appearing; It is hereby enacted as follows:—

1. *Short title.*—This Act may be called the Madras General Sales Tax (Amendment) Act, 1954.

2. *Amendment of section 2-A, Madras Act IX of 1939.*—In section 2-A of the Madras General Sales Tax Act, 1939 (Madras Act IX of 1939),—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The State Government shall appoint an Appellate Tribunal consisting of three members to exercise the functions conferred on the Appellate Tribunal by or under this Act. Of the three members, one shall be a judicial officer not below the rank of District Judge. He shall be the Chairman of the Tribunal. The other two members shall possess such qualifications as may be prescribed”;

(ii) sub-sections (3) and (4) shall be re-numbered as sub-sections (4) and (5) respectively and after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) (a) The functions of the Appellate Tribunal may be exercised by a Bench consisting of all the members of the Tribunal or by a Bench consisting of two members constituted by the Chairman or, in the event of the office of a member other than the Chairman being vacant, by a Bench consisting of the Chairman and the other member:

Provided that, if any case which comes up before a Bench (of which the Chairman is not a member) involves a question of law, the Bench may, in its discretion, reserve such case for decision by a Bench to be constituted under this sub-clause of which the Chairman shall be a member.

(b) Where an appeal or application is heard by all the three members of the Tribunal, and the members differ in opinion on any point, the point shall be decided in accordance with the opinion of the majority.

(c) Where an appeal or application is heard by a Bench consisting of two members, and the members are divided in their opinion on any point, the point shall be found against the appellant or applicant and the members shall, after delivering their

7th January 1954]

separate opinions, pronounce a joint judgment announcing the result of the findings, if any, on which they are agreed and of the findings recorded against the appellant or applicant on points on which they are divided."

3. *Repeal of Madras Ordinance III of 1953.*—(1) The Madras General Sales Tax (Amendment) Ordinance, 1953 (Madras Ordinance III of 1953), is hereby repealed.

(2) Any judgment pronounced, decision passed, action taken or thing done in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been pronounced, passed, taken or done in the exercise of the powers conferred by or under this Act as if this Act were in force on the day on which such judgment was pronounced, decision was passed, action was taken or thing was done.

APPENDIX V.

L.A. BILL No. 3 OF 1954.

(As passed by the Assembly.)

[Vide item III (3) at page 442 supra.]

A Bill to re-enact the Madras Contingency Fund Act, 1950.

WHEREAS it is expedient to re-enact the Madras Contingency Fund Act, 1950 (Madras Act XIV of 1950), with certain modifications, as a result of the formation of the State of Andhra and the increasing of the area of the State of Mysore; It is hereby enacted as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Contingency Fund Act, 1954.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force at once.

2. *Establishment of a Contingency Fund.*—(1) There shall be established for the State of Madras a Contingency Fund in the nature of an imprest, called the "Contingency Fund of the State of Madras", and consisting of a sum of seventy-five lakhs of rupees transferred from the Consolidated Fund of the State of Madras.

(2) Such Contingency Fund shall be at the disposal of the Governor of Madras; and he shall have authority to make advances therefrom for the purpose of meeting any unforeseen expenditure, pending authorization of such expenditure by the State Legislature by law under Article 205 or Article 206 of the Constitution.

(3) As often as any such expenditure is authorized by law, as aforesaid, the State Government shall recoup to the Contingency Fund an amount equal to the advance taken from such Fund to meet the expenditure.

[7th January 1954]

3. *Power to make rules.*—The State Government may, by notification in the *Fort St. George Gazette*, make rules for the purpose of carrying into effect the provisions of this Act.

4. *Repeal.*—The Madras Contingency Fund Act, 1950 (Madras Act XIV of 1950), is hereby repealed; and the balance in the Fund established by the said Act is hereby transferred to the Consolidated Fund of the State of Madras.

4th January 1954.

R. V. KRISHNA AYYAR,
Secretary to the State Legislature.

I certify that this is a Money Bill.

4th January 1954.

J. SIVASHUNMUGAM PILLAI,
Speaker, Madras Legislative Assembly.

APPENDIX VI.

L.A. BILL No. 5 OF 1954.

(As passed by the Assembly.)

[Vide item III (4) at page 447 supra.]

A Bill further to amend the Madras Preservation of Private Forests Act, 1949.

WHEREAS it is expedient further to amend the Madras Preservation of Private Forests Act, 1949 (Madras Act XXVII of 1949), for the purpose hereinafter appearing; It is hereby enacted as follows:—

1. *Short title.*—This Act may be called the Madras Preservation of Private Forests (Amendment) Act, 1954.

2. *Amendment of section 1, Madras Act XXVII of 1949.*—In section 1, sub-section (3), of the Madras Preservation of Private Forests Act, 1949 (Madras Act XXVII of 1949), as in force immediately before the commencement of the Madras Preservation of Private Forests (Amendment) Ordinance, 1953 (Madras Ordinance IV of 1953), for the words, figures and letters "up to and inclusive of the 2nd December 1953", the words, figures and letters "up to and inclusive of the 2nd December 1954" shall be substituted.

3. *Repeal of Madras Ordinance IV of 1953.*—(1) The Madras Preservation of Private Forests (Amendment) Ordinance, 1953 (Madras Ordinance IV of 1953), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action was taken.

7th January 1954]

APPENDIX VII.

L.A. BILL No. 6 OF 1954.

(As passed by the Assembly.)

[Vide item III (5) at page 448 supra.]

A Bill to provide for the acquisition of lands in slum areas in the City of Madras.

WHEREAS there are a number of slum areas in the City of Madras which are likely to become a source of danger to the public health and sanitation of the City;

AND WHEREAS under the existing law, it has not been possible to provide for the basic needs of sewerage, water-supply and road and side-drains in these slum areas, without causing excessive financial strain on the owners of the lands affected;

AND WHEREAS to obviate this difficulty it is expedient first to acquire the lands in those areas and thereafter to undertake the execution of works designed to improve those areas;

It is hereby enacted as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Slum Improvement (Acquisition of Land) Act, 1954.

(2) It extends to the whole of the City of Madras.

(3) It shall come into force at once.

2. *Definitions.*—In this Act, unless there is anything repugnant in the subject or context—

(a) 'Court' means the Madras City Civil Court;

(b) 'land' includes things attached to the earth or permanently fastened to anything attached to the earth;

(c) 'person interested', in relation to any land, includes all persons claiming, or entitled to claim, an interest in the compensation payable on account of the acquisition of that land under this Act; and a person shall be deemed to be interested in land if he is interested in an easement affecting the land;

(d) 'prescribed' means prescribed by rules made under this Act;

(e) 'slum area' means any area declared to be a slum area under section 3, sub-section (1);

(f) all expressions not defined in this Act but defined in the Madras City Municipal Act, 1919 (Madras Act IV of 1919), shall have the respective meanings assigned to them in the latter Act.

3. *Power to acquire land.*—(1) Where the State Government are satisfied that any area is or may be a source of danger to the public health, safety or convenience of its neighbourhood by

[7th January 1954]

reason of the area being low-lying, insanitary, squalid or otherwise, they may, by notification in the *Fort St. George Gazette*, declare such area to be a slum area.

(2) Where the State Government are satisfied that it is necessary to acquire any land in a slum area for the purpose of clearing or improving the area, they may acquire the land by publishing in the *Fort St. George Gazette* a notice to the effect that they have decided to acquire it in pursuance of this section:

Provided that, before publishing such notice, the State Government shall call upon the owner of, or any other person who, in the opinion of the State Government, may be interested in, such land to show cause why it should not be acquired; and after considering the cause, if any, shown by any person interested in the land, the State Government may pass such orders as they deem fit.

Explanation.—Cause shown by the person interested in the land, may be against the declaration of the area as a slum area under sub-section (1) as well as against the necessity to acquire the land for the purpose of clearing or improving the area.

(3) When a notice as aforesaid is published in the *Fort St. George Gazette*, the land shall, on and from the beginning of the day on which the notice is so published, vest absolutely in the State Government free from all encumbrances.

(4) The State Government may, by order, authorize any authority or officer subordinate to them to exercise all or any of the powers conferred and perform all or any of the duties imposed on them by this section, subject to such conditions and restrictions as may be specified in the order.

4. *Transfer of land in a slum area by Government.*—(1) Where any land in a slum area has been acquired under this Act, the State Government may either hold the land under their own control and management and undertake the clearance or improvement of the slum area or transfer the land to the Corporation of Madras or the Board of Trustees for the Improvement of the City of Madras for the purpose of undertaking the clearance or improvement of the slum area; and in the latter case, the land shall vest in the Corporation or the Board of Trustees, as the case may be.

(2) Where land is transferred under sub-section (1) to the Corporation or the Board of Trustees, it shall be liable to pay the cost of acquisition of the land or of such portion thereof as the State Government may fix in each case.

(3) Where the State Government hold the land under their own control and management and undertake the clearance or improvement of the slum area, the cost of acquisition shall be borne by the persons to whom the land is allotted in parcels for residence and such cost shall be recoverable from them in such proportion and in such manner as may be prescribed.

7th January 1954]

5. *Right to receive compensation.*—Every person whose right, title or interest in any land is acquired under this Act shall be entitled to receive and be paid compensation as hereinafter provided.

6. *Basis of determination of compensation.*—(1) The amount payable as compensation in respect of any land acquired under this Act shall be an amount equal to twelve times the net average annual income actually derived from such land during the period of five consecutive years immediately preceding the date of publication of the notice referred to in section 3, sub-section (2).

(2) The net average annual income referred to in sub-section (1) shall be calculated in the manner and in accordance with the principles set out in the Schedule to this Act.

(3) The prescribed authority shall, after holding an inquiry in the prescribed manner, determine in accordance with the provisions of sub-section (2), the net average annual income actually derived from the land and publish a notice in the *Fort St. George Gazette* specifying the amount so determined and calling upon every person interested to intimate to it before a date specified in the notice whether such person agrees to the amount determined, and if not, what amount he claims to be the net average annual income actually derived from the land.

(4) (a) Any person who does not agree to the amount of the net average annual income determined by the prescribed authority under sub-section (3) and claims a sum in excess of that amount, may prefer an appeal to the Court within thirty days from the date specified in the notice referred to in that sub-section.

(b) Against any decision of the Court under clause (a), a second appeal on any question of law shall lie to the High Court within thirty days from the date of such decision if the amount claimed by the person concerned exceeds twenty-five thousand rupees.

7. *Apportionment of compensation.*—(1) Where there are several persons interested, the prescribed authority shall determine the persons who in its opinion are entitled to the compensation and the amount payable to each of them.

(2) If any dispute arises as to the apportionment of the compensation or any part thereof, or as to the persons to whom the same or any part thereof is payable, the prescribed authority may refer such dispute to the decision of the Court; and the Court shall, in deciding any such dispute, follow, so far as may be, the provisions of Part III of the Land Acquisition Act, 1894 (Central Act I of 1894).

8. *Payment of compensation or deposit of same in Court.*—(1) The prescribed authority shall tender payment of the compensation to the persons entitled thereto and shall pay it to them.

[7th January 1954]

(2) If they shall not consent to receive it, or if there be no person competent to alienate the land, or if there be any dispute as to the title to receive compensation, or as to the apportionment of it, the prescribed authority shall deposit the amount of the compensation in the Court, and the Court shall deal with the amount so deposited in the manner laid down in sections 32 and 33 of the Land Acquisition Act, 1894 (Central Act I of 1894).

9. *Payment of interest.*—When the amount of such compensation is not paid or deposited on or before taking possession of the land, the prescribed authority shall pay the amount with interest thereon at the rate of four per cent per annum from the time of so taking possession until it shall have been so paid or deposited.

10. *Powers of prescribed authority.*—(1) The prescribed authority may, with a view to carrying out the purposes of section 5 or section 6 or section 7, by order, require any person to furnish such information in his possession relating to any land which is acquired under this Act as may be specified in such order.

(2) The prescribed authority shall, while holding an inquiry under section 6, sub-section (3), have all the powers of a Civil Court, while trying a suit, under the Code of Civil Procedure, 1908 (Central Act V of 1908), in respect of the following matters, namely :—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) reception of evidence on affidavits;
- (d) requisitioning any public record from any Court or office;
- (e) issuing commissions for examination of witnesses.

11. *Service of notices and orders.*—(1) Save as otherwise provided by this Act and subject to the provisions of this section, and of any rules that may be made under this Act, every notice issued or order made under this Act shall—

- (a) in the case of any notice or order of a general nature or affecting a class of persons, be published in the *Fort St. George Gazette*; and
- (b) in the case of any notice or order affecting an individual, corporation or firm, be served in the manner provided for the service of summons in rule 2 of Order XXIX, or rule 3 of Order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908 (Central Act V of 1908); and

7th January 1954]

(c) in the case of any notice or order affecting an individual person (not being a corporation or firm), be served on such person—

- (i) by delivering or tendering it to that person; or
- (ii) if it cannot be so delivered or tendered, by delivering or tendering it to the head of the office in which such person is employed or to any adult male member of the family of such person, or by affixing a copy of it on the outer door, or on some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain; or
- (iii) failing service by these means, by post.

(2) Where the ownership of the land is in dispute or the persons interested in the land are not readily traceable and the notice or order cannot be served without undue delay, the notice or order may be served by publishing it in the *Fort St. George Gazette*, and where possible, by affixing a copy thereof on any conspicuous part of the land to which it relates.

12. *Protection of action taken in good faith.*—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or of any rule or order made thereunder.

(2) No suit or other legal proceeding shall lie against the State Government or the prescribed authority or any officer or authority subordinate to the State Government or the prescribed authority, for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or of any rule or order made thereunder.

13. *Bar of jurisdiction of Civil Courts.*—Save as otherwise expressly provided in this Act, no Civil Court shall have jurisdiction in respect of any matter which the Government or the prescribed authority is empowered by or under this Act, to determine, and no injunction shall be granted by any Court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

14. *Power to make rules.*—The State Government may, by notification in the *Fort St. George Gazette*, make rules to carry out the purposes of this Act.

15. *Application of the Act to certain pending cases of acquisition.*—The provisions of this Act shall, if the State Government so direct, apply also to any case or cases in which proceedings have been started before the commencement of this Act for the acquisition of any land in a slum area under the Land Acquisition Act, 1894 (Central Act I of 1894) (hereinafter referred to as the said Act), but no award has been made by the Collector under section 11 of the said Act before such commencement, as if—

- (i) the notification published under section 4, sub-section (1), of the said Act, or

[7th January 1954]

- (ii) the declaration made under section 6 of the said Act, or
 (iii) the notice given under section 9, sub-section (1), of the said Act,

were a notice to show cause against the acquisition of the land served by the State Government under the proviso to section 3, sub-section (2), of this Act.

16. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

THE SCHEDULE.

[See section 6 (2).]

1. The net average annual income referred to in section 6, sub-section (1), shall be one-fifth of the gross rent actually derived by the owner, from the land acquired and the huts and buildings, if any, thereon, during the period of five consecutive years referred to in that sub-section after deducting municipal taxes, revenue charges and cost of repairs for the said period of five years from such gross rent.

2. The gross rent shall be determined by the prescribed authority by local enquiry, and if necessary, by obtaining certified copies of extracts from the property tax assessment books of the Corporation showing the rental values of any such lands, huts or buildings. The cost of repairs to the huts and buildings on the land shall be calculated at the rate of one month's rent per year in each case.

3. Where there are trees on the land acquired, the prescribed authority shall take into account the income, if any, actually derived by the owner from such trees during the said period of five years.

4. If the land, or the huts or buildings thereon remained unoccupied, or the owner has not been in receipt of any rent for the occupation of such land, huts or buildings during the whole or any part of the said period of five years, the gross rent shall be taken to be the income which the owner would in fact have derived if the land, huts or buildings had been leased out or given for rent during the relevant period, and for this purpose the income actually derived from similar lands, huts or buildings in the vicinity shall be taken into account.

THE MADRAS LEGISLATIVE COUNCIL.

Monday, 11th January 1954.

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.

Short notice question.

Salaries of First Grade Pandits and B.A., B.Ts.

* 63-A Q.—DR. S. MUTHULAKSHMI REDDI: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) whether the salary of the First Grade Pandits is the same as that of the B.A., B.Ts.; and

(b) if the answer to clause (a) is in the affirmative, whether it is a fact that in Government service, the starting salary of the First Grade Pandits is only Rs. 85 whereas that of the B.A., B.Ts., is Rs. 100 per mensem?

THE HON. SRI C. SUBRAMANIAM:—“(a) The answer is in the affirmative.

“(b) A higher starting salary is allowed to B.T. Assistants as there is a dearth of such qualified teachers.”

DR. S. MUTHULAKSHMI REDDI:—“Sir, is it the information of Government that the pandits are too many and that the B.Ts. are smaller in number than even the pandits?”

THE HON. SRI C. SUBRAMANIAM:—“Sir, that is the information of the Government.”

Examinerships for superannuated graduate teachers in secondary schools.

* 64 Q.—DR. C. NATHAMUNI NAIDU: Will the Hon. the Minister for Finance and Education be pleased to state whether superannuated graduate teachers employed in secondary schools are denied the privilege of being Chief and Assistant Examiners of the S.S.L.C. or other Government Examinations?

THE HON. SRI C. SUBRAMANIAM:—“As a general rule superannuated persons employed in schools are not appointed as Examiners and Assistant Examiners for the S.S.L.C. or other Government Examinations.”

DR. C. NATHAMUNI NAIDU:—“Sir, will this not be some kind of a provision for old age to these retired teachers in view of the ill-paid nature of the profession and the lack of even gratuity in some cases.”

[11th January 1954]

THE HON. SRI C. SUBRAMANIAM:—"Sir, there are other young men also who want more emoluments. Their cases also have to be considered. These superannuated persons are able to get employment even after retirement."

DR. C. NATHAMUNI NAIDU:—"Sir, will it not be humane to respect old age and wisdom?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, we have to respect and give due consideration to young age also."

SRI G. KRISHNAMURTHI:—"May I know, Sir, if there is any proposal to raise the age of retirement of these teachers to 60 and to extend this concession also to them?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, this does not arise out of this question."

DR. C. NATHAMUNI NAIDU:—"Sir, these people have been Examiners, etc., for long and, as such, do not the Government think that it will be proper to give an opportunity for superannuated teachers to be Assistant Examiners at least?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, the word 'superannuated' itself shows that they have to work less than younger men and we should give them some rest. We should not, therefore, saddle them with more work."

Publication of notes to the text-books for the S.S.L.C. Examination.

* 65 Q.—SRI G. KRISHNAMURTHI: Will the Hon. the Minister for Finance and Education be pleased to state whether there is any proposal to ban the publication of notes to the text-books prescribed for the S.S.L.C. Examination?

THE HON. SRI C. SUBRAMANIAM:—"Government intend having this question examined thoroughly and take a decision in the matter."

SRI G. KRISHNAMURTHI:—"Sir, are the Government aware of the fact that they are publishing what is called a 'Guide Book for English'? Is there any proposal for publishing Guide Books in other subjects also by the Government?"

THE HON. SRI C. SUBRAMANIAM:—"Yes, Sir, it is under consideration."

SRI G. KRISHNAMURTHI:—"Sir, are the Government aware of the fact that these notes have been responsible for a lot of inattention in the VI Form classes?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, I do realize that the publication of these notes, so to say, has caused havoc especially in regard to standards in English and also

11th January 1954]

in regard to other subjects. As I have already said the Government intend having this question thoroughly examined, and taking a final decision in the matter."

SRI G. KRISHNAMURTHI:—"Sir, is there any proposal to entrust non-official organizations at the provincial level with the publication of these notes?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, the very desirability of publishing these notes is under consideration and, after we come to the conclusion that some notes should be published or not, the question whether they should be published either by a Governmental agency or by a non-official agency will be considered."

DR. C. NATHAMUNI NAIDU:—"Sir, are not some of the teachers referring to these notes before they go to their classes?"

SRI V. CHAKKARAI CHETTY:—"Sir, I was not in the habit of reading notes. May I know what kind of notes these are? Are they explanations of the words, phrases and allusions?"

THE HON. SRI C. SUBRAMANIAM:—"If the hon. Member wants them, I shall pass on a few copies of these notes, and he may go through them."

DR. C. NATHAMUNI NAIDU:—"Sir, do not these notes help those students who appear privately for these examinations?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, the whole difficulty is that the students confine themselves only to these notes and they do not read the text books which contain standard literature. This is the whole trouble and that is why the Government are considering whether they should continue to allow the publication of these notes or ban them altogether."

SRI A. M. ALLAPICHAJ:—"Sir, would not the lectures made by the teachers also come under this description of notes?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, I do not think so."

SRI MOHAMAD RAZA KHAN:—"Sir, are the notes objectionable or the way in which they are written is objectionable? Which part of it is objectionable? The notes after all clarify the language."

THE HON. SRI C. SUBRAMANIAM:—"Sir, the objectionable thing is the way in which these notes are used by the students."

[11th January 1954]

New rural schools and urban social education centres.

* 66 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Minister for Finance and Education be pleased to state—

(a) the steps taken by the Government to implement in this State the Central Education Ministry's Scheme to establish new rural schools and urban social education centres to provide employment to suitable candidates and the number of such schools and centres proposed to be opened during 1953-54 and at what cost; and

(b) the conditions under which such institutions are to be opened and whether private agency will be permitted to do so?

THE HON. SRI C. SUBRAMANIAM:—“(a) & (b) The scheme is under consideration for implementation in 1954-55.”

SRI T. PURUSHOTHAM:—“Sir, may I know what are the details of this scheme sent by the Central Government?”

THE HON. SRI C. SUBRAMANIAM:—“Sir, it is quite a lengthy scheme. If the hon. Member is interested, I will pass it on to him and he may go through it.”

Women's welfare centres in the State.

* 67 Q.—DR. S. MUTHULAKSHMI REDDI: Will the Hon. Minister for Prohibition be pleased to state—

(a) the number of Women's Welfare centres in the State;

(b) the activities of these centres and the expenditure incurred for each centre; and

(c) whether the Government have any proposal to create more centres and also employ a trained midwife at each centre for the benefit of women and children in the area covered by that centre?

THE HON. SRIMATHI JOTHI VENCATACHELLUM:—“(a) 94.

“(b) The activities of the centres consist of imparting instructions in (i) social and adult education, (ii) community behaviour, (iii) Maternity and Domestic Economy and (iv) Home Science. Arrangements are made for the performance of civic duties and celebration of common festivals.

In each centre, leisure time activities and subsidiary cottage industries are started. Further pre-basic classes are conducted in the centres for little children between the ages of three and seven.

House visit and family care study works form part of the organiser's work, while the Maternity Assistants give medical aid, pre-natal and post-natal care to expectant and nursing mothers.

The expenditure incurred on each centre is Rs. 100 per annum.

11th January 1954]

“(c) The Government have no proposal to create more centres at present. There is however a proposal under the consideration of the Government to appoint Maternity Assistants (midwives) in certain Women's Welfare Branches.”

DR. C. NATHAMUNI NAIDU:—“Sir, may I know whether family planning is one of the subjects dealt with at these centres?”

THE HON. SRIMATHI JOTHI VENCATACHELLUM:—“I do not think so, Sir.”

DR. S. MUTHULAKSHMI REDDI:—“Sir, may I know whether there is a Maternity Assistant at each and every one of these 94 centres to give medical aid, and pre-natal and post-natal care to expectant and nursing mothers? Are there any centres without such assistants?”

THE HON. SRIMATHI JOTHI VENCATACHELLUM:—“Sir, all the centres do not have maternity assistants but there are midwives.”

DR. S. MUTHULAKSHMI REDDI:—“Sir, are the midwives designated as Maternity Assistants?”

THE HON. SRIMATHI JOTHI VENCATACHELLUM:—“Sir, they are designated as midwives only.”

DR. S. MUTHULAKSHMI REDDI:—“Sir, has every centre a midwife?”

THE HON. SRIMATHI JOTHI VENCATACHELLUM:—“Sir, every centre has a midwife and where there are no midwives the Government are proposing to appoint midwives there also.”

SRI MOHAMAD RAZA KHAN:—“The Government's attention seems to be more on women's welfare. Should not the Government have a men's welfare department also and have some committees to do welfare work among men in keeping with men's requirements?”

THE HON. SRIMATHI JOTHI VENCATACHELLUM:—“Sir, I think that under the heading of women's welfare men's welfare automatically comes.”

SRI V. CHAKKARAI CHETTY:—“Sir, may I know whether men require midwives?”

MR. CHAIRMAN:—“We are deteriorating in our supplementaries.”

DR. S. MUTHULAKSHMI REDDI:—“Sir, may I know who is the present Director who organizes these centres and looks after them?”

[11th January 1954]

THE HON. SRIMATHI JOTHI VENKATACHELLUM:—"Sir, the post of the Director of Women's Welfare has recently been abolished. A lady, under the designation of Deputy Director of Rural Welfare, is in charge of these centres."

MR. CHAIRMAN:—"Questions over."

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

II.—MESSAGES FROM THE ASSEMBLY.

4-10 p.m. MR. CHAIRMAN:—"I have to announce to the House that I have received the following Messages, dated the 8th January and 9th January 1954, from Hon. the Speaker, Madras Legislative Assembly:—

(1) *The South Kanara Cultivating Tenants Protection Bill, 1954.*

'In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the South Kanara Cultivating Tenants Protection Bill, 1954 (L.A. Bill No. 7 of 1954), as passed by the Assembly on the 8th January 1954, and signed by me, for the concurrence of the Council.'

(2) *The Malabar Tenancy (Amendment) Bill, 1953.*

'In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953), as passed by the Assembly on the 9th January 1954, and signed by me, for the concurrence of the Council.'

III.—AMENDMENTS TO SCHEDULE IV TO THE MADRAS DISTRICT BOARDS ACT, 1920.

* THE HON. SRI K. RAJARAM:—"I beg to move—
'That the following draft of certain rules proposed to be made by the Governor of Madras in exercise of the powers conferred by section 201 of the Madras District Boards Act, 1920 (Madras Act XIV of 1920), altering Schedule IV to that Act, be approved:—

DRAFT RULES.

In the said schedule—

(i) for rules 32 and 33, the following rules shall be substituted, namely:—

"32. (1) Where any amount not being a tax in respect of which a notice has to be served under section 96, nor school fees nor rents for lands and buildings demised by the district board, is due from any person to the district board under this Act or any other law or rules or by-laws made thereunder, for the recovery of which there is no special provision in this Act, the Executive Authority shall serve upon such person a bill for the sum due before he proceeds to enforce the provisions of rule 33.

[11th January 1954] [Sri K. Rajaram]

(2) A notice under section 96 and a Bill under sub-rule (1) shall be signed by the Executive Authority or some person authorized by him in that behalf and shall contain—

(a) a statement of the period and a description of the occupation, property or thing for which the tax is charged or the amount is claimed, and

(b) a notice of the liability incurred in default of payment.

(3) No tax for any half-year or the amount due for a year shall be recovered from any person in the manner laid down in rule 33 unless the notice or bill is served upon such person either within that half-year or year or in the succeeding half-year or year as the case may be:

Provided that where the assessment books have been amended under sub-rule (4) of rule 5, the notice or bill as the case may be, may be served either in the half-year in which the amendment was made or in the succeeding half-year.

(4) Nothing contained in this rule or in rule 33 shall preclude the district board from suing in a Civil Court for any tax or amount due to it under this Act or any other law.

33. (1) If the amount due on account of tax or other amount due is not paid within fifteen days from the service of the notice or Bill and if the person from whom the tax or other amount is due, has not shown cause to the satisfaction of the executive authority why it should not be paid, the executive authority may recover, by distraint under his warrant and sale of the movable property of the defaulter, the amount due on account of the tax or other amount due together with the warrant fee and the distraint fee with such further sum as will satisfy the probable charges that will be incurred in connexion with the detention and sale of the property so distrained:

Provided always that the movable property described in the proviso to section 60 of the Code of Civil Procedure, 1908, shall not be liable to distraint.

(2) If, for any reason, the distraint or a sufficient distraint of the defaulter's property is impracticable, the executive authority may prosecute the defaulter before a magistrate.

(3) The warrant under sub-rule (1) shall be in the form contained in Appendix A to these rules or in some similar form; and for each such warrant a fee of two annas shall be levied.

[Sri K. Rajaram] [11th January 1954]

(4) *Under a special order in writing of the executive authority, any officer charged with the execution of a warrant of distress may, between sunrise and sunset, break open any outer or inner door or window of any building in order to make the distress, if he has reasonable ground for believing that such building contains property which is liable to seizure, and if, after notifying his authority and purpose and duly demanding admittance, he cannot otherwise obtain admittance:*

Provided that such officer shall not enter or break open the door of any apartment appropriated to women, until he has given three hours' notice of his intention and has given such women an opportunity to withdraw;

(ii) *in rule 34, after the word "tax" wherever it occurs, the words "or other amount" shall be inserted;*

(iii) *in rules 35 and 39, after the word "tax", wherever it occurs, the words "or other amount due" shall be inserted;*

(iv) *in Appendix A—*

(a) *for the words and brackets below the entry (Name of officer charged with execution of warrant), the following shall be substituted, namely:—*

"State tax or taxes or other amounts due and particulars thereof inclusive of those of the premises, if any, in respect of which the amounts are due";

(b) *after the words "tax or taxes", wherever they occur, the words "or other amounts due" shall be inserted;*

(v) *in Appendix B, after the words "tax or taxes" the words "or other amounts due" shall be inserted.'*

"The draft has been given in the notice. Under section 221 of the Madras District Boards Act, 1920, all costs, damages, penalties, etc., which are due by any person to the District Board may be demanded by bill as provided in the rules in Schedule IV and recovered in the manner provided therein. The relevant rules in Schedule IV referred to are rules 32 to 39-A. Before the Madras District Boards Act, 1920, was amended by the Madras Village Panchayats Act, 1950, with effect from 1st April 1951, rules 32 and 33 of those rules provided for the service of a bill on persons from whom taxes, penalties, etc., are due before distraining movable properties for collection of the dues. As a result of the amendment by the Madras Village Panchayats Act, 1950, the provision for service of such bills was deleted in the rules. Consequently there is at present no provision in the existing Madras District Boards Act, 1920, for recovery of penalties and other dues referred to in section 221 of the Act.

[11th January 1954] [Sri K. Rajaram]

"Practical difficulties have thus arisen in the enforcement of the provisions of the Act. As an example, it has been found that though a district board can levy a penalty for occupation of any district board land under section 164 of the Madras District Boards Act, it has been found impossible to recover the penalties under section 221 of the Act, except by resorting to Courts. It has, therefore, become necessary to restore the original provisions in the rules for the service of bills so that such dues may be recovered by distraint of movable properties of the defaulters after serving a bill. Rules 32 to 35 and 39 of Schedule IV to the Act have to be amended suitably for the purpose, restoring the original provisions. I accordingly move the draft rules."

MR. CHAIRMAN:—"Motion moved—

"That the following draft of certain rules proposed to be made by the Governor of Madras in exercise of the powers conferred by section 201 of the Madras District Boards Act, 1920 (Madras Act XIV of 1920), altering Schedule IV to that Act, be approved:—

DRAFT RULES.

In the said Schedule—

(i) for rules 32 and 33, the following rules shall be substituted, namely:—

"32. (1) Where any amount not being a tax in respect of which a notice has to be served under section 96, nor school fees nor rents for lands and buildings demised by the district board, is due from any person to the district board under this Act or any other law or rules or by-laws made thereunder, for the recovery of which there is no special provision in this Act, the Executive Authority shall serve upon such person a bill for the sum due before he proceeds to enforce the provisions of rule 33.

(2) A notice under section 96 and a bill under sub-rule (1) shall be signed by the executive authority or some person authorized by him in that behalf and shall contain—

(a) a statement of the period and a description of the occupation, property or thing for which the tax is charged or the amount is claimed; and

(b) a notice of the liability incurred in default of payment.

(3) No tax for any half-year or the amount due for a year shall be recovered from any person in the manner laid down in rule 33 unless the notice or bill is served upon such person either within that half-year or year or in the succeeding half-year or year, as the case may be:

Provided that where the assessment books have been amended under sub-rule (4) of rule 5, the notice or bill as the case may be, may be served either in the half-year in which the amendment was made or in the succeeding half-year.

[Mr. Chairman] [11th January 1954]

(4) Nothing contained in this rule or in rule 33 shall preclude the district board from suing in a civil Court for any tax or amount due to it under this Act or any other law.

33. (1) If the amount due on account of tax or other amount due is not paid within fifteen days from the service of the notice or bill and if the person from whom the tax or other amount is due, has not shown cause to the satisfaction of the executive authority why it should not be paid, the executive authority may recover, by distraint under his warrant and sale of the movable property of the defaulter, the amount due on account of the tax or other amount due together with the warrant fee and the distraint fee with such further sum as will satisfy the probable charges that will be incurred in connexion with the detention and sale of the property so distrained:

Provided always that the movable property described in the proviso to section 60 of the Code of Civil Procedure, 1908, shall not be liable to distraint.

(2) If, for any reason, the distraint or a sufficient distraint of the defaulter's property is impracticable, the executive authority may prosecute the defaulter before a Magistrate.

(3) The warrant under sub-rule (1) shall be in the form contained in Appendix A to these rules or in some similar form; and for each such warrant a few of two annas shall be levied.

(4) Under a special order in writing of the executive authority, any officer charged with the execution of a warrant of distress may, between sunrise and sunset, break open any outer or inner door or window of any building in order to make the distress, if he has reasonable ground for believing that such building contains property which is liable to seizure; and if, after notifying his authority and purpose and duly demanding admittance, he cannot otherwise obtain admittance:

Provided that such officer shall not enter or break open the door of any apartment appropriated to women, until he has given three hours' notice of his intention and has given such women an opportunity to withdraw:

(ii) in rule 34, after the word "tax", wherever it occurs, the words "or other amount" shall be inserted;

(iii) in rules 35 and 39, after the word "tax", wherever it occurs, the words "or other amount due" shall be inserted;

(iv) in Appendix A—

(a) for the words and brackets below the entry (Name of officer charged with execution of warrant), the following shall be substituted, namely:—

"State tax or taxes or other amounts due and particulars thereof inclusive of those of the premises, if any, in respect of which the amounts are due;"

11th January 1954] [Mr. Chairman]

(b) after the words "tax or taxes" wherever they occur, the words "or other amounts due" shall be inserted;

(v) in Appendix B, after the words "tax or taxes", the words "or other amounts due" shall be inserted."

* DR. V. K. JOHN:—"Mr. Chairman, Sir, I support the draft rules moved by the Hon. the Minister for Local Administration. I find that they are an improvement on the previous rules, and I am of opinion that the local bodies must have the power to recover dues to them by summarily enforcing the right on persons from whom money is due. I am rising particularly to compliment the Hon. the Minister for Local Administration for having circulated a memorandum in connection with the draft rules for the guidance of the hon. Members. Last time I took objection to the non-circulation of such a memorandum, and the Hon. the Chief Minister advised his colleagues to have such memoranda prepared and circulated to hon. Members for their guidance. I am very pleased that this memorandum explaining the draft rules has been given to hon. Members so that they can explain what the draft rules are. I hope that this will be repeated in every case in the future."

SRI V. CHAKKARAI CHETTY:—"Mr. Chairman, Sir, I oppose the draft rules proposed by the Hon. the Minister for Local Administration. I do not think that municipalities should have the power to distrain movable properties of people who have made any default regarding payment of dues to various public bodies. I remember, many, many years ago when the Madras Corporation had a similar right, what they used to do was to go and remove the doors of houses of those persons who failed to pay the property tax. It is a most abominable privilege. (An hon. Member: 'Even now that privilege is there.') I think municipalities are not privileged bodies entitled to exercise privileges of this sort which ordinary people cannot exercise, unless they go to a Court of Law and get powers from the Court to attach properties. What usually happens is that these municipalities and other local bodies use their discretion in an arbitrary manner and issue orders for distraining property very often to the dismay and disappointment of the owners, and wherever such rights are exercised by municipalities and local boards, they have become very unpopular. I hope that even if such a right is to be granted, the municipalities and local bodies will use their discretion in a wise manner and not enforce the penalties mentioned in the draft rules before us in such a manner as to oppress the rate-payers in the locality."

* SRI G. KRISHNAMURTHI:—"Mr. Chairman, Sir, I oppose the draft rules moved by the Hon. the Minister for Local Administration, and I heartily support the views expressed by the hon. Member Sri V. Chakkarai Chettiar. I do not know how much the wording in the draft rules which is exactly the same as is found in the demand notices issued by local bodies helps the

[Sri G. Krishnamurthi] [11th January 1954]

Government. I wish to know whether the local bodies have been able to collect the amounts due to them by way of taxes by the use of such expressions in the demand notice or whether they have been able to collect dues in spite of the threatening language used in the demand notices. I think it is mostly on account of the feeling of responsibility in the citizens that the local bodies have been able to collect most of the taxes due to them. ('Hear, hear'.) Where people are really unable to pay the taxes due by them, they are harassed and put to a lot of difficulty as has been pointed out by the hon. Sri V. Chakkarai Chettiar. If they are in arrears it is only on account of the fact that poverty is standing in the way of their paying the dues, and the language as we find in the draft rules before the House and as we find in the demand notices served on us by the local bodies does not help very much in collecting these arrears.

"I should like to ask whether we should have so many details in the demand notices. I think nobody goes into the details contained in the demand notices except to see the particular amount that is charged as property tax and the period within which it should be paid. I do not think that with reference to any other tax or levy by the Government so many details are given in the demand notice in such threatening language. I think it is high time that we made changes in the demand notice. It would be enough if it is stated in the demand notice that, if a tax is not paid within the end of the particular half-year, action will be taken as per the rules. The Government may say that unless the local bodies have got these powers they will have to go to courts of law for recovering the amounts due to them by way of taxes. If persons do not pay the taxes due to local bodies and if the latter sue them for the amounts before a court of law, the former will have to bear the cost of legal proceedings in addition to the amounts due as tax and this will be quite deterrent enough. The wording in the demand notice has not been of any practical value in the matter of getting revenues into the coffers of the local bodies. I request the Government to look into the matter whether the language of the clause cannot be simplified and put in a more different form or language that would be agreeable to the citizens."

4-20
p.m.

* THE HON. SRI K. RAJARAM:—"Sir, I thank the hon. Members for having expressed a few doubts in this matter. Hon. Members, Sri V. Chakkarai Chetty and Sri G. Krishnamurthi, seem to think that some new rules are being introduced in the Council and on that assumption they have opposed this amendment. This is not anything new. These rules are already there in the Madras City Corporation Act, the Madras District Municipalities Act, and the Madras Village Panchayats Act. Since the year 1920 they are in existence. These rules were there in the Local Boards Act also. In 1950 the Village Panchayats Bill was introduced in the Legislature of this State. These rules are common to the Village Panchayats Act and the Madras District

11th January 1954] [Sri K. Rajaram]

Boards Act. By some oversight, the then Government thinking that these rules were applicable only to the village panchayats deleted them from the Madras District Boards Act. Now this mistake was found out by the district boards, and the Government and the district boards think that, unless these rules are again incorporated in the Madras District Boards Act, they cannot issue distraint orders against defaulters. The hon. Member, Sri G. Krishnamurthi, said that the Government could go to a Court of law. I think that he must have some experience in the matter of administration of local boards also. Let him not think otherwise and let him not mistake me. In spite of all these rigid rules and regulations, the district boards, municipalities and village panchayat boards have got so much arrears to collect. These rules are, therefore, very necessary. There is no harm in approving of these rules."

Mr. CHAIRMAN:—"The question is—

'That the following draft of certain rules proposed to be made by the Governor of Madras in exercise of the powers conferred by section 201 of the Madras District Boards Act, 1920 (Madras Act XIV of 1920), altering Schedule IV to that Act, be approved:—

DRAFT RULES.

In the said Schedule—

(i) for rules 32 and 33, the following rules shall be substituted, namely:—

"32. (1) Where any amount not being a tax in respect of which a notice has to be served under section 96, nor school fees nor rents for lands and buildings demised by the district board is due from any person to the district board under this Act, or any other law or rules or by-laws made thereunder, for the recovery of which there is no special provision in this Act, the Executive Authority shall serve upon such person a bill for the sum due before he proceeds to enforce the provisions of rules 33.

(2) A notice under section 96 and a bill under sub-rule (1) shall be signed by the Executive Authority or some person authorized by him in that behalf and shall contain—

(a) a statement of the period and a description of the occupation, property or thing for which the tax is charged or the amount is claimed; and

(b) a notice of the liability incurred in default of payment.

(3) No tax for any half-year or the amount due for a year shall be recovered from any person in the manner laid down in rule 33 unless the notice or bill is served upon such person either within that half-year or year or in the succeeding half-year or year, as the case may be:

[Mr. Chairman] 11th January 1954

Provided that where the assessment books have been amended under sub-rule (4) of rule 5, the notice or bill, as the case may be, may be served either in the half-year in which the amendment was made or in the succeeding half-year.

(4) Nothing contained in this rule or in rule 33 shall preclude the district board from suing in a Civil Court for any tax or amount due to it under this Act or any other law.

33. (1) If the amount due on account of tax or other amount due is not paid within fifteen days from the service of the notice or bill and if the person from whom the tax or other amount is due, has not shown cause to the satisfaction of the executive authority why it should not be paid, the executive authority may recover, by distraint under his warrant and sale of the movable property of the defaulter, the amount due on account of the tax or other amount due together with the warrant fee and the distraint fee with such further sum as will satisfy the probable charges that will be incurred in connection with the detention and sale of the property so distrained:

Provided always that the movable property described in the proviso to section 60 of the Code of Civil Procedure, 1908, shall not be liable to distraint.

(2) If, for any reason, the distraint or a sufficient distraint of the defaulter's property is impracticable, the executive authority may prosecute the defaulter before a magistrate.

(3) The warrant under sub-rule (1) shall be in the form contained in Appendix A to these rules or in some similar form; and for each such warrant a fee of two annas shall be levied.

(4) Under a special order in writing of the executive authority, any officer charged with the execution of a warrant of distress may, between sunrise and sunset, break open any outer or inner door or window of any building in order to make the distress, if he has reasonable ground for believing that such building contains property which is liable to seizure, and if, after notifying his authority and purpose and duly demanding admittance, he cannot otherwise obtain admittance:

Provided that such officer shall not enter or break open the door of any apartment appropriated to women, until he has given three hours' notice of his intention and has given such women an opportunity to withdraw;

(ii) in rule 34, after the word "tax", wherever it occurs, the words "or other amount" shall be inserted;

(iii) in rules 35 and 39, after the word "tax", wherever it occurs, the words "or other amount due" shall be inserted;

11th January 1954] [Mr. Chairman]

(iv) in Appendix A—

(a) for the words and brackets below the entry (name of officer charged with execution of warrant), the following shall be substituted, namely:—

"State tax or taxes or other amounts due and particulars thereof inclusive of those of the premises, if any, in respect of which the amounts are due;"

(b) after the words "tax or taxes", wherever they occur, the words "or other amounts due" shall be inserted;

(v) in Appendix B, after the words "tax or taxes" the words "or other amounts due" shall be inserted."

The motion was carried.

IV.—GOVERNMENT BILLS.

(1) THE SOUTH KANARA CULTIVATING TENANTS PROTECTION BILL, 1954 (L.A. BILL NO. 7 OF 1954) (AS PASSED BY THE ASSEMBLY).

MR. CHAIRMAN:—"The Hon. Sri C. Subramanian, Minister for Finance, will now move that the South Kanara Cultivating Tenants Protection Bill, 1954 (L.A. Bill No. 7 of 1954) (as passed by the Assembly), be taken into consideration."

(The Hon. Sri C. Subramanian rose.)

* DR. V. K. JOHN:—"May I rise on a point of information, Sir? We have now received a letter from the Secretary to the Legislative Council that we must send in our amendments to certain Bills which may come up before this House. In fact, one of them has not yet been passed by the Assembly, and it is being discussed there. Two Bills have come before this House only to-day and you, Sir, kindly read to us the communication received from the Hon. Speaker. Now, if we are asked to send in our amendments before the Assembly passes the Bills and sends them to this House for the mere reason that copies of the Bills submitted to the Assembly have been sent to us by some courtesy, I submit, Sir, it would be offending the provisions contained in the Rules of Procedure of the Madras Legislative Council. It will also be absolutely inconvenient and even premature for the Members of this House to send in their amendments to Bills before they are passed by the Assembly and before they are laid on the table of this House. Actually rule 105 provides: 'As soon as possible, after a Bill which has been passed by the Assembly is received in the Council, copies of the Bill shall be laid on the table at a meeting of the Council'. Rule 107 even goes to the extent of saying 'Unless the Chairman otherwise directs, no such motion shall be set down in the list of business for any day which is less than three days from the receipt of the notice'. We do not

[Dr. V. K. John] [11th January 1954]

know whether you, in your discretion, would have directed otherwise than as contemplated in Rule 107. We can know it only to-day. If we are asked to send in our amendments without sufficient notice, I think it is hurrying up matters and is against the rules of procedure of this House. So we have a grievance in this respect and we want to bring it to the notice of the Chair."

MR. CHAIRMAN:—"I think that, in the case of the South Kanara Cultivating Tenants Protection Bill, hon. Members had sufficient notice. But in respect of the other Bill, I think hon. Members may have a legitimate grievance. Hon. Members will be given time to bring in amendments."

* THE HON. SRI C. SUBRAMANIAM:—"If hon. Members want time, I have no objection. But hon. Members who are interested in this Bill told me that they were ready, and we thought that the Bill could be taken up. I am prepared to abide by the convenience of hon. Members with regard to the Malabar Tenancy Bill."

* DR. V. K. JOHN:—"Sir, if you are acting under Rule 107, the general principles of the Malabar Tenancy Amendment Bill can be discussed now. Actually, only after the principles are discussed, the amendments can be brought in. Hon. Members must know what are the underlying principles. I do not think there can be any objection to this, if the House is given time as provided in Rule 107."

MR. CHAIRMAN:—"It is only for the amendments that we have to rely on Rule 107."

* THE HON. SRI C. SUBRAMANIAM:—"Sir, with reference to the Malabar Tenancy Bill, as I have already stated, I am prepared to abide by the convenience of hon. Members. I thought that if hon. Members were ready, we could take up the Bill, and pass it into law even to-day. We are meeting again on the 18th January. If hon. Members so wish, it is open to them to have further discussion on the 18th. As pointed out by hon. Member Dr. V. K. John, we can have the general discussion of the Bill (that is the first reading stage of the Bill) now, and we may take up the clause by clause discussion on the 18th. The business of the House can be adjusted, and it is not as if we are in a hurry to get it through."

MR. CHAIRMAN:—"To-day we may take up the Malabar Tenancy Amendment Bill for general discussion. We can have the clause by clause discussion on the 18th January."

* DR. V. K. JOHN:—"We are very keen on assisting the Government as much as we can."

11th January 1954]

* SRI V. GURUNANDAN ROW:—"Mr. Chairman, Sir, I would like to raise a point of order. Rule 108 lays down "On the day on which such motion is set down in the list of business, the member in charge of the Bill may move that the Bill be taken into consideration". From the Agenda I find it is stated that the Hon. Sri M. A. Manickavelu Naicker is the Member in charge of the Bill and that the motion will be moved by him. But the Hon. the Finance Minister rose to move the Bill."

MR. CHAIRMAN:—"I would, in this connection, invite the attention of the hon. Member to rule (h) (*vide page 1*) of the Council Rules. The Hon. Sri Subramaniam will now move the motion."

* THE HON. SRI C. SUBRAMANIAM:—"Sir, I beg to move—

That the South Kanara Cultivating Tenants Protection Bill, 1954, (L.A. Bill No. 7 of 1954), (as passed by the Assembly) be taken into consideration.

Sir, in introducing this Bill, I have to state that for some time past Government have been receiving representations that the landowners in South Kanara district have been evicting cultivating tenants on an increasing scale and as a consequence of that, relations between landlords and tenants are tending to become strained. South Kanara is adjoining Malabar. As far as Malabar is concerned, we are introducing a tenancy legislation, far in advance, when compared to any other part of the State.

"There is an apprehension in the minds of the landlords of this district that South Kanara being adjacent to Malabar, tenancy legislation might also be brought in for that district, not on the same basis as for Malabar but on a basis which is likely to give a certain amount of fixity of tenure to the tenants. In anticipation of such a legislation being brought in by Government, it has been represented to Government that there has been eviction of tenants by the landlords to a certain extent. The Government are not now in a position to introduce a comprehensive land legislation for the district of South Kanara. It requires a great deal of study and thought. Pending the introduction and passing of such a legislation, Government think it necessary to protect the tenants who are now in occupation and enjoyment of land. That is why this short and simple Bill has been brought forward for staying eviction of tenants from lands for a period of one year pending the introduction of a comprehensive legislation. It is our hope that it would be possible for us to finalise the Bill with regard to South Kanara tenancy within that period and get it passed by the legislature also. That is why we have now brought in this short Bill."

"In this connection I may mention that the elected members in the Assembly and also the representative from South Kanara in

[Sri C. Subramaniam] [11th January 1954]

this House have been pressing this matter on the Government. They wanted that legislation should be brought in immediately to provide for continuity of tenure for at least a period of one year pending further consideration and the passing of a comprehensive Bill. That is another reason why we have brought in this measure. This has been passed by the Assembly and now it is before the House for its acceptance.

"This measure will not apply to the 33 villages of Kasaragod taluk to which the provisions of the Malabar Tenancy Act will apply. This is a simple measure and I need not explain it to hon. Members who are well versed in law, especially the tenancy law. During the clause by clause discussion of the Bill, if points are raised, I shall certainly explain them."

MR. CHAIRMAN:—"Motion moved:—"

"That the South Kanara Cultivating Tenants Protection Bill, 1954 (L.A. Bill No. 7 of 1954) (as passed by the Assembly) be taken into consideration."

SRI M. P. GOVINDA MENON:—"I heartily support the short measure that has been introduced by the Hon. the Minister for Finance for giving protection to the tenants in the district of South Kanara. Coming as I do from the district of Malabar, I can understand the difficulties the tenants of my sister district, South Kanara, are undergoing for the last few years. As far as that district is concerned, the tenants are the worst sufferers because they cannot at the time of eviction even claim compensation for improvements carried out by them. In Malabar, at least from the year 1884, we had the advantage of claiming and getting the improvements valued at the time of eviction. But the tenants in South Kanara, I understand, have to surrender the property without getting anything for the improvements carried out by them. The Ryots Protection Act may also be made applicable to them as the tenants there do not come under the Malabar land tenure system or the ryotwari system. Therefore it is high time that the Government pass a comprehensive legislation which will give protection to the tenants of South Kanara for at least some years. My whole sympathy is with the tenants of South Kanara. I have a brotherly affinity for them. But I have to complain also, Sir."

THE HON. SRI C. SUBRAMANIAM:—"The hon. Member has not taken an imperialist attitude."

SRI M. P. GOVINDA MENON:—"I have not come to that stage. Rather I am in a Tamil Imperialistic State. That apart, my complaint is this. When we, people of Malabar, have got a soft corner for them, and want to get relief for them, the representatives from South Kanara including the hon. Member Sri Narasappaya do not reciprocate. They all opposed the amendments to the Malabar tenancy legislation when that came up for

11th January 1954] [Sri M. P. Govinda Menon]

discussion in the other House. They do not help us. We do not want to retaliate. We want to help them to get this legislation passed to give protection to the tenants in South Kanara.

"The Hon. the Minister for Finance just now remarked that all the elected members from South Kanara—a majority of them at least—in the Assembly and hon. Member Sri Narasappaya made representations to Government that such a legislation was very necessary. I congratulate the Government on being responsive to the representations made by the representatives of the people of South Kanara. But they are not responsive to the representations made by the representatives from Malabar. Unfortunately we have returned a number of members to the Opposition bloc and not to the Congress bloc. Anyway we are glad that the Government give consideration to the representations made by the representatives of the people of South Kanara. I welcome this measure, and I hope a comprehensive legislation will be introduced to help the tenants in South Kanara."

SRI K. BALASUBRAMANYA AYYAR:—"Mr. Chairman, Sir, my hon. friend from Malabar said that because he came from Malabar, and South Kanara was his sister district, he would support the measure. I neither belong to Malabar nor to South Kanara. I belong to the Madras State of which Malabar and South Kanara are parts. Therefore I have a brotherly, sisterly and parental interest for both the districts of Malabar and South Kanara. At the same time I take a detached view of the matter, neither favourable to the landlords nor favourable to the tenants. I would also request the Government to take a just view of the relations of both the landlords and the tenants."

"Sir, I have grave doubts, whether this Bill will be of any use, because when I look into the various stages that the Malabar Tenancy Bill has gone through, regarding restraints on evictions. I see, from the year 1946 the Government have been passing legislation year after year or at least once in two years. So much so, now so many anomalies and troubles have arisen, and things are in favour of one party and not in favour of the other party. I was told by hon. Members of the Assembly that relations between the landlord and the tenant were harmonious in South Kanara, and not like what they were in Malabar. Now a legislation like this, I am afraid, will tamper with the harmony that subsists between them. I know the agitation in Malabar has spread the contagion to the district of South Kanara, being a sister district, and also because hon. Members from those districts sit together here and also in the Assembly. But let us not on that account pass legislation endlessly from year to year without finally deciding the relations that should subsist between the landlords and the tenants so that the tenants may settle down on the lands and produce food. In our country production is the most important and immediate need. Cultivation must go on. We should not quarrel with each other frequently. If we do I am afraid the

[Sri K. Balasubramanya Ayyar] [11th January 1954]

programme of food production in the country will be in danger. That is why I say a legislation like this should not be undertaken. On the other hand a comprehensive legislation would be much better."

* SRI S. NARASAPPAYA:—"Mr. Chairman, Sir, I must heartily welcome this measure and fully support the Bill introduced by the Hon. the Minister for Finance. In some quarters this legislation is termed as a hasty legislation and even a responsible daily of Madras has termed it as such. But I say it is certainly not a hasty legislation. On the other hand this piece of legislation was long over due. Ever since 1939, the people of South Kanara have been agitating for tenancy legislation. Time and again representations were made to the previous Governments. Representations were also made to the present Government for passing tenancy legislation for that district. In fact a few years back, the Secretary of the South Kanara District Congress Committee went on a seven days fast for the purpose of focussing the attention of the Government on the necessity to introduce tenancy legislation for that district. All parties are agreed that tenancy legislation for the district is absolutely essential, and representations were made not only by Congress legislators but also by other political parties in the district. Knowing the district fully as I do, I can assure the hon. Members of this House that even the landlords are not against the introduction as a reasonable tenancy legislation for the district.

4-40
p.m.

"An objection has been raised as to why this tenancy legislation should be confined only to the South Kanara district and not to the entire State. The tenancy system of South Kanara and the land tenure system obtaining therein, are certainly different from that of the other parts of the State. Such of the hon. Gentlemen who have studied the Malabar Tenancy Act will know the complicated nature of land tenure and tenancy system in Malabar. Half a dozen people have interests, one over the other, in the same piece of land, and the system of tenancy and other tenures obtaining therein are really complicated. In South Kanara, there is absolutely no such complication, nor is there any system, as is prevalent in other districts, of either sharing the produce or of the landlord providing for the expenses of cultivation or the grain being divided on the thrashing floor. The landlord lets in a tenant and the tenant is in the exclusive possession of the holding and at the end of the year, he pays a rent that is already agreed upon,—whether there is good harvest or bad harvest it is all the tenant's look out. In South Kanara, there are three kinds of tenants. The first class of tenants—a small class are called 'Mulgeni', that is permanent tenants. So far as they are concerned, they do not require any protection because they cannot be evicted and rent also cannot be increased. There is another class of tenants called 'Vaidegeni', that is, 'term-lease tenants', who are there for a definite period. During

11th January 1954] [Sri S. Narasappaya]

the subsistence of their lease period, they also do not require protection. They can neither be evicted nor their rent be increased. Once the period of contract is over, then they are on a par with the other tenants. Then, there is the third class of tenants who form the bulk of the agriculturists. They are about 80 to 90 per cent of the cultivating class who are known as 'Chalgeni' tenants, that is, year-by-year tenants. They have absolutely no security of tenure. The landlord, at the end of the agricultural year, by giving two or three months' notice, can evict them and, in some cases, as my hon. Friend Mr. Govinda Menon pointed out, even without paying compensation. It is not that landlords are evicting every tenant. The trouble is, both the psychological factor and the treatment that is given to the tenants are involved in this matter. After all, in these days the tenants are conscious of their rights and of the fact that they also are citizens of the country entitled to live as normal citizens and they do not want to act according to the whims and fancies of the landlords. What really happens is, under the threat of eviction, which the landlord, under the present law, is entitled to issue the tenants are made completely subservient to the landlord and to be under his mercy. It is to prevent that kind of uncertainty in the mind of the tenant that repeated representations have been made to the Government for the introduction of a tenancy legislation. As it is, the tenant can be evicted at any time and there is absolutely no security of tenure, and for continuing his occupation of the land, he depends on the sweet will and pleasure of the landlord. Such a tenant certainly would not have the heart either to improve the land or cultivate it in a manner in which the best produce can be obtained. It is for this reason that a tenancy legislation is absolutely essential.

"So far as this measure is concerned, it is only a temporary measure. Only eviction of a tenant for a period of one year is stayed, but I am welcoming it for two reasons. Firstly, apprehending that the tenancy legislation will be brought in, the landlords cannot evict the tenants until the tenancy legislation is actually brought in. But the still more important factor is, once this measure is passed, the Government are bound to introduce the tenancy legislation. This is only a beginning and it is certain that by the end of the year, a permanent measure of tenancy legislation will be introduced and passed. That is why this measure is most welcome.

"Sir, the hon. Gentleman, Mr. Govinda Menon said that hon. Members coming from South Kanara had not got the same sympathy towards the Malabar Tenancy Act as he had got towards this measure. I am afraid, the hon. Gentleman is very much mistaken. I am not only representing the district of South Kanara, but I am also representing Malabar. I have got as much interest in Malabar as he has. But opinions can certainly be divided. If a certain measure or a certain point of view which looks very

[Sri S. Narasappaya] [11th January 1954]

reasonable to him and which does not look as equally reasonable to me or to the hon. Members coming from South Kanara of the other House, it does not mean that we have not the interests of Malabar at heart. Therefore the hon. Gentleman will certainly pardon us if we differ from him, and from this let him not conclude that we have no interest in Malabar or that we are not supporting the tenants of Malabar.

"The hon. Member, Mr. Balasubramanya Ayyar, expressed apprehensions by saying that this temporary measure need not have been brought in and the Government could have brought in a permanent measure, and that by extending temporary measures like this year after year, a lot of complications would arise. Sir, I do not think there is room for any such apprehension, for I hope and believe—I think I am correct in saying—the Government are intending to bring in a permanent measure very soon. In fact, all the hon. Members coming from South Kanara have agreed to a certain measure that has been put before the Government and the Government are scrutinising it. As the Hon. Minister for Finance has rightly stated, being a permanent measure, it has got to be looked at from all points of view, and all precautions should be taken to see that the intentions of the framers of the Bill are carried out. I am sure it will be brought forward very soon, if possible at the very next session of the Legislature, and passed into an Act.

"So far as this measure is concerned, as I said before, it is not a controversial measure, and there is no divided opinion on it. I, therefore, earnestly request the House to pass this measure. Before concluding, I have got to thank most heartily the Government, and particularly the Hon. the Chief Minister who is mainly responsible for bringing in this measure. During his recent tour of the district, representations were made to him by various political parties, and he gave the assurance there that some reasonable tenancy legislation would be brought forward. As soon as he came back, with the utmost expedition he set his hands on the Bill that is now under discussion here. We, who come from South Kanara, are most grateful to the Hon. the Chief Minister for the very kind consideration that he has shown to our district and for having introduced this measure which, for the last 16 years, no Government introduced in spite of repeated representations, and, as I said before, even a fast by the Secretary of the District Congress Committee. Once more, I thank the Government and the Hon. the Chief Minister for having introduced this measure, and I earnestly appeal to them to bring forward the permanent measure, if possible, even during the next session itself."

* SRI A. GAJAPATHY NAYAGAR :—"மன்றத் தலைவர் அவர்களே, இந்த தென் கன்னட குடிவார மசோதா மிகவும் பொறுத்தமானது என்று நான் அதை வரவேற்கிறேன். ஒரு சட்டம் செய்வதாக இருந்தால் முழுதாகச் செய்ய வேண்டும். ஆயினும் எனக்கு முன்பு பேசிய நண்பர் இந்த

11th January 1954] [Sri A. Gajapathy Nayagar]

சட்டத்தைக் கொண்டுவர அநேக ஆண்டுகள் ஆயிற்று என்று சொன்னார்கள். இப்பொழுதாவது கொண்டு வந்தார்களே யென்று அதற்காக நான் நன்றி செலுத்தி, இந்த சட்டம் 'டிங்கரிங் வித் லெஜிஸ்லேஷன்' (tinkering with legislation) அதாவது சிறிதளவே செய்யும் குற்றத்திற்கு உட்பட்ட தாயினும் அதைக் கொண்டு பெரியதாக இந்த குடிவார மசோதாவால் குடியானவர்களுக்கு நன்மை செய்யுமாடி செய்வார்களென்று நம்புகிறேன். எனக்கு முன்பு பேசிய மதிதகு நண்பர் பாலசுப்பிரமணிய அய்யர் இதனால் கலவரம் நடைபெறுமென்றார். அது எப்படி நடைபெறுமென்று எனக்குத் தெரியவில்லை. இதனை 'Thin end of the wedge' என்று நினைத்து இதனால் நிலச்சுவான்தார்களுக்கு என்னென்ன கேடுகள் விளையுமோ என்று அச்சமுறுகிறார்கள். அப்படி நினைக்கிற காலம் இதுவல்ல. இப்போது ஏழை மக்களுக்கும், குடியானவர்களுக்கும் நன்மை செய்ய முன் வருவதே நம் கடமை. இப்போதுள்ள மாறாத நிலைமையை (status quo) மாற்றி அமைத்து, எவ்விதத்தாலும் ஏழை மக்களுக்கு உதவி செய்யலாமென்ற கருத்தோடு நாம் சேர்ந்து ஒத்துழைக்க வேண்டும். அந்த கருத்தோடு இந்த அரசியலார் இச்சட்டத்தை கொண்டு வருவதை நான் மிகவும் பாராட்டி ஆதரிக்கிறேன்."

* SRI P. N. MARTHANDAM PILLAI :—"Mr. Chairman, 4-50
Sir, the matter before the House is a very simple one. When the P.M.
Government say that a number of tenants are being evicted in South Kanara district, I think most of us will not dispute that fact. If this fact is true, I think a legislation of this kind is absolutely necessary to protect the interests of the tenants. Once the tenants are evicted, then all the evidence regarding tenancy disappears. Most often these are cases of oral tenancy. If the Government are really going to bring in a comprehensive tenancy legislation in the near future, a legislation like the one before the House will be very useful, and the tenants ought to be provided against any eviction. Therefore this Bill has my whole-hearted support."

* SRI V. GURUNANDAN ROW :—"Mr. Chairman, Sir, while I also support the principle of this Bill, I have to say that as usual the Government have been very hesitating and halting in regard to any measures in favour of tenants. For example, Sir, the Preamble says:

"Whereas it is necessary pending further legislation, to protect cultivating tenants in the district of South Kanara from unjust eviction; It is hereby enacted as follows :—

This makes it quite clear that there have been unjust evictions in South Kanara even according to the statements of the Government. If so, why should not the Government protect the rights of those tenants who have been evicted unjustly? If the Government are for justice, this Bill should not only protect the existing tenants from eviction but also protect those who have been unjustly evicted as stated in the Preamble. It is very necessary to do so, as otherwise it would mean that the landlords who have unjustly evicted the tenants get away while only the landlords who have been good and have not evicted their tenants unjustly are now prevented from doing so. What happens to those landlords who have unjustly evicted their tenants? Should not the Government

[Sri V. Gurunandan Row] [11th January 1954]

seek to do some justice to the tenants who have been unjustly evicted as a consequence of the threatened measures of land reform for South Kanara?

"Is it not necessary that just as in the Tanjore Tenants and Pannaiyal Protection Act a certain date should be fixed and, if on that date a tenant has been in possession, he should be restored to his land? Otherwise, I do not understand the meaning of this legislation. It means as much as to say that in every place unless the landlords start unjust evictions and unless the relations between the landlords and the tenants are strained, the Government are not prepared to do anything in regard to tenancy reform. I do not see any reason why the Government should not extend this interim legislation to the whole State? Why should there be this piecemeal legislation? The hon. Gentleman, Sri S. Narasappaya said that the South Kanara tenancy was a complicated matter. I know that, but it has nothing to do with the question of stopping the eviction of tenants. The question of eviction of tenants is the same whether it is in South Kanara or in any other district. Though a comprehensive land reform is an absolute necessity in the interest of the general public and for the production of more food, this sort of an interim legislation is required not only for South Kanara but for the entire State. As I have already said, the present Bill only amounts to saying that unless the landlords unjustly evict the tenants or the tenants bring about strained relations between themselves and the landlords, the Government are not going to intervene and stop evictions. Why should there be this half-hearted justice? When the Government say that in future the tenants shall not be evicted, what about the tenants who have already been unjustly evicted, as admitted in the Preamble? I therefore request the Government to consider this matter and see that a proper amendment is brought forward so that the tenants who have been unjustly evicted after the promulgation of the Tanjore Tenants and Pannaiyal Protection Ordinance of 1952, which made the landlords think that some land reform was coming and therefore the tenants should be evicted, are reinstated and the injustice done to them is removed. I, therefore, again request the Government to consider carefully the matter and accept the amendment of which I have given notice."

* SRI G. KRISHNAMURTHI:—"Mr. Chairman, Sir, I heartily welcome this measure. This is a simple measure that aims at stopping the eviction of tenants that has been going on in the South Kanara district. I should have very much liked that the Government should have brought in some Bill in the case of the teachers also, who are being evicted. Now, I am very glad that the Government are realizing that it is very necessary that there should be security of tenure for these tenants if at all they must have good produce and if at all there must be peace in those parts. It is equally true in the field of education also where there

11th January 1954] [Sri G. Krishnamurthi]

should be continuity of service and where there should be peace and prosperity also. I very much appreciate the attitude of the Government in running to the rescue of these evicted tenants by an interim legislation and putting an end to the eviction that is going on. This is true in all spheres and I hope the Government will heartily support the cause of the teachers also who are being evicted continually and run to the rescue of these teachers with an interim legislation till definite rules are framed.

"I heartily support this Bill."

* DR. V. K. JOHN:—"Mr. Chairman, Sir, this is a measure of agrarian reform and in regard to agrarian reforms I would certainly support any measure which helps the tiller of the soil, because the primary object of every agrarian reform should be to get the largest output from the land and the tiller of the soil should be certainly helped in every way. But, Sir, the question is whether agrarian reform can be introduced without expropriating the owner of the soil. Can we help both the tiller and the owner by a measure which will be satisfactory to both? It is said that the three characteristics of British legislation are conflict of interests, compromise and caution. In all these cases of land reform there are conflict of interests, compromise and caution. There is always a tendency to find a solution by perpetuating the relationship between the landlord and the tenant. It is an economic waste, in my opinion, to perpetuate that relationship.

"We can introduce agrarian reform by making the cultivator of the land the owner of the soil, by having an independent peasantry cultivating their own land and paying over to the landlord and all others interested in the land—may be intermediaries—the full value of the land so that we help the cultivator and at the same time do not expropriate the landlord. I do not say that in cases where the landlord can cultivate his own land he should not be given that freedom to resume his land and cultivate it. The point is that there are two ways of solving the tenancy problem which has been created by pressure of population on land. One way is to have a measure providing for fixity of tenure and also providing for fair rent. The other way is to enable the cultivator of the soil, that is the tenant, to purchase all the interests in the land by an annuity system which I shall explain when I speak on the Malabar Tenancy (Amendment) Bill and which will not lead to expropriation of the landlord but will give the tenant a permanent right of ownership of the land.

"These are the two ways in which agrarian reforms have been introduced in many countries in the world. I have made a fairly good study of agrarian reforms in all parts of the world when I was studying the land tenure system in Malabar years ago. Sir, in many parts of the world, attention has been concentrated on adopting one method or the other. In Germany, which I shall

[Dr. V. K. John] . [11th January 1954]

explain in the speech which I am going to make on the Malabar Tenancy (Amendment) Bill, a scheme was adopted by which the cultivator was made the owner of the land. No one was expropriated and no cultivating tenant was prejudicially affected. The other way is to have a perpetual relationship between the landlord and the tenant and asking the tenant to pay continuously a rent to the landlord, and this relationship, as far as I can see in our country, will never work and there will be continuous agitation, by tenants and on their behalf, to reduce the rent and for other amenities, which in almost every other country it will be expropriation of the landlord's interests, and continuous agitation by the landlord for the restoration of privileges and powers enjoyed by him. The Government do not seem to have gone into this question in a really scientific manner after making a careful study of agrarian reforms in all parts of the world. When I speak on the Malabar Tenancy Bill, I will point out how it has become an impossible proposition to have good relationship between the tenant and the landlord. Now, Sir, the Government seem to prefer the system of giving security to tenants. I do not find any provision, in the Bill before us, for fixing fair rent. The Bill is only a temporary enactment and the Government will have to consider very seriously the way to bring in a measure of agrarian reform. They must consider what is the object that an agrarian reform must achieve and how it can be permanently achieved without injuring the interests of the cultivator and without injuring the interests of the landlord. I shall explain this point in my next speech on the Malabar Tenancy Bill because I have made a careful study of land reforms in all parts of the world.

" This Bill is said to be a temporary measure. Sir, I am very much against these temporary legislations. First of all, it shows that the Government do not take time by the forelock and, after all, the agitation by the tenants or the creation of difficulties for cultivators in the district of South Kanara could not have been created yesterday or the day before. It should have existed for many years. It might become more acute in the future. I do not see why our Government, at least after independence was achieved, did not consider the question of a comprehensive agrarian reform for South Kanara and for other places in this State. I find one point of view expressed and I regret to find that certain members think that they belong to the district of Malabar, certain other members think that they belong to South Kanara district and so on. I think it is a wrong way of looking at things. Any person belonging to the part of this State where Tamil is spoken certainly must have the same sympathy and consideration for the suffering people in the district of Malabar or South Kanara.

" Our experience with regard to these temporary measures has been, that once a temporary measure is passed, the Government go to sleep and that has been the case in a similar case of agrarian reform. On 4th October 1946, we passed a measure called the

11th January 1954] [Dr. V. K. John]

Madras Tenants and Ryots Protection Act (Act XVII of 1946). Under this Act, no tenants in the district of Malabar, no ryots in estates governed by the Madras Estates Land Act, 1908 and no tenants of private lands in such estates shall be evicted and all suits, proceedings in execution of decrees or orders and other proceedings were stayed. This was for two years with freedom to Government to extend the life of the Act for another period of two years. Sir, this Act was passed in 1946 pending a comprehensive legislation. Then this Act was followed by another Act—Act XXIV of 1949—which came into force on 8th December 1949. That Act again, Sir, incorporated all the material provisions of the earlier Act of 1946 and it was provided that its duration was up to 7th October 1950. Now, Sir, we had two instances of temporary legislations passed pending introduction of comprehensive legislation. It might be said that the Congress Ministry unfortunately had changed many times during this period. I hope this will not happen in the near future. Anyway, what really happened was that they had to pass another piece of legislation—The Madras Tenants and Ryots Protection (Amendment) Act, 1951—which extended the period of expiry of the original Act up to 7th October 1953. Sir, in 1946, in 1949 and in 1951, this legislation relating to the protection of tenants and ryots was passed. What happened to this Act after 7th October of last year, we do not know. This procedure of bringing in temporary enactments with the object of bringing comprehensive legislation later on has not worked very well. It was only the other day that I pointed out that an enactment passed in 1946 for the preservation of private forests was extended from time to time and it was only on that day that we gave another extension but I won't call it a last extension. There is a tendency on the part of the Government to put on the Statute a temporary legislation and then they come the next year before the Legislature and say ' Let us have it extended for a year or for another two years.' It is the duty of the Government—and it has its own responsibility—that immediately temporary enactment is drafted and placed before both the Houses they should set up an organization which will bring in a comprehensive legislation within the period referred to in the temporary enactment. All the previous enactments were extended by minor enactments. All the previous enactments were extended by minor enactments. All the previous enactments were extended by minor enactments. May I express the hope that at least this Government whenever they approach the Legislature for passing a temporary measure in anticipation of bringing in a comprehensive enactment will take the responsibility and consider it their duty to set up immediately a machinery which will introduce this comprehensive legislation within the period mentioned in the temporary enactment? This Bill is for one year and let me hope that the comprehensive legislation will come into existence within this period of one year. Otherwise it is a fraud on everybody concerned and it does not give credit to the Government to extend every temporary enactment year after year. This I hope will not happen in future.

[Dr. V. K. John] [11th January 1954]

"Now, Sir, on the provisions of the Bill, I do not wish to say anything now because it is after all a temporary enactment. Although I am afraid it will be extended, still I do not wish to say anything at this stage because after all let me have faith in the Government that it will not be extended from year to year. It is my hope that it will not be extended. There are two ways of introducing an agrarian reform. One way is to see that the market price for the land is given, that the landowner is not expropriated by giving fixity of tenure to the cultivator and at the same time the cultivator is never evicted from his holding.

5-10
p.m.

"That is the way of creating an independent peasantry cultivating its own land and passing the ownership of the land to the cultivator after paying the market value to the owner of the land or those others interested in it. The other way is to have perpetual relationship between the landlord and the tenant and asking the tenant to pay continuously a rent to the landlord, but this will create difficulties year after year and will never solve the problem of landlord and tenant. The Government must make up their mind as to which principle they should follow and then introduce a comprehensive enactment. The system by which the owner is not expropriated and the tenant is allowed to purchase the land in annuities has been introduced all over the Western world and has worked well. I will explain this in further detail when I speak later on, on the Malabar Tenancy Bill. But here I would like to impress upon the Government that before they introduce any measure of agrarian reform they should consider that this is also a measure of agrarian reform and not something to ward off the evil of eviction. When they introduce a comprehensive measure, let them consider which is best suited to the country and introduce that measure. I must compliment this Government for particularly paying attention to the needs of the poor so that a welfare State may be created. In many measures brought before this House it has been the intention of this Government to assist the poor. But, at the same time the Government must have expert advice on difficult problems like agrarian reforms. I am quite sure that by this measure the Government want to give temporary relief to the cultivating tenants. I do not find any provision which helps the intermediaries, which is against all principles of land reform and I find that only the cultivating tenant is helped. I thank the Government for the sympathy they have for the tenants. But I would request them to go into these questions thoroughly with the help of experts. Thank you, Sir."

* THE HON. SRI C. SUBRAMANIAM:—"Sir, there has been almost unanimous support to this measure except for a word of caution by the hon. Gentleman Sri K. Balasubramanya Ayyar. That word of caution is also necessary because any hasty step taken in this direction is likely to deteriorate conditions rather than improve them. Therefore when he said that we should be very cautious in making proposals for agrarian reform, I take it that

11th January 1954] [Sri C. Subramaniam]

he did not mean that there should be no agrarian reform at all. He only said that there should be a proper study of the conditions and that whatever legislation we may make should be for the smooth working of the society as a whole. Taking that into consideration, I am sure hon. Members will realize the difficulties in bringing forward a comprehensive legislation as such.

"A tenancy legislation has got to be fitted into the circumstances and conditions prevailing in various areas. Conditions are different from area to area, from district to district and in certain cases even from village to village. Therefore, an all-comprehensive measure for the entire State, I think, will not work smoothly. We will have to take into consideration the peculiar features prevailing in the various areas and districts and we will have to model our legislation accordingly. That is why there is a separate Tenancy Bill for Malabar where conditions are completely different. Conditions have developed in Malabar for centuries to suit the genius of the people there. To import into Malabar theories and notions which are prevailing in other parts of this State or in other parts of the country may not work well. Therefore we have to consider these things very carefully and then only we can enunciate propositions to solve these problems. That is why we are taking some time.

"Sir, almost every member has given his approval to the principle of this Bill. But the hon. Gentleman Sri V. Gurunandan Row said that if there had been unjust evictions, as has been stated in the preamble to the Bill, it is necessary to remove those injustices so that tenants who have been unjustly evicted might be put back into occupation of the land. That is very easily said, but in all these things we must take into account the balance of convenience. Suppose we embark upon a district-wide enquiry as to who are the protected tenants, who are the tenants who have been evicted and who have got to be put back into occupation, what is the cause and what is the benefit we would be conferring on the tenants who have been evicted by putting them back into possession of certain pieces of land and for this we will have to take an enormous amount of trouble. Then I have absolutely no doubt that Mr. Gurunandan Row will agree and even if he does not agree --because he has made up his mind that the evicted tenants should be put back into occupation of the land--persons who can realize the difficulties will agree that the balance of convenience is 'Let us protect the tenants as they are and if they are continued, it would be more than sufficient.' After all, if a tenant is evicted from one piece of land, I am sure he would have got into possession of another piece of land elsewhere. The landlords have only the satisfaction of changing the tenants. It is not as if the landlords are taking to cultivation themselves. Even though there may be a few hard cases—even a good law always does not cover all hard cases—we have taken them into consideration and we will have, to a certain extent, resist the temptation of saying 'Let us launch upon a big enquiry and put back all these evicted persons into possession of

[Sri C. Subramaniam] [11th January 1954]

the land.' Therefore we have formulated our proposals and even though there may be few unjust cases of eviction, we will have to put up with them in the interest of the society as a whole and I am sure whoever has been evicted will be able to find alternative land for purposes of cultivation.

“Sir, even though this is a temporary measure, suggestions have been made, especially by the Hon. Deputy Leader of the Opposition, for solving this problem in a permanent way. Of course, it is easy to formulate proposals for solving this problem but the particular solution gives rise to further problems. Therefore we will be going on endlessly and that is the law of life. Let us leave the impression that we will be able to solve any problem permanently without giving rise to further problems in its turn. It was asked ‘Why should not the Government purchase the entire interest of the landlords at market price and then distribute the land to the tenants?’ Who is to pay the market price? Are the tenants to pay? If the tenants are to pay, will they be able to do so? If they are unable to pay, will the Government be able to pay? And if the Government have to pay for it, it is not as if they are paying it from somewhere. They have to get it from the general tax-payer. All these things will have to be taken into consideration when such proposals are made. It is easily said that the tiller of the land should be the owner of the soil. All right. Will that solve all problems? There can be uniform tenancy rules and regulations only in a totalitarian regime where you can say that no person shall alienate the land without the permission of the Government. It is not as if merely for the sake of giving to another person the pleasure of owning that land, we should distribute the land. We want that land should be utilized to the best advantage. Even though a person might be the owner of the soil, what would happen if he does not engage himself in the proper cultivation of the land? Are we going to set up standards of good cultivation and say that if a tenant does not conform to the standard, he should be evicted and somebody else should be put into occupation? All these are things which we will have to take into consideration unless we are prepared to have a totalitarian regime where everything will be regimented and controlled, where everything will be controlled by the bureaucracy; a system of Government which will order about each citizen as to what he should think, what he should speak and what he should do. Unless we are prepared to have such an administration, I am afraid we cannot have uniform rules made in respect of all matters. That is the difficulty we are facing in respect of tenancy legislation. Certain things have developed in the course of a long time. Those things developed, not out of nothing, but they developed out of conditions existing in society. If conditions change, then we have naturally also to make changes in the existing order. We cannot also forget the entire past. We have to take into consideration what the past has been, what change has taken place in the present and what the future is likely to be. And, with reference to all

5-20
p.m.

11th January 1954] [Sri C. Subramaniam]

these we have to make changes so that in the process of making changes we do not create greater difficulties and more difficult problems. From that point of view, Government are examining the question of agrarian reforms. After all so many committees were set up to go into this question. I have myself sat in one committee. Each committee had suggested its own remedies for the solution of agrarian troubles and each committee thought its solution was the best and the hon. Member Dr. John thinks that what he has got in his mind is the best solution. I am not at all surprised about his view. Everybody thinks that he alone has the right remedy for these ills prevailing in society today. But what I say is this that the question has got to be looked at from various aspects and from the political point of view also, and proposals formulated for introducing tenancy reforms. From this point of view alone, Government are now examining the various problems. We are hoping that we will be able to solve this problem, if not permanently—my humble opinion is that a permanent solution of this problem is not possible—at least to find a solution which will be a progressive one, which will establish cordial relationship between the tenant and the landlord. The position of the tillers of the soil will be made satisfactory enough so that the land which so many treasure and which has got to be utilized to the greatest possible extent to feed the millions who are existing to-day and those yet to come—we are producing millions every year—may be put to the best possible use. With this object in view this Bill has been introduced before the House. When the comprehensive measure is ready it will be placed before the House when hon. Members will have an opportunity to discuss this question in greater detail, and express their views.

“Sir, I am grateful to hon. Members for the various suggestions made by them not only with regard to this temporary measure but for the ultimate solution of this very difficult problem. In fact if we extend the life of some of these temporary measures, it is not that we are content with it, but because we are compelled by the very difficulties of the problem to do so. When once Government think that they are in sight of the solution and put forward proposals, the examination of those proposals discloses that the problem requires further examination. That is why it goes on endlessly. But we hope to find a sound solution soon. I hope the Bill will be passed by this House.”

MR. CHAIRMAN:—“The question is—
‘That the South Kanara Cultivating Tenants Protection Bill, 1954 (L.A. Bill No. 7 of 1954) (as passed by the Assembly), be taken into consideration.’”

The motion was carried.

Clauses 2, 3, 4 and 5 were separately put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

[11th January 1954]

* THE HON. SRI C. SUBRAMANIAM:—" Mr. Chairman, Sir, I move—

'That the South Kanara Cultivating Tenants Protection Bill, 1954 (L.A. Bill No. 7 of 1954) (as passed by the Assembly), be read a third time and passed.'"

MR. CHAIRMAN:—" The motion is—

'That the South Kanara Cultivating Tenants Protection Bill, 1954 (L.A. Bill No. 7 of 1954) (as passed by the Assembly), be read a third time and passed.'"

SRI K. BALASUBRAMANYA AYYAR:—" I want to say only a word, Sir. The Preamble of the Bill states: 'Whereas it is necessary, pending further legislation, to protect cultivating tenants in the district of South Kanara from unjust eviction; it is hereby enacted as follows:'. From a reading of this Preamble it looks as though unjust evictions in large numbers have already taken place in the district of South Kanara. In fact it is not so. Ordinarily the Preamble of the Bill should state that a particular Bill is being brought forward for the purpose of preventing unjust eviction. If the landlord takes into his head to evict the tenant unjustly that should be prevented by Government by a legislative enactment. (An hon. Member: 'There has been unjust evictions.') That does not mean that there have been thousands and thousands of unjust evictions and that the Government have not done their duty by the tenants."

* DR. V. K. JOHN:—" Mr. Chairman, Sir, the Hon. the Minister for Finance has misunderstood my remarks. He said my idea was that Government should pay the price of the land from out of Government funds and then the cultivator should be made the owner of the land. That was not my idea. I shall explain my idea later on when we discuss the Malabar Tenancy Amendment Bill."

MR. CHAIRMAN:—" The question is—

'That the South Kanara Cultivating Tenants Protection Bill, 1954 (L.A. Bill No. 7 of 1954) (as passed by the Assembly), be read a third time and passed.'"

The motion was carried and the Bill was read a third time and passed.

V.—MOTION UNDER RULE 22 (3) OF THE MADRAS LEGISLATIVE COUNCIL RULES.

* THE HON. SRI C. SUBRAMANIAM:—" Mr. Chairman, Sir, I beg to move—

'That under rule 22 (3) of the Council Rules, the order of business may be changed and the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953), may be taken up before the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954 (L.A. Bill No. 8 of 1954).'"

11th January 1954]

MR. CHAIRMAN:—" The question is—

'That under rule 23 (3) of the Council Rules, the order of business may be changed and the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953), may be taken up before the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954 (L.A. Bill No. 8 of 1954).'"

The motion was carried.

IV.—GOVERNMENT BILLS—cont.

(2) THE MALABAR TENANCY (AMENDMENT) BILL^a, 1953 (L.A. BILL NO. 12 OF 1953) (AS PASSED BY THE ASSEMBLY).

DR. V. K. JOHN:—" Mr. Chairman, Sir, I wish to make a submission. The desire of hon. Members on this side of the House is that the Bill may be introduced by the Hon. Minister and the general discussion on the Bill might be taken up on the 18th."

THE HON. SRI C. SUBRAMANIAM:—" Mr. Chairman, Sir, we have sat only for just half an hour. Of course I am prepared to be guided by the Chair and the wishes of hon. Members on the other side. But I think after the introduction of the Bill we can sit for some more time and do some work till 6-30."

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—" This is a very urgent measure, and I would like that the discussion of the Bill is taken up now itself."

MR. CHAIRMAN:—" The motion for consideration will be moved now and the general discussion will go on till 6-30 to-day. The Hon. Minister may move his motion."

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—" Mr. Chairman, Sir, I beg to move—

'That the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953) as passed by the Assembly, be taken into consideration.'"

" In doing so, I think it is my duty to place before this House the absolute necessity for this Bill. It is to be remembered, Sir, that the agrarian agitation in Malabar dates back from 1836. The first time Government took up the issue for consideration was in 1880. A petition was received by the Government and that was referred to Messrs. Logan Wingram and McGregor. They submitted their report and said that there was serious agrarian agitation in Malabar and that it had to be remedied. In 1881, Mr. Logan was appointed as a Special Commissioner to go into this question. He recommended fixity to cultivators and also recommended that the rent should be fixed at two-thirds of the net produce. The

^a Printed as Appendix II on pages 560-570 infra.

[Sri K. P. Kuttikrishnan Nair] [11th January 1954]

Government again in 1884 appointed another Commission with Sir T. Madhava Rao as President. Messrs. Logan Wigram, Karunakara Menon and Sir C. Sankaran Nair were members. In their report they recommended fixity of tenure. Their report was mercilessly criticized by Mr. Charles Turner, the then Chief Justice of the Madras High Court. Hence a new committee with Mr. Master as Chairman was constituted. It recommended that in case of eviction, the tenant had to be given value of improvements.

5-30 P.M. "As a result of all these, Act 1 of 1887 was passed. Even then the agitation continued and in 1899 Mr. Ross was entrusted to draft a Tenancy Bill. He died in the course of a few months. So tenancy legislation was given up. But an amendment to Act I of 1887 was passed as Act 1 of 1900. It only dealt with payment of the value of improvement. Not being satisfied, the Government entrusted to Mr. Dance the work of drafting a Bill. The Malabar Melcharth Bill was prepared but subsequently legislation in respect of that was dropped. In 1915, Mr. Enis, then Collector of Malabar, sent a report to the Government recommending fixity for the tenants. But as per the report of his successor, Mr. Evans, nothing was further done. Finally in 1924 Sir M. Krishnan Nair's Tenancy Bill was introduced and it was passed by the Legislature in 1926. But the Governor withheld his assent. Another Committee with Mr. Raghavayya as President was constituted. It recommended fixity to tenants, fixation of rent and renewal fee, and creation of charge for arrears of rent, etc. Ultimately the Malabar Tenancy Act XIV of 1930 was passed.

"It gave fixity to tenants, right of purchase to the kudiyruppu holders in case of suit for eviction, right to surrender uneconomic units, right to get receipts for payments, etc. It took away the right of melcharthdar to get possession. It fixed proportion of rent and renewal fee to be paid. It provided for fixation of price of commodities and fixed the place of delivery of rent in kind.

"Again in 1938 another amending Bill was given notice of by the Government but subsequently it was dropped. In 1939, a Committee with Sri K. Kuttikrishna Menon as Chairman was constituted. It recommended that stains, etc., need not be given the rights to evict tenants under sections 14 and 20. It recommended 22 paras of paddy to be allowed for tenants as cultivation expenses, fixity to kudiyruppus, fixing interest on arrears of rent at 6½ per cent, abolition of feudal levies, fixation of rents and the extension of the Act to the taluks of Gudalur and Kasaragod.

"Bona fide requirements under sections 14 and 20 was misused and so the amending Act XXIV of 1945 was passed. Again the agitation continued and in 1951 a new amending Act was passed. It relied much on Sri Kuttikrishna Menon Committee's report and granted reduction in the rates of fair rents, fixity to kudiyruppus, remission of rent in case of remission of assessment, wiping off of arrears of rent prior to 1944-45, abolition of renewals

11th January 1954] [Sri K. P. Kuttikrishnan Nair]

and renewal fees, abolition of feudal perquisites, etc. Under that, provision was made for the establishment of Rent Settlement Authority for the purpose of fixing fair rent and for recording of rights. These amendments came into effect only in March 1952.

"The Rent Settlement Authority with its complicated machinery and the inevitable delay that would be caused in its working created a lot of agitation in Malabar. The tenants were not satisfied with the remissions and the reduction of rent rates. Ulkudi holders outside Fort Cochin were not given fixity and hence they were also dissatisfied. From 1946 onwards all suits for possession and for arrears of rent were stayed. These and subsequent suits continued to be stayed. The number of suits swelled to such an extent that there are about 20 thousand such suits pending now.

"It was in this background that Government took up this issue. The Rent Settlement Authority was abolished forthwith. A draft Bill was published and moved in both the Houses and it was referred to a Joint Select Committee. The Bill sought to establish Rent Courts presided over by Revenue Divisional Officers. Instead of compulsory fixation of rents, the Bill made it only optional in cases of disputes. It provided for payment of one year's income to be paid to the tenant in case of eviction under sub-section (5) of sections 14 and 20. It provided that no ulkudi holder should be evicted unless a site equal in size is given in the same village or without three years' notice being given. It enhanced the share of the tenants in case of pepper gardens by making the rent payable as one-sixth instead of one-fifth. It also sought to make voidable surrender deeds executed after 28th July 1950. It also sought to wipe off two years' arrears of rent.

"The Joint Select Committee after six sittings, carefully went into the whole question and examined memoranda received from various persons and interests in Malabar. The Joint Select Committee recommended that mulgenidar who enjoyed a greater right than the tenant in Malabar should be exempted from the purview of the Act. It recommended fixity to ulkudi holders in case of three years continuous occupation, exemption of payment of rent in case of protected ulkudi if there was no agreement to pay rent and exemption from the operation of clause 5 of sections 14 and 20 if the tenant was in continuous possession for twelve years. It further reduced fair rent on garden lands by exempting the tenant from payment of half the assessment. It also decided that Tahsildars could also function as Rent Courts. It prohibited the assignees from exercising the rights under sections 14 and 20 within the lapse of two years. It extended the benefits of ulkudi holders on ulkudis on wet lands. A provision was also recommended for proving the real nature of transactions.

"The Legislative Assembly has considered the recommendations and has modified them further. In the case of ulkudi one year's continuous possession was decided to be sufficient. Protection was given to tenants who were in actual possession for six

[Sri K. P. Kuttikrishnan Nair] [11th January 1954]

years in the case of evictions under sections 14 and 20. Cultivation expenses were raised from 22 paras to 25 paras. The fair rent of garden lands was reduced to one-eighth from one-sixth. In case the fair rent under section 7 is more than the contract rent, a limit that two times the contract rent is to be the fair rent for twelve years was decided upon and the excess amount was spread over a number of years so that in no year it shall exceed one and one-fourths of the previous year. It was also decided to extend the Act to *punam* cultivation and the rent was fixed at two times the assessment. Ulkudi holders from 28th March 1953 were also given protection. Permission was also given for the tenant to elect to pay in kind in case of increased fair rent being fixed. It was also decided that section 51 was to be modified so that instead of fixing the price of commodities monthly, quarterly fixation could be done. It was also decided that amounts thus fixed shall be uniform throughout the area.

"I am sure the Bill, as now presented before this House, will be welcomed by the majority of the people of Malabar. All the aspects were considered and a fair solution of all the problems has been made in this Bill.

"I think, Sir, that by the passing of this Bill, there will be goodwill between the landlord and the tenant and each will perform his part for the welfare of the whole State.

"I move, Sir, that this Bill may now be taken into consideration and disposed of as early as possible as it is an emergency measure which requires due consideration by this House.

"Thank you, Sir."

MR. CHAIRMAN:—"Motion moved—

'That the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953) (as passed by the Legislative Assembly), be taken into consideration.'

SRI M. P. GOVINDA MENON:—"Mr. Chairman, Sir, I am very happy that I am a Member of the Madras Legislature when this Bill is discussed by this House. I am also glad that I have an opportunity to associate myself with an important legislation which affects lakhs of people in my district. The Hon. Minister for Law, while introducing the Bill, traced the history of the agrarian agitation in Malabar from 1836 onwards up to the present day, that is upto day before yesterday when this Bill was passed by the Legislative Assembly. He had touched the main points in the course of that agitation. I do not like to repeat the very same history of the agrarian agitation in Malabar which had been done by the Hon. Minister for Law but I want to touch upon some of the important links in that history which the Hon. Minister failed to mention in his speech. Before we go into that history, we must consider why this is such an important problem which has been troubling the people of Malabar for the last so many years.

[11th January 1954] [Sri M. P. Govinda Menon]

"I think my hon. Friend, Dr. John, had me in his mind when he said that certain people considered themselves as people of Malabar or people of South Kanara. Dr. John may not have known it but I have spent my life in the struggle for the freedom of the country and not for the freedom of Malabar alone. I think that I am first and last an Indian, a citizen of this country to which I have the honour to belong. I also had the honour to belong to an organization under the banner of which I never considered myself as belonging to this caste or that caste or to this district or that district. Sir, I know the conditions of Malabar much more than what Dr. John knows. He is a citizen at large. He does not belong to any particular area. He has settled down in Madras and has acclimatised himself to the City of Madras. So, when I speak of the conditions in Malabar and the grievances of that district I speak with authority and I am entitled to speak with authority.

"Why is there so much of trouble in Malabar? The trouble arose in this manner. Mr. Chairman, I am taking you to the pre-British days. In those ancient days when our Rajas were ruling our country and when Malabar was under the administration of Malabar chieftains there was no land tenure trouble nor was there the Hindu-Muslim trouble. Malabar was considered to be one of the happiest areas of Bharata Varsha. You know, Sir, that when the Zamorin of Calicut was ruling over Malabar his Generals were Moplahs, his navy was under the command of Moplahs and the Moplah armies were protecting the Hindu State of Malabar because there was harmonious relationship between the landlords and tenants in Malabar during those pre-British days. In those days there was no janmi or landlord in Malabar. As far as Malabar was concerned, there was no question of ownership of land in those days and nobody was considered as the owner of even a piece of land before the advent of the British. There was only the question of the division of the produce between the various persons. I am speaking with authority, authority collected by the British administrators. My Friend, the Hon. the Minister for Law, just now referred to Mr. Logan. Mr. Logan was the Collector of Malabar for a long period. He had lived in Malabar for a number of years, knew the Malayalam language even to the extent of delivering lectures in Malayalam and also knew very well the customs and manners of the people of Malabar. He had gone into the question of land tenure in Malabar and he says: 'The essential difference between a Roman dominus and a Malayalee janmi was unfortunately not perceived or not understood at the commencement of the British administration.' (Mr. William Logan's 'Malabar'—1951 reprint.) The British people came with their notions of Roman jurisprudence. They thought that the man who sat at the top was the *dominus* and that he had dominion over the land. They thought he was the landlord as they had in England. Mr. Logan further says that 'The janmi has, by the action of the civil courts, been virtually converted into a dominus and the result on the workers, the cultivators, has been and is very deplorable.'

5-40
p.m.

[Sri M. P. Govinda Menon] [11th January 1954]

There was no janmi during the pre-British days. There was only an arrangement for the division of shares in the produce and a certain amount was set apart for the janmi, the kanamdar and the cultivating tenants. These shares were set apart because each had some functions in the administration of the country. The so-called janmis were holding some positions in the polity of the country and to meet the expenses of the administration of such powers a part of the produce was set apart. When the British took over Malabar from Tippu Sultan after the Mysore wars, they brought with them their notions of Roman jurisprudence and British notions of overlordship and proprietorship. In the district of Malabar, the Judges of the Civil Courts converted these janmis into actual proprietors. In the 1951 Act also the definition of 'janmi' as a person entitled to the absolute proprietorship of land still persists. Perhaps, in those parts of the country on this side of the Western Ghats this conception is not understood. In these parts, the Government is the owner of the land. In the zamindari and ryotwari tenures the landlords are not the owners of the land and it is the Government that own these lands. In our parts the Government are not the owners of the land. Probably they own some poramboke lands or waste lands adjoining the beds of the rivers. The conception that each janmi is the absolute owner of the piece of land over which he sits was borrowed from British jurisprudence. This was the beginning of the trouble and that is why there has been this agrarian trouble in Malabar over so many years. As the Hon. the Minister for Law said it is more than a century old. The year 1836 is the relevant date. The British administration started in the beginning of the nineteenth century and the trouble began in 1836.

"The Hon. the Minister for Law did not refer to what the trouble exactly was. There had been serious outbursts in the Moplah portion of the district almost every year during the Ramzan months. All these outbursts and attacks had been due to agrarian troubles. My hon. Friend, Sri Raza Khan, said the other day that I attacked the Muslims. I will be the last person to attack the Muslims. I live in the midst of the Moplahs. They are my supporters and they are my professional clients. I know what they are. I have been with them during the Moplah Rebellion of 1921. Many members of my family suffered for the sake of the Moplahs."

DR. C. NATHAMUNI NAIDU:—"You were also made a Raja for a day"

SRI M. P. GOVINDA MENON:—"Because of this agrarian trouble, the Moplahs committed serious outrages. The poor ignorant Moplah is not civilized, and he is not educated. If this poorest man in the district was to be sent away from his land and what was more important was to be driven out his homestead . . ."

11th January 1954] [Sri M. P. Govinda Menon]

DR. V. K. JOHN:—"Sir, on a point of order, is it in order for the hon. Member to say that the Moplah is not civilized?"

SRI M. P. GOVINDA MENON:—"I am speaking only out of a feeling of consideration for the poor, ignorant Moplah, whom we did not civilize or educate. Dr. V. K. John may not have the same feeling. Coming to my point, when a man was driven out of his homestead he naturally took the cudgel in his hands because he had not got any other method open to him. The courts which were on the side of the janmis did not give him any relief. The only method of protest known to the Moplah was to take the cudgels."

"Therefore, Mr. Logan and other good British administrators who had lived in Malabar for a long time recommended the year 1836 for conferring fixity of tenure. (Interruptions.) My hon. Friend, Sri K. Balasubramanya Ayyar, says that at present I am a landlord. I was saying that the British administrators who were in Malabar and who had experience of its customs and manners recommended 1836 as the year for giving absolute fixity of tenure, as far as the tenants were concerned. But, unfortunately we are living in a composite State and were so doing when the foreigners were ruling over us. Let me not be misunderstood when I say that we are living in a composite State. I am not attacking my Tamil brethren or any others in this State. My complaint is that they could not feel for us and understand our difficulties. Our land tenure is not easily understood. Even our Marumakkattayam is not understood by those people on the other side of the West Coast, I do not say that it is so because of lack of love or affection for us. Now, I can say with all the gratitude that I am capable of expressing that here is a Chief Minister who could understand us, whose intellect could help him to understand us and perhaps his association with us during the freedom struggle would also help him to do so. Only two leaders who led us during the freedom struggle, Sri C. Rajagopalachari and Sri T. Prakasam alone on this side of the Western Ghats could understand our problems and it is they who know the conditions in Malabar. I was therefore very glad when this Bill was brought when Sri C. Rajagopalachari is the Chief Minister."

DR. V. K. JOHN:—"What about the present Finance Minister?"

SRI M. P. GOVINDA MENON:—"He is too young. He was perhaps not born during those days."

THE HON. SRI C. SUBRAMANIAM:—"I have gone to Malabar only once or twice."

SRI M. P. GOVINDA MENON:—"Though he has been our closest neighbour he had not the opportunity to understand our problems. I was glad when this Bill was brought in because the Chief Minister could understand our problems. He had moved

[Sri M. P. Govinda Menon] [11th January 1954]

with us inside and outside the jails in Malabar. He could understand the feelings of the Malayalees. That is why I said that we were unfortunately in a composite State. It is not an attack nor is it any anxiety on my part to get away from my Tamil brethren. The problem is so difficult and that is why this land tenure question has been delayed for a long time. The foreigners were ruling this country and we were unfortunately in a composite State where the majority of people were not in a position to understand our difficulties.

8-50 p.m. "The Hon. Minister for Law referred to the then Chief Justice of the High Court of Madras—Sir Charles Turner—in connexion with giving of fixity of tenure to tenants. As stated by the Hon. Minister, Sir Charles Turner turned down the recommendations made for giving fixity of tenure to tenants by the officers of the then British Government itself and the people of Malabar have had to wait till 1954 for this reform.

"The first Act—the Improvements Act—giving to tenants when evicted the value of improvements effected by them was passed in 1887, which was again subsequently amended in 1900. Till this Act was passed, the position was that if a tenant was evicted, he was not given anything by the landlord, not even the value of the improvements effected by him. The tenant might have, by his own efforts, converted a waste land into a perfect garden, by planting jack trees, coconut trees, etc., but still if he was asked to vacate the land by the janmi, he had to give possession of the land and leave the place. Not only that. He had also to leave the building put up by him for his residential purposes without receiving in return any payment as compensation. I think, to-day in South Kanara, the tenants are in the same position, as pointed out by my Friend Sri Narasapaya. That was the position of tenants in 1887. The Improvements Act of 1887 as amended in 1900 gave some relief to the tenants. But the people were not completely satisfied. New ideas about tenancy reforms were coming into the district and therefore troubles again started. During the course of the first world war, in 1914-15, there was agitation for Home Rule under the leadership of Dr. Beasant throughout the State and there was also agitation in the district of Malabar, for Home Rule. Along with this agitation for Home Rule, there was agitation for agrarian reforms. Hon. Members will find in the Bill, now under consideration, a clause stating that any person interested in any land might adduce evidence and prove that a transaction entered into on or after 1st January 1916 purporting to be a mortgage is not in fact a mortgage but a transaction by way of kanam, etc., etc. This shows how in 1916 janmis were converting demises and leases into mortgages so that they could sue for redemption under the Transfer of Property Act. So from 1916 agitation was again started for land reforms.

"As a result of the introduction of the Montague Chelmsford Reforms, elections were held throughout this State. There was then a ban by the Congress organisation on 'Council entry'.

[11th January 1954] [Sri M. P. Govinda Menon]

Though the people of Malabar followed in the footsteps of Mahatma Gandhi more than anybody else in other parts of the country, still they did take part in the elections and elected the late Sir M. Krishnan Nair (then he was only a Diwan Babdur) who championed the cause of tenants. The hope of the people that some tenancy reform would be introduced and passed, as a result of the efforts of Sir M. Krishnan Nair, did not materialise. In 1924, there was again election to the Legislative Council and this time Sir M. Krishnan Nair was returned to the Council. He introduced a tenancy reform and it was passed by the Legislature in 1926. But the Governor withheld his consent to the Bill in spite of the fact that the people of Malabar had supported it and in spite of the fact that the Justice Party which was in power also supported it.

"Then we come to the year 1921: The people of Malabar began to take a different attitude towards the Government and the landlords. Under the leadership of Mahatma Gandhi they were being trained in non-violent non-co-operation. Those were the glorious days when no janmi dared to evict a tenant even though the people including the Moplahs did not take up arms. The people never went to a Court of law or legislature. They only saw to it that whenever a tenant was evicted by a landlord no other tenant went in his place. Many hon. Members will be surprised to hear that many lands particularly in the Moplah areas of Ernad and Walluvanad taluks were lying waste without cultivation. Many landlords who had evicted their tenants would not be served by the washermen, or the barbers. There were cases where even money was offered for the cultivation of lands, but still nobody came to undertake cultivation. Unfortunately the Moplah rebellion broke out in 1921. There was a discussion in the other House as to whether it was an agrarian one or otherwise and there was an exchange of words between the Hon. the Chief Minister and other Members belonging to the great Communist Party. Sir, I was in the midst of the rebellion. I saw with my own eyes treasuries being looted, offices being burnt and Court records being destroyed. I lived with the rebels for 21 days, when there was no British Government and as my Friend suggested I had some part in the administration set up by the rebels. When the Moplah rebellion broke out, it was neither agrarian nor anti-Hindu. It was not communal. It was purely anti-British. Uneducated and uncivilized as some of them were, Dr. John will pardon me for saying so, the rebellion turned anti-Hindu and later on agrarian also. There is a saying in the Moplah Malayalam language that if you grow hair there is hair and if you remove them there is no hair —*mottai* (നവ്വേഴ്ച മുളച്ചു നവ്വേഴ്ച മുളച്ചു) That is also the paraphrase of the Communist slogan introduced by Kal Marx who stated: 'what have you to lose except the chain which binds your legs?' For these poor Moplahs who had to work so hard from morning to evening, who were so poor and had nothing else in the world—not even a homestead which was rather very barbarous and cruel—there was no other way except to rebel and that was why the rebellion started.

[Sri M. P. Govinda Menon] [11th January 1954]

"From 1921 to 1928 we had to wait patiently. In 1928 elections again came and the Swarajist Party decided to enter Councils. There was again agitation for land reforms. As a result of this agitation, as hon. Members are aware, the 1930 Act was passed. This 1930 Act gave fixity of tenure to tenants. As far as kanam was concerned, a tenant could apply for renewal after the 12th year. As regards verumpattamdar tenancy was concerned, verumpattamdars were given some qualified fixity of tenure. As regards fair rents also, a tenant could apply to the court on the basis of two-thirds net produce. The Act also took away the right of melcharthdars to get possession, and prevented them from evicting tenants. These melcharthdars are usually third parties. The greatest harm done to Malabar is not by ancient Rajas or Nambudhries or landlords but by these Melcharthdars. These Melcharthdars are a new class of landlords who as a result of work in various professions like law, medicine, trade, etc., have earned large wealth and have made themselves big landowners.

● "The 1930 Act did not give complete satisfaction to the people p.m. of Malabar. We were waiting for an opportunity. In 1937 a new Government was formed here under the provincial autonomy conferred by the Government of India Act of 1935 and our great Rajaji became the Chief Minister of this State. My friend the late Mr. Ramunni Menon, who was one of the greatest heroes the district of Malabar has produced, became the Law Minister then and a draft Bill was prepared by him. You know our Rajaji wants to do things in a leisurely way and he wants to study things. He did not want to rush the Bill through and he suggested that a Committee might be appointed. A Committee was accordingly appointed and Mr. Kuttikrishna Menon, who was a member of the Madras Bar and who was Advocate-General for some time, was the Chairman. Of the then Members of the Madras Legislature, some representatives of Malabar were the members of that Committee. That Committee went into the question. They travelled throughout Malabar, recorded evidence, received memoranda and had discussions. A report was published in 1940. The Committee has taken much pains and has dealt with all aspects of the question of Malabar tenancy. Even a man, who is not at all conversant with the Malabar tenancy problem, if he goes through that report, will know much about Malabar tenancy. That report made certain recommendations. Unfortunately, the Congress was not able to implement them. Then there was the Second World War in 1939. The Congress was not in power. There was no democratic administration in this State for some time. As a result of the 'Quit India' campaign, almost all Congressmen were in jail. At that time, Sir, a havoc was done even to the 1930 Act. I have got very great respect to our Judges. Our judiciary is one of the best that we have inherited from the British Government—not at all corruptible, not at all corrupted. Able and eminent persons adorn the Benches both in mufassal Courts and High Courts. But there is one defect with our lawyers and Judges. They are very conservative. With great respect to Sri K. Balasubramania

[Sri M. P. Govinda Menon] [11th January 1954]

Ayyar, who is a lawyer—of course, I am also a lawyer but I am in the political field—I have to say that lawyers and Judges have always been very conservative. They always look backwards and not forwards. They take pride in quoting the decisions of previous years with the result that cases cited in 3 Madras and 4 Madras are quoted even in 1953 and 1954. And our Judges—good Judges and eminent jurists—could interpret the law and in interpreting the position of law, they always show an unconscious bias in favour of the landlord. This is not because they are alive to the Communist theory of class conscience, but somehow or other their interpretation is always in favour of the landlords, not in favour of the tenants. In 1942 there was a Full Bench decision. That decision nullified the intentions of the 1930 Act. Sections 14 and 20 of the principal Act were referred to by the Hon. Minister for Law. Section 14 says, 'no suit for eviction of a cultivating verumpattamdar from his holding shall lie at the instance of his landlord except on the following grounds'. Section 20 says 'no suit for eviction of a customary verumpattamdar, kanamdar or kuzhikanamdar shall lie at the instance of his landlord except on the following grounds'. One of the grounds mentioned is that the janmi wants it *bona fide* for his own cultivation. The mufassal Courts in Malabar interpreted that '*bona fide* necessity' meant that the janmi must prove that his family is destitute, that he wanted the land for himself and that without it he cannot maintain the family. Unfortunately, the Full Bench decision of the Madras High Court of 1942 said 'no no, *bona fide* is an adverb modifying the verb "requires" and not an adjective qualifying the word "necessity"'. You know, Sir, how the lawyers can make white black and black white. As in a contest between Noes and Ayes, they change sides and argue both ways. An absolute right conferred on the tenants by a very good piece of legislation was in no time taken away by the High Court by saying that if the landlord said 'I require the land *bona fide* and my intention is *bona fide*', his contention should be accepted. It is not surprising therefore that a large number of evictions were made not by the petty landlords referred to by the Hon. Minister but by big landlords. People were sitting on the top. They filed a large number of suits and got eviction of the poor tenants. Congressmen were in jail. There was no public agitation. Fortunately, during the Advisers' regime in 1945, Mr. Austin, who was one of the Advisers, knew Malabar. He took up the matter and it was due to him that the Amendment Act of 1945 was passed by the Governor. The Governor had legislative power in those days. This Act said that the landlord must prove that he had necessity and that unless he got the land he could not live. This was the interpretation given to the expression '*bona fide*'. Then, Sir, in 1946 the popular Government came to power. Again there was agitation. Some people said that this agitation was started by interested persons. But I can tell you, Sir, that no agitation can thrive for three days unless there is real grievance behind it. Do you think that thousands of people will stand by agitators unless they have got a real grievance? Agitation is the reflection of the

[Sri M. P. Govinda Menon] [11th January 1954]

sufferings of the people and in 1946 when the popular Government came, we asked for reforms. My respected leader Sri T. Prakasam, who was then the Chief Minister, passed the Ryots Protection Act. He said that he would consider bringing in some legislation as the one we are having for South Kanara, namely, that all evictions will be stayed for some time. The Ryots Protection Act was passed. Not only that. He appointed a Committee—Sri Raghavendra Rao Committee—to go into this question and that Committee prepared a report. This report is a classical report and the presentation is very nice. Though I would not be able to agree with many of the conclusions arrived at by that Committee, I must say that the Committee has marshalled facts and has presented them in a cogent manner so that everybody can understand the report. On the basis of this report, we wanted a Bill. Somehow or other it was delayed. My esteemed friend and ex-Minister Sri Madhava Menon, who was the Minister for Law introduced a legislation in 1951. When he placed some proposals, all of us were taken aback. They were so revolutionary in character. A conference was convened at Kozhikode. The proposals were examined. Even Sri Kuttikrishnan Nair's Bill has not come up to the stage which Sri Madhava Menon's Bill aimed at. There was a conference at Madras and the Bill was discussed. But it went to a Select Committee and came in a different form. That Bill was passed. It conferred some little concessions. We welcomed even those small mercies because the Assembly, as was then constituted, was on a limited franchise and we could not get a better Bill. But even though we welcomed that Bill, there was a huge agitation in the district again. You know, Sir, the result of that agitation. I am not talking of any party. The 1951 Elections were fought on political grounds. But so far as Malabar was concerned, the tenancy question played a very important part in that election. The Congress, the Praja Socialists and the Communists contested the elections. We fought against the Congress. The Congress had some reverses in the rest of the State, but so far as Malabar was concerned it was broken to pieces. If this tenancy problem had been solved satisfactorily, the history of the general elections in Malabar would have been different. Out of 30 seats, Sir, set apart for the Malabar area, the Congress got only four seats. Twenty-six seats went to the opposition parties. I do not say that this is entirely due to the Malabar tenancy question. I do not also say that it is entirely due to the views held by the other political parties that won the elections. I say it is due to a great extent to the misdeeds of the previous Government also. In a way the land tenure question played a very important part. You know, Sir, Mr. Madhava Menon is one of the gems of Malabar, he was one of the able Ministers of the previous Cabinet. I think he was a dominating Minister in the previous Cabinet. He was not a minor Minister or a satellite. He was an important Minister of the previous Cabinet. He was defeated in the last elections. That shows the feeling in Malabar regarding the agrarian reforms.

6-10
P. M.

11th January 1954] [Sri M. P. Govinda Menon]

"When the Bill was originally introduced by the Hon. Minister Sri Kuttikrishnan Nair, we were all taken aback. That Bill went back even on the every unpopular Act passed during the time of Mr. Madhava Menon, and hated by the people of Malabar. It was a great surprise to us that Hon. Mr. Kuttikrishnan Nair should have introduced such a Bill, because we know him as one of the greatest workers in the Congress and a worker for the cause of the poor people in Malabar. You know, Sir, he is one of the very few good Congress men of the residuary Congress of Malabar—practically the Malabar Congress is dead now. In the residuary Congress he is one of the very few good Congress workers. In the last elections when everybody set up by the Congress was defeated, you know, Sir, he defeated the great Communist leader Sankaran Nambudripad and got himself elected. It came as a thunder to all of us. It was therefore a surprise to us that he should have introduced a Bill in such a form. I do not blame him personally for that. I know his heart is good. If he had been sitting on this side of the House he would be more vehement than I am in speaking about this Bill. After all this is the tragedy of politics. When people adorn some particular benches, they have to stick to them. That was why Mr. Madhava Menon failed, and not because he was not in sympathy with the demands of the tenants of Malabar. I know it is the tragedy of politics.

"Sir, when the Bill was originally introduced by the Hon. the Minister for Law, Sri Kuttikrishnan Nair, there was a huge agitation against it. But we wanted to co-operate with the Government. A conference was held in Payanoor purely under the auspices of the Praja Socialist Party. It had nothing to do with the Communists. That conference was attended by thousands of people. The conference was presided over by one of the greatest leaders of South India, Pattom Thanu Pillai. It was inaugurated by my leader, Sri T. Prakasam. Another great leader Sri Kelappan participated in the conference. Can any one say that there are greater leaders in South India than these three—excluding Rajaji—Pattom Thanu Pillai, Sri T. Prakasam and Sri Kelappan? That conference passed a series of resolutions containing constructive suggestions (and not destructive suggestions) and placed them before the Government. Not only that, Sir. A big 'Jatha' not like the one which we saw the other day when the Assembly was discussing the Malabar Tenancy Bill (a show of a 'Jatha') walked miles and miles in the district of Malabar under the leadership of my eminent leader Mr. Kelappan. That 'Jatha' came to Madras and saw the then Hon. the Chief Minister and the Hon. the Minister for Law.

"Sir, when the Bill was originally introduced my Party did not join the Joint Select Committee. We non-co-operated. There was also a talk about that, and people asked why we non-co-operated. I may tell this House, Sir, that the Praja Socialist Party is not for opposing anything for mere opposition's sake. We are not out to destroy a particular political party. If the Congress revises its policy we will be glad. If the Congress does

[Sri M. P. Govinda Menon] [11th January 1954]

good things to the country we will welcome such things. But we non-co-operated and did not participate in the deliberations of the Joint Select Committee. The reason for our non-co-operation is this. Mr. Narayana Kurup, a Member of the Legislative Assembly, brought forward a resolution in the Assembly and asked the Government to reopen certain sections in the principal Act and accept amendments to various sections of the principal Act. The Government opposed the resolution and did not allow the reopening of the principal Act. So we thought no useful purpose would be served by our co-operating with the Government in the Joint Select Committee. We walked out and therefore we were not in the Joint Select Committee.

"Sir, a great leader that he is, the Hon. the Chief Minister and the Government wanted to get our views on the matter. Government sent special invitations to my leader, Sri Kelappan and myself to attend the Joint Select Committee meetings. We responded to the invitation and attended the meeting. The Hon. the Chief Minister was good enough to convert the meeting of the Joint Select Committee into an informal conference and we had free and full discussion. We placed all our views before the conference and the Hon. Ministers and especially the Hon. the Chief Minister. He understood our viewpoints. He questioned us. There was a very free exchange of views and we went away satisfied with the impression that the Hon. the Chief Minister had understood us. When the Joint Select Committee submitted its report a ray of hope emerged. The Joint Select Committee did really suggest certain changes in the Bill as it was originally published, and introduced by the Hon. the Minister for Law. But we were not completely satisfied. Who is satisfied till the last thing is given? We thought: 'What shall we do now?' Fortunately for us our leader, Sri Kelappan, after the session of Parliament, came to Madras soon after the report of the Joint Select Committee was published. He rushed to the Hon. the Chief Minister. He suggested to the Hon. the Chief Minister how the suggestions made by the Joint Select Committee could be incorporated in the Bill and the Bill improved and made acceptable to the people of Malabar. Sir, in fairness and in gratitude to the Hon. the Chief Minister and the Government and especially to my hon. Friend, the Minister for Law, Sri Kuttikrishnan Nair, I must say that the majority of the demands placed by my leader Sri Kelappan were conceded by the Government and Government themselves proposed amendments to the Bill in the Assembly. So, Sir, though we are not completely satisfied, I must concede that this legislation which had been passed by the Assembly and sent to us for consideration is an improvement upon the previous Acts. It has done some real good to the tenants of Malabar and so in that way my party and myself and my leader Kelappan welcome this Bill.

"Now let me come to the improvements made in this Bill over the 1951 Act. The fair rent to be given by a cultivating tenant was fixed as half of the net produce in the case of paddy lands with

[Sri M. P. Govinda Menon] [11th January 1954]

liability to pay half the assessment. This Bill says that the tenant need not pay any assessment. He need only pay half the net produce. This is a great improvement. Regarding garden lands . . . (An hon. Member: 'What about cultivation expenses?') I have everything in my mind. I shall refer to it. Regarding cultivation expenses, it was fixed at 22 paras in the earlier Act. That had been increased in the present Bill to 25 paras. That was one of the points raised in the minute of dissent appended to the Kuttikrishna Menon Committee's report. As regards fair rent for dry lands, garden lands, coconut gardens, and other lands, the fair rent has been reduced. So far as fair rent is concerned it is all good. But then who is to fix the fair rent? There is a dispute always whether the Civil Court or the Rent Court should be allowed to fix the fair rent. Mr. Madhava Menon's Act suggested an important machinery for the fixing of permanent fair rent throughout the district of Malabar, the machinery known as the Rent Settlement authority. That was a fine idea. We were very glad that once for all fair rent would be fixed without leaving any room for further dispute, and a record of rights created. But unfortunately it was found unworkable by the department and to a certain extent by the public also. When the Hon. Minister Sri Kuttikrishnan Nair took up office in the present Cabinet he also considered this question and felt that it was unworkable. We do not dispute their contention. Therefore we gave up that demand. Now the question is who is to decide this fair rent. As arranged in this Bill, it is left to the Revenue officers, a Revenue Divisional Officer, or a Tahsildar. Very often it is argued: 'Why not give this work to a Civil Court?' Coming as I do from the Civil Courts—still I am a practising lawyer in the Civil Courts—I have sufficient experience of Civil Courts. I have no experience of the High Court. I have experience of the mufassal Courts. If a tenant has to get the rent fixed, it is an uphill task as far as he is concerned. Sir, it is often suggested that the Revenue Officer may not be beyond temptation. Quite correct. No human being is beyond that. Nowadays, after the last war and perhaps after we attained our independence, the standard has gone down. The trouble is, in no country, human beings are beyond temptation. I would like to ask, are others beyond temptation. If the tenant is asked to go to the Civil Court he has to put to great hardship. If he has to go to the Civil Court he has to engage a big lawyer and if the landlord engages a bigger lawyer his chances of success are very poor. The tenant cannot engage a big lawyer. And when a judge gives a decision you have to go to a higher court for appeal and this means additional expenses to the tenant. The landlord can take the case on second appeal and drag the poor tenant to the court and bring him to ruin. Sir, if a Tahsildar misbehaves I can come to the Hon. Minister and make representations to him. Sitting as I do on the opposite side, Government may not pay so much heed to my representations as they may to representations made from the other side. (Interruption) I can make representations to the Government and tell them: 'Here is a Tahsildar who misbehaves' please do the needful'.

[Sri M. P. Govinda Menon] [11th January 1954]

6.20 p.m. "Sir, in a Civil Court, the tenant is at a disadvantage. I do not consider that this is the best machinery. Even the Revenue Court is not the best machinery. I know the difficulties and we have to work with human agencies with all the imperfections. The only body which can determine this fair rent is the Revenue Court. There is an appeal provided to the Sub-Judge if there is any injustice done by the Revenue Court. As far as the fixation of fair rent is concerned, we have no quarrel with the Government. There is one point on which I feel very strongly and I want to make a passionate request to the Hon. the Chief Minister—unfortunately he is not here and I hope the other Hon. Ministers will convey it to him. Sir, if the fair rent fixed by the Revenue Court happens to be higher than the contract rent, what is the position? The then Hon. Minister, Mr. Madhava Menon, when he introduced the Malabar Tenancy (Amendment) Bill, 1951, said that if there was to be any difference between the contract rent and the fair rent, the tenant need pay only that rent which was less. I think, that is a most reasonable proposal. It may be argued that the rent fixed should be fair to both sides. The hon. Member, Mr. Balasubramanya Ayyar, will argue on behalf of the landlords and say, that we must be fair to both sides. Sir, after all, what is the contract rent? The 'contract rent' is a rent imposed and dictated by the landlord to the tenant. It is not a free contract between the landlord and the tenant as such. It is a contract between an elephant and an ant."

SRI S. NARASAPPAYA:—"Landlords are only ants!"

SRI M. P. GOVINDA MENON:—"They belong to the elephant class. Sir, the rent is fixed by the landlord, and he says 'this is the contract rent'. Why are Government so anxious to help the landlord in getting a higher rent than he is getting to-day? Was there any agitation by the janmis to increase the rent? No, Sir, I have not heard even a word about such an agitation. On the other hand, it is the tenants who are agitating that this rack-renting should go and the Government should come to their help. Therefore, it is not fair to ask the tenant to pay the fair rent if it happens to be higher than the contract rent. There is no logic behind it. There is no reason behind it. There is no humanitarian consideration behind it. Sir, if the Government accede to my request in respect of this matter, I will not say that, on account of the political pressure brought to bear upon the Government, they have conceded it. I will only say that it is only their goodwill that is responsible for it. I will not make political capital out of it. I am thankful to the Government for all that they have done to the people of Malabar. In this connection, I want to make a suggestion. If the fair rent is higher than the contract rent, the tenant should pay only a cent per cent increase in the contract rent. For example, if Rs. 10 is the contract rent and the fair rent is higher than that, the higher rent must never exceed more than cent per cent, that is, Rs. 20. In this connection, I wish to draw the attention of the House to the minute of dissent by the

11th January 1954] [Sri M. P. Govinda Menon]

hon. Member, Sri K. Bashyam, another eminent lawyer in the Madras High Court, who knows the conditions of the Malabar tenants. (At this stage the Hon. the Chief Minister entered the House.) I am glad the Hon. the Chief Minister has come."

MR. CHAIRMAN:—"I allow five more minutes to the hon. Member to finish his speech."

SRI M. P. GOVINDA MENON:—"Sir, now I am the only Member representing Malabar and I must be given more time."

"Sir, I was referring to the minute of dissent of the hon. Member, Sri Bashyam. He says, in his minute of dissent—

'I agree to the above dissent so far as it relates to the question of "fair rent". At least, a limit should be placed on the increase, say, about 20 per cent.'

Mr. Seethi Sahib, a stalwart Muslim Leaguer, and a supporter of the Government in the other House, also says, in his minute of dissent, that the tenant should pay fair rent or contract rent, whichever is less. I take this opportunity to make a very humble request to the Hon. the Chief Minister. I may tell frankly this House that we are not thinking in terms of gaining any political advantage over this issue. After all, what is the advantage or disadvantage gained to any party? If the Congress Government have done something to the tenants, my influence with the tenants is lessened to that extent. If the Government show goodwill to the tenants, the Congress prestige is increased. When I fight for the rights of the tenants of Malabar and more and more concessions are given by the Government, I lose the chance of attacking the Party in power. Therefore, I make this final appeal that the proposition, 'fair rent or contract rent whichever is less' shall be accepted. There is also another reason why we should accept it. So far this House has never contributed successfully by way of an amendment to any piece of legislation. At least on this occasion, let us send this Bill to the Assembly with this small amendment, thereby justifying our existence also. I am sure, if this amendment goes to the other House, the whole House will unanimously accept it."

THE HON. SRI C. RAJAGOPALACHARI:—"There are many other opportunities."

SRI M. P. GOVINDA MENON:—"I think, this may be taken as one such opportunity."

"Then, I come to eviction. As regards eviction, the Government have done a very good thing. The power of eviction has been restricted considerably. I know what advantages it will give to the persons who have been in possession of the land for six years. This is a very great concession. A large number of tenants will be benefited. The term 'primary needs' or 'bona fide' need mentioned in clause 15 of the Bill should not be there. Let us define what is 'primary need'. I know the Hon. the Chief Minister has many things in his mind. I know his heart and he

[Sri M. P. Govinda Menon] [11th January 1954]

wants to do many things for the tenants. But when clever lawyers come to the court, they will interpret the definition of 'primary need' in various ways. It may be argued that, what is the primary need of one man is not the primary need of another man and what is the primary need of a zamindar is not the primary need of an ordinary man. Thus, the concessions given by the Government will not be enjoyed by the tenants. Therefore, I request the Government to do away with clause (5) of section 14 or section 20 of the principal Act. After all, the Government have granted fixity of tenure and let them be generous in this respect also and see that there is no more eviction on any account in Malabar. We want that the tenant who is actually cultivating the land should be allowed to continue his cultivation. As the hon. Member, Dr. John, has pointed out, we do not want him to become the owner or the proprietor of the land he is cultivating. So long as he pays rent to the landlord, he should not be evicted.

"Then, I come to the question of alienation. Provision has been made in the Bill that an alienee can ask for eviction after a period of two years. That is too short a period. In this connection, I am reminded of a custom prevalent in Malabar. If one measure of paddy is to be given to a person, before it is actually given, something is taken away from it. In the same way, the Government want to give something but take away a part of it before it is actually given. The Government have given fixity of tenure to the tenants but, at the same time, they make provision for eviction in certain cases. I am not able to understand the motive behind it. The Government can be very generous in this matter also and create a psychological revolution in Malabar. The Hon. the Chief Minister can make the tenants of Malabar more happy by accepting some of the suggestions made by me. Let us send this Bill with the amendments suggested by me to the other House. Let the Assembly pass this amended Bill unanimously and it will be a glorious day. The Hon. the Chief Minister has rendered great services to this country in various ways. He is probably even now held in great respect and reverence in Malabar. Let him give an opportunity to the people of Malabar to hold him in greater respect and greater reverence by conferring absolute and unqualified fixity of tenure to the tenants and fixing the question of fair rent as 'fair rent or contract rent whichever is less.' These are the two small points which we put forth. I hope the Government will seriously consider them.

"Sir, we do not want to be ungrateful for the things that have been done, and I want to express a word of gratitude to the Government. I may tell the House that I never expected this Bill to go to this extent and I know to whom I am indebted for this. I am again repeating my request to that great heart to be a little more generous in considering this Bill on the 18th instant. We are on the 11th. Sir, there is one week's time for the Hon. the Chief Minister and the Law Minister to consider this passionate appeal made by Sri M. P. Govinda Menon, not

11th January 1954] [Sri M. P. Govinda Menon]

on behalf of himself, not on behalf of his party and not for political purposes, but on behalf of the lakhs and lakhs of poor tenants of Malabar so that they may have a permanent tenure and lead a happy life. I hope, Sir, that within this week a miracle would happen. The other day the Hon. the Chief Minister said that we should not expect miracles to happen. But, I am a believer in miracles. Why should not the heart of the Chief Minister melt? He may reconsider these points and accept them."

MR. CHAIRMAN:—"The House will now adjourn and meet again at 11 a.m. on Monday, 18th January 1954."

The House then adjourned.

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

* 1. *Amendments to the Madras Motor Vehicles Taxation Act, 1931—*

(i) *Notification No. 1160, issued with G.O. Ms. No. 3617, Home, dated 1st December 1953.*

(ii) *Notifications Nos. 1161 and 1162, issued with G.O. Ms. No. 3572, Home, dated 28th November 1953.*

(iii) *Notification No. 1170, issued with G.O. Ms. No. 3719, Home, dated 10th December 1953.*

* 2. *G.O. No. 2024, L.A., dated 29th September 1953, regarding the changes in the taluks within the jurisdiction of the Bellary District Board.*

* Laid on the table of the House on 7th January 1954.

[11th January 1954]

APPENDIX I.

[Vide item IV (1) on page 521 supra.]

L.A. BILL No. 7 OF 1954.

(As passed by the Assembly.)

A Bill for the protection from eviction of cultivating tenants in the district of South Kanara.

WHEREAS it is necessary, pending further legislation, to protect cultivating tenants in the district of South Kanara from unjust eviction; It is hereby enacted as follows:—

1. *Short title, extent, commencement and duration.*—(1) This Act may be called the South Kanara Cultivating Tenants Protection Act, 1954.

(2) It extends to the whole of the district of South Kanara other than the areas therein to which the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930), extends.

(3) It shall come into force at once and shall be in force for a year.

2. *Definitions.*—In this Act, unless the context otherwise requires—

(a) “cultivating tenant” means a person who cultivates, by his own labour or by that of any other member of his family or by hired labour under his supervision and control, any land belonging to another, under a tenancy agreement, express or implied, and includes any such person who continues in possession of the land after the determination of the tenancy agreement;

(b) “holding” means a parcel or parcels of land held by a cultivating tenant;

(c) “land” means land used for the purpose of agriculture or horticulture and includes any building, or any waste, vacant or forest land, appurtenant thereto; and “cultivation” means the use of lands for the purpose of agriculture or horticulture;

(d) “landlord”, in relation to a holding or part thereof, means the person entitled to evict the cultivating tenant from such holding or part.

3. *Landlords not to evict cultivating tenants.*—(1) Subject to the next succeeding sub-sections, no cultivating tenant shall be evicted from his holding or any part thereof, during the continuance of this Act, by or at the instance of his landlord, whether in execution of a decree or order of a Court or otherwise.

(2) Subject to the next succeeding sub-section, sub-section (1) shall not apply to a cultivating tenant who, if in arrear at the commencement of this Act with respect to rent payable to the landlord and accrued due subsequent to the 31st March 1953, does not pay such rent within a month after the commencement of this Act or who, after the commencement of this Act, does not pay rent within a month after such rent accrues due.

11th January 1954]

(3) (a) A cultivating tenant may deposit in Court the rent or, if the rent be payable in kind, its market value on the date of deposit, to the account of the landlord—

(i) in the case of rent accrued due subsequent to the 31st March 1953, within a month after the commencement of this Act;

(ii) in the case of rent accrued due after the commencement of this Act, within a month after the date on which the rent accrued due.

(b) The Court shall cause notice of the deposit to be issued to the landlord and determine, after a summary enquiry, whether the amount deposited represents the correct amount of rent due from the cultivating tenant. If the Court finds that any further sum is due, it shall allow the cultivating tenant time not exceeding a month for depositing such further sum inclusive of such costs as the Court may allow. If the Court adjudge that no further sum is due, or if the cultivating tenant deposits within the time allowed such further sum as is ordered by the Court, the cultivating tenant shall be deemed to have paid the rent within the period specified in the last foregoing sub-section. If, having to deposit a further sum, the cultivating tenant fails to do so within the time allowed by the Court, the landlord may evict the cultivating tenant as if this Act had not been passed.

(c) The expression “Court” in this sub-section means the Court which passed the decree or order for eviction or, where there is no such decree or order, the Court which would have jurisdiction to try a suit by the landlord for eviction of the cultivating tenant from the holding or part thereof to which the deposit relates.

4. *Exclusion of time for limitation.*—In computing the period of limitation or limit of time prescribed for an application for the execution of a decree or order for the eviction of a cultivating tenant, the time during which he was protected by section 3 from eviction shall be excluded.

Explanation.—A decree or order shall be deemed to be a decree or order for the eviction of a cultivating tenant, notwithstanding that any other relief is also granted by such decree or order.

5. *Power to make rules.*—The State Government may, by notification in the Fort St. George Gazette, make rules to carry out the purposes of this Act.

[11th January 1954]

APPENDIX II.

[Vide item IV (2) on page 539 supra.]

L.A. BILL No. 12 OF 1953.

(As passed by the Assembly.)

A Bill further to amend the Malabar Tenancy Act, 1929.

WHEREAS it is expedient further to amend the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930), for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Malabar Tenancy (Amendment) Act, 1954.

(2) It shall come into force on such date as the State Government may, by notification in the *Fort St. George Gazette*, appoint.

1-A. *Amendment of section 2, Madras Act XIV of 1930.*—In section 2 of the principal Act,—

(i) in sub-section (1), the words “or for fugitive cultivation” shall be omitted;

(ii) in the same sub-section, after the words “for the market”, the words “or, subject to section 52-E, land let only for fugitive cultivation” shall be added.

2. *Amendment of section 3, Madras Act XIV of 1930.*—In section 3 of the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930) (hereinafter referred to as the principal Act)—

(i) in clause (f), defining “Fair rent”, for the words and figures “rent as determined in accordance with the provisions of Chapter II”, the words and figures “the rent payable in accordance with the provisions of Chapter II” shall be substituted;

(ii) clause (uu) defining “Rent Settlement Authority” shall be omitted; and in lieu thereof the following shall be inserted, namely:—

“(uu) ‘Rent Court’ means in relation to any area, the Rent Court constituted under this Act for such area, and where no Rent Court has been constituted, the Revenue Divisional Officer or the Tahsildar having jurisdiction over such area, appointed by the State Government to exercise the functions of Rent Court under this Act;”

(iii) in clause (v) defining ‘tenant’, the following shall be added at the end, namely:—

“but does not include a ‘mulgenidar’ as defined in the Mulgeni Rent Enhancement Act, 1920 (Madras Act XIII of 1920), in the villages in the South Kanara district specified in the schedule”;

[11th January 1954]

(iv) for clause (vv) defining ‘Ulkudi’ or ‘Kudikidappu’, the following clause shall be substituted, namely:—

“(vv) (i) ‘Ulkudi’ means a hut in any portion of a land outside Fort Cochin in the occupation of a person who has been permitted by the person entitled to possession of such land to occupy the hut and who otherwise has no interest in such land;

(ii) ‘Protected Ulkudi’ means an ulkudi which has been in the continuous occupation of the holder or of any member of his tarwad, tavazhi, illom, kutumba, kavaru or family for not less than one year;

Explanation.—Any interruption of the continuity of possession of an ulkudi that has taken place after 28th March 1953 and before the Malabar Tenancy (Amendment) Act, 1954, comes into force shall be deemed not to have taken place.

(iii) ‘Kudikidappu’ means a hut in any portion of a land in Fort Cochin in the occupation of a person who has been permitted by the person entitled to possession of such land to occupy the hut and who otherwise has no interest in such land;”.

3. *General amendments to Madras Act XIV of 1930.*—In the principal Act, for the words “Rent Settlement Authority”, wherever they occur, the words “Rent Court” and for the words “Rent Settlement Authorities” in section 54 (2) (d), the words “Rent Courts” shall be substituted.

3-A. *Amendment of section 4, Madras Act XIV of 1930.*—In the Explanation to clause (c) of section 4 of the principal Act, for the word “twenty-two” the word “twenty-five” shall be substituted.

4. *Amendment of section 6, Madras Act XIV of 1930.*—In section 6 of the principal Act, the brackets and letter ‘(a)’ at the beginning of clause (a), and clause (b) shall be omitted.

4-A. *Amendment of section 7, Madras Act XIV of 1930.*—In section 7 of the principal Act—

(i) in sub-section (1), after the words “fair rent” where they first occur, the words, figures and brackets “subject to sub-sections (5), (6) and (7),” shall be inserted;

(ii) in sub-section (2), for the word “one-sixth”, the word “one-eighth” shall be substituted;

(iii) after sub-section (4), the following sub-sections shall be inserted, namely:—

“(5) Fair rent determined under section 9-CC shall not exceed twice the rent payable for the agricultural year 1949-50 and fair rent determined under section 9-G shall in no case exceed twice the rent payable for the year immediately preceding the date of the application for revision.

(6) Where fair rent under sub-sections (2) to (5) exceeds the rent payable for the year 1949-50 or for the year immediately preceding the date of the application for revision, as the case

[11th January 1954]

may be, the increase shall be spread over more than one year so that in no year the rent shall be more than one and a quarter times the rent payable for the year immediately preceding.

(7) Notwithstanding anything contained in sub-sections (5) and (6) or section 9-E, the tenant may elect to pay in kind and, if he does so, the landlord shall be bound to accept, the share of the produce ascertained by the Rent Court in accordance with sub-sections (2) to (4)."

5. *Amendment of section 8, Madras Act XIV of 1930.*—In section 8 of the principal Act—

(i) in sub-section (2), clause (a), in the first paragraph, for the words "eleventh year", the words "twelfth year" and for the words "every fifth year", the words "every sixth year" shall be substituted;

(ii) in the same sub-section and clause, in the proviso, for the words "five years", the words "six years", and for the words "fifth year" in both the places where they occur, the words "sixth year" shall be substituted;

(iii) in the same sub-section, after clause (c), the following provisos shall be added, namely:—

"Provided that nothing contained in this sub-section shall be deemed to affect any agreement in writing, registered, between the landlord and the tenant to the effect that the tenant shall pay rent for any such land every year (commencing from the seventh year after the planting of the crop), but in every such case the rent payable after the commencement of the Malabar Tenancy (Amendment) Act, 1954, shall not exceed one-sixth of the produce of the land for the year to which it relates:

Provided further that in the case referred to in the foregoing proviso, the assessment and local cesses referred to in clause (c) shall be paid each year by the landlord and the tenant in the same proportion in which the produce of the land is shared between them";

(iv) sub-section (4) shall be omitted.

6. *Amendment of section 9, Madras Act XIV of 1930.*—In section 9, clause (a), of the principal Act, after the word "municipality", the words "or cantonment" shall be inserted.

7. *Amendment of section 9-B, Madras Act XIV of 1930.*—In section 9-B of the principal Act—

(i) for the portion beginning with the words "Notwithstanding anything contained" and ending with the words "in respect of the extent thereof", the following shall be substituted, namely:—

"Notwithstanding anything contained in sections 5 to 9-A, in the case of a protected ulkudi or a kudikidappu, if rent be payable for the site of the protected ulkudi or the kudikidappu

[11th January 1954]

under the permission granted for occupation, then, fair rent shall be an amount equal to twice the annual assessment payable in respect of the extent of the site";

(ii) in the proviso, for the words "where there is a hut in the ulkudi or kudikidappu belonging to the landlord, the holder of the ulkudi or kudikidappu", the following shall be substituted, namely:—

"where the hut does not belong to the holder of the protected ulkudi or kudikidappu, the said holder";

(iii) after the words "for the hut" and before the words "as may be determined", the following words shall be inserted, namely:—

"as may be agreed on or in the absence of agreement".

8. *Insertion of new section 9-BB in Madras Act XIV of 1930.*—After section 9-B of the principal Act, the following section shall be inserted, namely:—

"9-BB. *Exclusion of certain lands from liability to fair rent.*—Notwithstanding anything contained in sections 5 to 9-B, where any land included in a holding is set apart for communal purposes, and is used for such purposes, the extent of the land so set apart shall not be taken into account when determining the fair rent of the holding in accordance with those sections."

9. *Substitution of new sections for section 9-C in Madras Act XIV of 1930.*—For section 9-C of the principal Act, the following sections shall be substituted, namely:—

"9-C. *Rent Courts.*—(1) The State Government may, by notification in the Fort St. George Gazette, constitute for any area specified therein, a Rent Court which shall be presided over by an officer not below the rank of a Tahsildar for the purpose of performing the functions entrusted to a Rent Court by this Act.

(2) In hearing an application under this Act, the Rent Court shall, so far as may be, have the same powers as are vested in, and follow the same procedure as is followed by, a Court of Small Causes hearing a suit or other proceeding under the Provincial Small Cause Courts Act, 1887 (Central Act IX of 1887), subject to the modification that the Rent Court shall have the power to depute any officer of the Revenue Department to make local enquiry and inspection and to collect data and the report and the records submitted by such officer may be read as evidence in the case.

9-CC. *Determination of fair rent by Rent Court.*—If any dispute arises as to the amount of fair rent payable in respect of any land under the foregoing provisions of this Chapter, either the tenant, or, after the expiry of three years from the commencement of the Malabar Tenancy (Amendment) Act, 1954, the landlord may apply to the Rent Court for the determination of the fair rent; and on such application being made, the fair rent shall be determined by the Rent Court:

[11th January 1954]

Provided that such determination shall take effect in respect of any agricultural year, only if the application is made in that year or within three months of the expiry thereof."

10. *Amendment of section 9-D, Madras Act XIV of 1930.*—In section 9-D of the principal Act, for the words, brackets, figures and letter " under sub-section (4) of section 8 or under sub-section (1) of section 9-C ", the words, figure and letters " under section 9-CC " shall be substituted.

11. *Substitution of new section for section 9-G in Madras Act XIV of 1930.*—For section 9-G of the principal Act, the following section shall be substituted, namely:—

" 9-G. *Revision of fair rent.*—The fair rent determined by the Rent Court shall not be liable to be revised on the application of the landlord before the expiry of twelve years from the date of the order of the Rent Court, but may for sufficient cause be reduced by the said Court on the application of the tenant."

12. *Repeal of section 9-H, Madras Act XIV of 1930.*—Section 9-H of the principal Act shall be repealed.

13. *Amendment of section 10, Madras Act XIV of 1930.*—In section 10 of the principal Act, for the words ' an ulkudi ' the words ' a protected ulkudi ' shall be substituted.

14. *Insertion of new section 11 in Madras Act XIV of 1930.*—After section 10 of the principal Act, the following shall be inserted as section 11, namely:—

" 11. *Right to prove real nature of transaction.*—(1) Notwithstanding anything in the Indian Evidence Act, 1872 (Central Act I of 1872), or in any other law for the time being in force, any person interested in any land may plead, adduce evidence and prove that a transaction entered into on or after the 1st January 1916 and purporting to be a mortgage of that land is not in fact a mortgage, but a transaction by way of kanam, kanam kuzhikanam, kuzhikanam, verumpattam or other lease, under which the transferee is entitled to fixity of tenure in accordance with the provisions of section 10.

(2) Where under the last foregoing sub-section the court holds that the transferee is entitled to fixity of tenure in accordance with the provisions of section 10, it shall be lawful for the court to pass a decree containing directions regarding the application of the sum, if any, advanced to the landlord and making other suitable alterations in the terms recorded in the instrument executed by the parties."

15. *Amendment of sections 14 and 20, Madras Act XIV of 1930.*—In sections 14 and 20 of the principal Act—

(1) after clause (5), the following shall be added, namely:—

" *Explanation.*—In considering requirements for maintenance, regard shall be had only to primary needs."

[11th January 1954]

(2) in clause (6) the word ' bona fide ' occurring between the word ' thereof ' and the words ' for the purpose ' shall be omitted and between the words ' a building ' and the words ' for his own residence ' the word ' bona fide ' shall be inserted;

(3) in the second proviso—

(i) in clause (ii), for the words ' an ulkudi ', the words ' a protected ulkudi ' shall be substituted;

(ii) after clause (ii), the following shall be added as clause (iii), namely:—

" (iii) no person whose right to evict arises under an instrument of transfer *inter vivos* shall be entitled to sue for eviction on the ground specified in clause (5) or clause (6) until the expiry of two years from the date of the instrument."

(4) in section 14 of the principal Act, after the Explanation to clause (5), add the following:—

" *Exception.*—Nothing in this clause shall apply to any holding which has been in the continuous occupation of the tenant or of any member of his tarwad, tavazhi, illom, kutumba, kavaru or family for not less than six years."

16. . . .

17. *Substitution of new section for section 28, Madras Act XIV of 1930.*—For section 28 of the principal Act, the following section shall be substituted, namely:—

" 28. Every cultivating tenant of a holding other than a kanamdar or customary verumpattamdar, every tenant of a commercial site who is entitled to fixity of tenure under this Act, every tenant of a kudiyiruppu, every holder of a protected ulkudi and every holder of a kudikidappu shall be bound to pay to his landlord—

(a) in case fair rent has been determined under section 9-CC, such fair rent as modified in appeal, if any, under section 9-D,

(b) in case there has been no such determination, the rent agreed to by both the parties to be the fair rent payable in accordance with the provisions of sections 4 to 9-B,

(c) in case there is no such agreement, the fair rent, if any, fixed under this Act, as it stood before the commencement of the Malabar Tenancy (Amendment) Act, 1951 (Madras Act XXXIII of 1951), or

(d) in case no fair rent has been fixed as aforesaid, the rent payable according to the contract, express or implied between the parties:

Provided that in the case mentioned in clause (c), where there is a contract, the tenant shall, until the expiration of the period of contract, pay at his choice, either the contract rent or the fair rent and shall thereafter pay the fair rent."

[11th January 1954]

18. *Amendment of section 29, Madras Act XIV of 1930.*—In section 29, sub-section (2), of the principal Act, for the word 'municipality' in the two places where it occurs, the words 'municipality or cantonment' shall be substituted.

19. *Substitution of new section for section 35 in Madras Act XIV of 1930.*—For section 35 of the principal Act, the following section shall be substituted, namely:—

" 35. *Landlords' rights in relation to protected ulkudi and kudikidappu.*—In the case of a protected ulkudi or a kudikidappu, the person entitled to possession of the land in which the protected ulkudi or the kudikidappu is situate shall be entitled to provide an alternative and suitable site of equal area in any other portion of the same land or in any other land at his disposal in the same revenue village and the holder of the protected ulkudi or kudikidappu shall be bound to accept the arrangement and be entitled to receive from the person providing the alternative site the expenses reasonably required to shift to the said site."

20. *Amendment of section 39, Madras Act XIV of 1930.*—In section 39, sub-section (1), of the principal Act, in the proviso, for the words 'an ulkudi', the words 'a protected ulkudi' shall be substituted.

20-A. *Amendment of section 51, Madras Act XIV of 1930.*—In section 51 of the principal Act—

(a) in sub-section (1)—

(i) for the words "every month", the words "in the months of January, April, July and October every year" shall be substituted;

(ii) for the words "current market price", the words "the average market price during the immediately preceding three months" shall be substituted;

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

" (2) Where, for the payment of rent or michavaram by a tenant to whom the provisions of this Act apply, the cash value of any of the crops referred to in sub-section (1) has to be determined, such value shall be determined at the market price at the taluk headquarters last published under sub-section (1) before the date when such rent or michavaram became payable."

21. *Repeal of section 52-A, Madras Act XIV of 1930.*—Section 52-A of the principal Act is hereby repealed.

22. *Insertion of new sections 52-C, 52-D and 52-E in Madras Act XIV of 1930.*—After section 52-B of the principal Act, the following sections shall be inserted, namely:—

" 52-C. *Surrender deeds executed by tenants previously not to affect their rights in certain cases.*—(1) Subject to the provisions of sub-section (2), any document executed by a cultivating

[11th January 1954]

verumpattamdar after the 28th July 1950 and before the commencement of the Malabar Tenancy (Amendment) Act, 1954, purporting to affect his rights or status as tenant shall be voidable at the option of the cultivating verumpattamdar:

Provided that the landlord or his successor-in-interest has not admitted any other tenant to the possession of the land before the 28th March 1953.

(2) Any person entitled to rescission of a document under the provisions of sub-section (1) shall, within three months of the commencement of the Malabar Tenancy (Amendment) Act, 1954, send a notice by registered post to the landlord demanding possession of the land. On such notice being sent, the cultivating verumpattamdar shall be entitled to be restored to possession of the land as if no such document had been executed and he shall have all the rights (including the right to dispossess any other person who has been let into possession of the land on or after the 28th March 1953) of a cultivating verumpattamdar as if he had been in possession as such verumpattamdar on the date of commencement of the Malabar Tenancy (Amendment) Act, 1954, and shall become liable to restore to the landlord any money or other consideration received from him under the document.

(3) A person who has sent a notice under sub-section (2), may institute a suit for possession of the land within six months of the commencement of the Malabar Tenancy (Amendment) Act, 1954, against the landlord and any person let into possession of the land on or after the 28th March 1953. The Court shall, in such suit, on proof of the facts stated in sub-section (1), pass a decree for possession:

Provided that, if the plaintiff has received any money or other consideration under the document from the landlord, the Court shall make the execution of such decree conditional on the restoration of such money or the money equivalent of such consideration with such interest as the Court may deem just.

(4) The rights conferred by sub-sections (1), (2) and (3) are personal to the cultivating verumpattamdar who executed the document and cannot be exercised by any person claiming to be such cultivating verumpattamdar's successor-in-interest as heir, assignee or otherwise:

Provided that, if such cultivating verumpattamdar dies during the pendency of a suit instituted by him under sub-section (3), such suit may be continued by his legal representative subject to the defences available against the original plaintiff.

52-D. *Special provision for application of the Act to tenures prevailing in South Kanara district.*—If any difficulty arises in the application of the provisions of this Act as amended by the Malabar Tenancy (Amendment) Act, 1951 (Madras Act XXXIII of 1951), and the Malabar Tenancy (Amendment) Act, 1954, to the villages of South Kanara district to which this Act applies, on account of local variations between the tenures prevailing in the said villages

[11th January 1954]

(by whatever name such tenures may be known) and the corresponding tenures prevailing in the Malabar district, the State Government may, by notification published in the *Fort St. George Gazette*, direct that the said provisions shall apply to the aforesaid villages of South Kanara district subject to such adaptations, exceptions and modifications as may be specified in this behalf in such notification.

52-E. *Rent for fugitive cultivation*.—Where only a crop known in Malabar as Punam crop is raised on land let for fugitive cultivation, rent shall be twice the assessment payable on the land or, where the land has not been assessed, twice the assessment payable on similar land in the neighbourhood."

23. *Amendment of section 54, Madras Act XIV of 1930*.—In section 54 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) The rules made under this Act shall, on publication in the *Fort St. George Gazette*, have effect as if enacted in this Act. The rules shall be placed on the table of the Legislative Assembly of the State as soon as possible after they are published and shall be subject to such modifications whether by way of repeal or amendment as the Assembly may make during the session in which they are so laid."

24. *Amendment of section 53, Madras Act XXXIII of 1951*.—In section 53 of the Malabar Tenancy (Amendment) Act, 1951 (Madras Act XXXIII of 1951)—

(i) for the words "from the commencement of this Act", the words, brackets and figures "from the commencement of the Malabar Tenancy (Amendment) Act, 1954", and for the words and figures "six agricultural years beginning with 1944-45 and ending with 1949-50", the words and figures "six agricultural years beginning with 1947-48 and ending with 1952-53" shall be substituted;

(ii) after the words "as amended by this Act", the words, brackets and figures "and the Malabar Tenancy (Amendment) Act, 1954" shall be inserted;

(iii) for the words "any arrears of rent", the words "any outstanding arrears of rent" shall be substituted.

25. *Repeal of Madras Act XXIV of 1949 in its application to the Malabar district and of sections 54 and 55 of Madras Act XXXIII of 1951*.—(1) The Madras Tenants and Ryots Protection Act, 1949 (Madras Act XXIV of 1949), in so far as it applies to the district of Malabar, the Gudalur taluk of the Nilgiri district and the villages in the South Kanara district which are specified in the Schedule to the principal Act, and sections 54 and 55 of the Malabar Tenancy (Amendment) Act, 1951 (Madras Act XXXIII of 1951), are hereby repealed.

[11th January 1954]

(2) All suits, appeals and other proceedings (other than proceedings in execution of a decree or order) which are pending at the commencement of this Act and in respect of the subject-matter of which the provisions of the Malabar Tenancy Act, 1929, are in force, shall, from and after such commencement, be disposed of in accordance with the provisions of the Malabar Tenancy Act, 1929, as amended by Madras Act XXXIII of 1951 and this Act:

Provided that in any such suit or proceeding the court may award full costs to the plaintiff or applicant if it is satisfied that the claim made in the suit or proceeding was in accordance with the law in force at the time of the institution of such suit or proceeding:

Provided further that where suits, execution and other proceedings have been stayed by courts under section 54 or 55 of the Malabar Tenancy (Amendment) Act, 1951 (Madras Act XXXIII of 1951), without going into the question whether they came under section 54 or 55, and stay has been ordered without deposit as required by section 4 of the Madras Tenants and Ryots Protection Act, 1949 (Madras Act XXIV of 1949), then the court shall have discretion, notwithstanding the time limit fixed by section 4 of the Madras Tenants and Ryots Protection Act, 1949 (Madras Act XXIV of 1949), to allow such deposits to be made within three months after the commencement of the Malabar Tenancy (Amendment) Act, 1954.

(3) Where the execution of a decree or order stands stayed under the Madras Tenants and Ryots Protection Act, 1949, or section 54 or section 55 of the Malabar Tenancy (Amendment) Act, 1951, the tenant may, within a month after due service of notice on an application to execute such decree or order or within six months of the commencement of this Act, whichever event happens earlier, file an application to the court which passed the decree or order, to amend the decree or order on the ground that such decree or order would not have been made if the Malabar Tenancy Act, 1929, as amended by Madras Act XXXIII of 1951 and this Act were in force immediately before the passing of the decree or order. If, on such application being made, the court finds that such decree or order would not have been made if the Malabar Tenancy Act, 1929, as amended by Madras Act XXXIII of 1951 and this Act were in force immediately before the passing of the decree or order, the court shall, after receiving such additional pleadings and such further evidence as it considers just and necessary, amend the decree or order so as to be in accord with the Malabar Tenancy Act, 1929, as amended by Madras Act XXXIII of 1951 and this Act. If no such application is filed within the time allowed or if such application is filed and dismissed, the decree or order may, subject to the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), and the Indian Limitation Act, 1908 (Central Act IX of 1908), be executed in accordance with its tenor.

[11th January 1954]

(4) The date on which any decree or order is amended under sub-section (3) shall, for the purposes of section 48 of the Code of Civil Procedure, 1908, and Article 182 of the Indian Limitation Act, 1908, be deemed to be the date of the decree or order.

26. The Secretary to Government in the Law Department shall renumber the sections and divisions of sections of the Malabar Tenancy Act, 1929, as amended by this Act, so that the sections and divisions shall bear consecutive numbers or letters as the case may be and make necessary consequential corrections in the references to sections and divisions of sections occurring in the Act, and the Act so prepared and certified by the said officer shall be deemed to be the Malabar Tenancy Act, 1929, as amended by the Malabar Tenancy (Amendment) Act, 1954.

THE MADRAS LEGISLATIVE COUNCIL.

Monday, 18th January 1954.

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

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Reorganization of the Secretariat Departments.

* 68 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Chief Minister be pleased to state the steps taken by the Government to reorganize the Secretariat Departments consequent on the separation of Andhra State and furnish details of the schemes introduced so far in that direction?

THE HON. SRI C. RAJAGOPALACHARI:—"The Government decided that the number of Departments in the Madras Secretariat should be reduced from 12 to 9 and have reorganized the Secretariat accordingly with effect from the afternoon of 31st October 1953. The details of the distribution of business among the Departments of the Secretariat as reorganized have been published as Notification No. 106 at pages 1664-1670 of Part I of the *Fort St. George Gazette*, dated 11th November 1953. Copies of a pamphlet entitled 'Allocation of Business' showing the distribution of business among the Ministers and the Departments of the Secretariat have been supplied to the Members of the Legislature."

SRI T. PURUSHOTHAM:—"Sir, have the Government considered the reorganization of the Secretariat in such a way that each Minister will have one Secretary dealing with all the subjects under him?"

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, it was attempted many times, but it is not possible to have one Secretary for each Minister and one Minister for each Secretary. This was the aim but it has been found not possible unless we employ more Secretaries than necessary or more Ministers than necessary."

SRI T. PURUSHOTHAM:—"Sir, may I know what is the retrenchment effected in the Secretariat consequent on the formation of the Andhra State, and whether it is in proportion to the reduction in the volume of work due to the rendition of twelve districts from the Madras State?"

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, it is not quite so simple as that. Economy is our aim and our desire, but we wish also to avoid any distress by retrenchment and,

[18th January 1954]

on the whole, the volume of work does not decrease as mathematics would indicate. Yet, I think, there has been some economy as otherwise our Budget could not be squared."

SRI T. PURUSHOTHAM:—"Sir, may I know whether the Government have considered the feasibility of the simplification of the Secretariat Rules with a view to ensuring quicker disposal of business?"

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, on this point, I do not hold the same views as many others do. I have found that what is called 'red tape' is really a very necessary procedure in most cases. Otherwise, injustice, haste and error would follow in most cases. We can reduce trouble a little and that is being done."

Projectors for visual education in middle and high schools.

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

(a) the number of middle and high schools in the State that have projectors of their own for purposes of visual education; and

(b) the steps taken or proposed to be taken by the Government to extend to benefit of visual education to the remaining schools in the State?

THE HON. SRI C. SUBRAMANIAM:—" (a) One middle school and 269 high schools.

" (b) The managements of schools are expected to utilise the audio visual education fee collections to equip the schools with the minimum items of audio visual equipment and for the exhibition of films in schools. The films can be taken on loan from the Central Film Library in the office of the Director of Public Instruction."

SRI G. KRISHNAMURTHI:—"Sir, may I know what the Government propose to do with reference to these 700 odd schools that do not own projectors?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, the schools have been permitted to levy this audio visual education fee from out of which they are expected to purchase this equipment."

SRI G. KRISHNAMURTHI:—"Sir, may I know whether the licensing of private exhibitors who would go with their projectors and films and exhibit shows cannot be revived as it was in force under this Government three years ago so that the benefit of these shows can be extended to these 700 schools which are not able to own any projectors?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, I shall have it examined and, if there is anything possible in the matter of reviving it, I shall try to do it."

18th January 1954]

SRI G. KRISHNAMURTHI:—"Sir, may I know why the Government insist upon the purchase of these projectors which is a capital expenditure from out of the collections of the pupils?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, it is a question of finance and if only money was available we will certainly be too glad to supply a projector to every school free of cost. That is why it has been decentralised and each school collects a fee from out of which they could buy this equipment."

SRI G. KRISHNAMURTHI:—"Sir, why should the Government insist on these 700 odd schools purchasing these projectors for visual education which could as well be done without expending much money out of our country by reviving the licences of the private exhibitors so that all these schools could have the benefit of this audio visual education?"

THE HON. SRI C. SUBRAMANIAM:—"This suggestion has already been made by the hon. Member, and I have said that we will have it examined, Sir."

Preparation of syllabus and publication of text-books.

* 70 Q.—SRI G. KRISHNAMURTHI: Will the Hon. the Minister for Finance and Education be pleased to state whether there are any rules prohibiting those that are responsible for the drawing up of a syllabus under the Government from publishing text-books pertaining to such syllabus?

THE HON. SRI C. SUBRAMANIAM:—"No, Sir."

SRI G. KRISHNAMURTHI:—"Sir, is it a fact that a particular individual was given authority by the department to publish a Guide Book for teachers, and the same individual appeared as joint author in the case of two readers published on that subject in 1953?"

THE HON. SRI C. SUBRAMANIAM:—"Is it, Sir, the same individual who was responsible for formulating the syllabus?"

SRI G. KRISHNAMURTHI:—"No, Sir, it is the individual who was given the authority to publish a Guide Book for teachers."

THE HON. SRI C. SUBRAMANIAM:—"Sir, if the hon. Member gives me particulars of the person and other details, I shall have the matter looked into, and if there is anything wrong or irregular I shall have it rectified."

SRI G. KRISHNAMURTHI:—"Sir, may I then inform the Government that a particular individual was given authority by the department to write a Guide Book for English last time in 1953, and the same individual appeared as joint author of two readers with the result that many readers published by other teachers could not find a ready market?"

[18th January 1954]

THE HON. SRI C. SUBRAMANIAM:—"Sir, I do not know of anything wrong in anybody publishing a reader. I do not know what is in the hon. Member's mind. I shall have the matter examined if the hon. Member would take me into his confidence at least privately and give full particulars."

SRI G. KRISHNAMURTHI:—"Sir, I would like to inform the Government that there is a feeling that the person responsible for the Guide Book should not publish readers because there is a preferential treatment in the market for such books and, so to say, there is practically a monopoly."

THE HON. SRI C. SUBRAMANIAM:—"Sir, the main question relates to persons who are responsible for the drawing up of the syllabus, and the hon. Member wanted to know whether there was a ban prohibiting these people from publishing text-books and I said 'No'. The hon. Member is now referring to some other point and as I have already suggested he may give the details about it."

*Publication of text-books by Government for the
S.S.L.C. course.*

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

(a) whether there was any proposal on the part of the Government to publish all text-books for the S.S.L.C. course themselves; and

(b) if so, at what stage the matter stands?

THE HON. SRI C. SUBRAMANIAM:—" (a) & (b) There has been no proposal that Government should themselves publish all the text-books for the S.S.L.C. examination. Two non-detailed text-books in English for the Examination in 1954 were published departmentally. It has been decided to publish one non-detailed text-book in English for the 1955 Examination also."

SRI G. KRISHNAMURTHI:—"Sir, may I know whether the Government do not think it advisable, in the interests of avoiding anti-national and other undesirable matter in text-books, to extend this scheme of publishing text-books in languages for the S.S.L.C. to all other subjects also?"

THE HON. SRI C. SUBRAMANIAM:—"Sir, I am thankful to the suggestion made by the hon. Member. I have already asked the department to have the proposal, whether it would not be possible to publish all the text-books by the Government themselves, examined."

SRI E. H. PARAMESWARAN:—"Sir, may I request the Government not to give a monopoly to any company for publication of these text-books? I may bring to the notice of the Government

18th January 1954]

that last year two departmental publications were made, and without calling tenders both these books were given to the same foreign firm. No Indian publisher was asked to state whether he would be able to publish these books. May I therefore request the Government to see that such a mistake is not committed this year, because without calling for tenders a foreign firm was given the monopoly of publishing these books."

THE HON. SRI C. SUBRAMANIAM:—"Sir, I am really sorry that I do not know the details about it. But, I think, efficiency has also to be taken into consideration in entrusting this work, especially the publication of text-books."

SRI T. PURUSHOTHAM:—"May I know whether the 11-10
proposal mooted by the Government when Sri Avinashilingam a.m.
was the Minister for Education to publish text-books as a national concern has been dropped now?"

THE HON. SRI C. RAJAGOPALACHARI:—"The suggestion has more dangers than it may appear at the outset. Text-books may change with each Government and there may be considerable difficulty. Political views would get into these text-books."

SRI V. CHAKKARAI CHETTY:—"May I know from the Hon. Minister for Education whether anti-national views are finding expression in the text-books?"

THE HON. SRI C. SUBRAMANIAM:—"I am sorry, Sir, that it is long since I have studied a text-book. Anyhow, I shall take the next opportunity to go through these text-books, which are now being prescribed."

*Absence of teachers under local bodies from headquarters on
Saturdays.*

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

(a) whether any orders have been issued in respect of teachers in the employ of local bodies that absence from headquarters on Saturdays would be treated as casual leave; and

(b) if so, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM:—" (a) The Director of Public Instruction has issued instructions to that effect.

" (b) The instructions of the Director of Public Instruction are based on the Fundamental Rules which are equally applicable to the local bodies. A ruling under Fundamental Rule 68 lays down that Saturdays excepting penultimate Saturdays shall not be treated as gazetted holidays for the staff employed in education institution."

SRI G. KRISHNAMURTHI:—"May I know what benefit is actually derived by imposing this restriction on teachers in the employ of local bodies?"

[18th January 1954]

THE HON. SRI C. SUBRAMANIAM:—“ Sir, teachers are expected to turn out some amount of work, even outside the school hours, e.g., correcting answer papers, etc. If they are allowed to go out of station, default is likely to be made in this work and only hurried and hasty work will be done.”

SRI G. KRISHNAMURTHI:—“ May I know whether instead of withholding casual leave for every day of absence from headquarters will it not be enough for teachers to obtain permission to go out of headquarters when they leave the station? ”

THE HON. SRI C. SUBRAMANIAM:—“ If the suggestion of the hon. Member is agreed to, there will be charges of discrimination that a certain teacher has been allowed to go out of the station and that others have been refused. It is better, in the interests of the teachers themselves, to have a uniform rule.”

SRI G. KRISHNAMURTHI:—“ In the light of the fact that no actual benefit is derived by the imposition of such a penalty, may I request the Government to just revise these rules so that teachers will have freedom of leaving the headquarters with permission instead of being threatened with the withholding of casual leave? ”

THE HON. SRI C. SUBRAMANIAM:—“ I do not agree with the inferences drawn by the hon. Member. Anyhow I shall have this examined again, and if necessary we shall alter the rules.”

Training in architecture in big devasthanams and mutts.

* 73 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Religious Endowments and Registration be pleased to state whether any representation has been received by the Government regarding training to be given in traditional architecture in big devasthanams and mutts and, if so, the action taken thereon?

THE HON. SRI K. VENKATASWAMI NAIDU:—“ Representation has been received from hon. Member Sri T. Purushothama Mudaliar, M.L.C., suggesting amendments to the rules framed under section 100 (2) (q), (r) and (s) of the Hindu Religious and Charitable Endowments Act, 1951, to provide for the recruitment of a specialist in temple architecture and archaeological methods and for a training of *stapathis* and other technical persons by that specialist. The suggestion is under the consideration of the Government.”

SRI T. PURUSHOTHAM:—“ May I know whether there has been any correspondence with the Archaeological department of the Government of India, and whether they have agreed to give special training in temple architecture to suitable candidates deputed by the State Government? ”

18th January 1954]

THE HON. SRI K. VENKATASWAMI NAIDU:—“ The matter is now under correspondence with the Archaeological Department of the Government of India, and their reply has not yet been received.”

SRI K. BALASUBRAMANYA AYYAR:—“ May I know from the Government what qualifications the Archaeological Department of the Government of India has got for the purpose of training the people in architectural methods which are well known to our own people, and when we have got *stapathis* who have learnt this method traditionally? ”

THE HON. SRI K. VENKATASWAMI NAIDU:—“ We take the advice of the Archaeological Department also in this matter.”

SRI T. M. DAIVASIKHAMANI ACHARIAR:—“ May I know from the Hon. Minister whether it is a fact that temple funds are utilized for establishing ‘ orphanages ’ for children? ”

THE HON. SRI K. VENKATASWAMI NAIDU:—“ Yes, Sir. Surplus funds are diverted for the purpose of establishing orphanages.”

SRI T. M. DAIVASIKHAMANI ACHARIAR:—“ May I know whether surplus funds cannot be diverted for establishing schools for imparting knowledge in traditional architecture? ”

THE HON. SRI K. VENKATASWAMI NAIDU:—“ It is also one of the purposes for which surplus temple funds can be diverted. If any temple authorities are so inclined, the Government will consider it.”

SRI T. M. DAIVASIKHAMANI ACHARIAR:—“ May I know from the Hon. Minister who has got very great personal experience in all these matters whether *stapathis* and *silpis* are available in the land? ”

THE HON. SRI K. VENKATASWAMI NAIDU:—“ I think, the hon. Member being himself an expert in this line, knows it much better than myself.”

SRI T. M. DAIVASIKHAMANI ACHARIAR:—“ May I know whether it is not the duty of the Government to preserve the ancient stock of *stapathis* and save them from extinction? ”

THE HON. SRI K. VENKATASWAMI NAIDU:—“ The Government will do their best to preserve this class of *stapathis* who are experts in temple architecture.”

SRI V. CHAKKARAI CHETTY:—“ May I know from the Hon. Minister whether private persons will be given a free hand in the matter of alteration of these temple buildings? ”

THE HON. SRI K. VENKATASWAMI NAIDU:—“ Rules have been framed by the Government for carrying out alterations of temple buildings, and they are not easily allowed unless the Commissioner for Religious Endowments and Registration certifies that they are being done properly.”

[18th January 1954]

SRI T. PURUSHOTHAM:—" May I know from the Hon. Minister whether the Government will consider the desirability of deputing engineering subordinates employed in big devasthanams for giving the training in traditional architecture referred to in the main question? "

THE HON. SRI K. VENKATASWAMI NAIDU:—" That matter is also under the consideration of the Government."

Relaxation of the provisions of the Madras Shops and Establishments Act, 1947.

* 74 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR: Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state whether any orders have been issued by the Government regarding the relaxation of the provisions of the Madras Shops and Establishments Act, 1947, in respect of Gold and Silver workers on contract basis and if so, whether the Government will be pleased to lay the orders on the table of the House?

THE HON. DR. U. KRISHNA RAO:—" Yes, Sir. A copy of the Government Order ^a in the matter is placed on the table of the House."

SRI M. K. M. ABDUL SALAM:—" May I know whether the Government will be pleased to relax the provisions of the Madras Shops and Establishments Act in respect of beedi and tobacco workers in view of the fact that they are also working on contract basis."

THE HON. DR. U. KRISHNA RAO:—" The hon. Member may put a separate question on the subject."

SRI V. GURUNANDAN ROW:—" May I know whether the Association of Gold and other jewellery workers were consulted before the orders referred to in the question were passed by the Government? "

THE HON. DR. U. KRISHNA RAO:—" It is not necessary. The representation received from the Association was referred to the Special Officer who was asked to look into this matter. On his recommendation, the Government passed this order. It was the Association that requested this Government to make this alteration and the Government thought that that request was reasonable."

SRI T. M. DAIVASIKHAMANI ACHARIAR:—" May I know from the Hon. Minister whether, for purposes of seeking exemption from the operation of the provisions of the Madras Shops and Establishments Acts, workmen working on contract basis should be related to one another? "

THE HON. DR. U. KRISHNA RAO:—" Yes, if workers are related they will be exempted from many of the provisions of this Act."

^a Printed as Appendix I on page 668 infra.

[18th January 1954]

SRI T. M. DAIVASIKHAMANI ACHARIAR:—" May I know whether, for proper advancement of arts and crafts in general, the Hon. Minister wants that only a set of relatives should work together? "

THE HON. DR. U. KRISHNA RAO:—" This matter has been considered in detail. Relations, when they work, as they belong to one family, there will generally be no complaint with regard to the enforcement of hours of work. Therefore the Government felt that there was much reason in the demand. In many industries where relations work, we exempt them from the provisions in Section 7 which refers to opening and closing hours."

SRI T. M. DAIVASIKHAMANI ACHARIAR:—" May I know whether it is possible for all workmen in an industry to be related to one another? "

THE HON. DR. U. KRISHNA RAO:—" If they are not related, they will not be exempted."

DR. V. K. JOHN:—" May I know whether the Government will take up the question of thoroughly revising this Act, and if necessary take up the question with the Government of India, who, I am told, are considering this matter? "

THE HON. DR. U. KRISHNA RAO:—" As I have explained on a previous occasion, we want thoroughly to alter this Act. But the Government of India have a proposal to bring in a comprehensive Act. If the Government of India do not bring that Act, we shall consider the suggestion of the hon. Member."

DR. V. K. JOHN:—" Will the Government put a time-limit on the Government of India for going into this matter, or take it up if they do not act within a particular time? "

THE HON. DR. U. KRISHNA RAO:—" Sir, in Government matters time-limits are rather difficult to work. The hon. Member himself knows it."

SRI V. GURUNANDAN RAO:—" Is the Hon. Minister aware that in an informal conversation, the Hon. the Minister for Labour in the Government of India said that in fact there was no proposal at present for a legislation and whether the State Government want such a legislation, is the only question now? "

THE HON. DR. U. KRISHNA RAO:—" I am not aware of the private conversation which the hon. Member had. But even if the Shops and Establishments Act is not modified, many of the benefits will come under the new Industrial Disputes Act which the Government of India propose to bring forward."

[18th January 1954]

Annual departmental reports.

* 75 Q.—SRI T. PURUSHOTHAM: Will the Hon. the Chief Minister be pleased to state—

(a) the Departments for which annual reports on their working are issued (i) for the calendar year, and (ii) for the official year, and the reasons for issuing them differently;

(b) whether the Government have considered any proposal for introducing uniform procedure for the issue of these reports for the calendar or the official year and if so, with what result;

(c) whether the Government have prescribed any dates for the issue of these reports; and

(d) what steps the Government propose to adopt to ensure their prompt publication on or before the prescribed dates?

THE HON. SRI C. RAJAGOPALACHARI:—“(a) & (c) A statement^a is placed on the Table of the House. Each department has its own problems and conditions and it is not possible to prepare and publish useful reports for all the departments on a uniform calendar basis.

“(b) Long ago once at the instance of the Government of India, the question whether the administration reports of all Departments should not be published uniformly for the calendar year was considered by this Government and was found not practicable. The conditions remain the same now.

“(d) Every effort is taken by each department to publish its administration report in time.”

SRI T. PURUSHOTHAM:—“As the reports become dry and stale on account of belated publication, may I request the Government to insist on the prompt publication of these reports? If I may draw the attention of the Hon. the Chief Minister as an instance, item 2 refers to the Annual Report of the Madras Public Service Commission. The date prescribed for the issue of the report is 15th July of every year. But we received it only in the first week of January this year.”

THE HON. SRI C. RAJAGOPALACHARI:—“Yes, Sir. We make an attempt to reach the target that is put down in the third column. But when the documents are long and when the Press workmen are not as quick in their work as in the old days, we do lose time. I would not blame anybody for this.”

SRI T. PURUSHOTHAM:—“Arising out of the answer to the main question, may I request the Government to consider the issue of attractive handbooks in narrative form in regional languages showing the progress in regard to the working of the Departments of Government with a view to popularise them?”

^a Printed as Appendix II on page 669—671 infra.

[18th January 1954]

THE HON. SRI C. RAJAGOPALACHARI:—“That again will take more time because there is no use in publishing attractive books without correct facts and when the facts are ready more time will be taken thereafter for preparing something in good style and attractive form. It would become mere propaganda by the time everything is ready. I quite appreciate the desire for publishing interesting and attractive booklets, but we should engage very good authors for that purpose and then there should be no controversy raised on that point.”

SRI T. PURUSHOTHAM:—“Will the Government consider the desirability of publishing these annual reports in regional languages, Sir?”

THE HON. SRI C. RAJAGOPALACHARI:—“Translating all these voluminous documents will take some time and by the time they are ready and corrected, they will become much more stale than they are even now.”

Single point sales-tax.

* 76 Q.—SRI MOHAMMAD RAZA KHAN: Will the Hon. Minister for Land Revenue be pleased to state whether the Government have any proposal to have single point sales-tax on some of the commodities and things as an experimental measure?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“There is no such proposal. I may say, Sir, that the same answer holds good for the next question also.”

Multi-point sales tax.

* 77 Q.—DR. V. K. JOHN: Will the Hon. the Minister for Land Revenue be pleased to state whether the Government have any proposal to appoint any committee in the near future to go into the question of multi-point sales tax in the State?

(See answer to question No. 76.)

SRI MOHAMMAD RAZA KHAN:—“Is it a fact that the Hon. the Finance Minister said at a public meeting that there was a proposal before the Government to examine the question of the introduction of single point sales tax on certain commodities?”

THE HON. SRI M. A. MANICKAVELU NAICKER:—“Yes, Sir, there may be a proposal.”

DR. C. NATHAMUNI NAIDU:—“May I know whether the Government propose to exempt the dealers of medicines from paying sales tax?”

THE HON. SRI M. A. MANICKAVELU NAICKER:—“No, Sir.”

[18th January 1954]

SRI M. K. M. ABDUL SALAM:—" May I know, Sir, whether the Government will remove the tax on mutton since it is not possible for the mutton merchants to maintain accounts and also in view of the fact that it is a perishable commodity? "

THE HON. SRI M. A. MANICKAVELU NAICKER:—" Yes, Sir, the article 'mutton' is much in the limelight. The Government are considering the question along with other perishable commodities."

DR. C. NATHAMUNI NAIDU:—" May I know, Sir, whether the Government have not collected sales tax on hides and skins for the past three years, and will it not be a hardship to the merchants dealing in hides and skins to pay the tax now if they are asked to pay? "

THE HON. SRI M. A. MANICKAVELU NAICKER:—" I do not exactly know the circumstances under which the tax was not collected. I would like to have notice about it."

DR. V. K. JOHN:—" Is it not a fact, Sir, that the Hon. the Finance Minister gave an assurance in the Assembly during the Budget session that the Government would appoint a Committee to go into the question of Sales Tax? "

THE HON. SRI M. A. MANICKAVELU NAICKER:—" Yes, Sir, a small official committee is already going into the question."

SRI T. PURUSHOTHAM:—" Are the Government aware of the harassment and oppressive attitude adopted in the collection of sales tax? May I know what action the Government propose to take in the matter, and whether this question will also be referred to the official committee? "

THE HON. SRI C. RAJAGOPALACHARI:—" The tax itself is found to be oppressive. The methods cannot be separated from the tax. That is the trouble."

DR. V. K. JOHN:—" May I know, Sir, who are the officials who form this committee appointed to go into the question of sales tax? "

THE HON. SRI M. A. MANICKAVELU NAICKER:—" I said 'an official committee.' It includes, for instance, the Commissioner of Sales Tax, the Secretary in the Revenue Board who deals with the subject, the Secretary to the Revenue Department and one other official."

SRI T. PURUSHOTHAM:—" The Hon. the Chief Minister said that this was an oppressive taxation. Will the Government consider the feasibility of doing away with it, Sir? "

THE HON. SRI C. RAJAGOPALACHARI:—" All taxation is oppressive, Sir." (Laughter.)

18th January 1954]

SRI MOHAMMAD RAZA KHAN:—" The Hon. the Chief Minister said that the tax was oppressive. Cannot the Government stop the oppression at a single point rather than have it at a number of points? "

THE HON. SRI C. RAJAGOPALACHARI:—" I recently got a letter from one who was interested in the Sales Tax. He warned me in that letter that if we collect it at one point, the evasion would be much more effective and will go much against Government."

UNSTARRED QUESTIONS.

Rural Electricity Schemes.

6 Q.—SRI T. PURUSHOTHAM: Will the Hon. Minister for Public Works be pleased:—

(a) to lay on the table of the House a list of rural electricity schemes sanctioned for execution in Chingleput and North Arcot Districts during 1952-53; and

(b) to state the stage of progress of execution of each of these works?

A.—(a) & (b) The number of schemes for extension of supply of electricity sanctioned in Chingleput and North Arcot districts during 1952-53, are so large that compilation of a list of such schemes indicating the progress made in each would involve time, labour and cost, not commensurate with the object sought to be achieved. If any question is put in regard to any particular scheme, information could be readily obtained and furnished.

Report on the working of the Metal Workers' Co-operative Society, Kumbakonam.

7 Q.—SRI T. M. DAIVASIKHAMANI ACHARIAR:—Will the Hon. the Minister for Industries, Labour and Co-operation be pleased to state whether the Government have received the report of the Special Officer appointed to investigate the working of the Metal Workers' Co-operative Society, Kumbakonam and if so, whether the Government will be pleased to lay the report on the table of the House?

A.—Yes. The report of the Special Officer deals not only with Kumbakonam Co-operative Metal Works but with all the Co-operative Workshops in the State which have been started for the benefit of ex-servicemen. The report is now under examination of Government.

[18th January 1954]

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

II.—MESSAGE FROM THE ASSEMBLY.

MR. CHAIRMAN:—“ I have to announce to the House that I have received the following Message, dated the 11th January 1954, from the Hon. the Speaker, Madras Legislative Assembly:—

‘ In accordance with rule 99 of the Madras Assembly Rules, I transmit a copy of the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954 (L.A. Bill No. 8 of 1954), as passed by the Assembly on the 11th January 1954, and signed by me, for the concurrence of the Council.’ ”

III.—GOVERNMENT BILLS.

(1) THE MADRAS INDEBTED AGRICULTURISTS (TEMPORARY RELIEF) BILL, 1954 (L.A. BILL NO. 8 OF 1954)
(AS PASSED BY THE ASSEMBLY)

* THE HON. SRI M. A. MANICKAVELU NAICKER:—
“ Sir, I beg to move—

‘ That the Madras Indebted Agriculturists (Temporary Relief) Bill (a) 1954 (L.A. Bill No. 8 of 1954) (as passed by the Assembly) be taken into consideration ’

I do not have much to say on this Bill. It has been before the public for quite a long time, first in the form of an Ordinance, then as a published Bill, and now after being passed by the Assembly it has come over here. The Bill is very short and simple. The object is to give a sort of relief to the ryots just for a year especially as they had gone through a gruelling time for the past five or six years owing to drought and famine conditions. The Bill has been passed in the Assembly with many changes. They are all welcome changes, and all that is desirable has been done. I may say that the Bill as it is now is like cream got after churning the milk well, and therefore I think it will be very acceptable. I commend the Bill for the acceptance of the House.”

MR. CHAIRMAN:—“ Motion moved—

‘ That the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954 (L.A. Bill No. 8 of 1954) (as passed by the Assembly) be taken into consideration. ’ ”

* DR. V. K. JOHN:—“ Mr. Chairman, Sir, under rule 109 of the Madras Council Rules, I move—

‘ That the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954, be referred to a Select Committee.’ ”

“ Rule 109 provides that any member may (if the Bill has not already been referred to a Select Committee of the Assembly or to a Joint Committee of both Houses but not otherwise) move as an amendment that the Bill be referred to a Select Committee. I understand that the Bill was not referred to a Select Committee in the Assembly and I know that it was not referred to a Joint Select Committee. Therefore I have moved the motion.

“ Sir, this is a highly controversial measure, a measure with far-reaching consequences. I am deeply sympathetic to any

18th January 1954] [Dr. V. K. John]

measure which is intended for the solution of the problem of the indebtedness of not only agriculturists but also of the middle classes who are suffering from chronic indebtedness. This Bill was preceded by an Ordinance. I realise that the Bill was introduced not as a political stunt or as a bid for popularity as somebody complained, but was introduced out of the large-heartedness and great kindness which our Chief Minister has towards the suffering people. When the first Congress Ministry was formed in this State in 1937, he introduced the Agriculturists Relief Bill. Later on he introduced many measures which only evidence his large-heartedness and kind-heartedness. But we have to analyse and find out whether the solution now offered is correct or not. If I criticize the solution now offered, I am not doing it as a matter of captious criticism; I am only trying to assist the Government to introduce a measure which will help the solution of the problem of agricultural indebtedness. The essence of this Bill is the freezing of debts due from agriculturists. I realize that the measure is only for one year.”

SRI K. BALASUBRAMANYA AYYAR:—“ It may be extended.”

DR. V. K. JOHN:—“ I will come to that later on. I know that the Bill underwent many changes in the Assembly. I am glad to find that the Chief Minister is very accommodative. In spite of the changes made, I say that the principle underlying this Bill is wrong and very defective. The principle is the freezing of debts due from agriculturists. This is a wrong approach to the solution of the problem of agricultural indebtedness. If we freeze debts, the reaction will be that hereafter loans will become very shy. As soon as the Congress Party took over the reins of Government, they gave publicity to the fact that they might nationalise many industries and private undertakings. The declaration of this policy frightened people who were in a position to invest some money into industry and business. People did not know where they stood and capital became shy. The result was unemployment and fall in production. The Government have since reversed this policy and said that in many matters the private sector will be allowed to operate. If we create the impression that loans will be frozen, then loans will become very shy. This is an elementary thing which anybody can understand. People will think twice or thrice before they advance any loan, because they do not know what will happen to that loan.

“ Agriculturist debtors will certainly agitate for the extension of this Act beyond the one-year period. I find that the Hon. the Chief Minister has given an assurance that this Act will not be extended. But I am as positive as he is positive that the Act will not be extended, that there will be an agitation for extension and the Government will find it almost impossible not to grant the extension. Extension of time for payment of debt will ultimately lead to extinction of debt. In the history of the economic

[Dr. V. K. John] [18th January 1954]

structure of society throughout the centuries, two factors have been in operation—one is exploitation and the other is expropriation. What will happen in this case is that the agitation will continue and at the end expropriation will take place. This is giving a handle to agitators. There will be continued agitation, particularly by a certain section of the people, the Communists, for extending the Act. The Chief Minister who undertook a whirlwind tour in Travancore-Cochin State compared the Communists to tigers and scorpions. But previous to that, he called the Communists his enemy No. 1. But I think this Act will give him an opportunity to call them his ally No. 1, because he is on the path which will encourage agitation by this section of the people not only for extension of time for repayment but for the very extinction of the debt."

THE HON. SRI C. RAJAGOPALACHARI:—"Does the hon. Member want the Bill to be referred to a Select Committee or is he opposing the Bill?"

* DR. V. K. JOHN:—"I want a Select Committee for examining the very principle underlying this Bill.

"I have got one serious objection. This Act is indiscriminate in its application. I know that certain exemptions have been introduced which will do justice to certain cases. On a superficial reading it may be said that this Bill embodies the three leading characteristics of British legislation in matters like this, namely, conflict of interests, compromise, and caution. There is conflict of interest between creditor and debtor, the Government have effected a compromise by granting some exemptions, and they are proceeding cautiously as they have put the life of this Act only at one year. But if we go deep, we will find that it is indiscriminate in its application. I boldly assert that it is so indiscriminate as to dislocate and destroy the economy of the country-side. It is indiscriminate in its application like an atom bomb which destroys not only those who deserve to die but also those who deserve to live.

11-40 a.m. "The widow who lent money will have to wait for one year, and she will not get her money for a year. So long ago as the time in which Socrates lived, it was accepted that a general principle enunciated for all would work hardship in particular cases. In all civilised countries, the law has two characteristics, namely, certainty and flexibility. In this case there is certainty but hardly any flexibility at all. I would suggest that it is for an impartial tribunal to consider the question whether in a particular case justice would be done by a decree passed against the debtor and money realised quickly or by a decree asking the debtor to pay money in instalments or by staying the execution proceedings for a long time. I do not know why the Government would not leave this matter to judicial officers—impartial tribunals—to look into the relative position of the debtor and the creditor. It may be that the creditor is a more needy person. In country parts

18th January 1954] [Dr. V. K. John]

a loan is not always an investment at all. It may be merely sympathy which impels a creditor to give a loan to an agriculturist. Now, is that creditor to suffer for his sympathy? Therefore, the proper course to be adopted, if such a Bill is to be introduced, is not to order the stay of execution proceedings or to prevent or bar the filing of suits in Courts, but to ask a judge to go into the matter bearing in mind one important point, namely, that the agriculturists must have sufficient money to cultivate their lands during the year. That judge will examine in a summary manner whether in a particular case the agriculturist or the borrower is a rich man, and he can afford to repay the debt, or whether he himself wants that money for cultivating his lands. There are hundreds and hundreds of cases which will differ from one another, and justice has to be done to all. This Bill has no flexibility at all. It lays down certain rigid rules. I am sure that this Bill, when passed into law, will be applied indiscriminately, and this law will work great hardship on poor people. I suggest that freezing of debts, even if that were allowed, should not be indiscriminate. There must be flexibility and elasticity and the only way to get flexibility is to ask a tribunal, even if it be in a summary manner, to go into the relative position of the debtor and the creditor. Then only justice can be done. Justice is not done under this bill, and I am afraid great justice would be done to the people and this Bill, as I already stated, will become an atom bomb and will destroy everybody and the economic fabric of the countryside. I condemn the principle and also the provisions of this Bill. What is required in solving the problem of agrarian indebtedness is not freezing of debts. The one way of solving the problem is first to see that there is no usurious money-lending in villages. If Rajaji not only bars the filing of suits by usurious money-lenders but also extinguishes their loans to agriculturists—they may have collected many times their principal—I would be the first man to support him. Because usurious money-lending is exploitation of the agriculturists. Let us see that there is no exploitation. In a conflict between exploitation and expropriation, we should condemn both. A usurious money-lender is an exploiter, and if the Government should extinguish his loans to agriculturists, they (the Government) need not worry about it very much. But, Sir, there are other ways of solving the problem. The Government must sit down and think out what is the best way of solving this chronic problem of agricultural indebtedness and also the indebtedness of others, particularly the middle classes. The one way of solving the problem is to give employment to all people. Let them earn and let them work hard."

MR. CHAIRMAN:—"The hon. Member is straying from the main points. The hon. Member has five minutes more."

* DR. V. K. JOHN:—"I am giving a constructive suggestion, Sir."

[18th January 1954]

MR. CHAIRMAN :—“ The hon. Member is not to make a very long speech.”

* DR. V. K. JOHN :—“ I am speaking on the merits of the Bill, Sir. I am giving a constructive suggestion as to how the problem of agricultural indebtedness can be solved. I am saying that the principle underlying the Bill is wrong, and that it must be examined by a Select Committee. My suggestion to the Government is that they should first introduce a Bill which will enable people in the country-side to work hard and earn, and this can be accomplished by bringing in agrarian reforms and by decentralising administration. The Government must encourage co-operative societies in villages to pool the resources of the rich, and bring money in. If this Bill is passed into law, who knows whether this will not affect the co-operative societies in the villages? People will fight shy of putting their money into co-operative societies. Another defect of this Bill is that, it opens up by saying that it is in the interests of the general public that freezing of debts should happen. If it is in the interests of the general public, why should the burden be taken up by a body of people who are merely small creditors in the villages? Why should not the Government or the general tax payer take up that burden? Why don't the Government give remission of kist to the agriculturist? The Government are free. The co-operative societies are free. But who is not free? The poor people in the villages who have given loans are not free. I say that the principle underlying this Bill is wrong, and that it should be examined by a Select Committee. There is a rush in all these matters, and if the Chief Minister will excuse my saying so, this is not only evidence of his kind-heartedness but also evidence of his feeling that there is nobody near him in his intellectual eminence. It is intellectual arrogance. It is also evidence of his autocratic method. He first introduced the ordinance under Article 213, which is not applicable. Probably he thought that the ordinance would gather public opinion, which it did. I condemn the principle underlying this Bill, namely, freezing of debts. This Bill will not solve the problem of agricultural indebtedness. On the other hand it will do just the opposite. I, therefore, think it necessary that the Bill should be referred to a Select Committee to examine the principles of the Bill.”

* SRI A. GAJAPATHY NAYAGAR :—“ மன்றத் தலைவர் அவர்களை எனது மதிப்பிற்குரிய ஜான் அவர்கள் கொண்டு வந்திருக்கும் திருத்தத்தை நான் வரவேற்கிறேன். எதற்காக நானும் V. K. ஜான் அவர்கள் சொல்வதைப் போலவே இதை ஒரு பொறுக்குக் குழுவின் பரிசீலனைக்கு அனுப்ப வேண்டுமென்று எண்ணுகிறேன் என்றால் உண்மையில் இந்தச் சட்டத்தினால் விவசாயிகளுக்கு ஒரு நன்மை உண்டாகுமென்று தோன்றவில்லை.”

“ குறிப்பாக் கடந்த ஆண்டுகளில் மழை பெய்யாத காரணத்தினாலும், இப்பொழுது அதிகமாக மழை வழங்கியிருப்பதாலும் உணவுப் பொருள்களை உற்பத்தி செய்பவர்களுக்கு ஊக்கம் கொடுக்கக் கூடிய வகையில், சிறிது சலுகை காட்ட வேண்டி இந்த மசோதாவைக் கொண்டு வந்திருப்பதாக அரசியலார் சொல்லுகிறார்கள். ஆனால் இன்றைய தினம் கிராமங்களில்

18th January 1954] [Sri A. Gajapathy Nayagar]

உழுது உண்ணும் மக்கள் ஒரு சாரர்களாக இருக்கிறார்கள் என்றால், அதைப் போலவே உழுவித்து உண்ணும் மக்களும் ஒரு பக்கத்திலே இருக்கிறார்கள். உண்மையிலேயே இன்றையதினம் உழுது உண்ணும் மக்களுக்கு எந்தவிதமான பாதையும், தொந்திரவும் இல்லாமல் செய்தால் நிச்சயம் அவர்களால் அதிகம் உணவை உற்பத்தி செய்ய முடியுமென்பதை நான் நம்புகிறேன். அவர்களுக்கு கடன் தொல்லை இல்லாமல் செய்தால் உதவியாக இருக்குமென்று அரசியலார் சொல்லுகிறார்கள். அதை நானும் வரவேற்கிறேன். ஆயினும் இன்றையதினம் உழுது உண்ணும் மக்களுக்கு அவர்கள் பயிர்ச் செலவு செய்கின்ற நிலங்களில் எந்தவிதமான பொறுப்பும் அக்கரையும் கிடையாது. ஆகையால் அவர்கள் வாங்கியிருக்கும் கடனை ஒரு வருஷத்திற்குத் திருப்பிக் கேட்கக் கூடாது என்று அரசாங்கம் சட்டம் கொண்டு வந்தால் அதனால் அவர்கள் அந்தப் பணத்தை நிலத்தில் போட்டு நன்றாக வேலை செய்வார்கள் என்று நினைப்பது தவறாகும். நாளுக்கு நாள் விலைவாசிகள் ஏறிய வண்ணமாகவே இருக்கின்றன. ஆகவே அவர்கள் அந்தப் பணத்தையும் தங்கள் குடும்பச் செலவுக்கே செலவிட்டுக் கொண்டு விடுவார்களே தவிர உண்மையில் நிலத்தி் போட்டு அவர்கள் வேலை செய்ய மாட்டார்கள். அதோடு இந்தச் சட்டத்தின்படி கடனை வசூல் செய்வதை ஒரே ஒரு ஆண்டு நிறுத்தி வைக்கக் கோரப்படுகிறது. ஆனால் இவ்வாண்டைப் போலவே அடுத்த ஆண்டும் கடன் வசூல் செய்வதை நிறுத்தி வைக்க வேண்டுமென்றும்; அதற்கு அடுத்த ஆண்டும் இம்மாதிரியே ஒத்தி வைக்க வேண்டுமென்றும் பல கிளர்ச்சிகள் நாளாவட்டத்தில் கிளம்பக் கூடும். அதற்குச் சான்றாக இப்பொழுதே கீழ்ச சபையில் விவாதம் நடந்த காலத்தில் ஒரு ஆண்டு ஒத்தி வைக்கவேண்டுமென்பதை மூன்று ஆண்டுகள் ஒத்தி வைக்கவேண்டுமென்றதொரு திருத்தத்தை பொதுவுடமைக் கட்சிக்காரர்கள் கொடுத்தது வலியுறுத்தியிருக்கிறார்கள்.”

* SRI T. PURUSHOTHAM :—“ Sir, are we now discussing the motion that the Bill be taken into consideration, or are we discussing the amendment that the Bill be referred to a Select Committee? I want a clarification in the matter.”

* A. GAJAPATHY NAYAGAR :—“ இந்த மசோதாவை ஒரு பொறுக்கு குழுவின் பரிசீலனைக்கு என் விடவேண்டுமென்பதற்காக, நான் இந்தக் காரணங்களை எல்லாம் எடுத்துக் காட்டிக் கொண்டிருக்கிறேன்.”

* DR. V. K. JOHN :—“ On a point of order, Sir. It is only when the Bill is taken into consideration and discussion follows that one can move amendments. But I have moved that this Bill be referred to a Select Committee.”

MR. CHAIRMAN :—“ At this stage, general principles cannot be discussed. The hon. Member may speak on his amendment.”

* DR. V. K. JOHN :—“ It is better at this stage, Sir, to discuss the general principles underlying the Bill.”

MR. CHAIRMAN :—“ No. It cannot be done under the rules.”

* SRI A. GAJAPATHY NAYAGAR :—“ ஒரு பொறுக்குக் கமிட்டியின் ஆராய்ச்சிக்கு இதை என் அனுப்பவேண்டுமென்பதற்கு நான் சொல்லும் விஷயங்கள் ரொம்பவும் உதவியாக இருக்கும்.”

“ இரண்டாவதாக உழுவித்து உண்ணும் மக்கள் நகரங்களில் உத்தியோகத்தில் இருந்து கொண்டிருக்கிறார்கள். அவர்கள் தங்களுக்குச் சொந்தமான நிலங்களை கிராமங்களிலுள்ளவர்களிடம் குத்தகைக்கு அடைத்த பின்னர் நிலத்தைப் பற்றியே கவலைப் படுவது கிடையாது. தற்போது தங்களுக்கு கிடைத்துக் கொண்டிருக்கும் வருமானம் எல்லாவற்றையும் நகரங்

[Sri A. Gajapathy Nayagar] [18th January 1954]

களில் செலவு செய்து கொண்டிருக்கிறார்கள் தவிர அந்தப் பணத்தில் கொஞ்சமாவது நிலத்தில் செலவிட்டுக் கொண்டுமேன்ற அக்கறையோ அவர்களிடம் காணப்படவில்லை. ஸ்டூன் வாங்குவதும், காலி மீட்டர்கள் வாங்குவது மாகத் தான் அவர்கள் இருந்து கொண்டிருக்கிறார்கள். ஆகவே இவர்கள் வாங்கியிருக்கும் கடனையும் திரும்ப ஒரு வருஷ காலம் உடையில் கேட்கக் கூடாது என்றால் இவர்கள் அந்தப் பணத்தையும் நகரங்களில் செலவிடப் போகிறார்களே தவிர நிலங்களில் செலவிடமாட்டார்கள். ஆகவே பொது வாகப் பார்க்கும்போது அரசியலார் நினைப்பதைப் போல இந்தச் சட்டத்தினால் அவர்களுக்கு எந்த விதமான நன்மையும் ஏற்படாது என்று கருதுகிறேன். ஏனென்றால் இன்னும் ஒரு வருஷம் கழித்தாவது கடனைத் திருப்பித் தானே கொடுக்கவேண்டும்? வருங்காலத்தில் இந்தச் சட்டம் நாட்டில் பல கிளர்ச்சிகளை உண்டாக்குமென்று நாங்கள் கருதுவதால் இதைக் கொண்டு வருவதற்கு முன்பாகவே இதை ஒரு பொறுத்த கமிட்டியின் பரிசீலனைக்கு அனுப்பிவைத்து நன்றாக ஆராய்ச்சிகள் நடத்திய பின்னரே இதைக் கொண்டு வாங்கவேண்டுமென்று கருதுவதால் எனது மதிப்பிற்குரிய ஜான் அவர்கள் கொண்டு வந்திருக்கும் திருத்தத்தை மனப்பூர்வமாக ஆதரிக்கிறேன்.”

MR. CHAIRMAN:—“The amendment has been moved—

‘That the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954, be referred to a Select Committee.’
The original motion and the amendment are now before the House for discussion.”

SRI V. CHAKKARAI CHETTY:—“Mr. Chairman, Sir, I support the amendment that has been moved, not on the grounds put forward by the hon. Member Dr. John, but on just the very opposite grounds. The Mover of the amendment said that this would give a hand to the agitators and that this would lead to a good deal of agitation. I do not know whether the hon. Member Dr. John has any comprehensive and revolutionary proposal to put a stop to agitation in this world. As a matter of fact, he himself has been principally responsible for a good deal of agitation in regard to this and other matters. If agitation is put an end to, I do not know what position the hon. Member Dr. John will occupy in public life. After all, agitation is the very breath of our life, as a great Congress leader in the past used to say as against the British Government which always condemned agitation and agitators because agitators were rather disliked by them in those days since they wanted to lead a quiet life. I do not believe that the Hon. the Chief Minister or this Government want to lead an easy-going life. On the contrary, they are living in difficult times.”

MR. CHAIRMAN:—“The motion and the amendment are before the House for discussion. But the hon. Member is talking of something else.”

SRI V. CHAKKARAI CHETTY:—“Sir, I am only supporting the amendment on the ground that this measure should be more thoroughly examined and not to stop agitation or to placate anybody of people whom the Hon. the Chief Minister or anybody else may regard as enemy No. 1, No. 2, No. 3, No. 4 or No. 5.

18th January 1954] [Sri V. Chakkarai Chetty]

As a matter of fact, I do not believe the Hon. the Chief Minister has any enemies at all in this country. Sir, I am always amenable to reason. When the Hon. the Chief Minister puts forward a reasonable proposal, I am prepared to support it with all my might and main. I do not think that the matter should be looked at from the point of view of any particular political party being regarded as enemies. Even the Communists in this country are in one sense very good allies of the Hon. the Chief Minister for the simple reason that they are trying to make him realize the responsibilities of his high office. In that way, one should certainly be thankful to them. Unless the Ministry in power understands this position, it is likely to run into greater dangers. Therefore, it is being warned in time that unless proper measures are taken to ameliorate the conditions of those who have been suffering from disabilities for long, greater dangers and more of revolutions are inevitable. That has happened in other countries of the world when the Government concerned were adamant and ignored the representations of rebel parties. A time came in those countries when the rebel parties disappeared and the most revolutionary parties had the upper hand and overthrew the Government. I do not know whether the hon. Member Dr. John wants to give a warning in regard to the more revolutionary parties which believe in real violence and overthrow of constitutional Government in this country.

“Sir, this Bill may be examined further for the simple reason that it does not go far enough to bring about contentment and satisfaction among the indebted laboures in agricultural areas. I believe that the Government would have before them a lot of materials to strengthen their position. I believe that they would have gathered information as to the amount of agricultural indebtedness in this country, especially in Tamil Nad. I remember some years ago a report was published by an officer of the Government, giving details of agricultural indebtedness. From the figures given then, of which I have only a vague recollection now, it was evident that indebtedness was enormous. The Government have now been roused to give some kind of relief to those people who have been suffering for long. My own suggestion would be that all debts should be extinguished. That is a good suggestion to make and it is feasible without any injustice being done to any particular party. If it is possible for the Government to assume responsibility for all the indebtedness and to pay back the creditors, it will be an even greater blessing and it will satisfy even the soul of the hon. Member Dr. John in that no injustice will be done to anybody because all debts will be honourably repaid. Well, it seems to me that creditors belong to a very superior class of philanthropists. They lend money on purely altruistic grounds and for the sake of helping people in need. They have abundant sympathy for the poor. The milk of kindness is flowing from them. But I do not know what kind of people agitators are. Generally, people won't lend money unless there is plenty of money to lend. It seems to me that all these questions cannot be referred to a judicial tribunal. If they are so

[Sri V. Chakkarai Chetty] [18th January 1954]

12 noon, referred, it will simply mean protracted trials which will not be liked by the creditors at all. For all these reasons, I support the amendment and hope that the Select Committee that may be appointed to go into all these questions will see whether greater justice cannot be done to the debtors without altogether destroying credit facilities in our country. The hon. Member Dr. V. K. John made a passing suggestion that nationalization has frozen capital. I do not believe that is the reason. Whether there is going to be nationalization or not, the labouring classes are now quite alive to their position and responsibilities and will not allow capitalists to exploit them for their own benefit. That is the reason why capital is shy and it is not because of the Government's coming forward to nationalize some of the industries. I do believe that this Bill has to be referred to a Select Committee so that it may be made more liberal and satisfactory from the point of view of the debtors than it is to-day. With these words, I support the amendment moved by hon. Member Dr. John for reasons that are not exactly the same as those that he has put forward."

* SRI K. BALASUBRAMANYA AYYAR:—" Mr. Chairman, I support the motion for referring the Bill to a Select Committee, not on the ground that I accept the principles of the Bill and the Select Committee can examine the various amendments, but on the ground that we must carefully examine whether it is proper, whether it is useful, whether the Bill is based on principles of sound economy and whether we should have a moratorium at all like this. Those are the questions that should be examined by a Select Committee. I think the chief aim of Dr. John in making this motion is to give sufficient opportunity for a Select Committee to examine all these very important issues. It may be that moratorium may be frequently resorted to hereafter by our Government. Because, I am afraid that agricultural indebtedness cannot and will not be removed completely even within the life of the present Government. We must carefully look into the working of the various co-operative societies in our State and also the various annual reports prepared by them. Even in 1945, the Gadgil Committee had gone thoroughly into the whole matter and they have found that co-operative societies were under very great disabilities especially in the matter of granting loans on a short-term credit basis and also cheap loans on personal credit of the debtor for the agriculturist wants loans at a particular time during the season. He is sure to take a loan during the season and he will pay it back after the harvest. He can sell the paddy produced on the land and he can pay the debt back. Agriculturists want the loan on a short-term basis during the period of cultivation. There are many things which they have to buy and for which they have to raise a loan. During the time of cultivation, they have to incur expenses in buying seeds, manure, ammonium sulphate and things like that and even cattle, the price of which is very high nowadays. Besides these, they have to perform a number of social duties and obligations, such as marriages, for

18th January 1954] [Sri K. Balasubramanya Ayyar]

which also they have to incur heavy expenditure. For all these purposes the agriculturists have necessarily to raise loans on a short-term basis.

" So far as the co-operative societies are concerned, the Gadgil Committee report has made the position clear, by stating that the co-operative societies were finding it very difficult to give short-term loans. The whole procedure is very complicated. Moreover, the co-operative societies look also to the solvency of the agriculturists. When they observe so many formalities like this, it is very difficult for them to give short-term loans immediately on personal credit. Therefore it is I say that the co-operative societies will not be of very great use and will not help the agriculturists to an appreciable degree. The other alternatives open to the agriculturists in our country are private money-lenders, commercial concerns, industrial corporations, Banks, chit funds and other organizations. The agriculturists have to rely on these organizations. Therefore I am constrained to say that this Bill, when passed into an Act, will disturb the rural credit as a whole in this State and this will not be beneficial to the agriculturists themselves, whom the Government want to help. I do not say anything against the motive behind this Bill. The Government's motive is quite laudable. It is for the purpose of giving some breathing time to the agriculturists. Oh, yes. Certainly, we agree. But, is this the way to do it? This is a new way of paying old debts and we have to be very careful in this matter. Agriculturists have to borrow in a particular season. That is the state of things in which we find ourselves placed to-day. That will continue to be so unless everybody gets into an Arcadia of peasants toiling and moiling for their own satisfaction without being indebted to any society or anybody and when in each one is a peasant proprietor; full, strong and robust, doing his duty."

* SRI T. PURUSHOTHAM:—" Mr. Chairman, I rise to support the motion that the Bill be taken into consideration and to oppose the amendment moved by the Deputy Leader of the Opposition, hon. Member Dr. V. K. John. Some of the hon. Members who preceded me, have adduced different reasons as to why this Bill should be referred to a Select Committee. Hon. Members will remember that a non-official resolution was moved by my hon. Friend Sri Annamalai Pillai in this house that a moratorium of this kind should be declared as early as possible to relieve agricultural distress. After all, this is only an emergency measure and I do not think there can be any objection to have this simple Bill passed in this House. I have attended some of the ryots' conferences presided over by my Friend the Hon. Sri M. Bhaktavatsalam, especially in the Chingleput district in places like Valliur, Tiruvallore and so on. In those conferences, resolutions were adopted by agriculturists requesting the Government to grant one year's moratorium. (Sri K. Balasubramania Ayyar: 'Were there creditors?') Yes, they were there. This Bill will do some good to the agriculturists. After all, the objection to this Bill seems to be that it will disturb rural credits. That is

[Sri T. Purushotham] [18th January 1951]

a different problem and has to be tackled in a permanent way and not while considering a temporary Bill of this kind. Perhaps, the establishment of an agricultural credit corporation on the lines of the industrial credit corporation may solve this question. But, that is a different problem altogether covering a large field of agricultural economy and should not be mixed up with the consideration of this emergency Bill. Even the establishment of an agricultural credit corporation will only help the bigger ryots to get tractors and things like that, and the small landholders and ryots will necessarily have to depend on co-operative societies and Government loans. The Government loans are now being given by different agencies. The takkavi loans are given, some by the Agricultural department and other items by the Revenue department. I raised this question some time ago and suggested that there must be only one agency to distribute these loans to the ryots, and that agency may be the Revenue department under a special loans officer for each taluk, and the Agricultural department need not have anything to do with it. The then Minister for Agriculture, Sri Nagan Gowda promised to examine the question. There is great difficulty and delay in the agriculturists getting these Government loans for various purposes. These are vital aspects of the rural problem that should be carefully examined. As stated by the hon. Member Sri Bhashyam Ayyangar the other day, most of the agriculturists do not really know about the several kinds of loans that they could get and the procedure to be followed. They are not getting necessary assistance at the hands of the subordinate officials at taluk level. They are completely ignorant of the different loans they could get and the different channels of applications to get these loans. Information regarding these matters must be published in the form of a Villagers' Guide Book and circulated to the ryots in the regional languages. I am sure the Government will consider this aspect of the question and take steps to instruct the departmental subordinates to guide the ryots in the proper way. I also feel that the Government should take steps permanently to solve the question of rural credit though that may be considered separately. The Bill that is before the House is only intended to afford some temporary relief to the agriculturists and I hope it will be welcomed by all sections of the House. With these words, I support the motion that the Bill be taken into consideration."

SRI T. G. KRISHNAMURTHI:—"Mr. Chairman, I rise to oppose the amendment moved by the hon. Member Dr. John and to support the Bill. I was indeed surprised when I heard hon. Member Dr. John, as I did not know when he became the protagonist of creditors. Because, I heard him some time ago deciding to champion the cause of the 'have-nots' in the same House.

12-10 p.m. "Our impression is that the Bill, coming as it does at this stage, is really a God-send to the indebted agriculturists. Hon. Member Dr. John stated an amusing fact that the creditor was actuated by humanitarian principles when he advanced loans to agriculturists. Of course, the creditor has as much sympathy for his debtor as a cat has for the mouse when it plays with it before

18th January 1951] [Sri T. G. Krishnamurthi]

devouring it. That is our experience in the rural areas. Another misconception seems to be that so long as the moratorium is there, no debtor will pay his debt. That is not the case. Debtors who can afford to repay the debts will pay. They would not like the idea of being debtors for ever. (Sri K. Balasubramanya Ayyar: 'That is not our experience'.) That is not the experience of creditors, the hon. Member Mr. Balasubramania Ayyar says. But I am not a creditor. I am a debtor and that is why I am welcoming it. I am an agriculturist debtor. If what hon. Member Mr. Balasubramania Ayyar says is a fact, most of the creditors would have gone out of business by now. They manage to get back their dues. They do not stop there. They even fleece their debtors and that is what is happening in the rural areas. Conscientious debtors there are just as there might be a few conscientious creditors. One thing, I would request the Government to look into. So many hon. Members in this House champion the cause of creditors. (The Hon. Sri C. Rajagopalachari: 'Not many.') Yes, only a few; there cannot be many in these days. Creditors may take it into their head to be a bit conservative in coming forward to advance loans to the agriculturists. The Government should, therefore, come forward to enlarge the credit facilities now available to the agriculturists. The hon. Member Mr. T. Purushothama Mudaliar referred to the delay in disbursing loans. This delay should be curtailed. I know of a funny incident which occurred in my place seven months ago. An agriculturist applied for a loan to the District Collector. Unfortunately, the petitioner was not aware that he ought to have gone and interviewed the clerk concerned before he applied. What happened was the petition was being returned to the Taluk office with query after query, and though the petitioner made his application on the eve of the commencement of agricultural operations, the latest query with which it was returned by the Collector's office to the Taluk office was: 'Does the agriculturist still require the loan?' The agricultural operations had far advanced in the meantime and naturally the Collector's office felt that there was no longer any need for the loan! Sir, it is really scandalous that the Government's intentions should be so frustrated by the 'clerk-baby'. I interviewed the Collector and apprised him of the facts of the case. He said: 'There are certain genuine doubts that have arisen and so the paper has been sent back to get those doubts cleared'. I told him to call for the file and look into it so that he may be satisfied that the queries of the clerk did not relate to any *bona fide* doubts, and he may take action against the clerk concerned. So, Sir, I would request the Government to issue instructions to Collectors to see that such delays do not occur in future and that the agriculturists, when they apply for loans, get their loans as early as possible without this inordinate delay. Then only the agriculturists will be better off. (Dr. V. K. John: 'Why did not the applicant see the clerk concerned?') He is not an educated man like the hon. Member Dr. John to see the clerk before making the application.

[Sri T. G. Krishnamurthi] [18th January 1954]

"Then, Sir, it is said that the Government loans which are still pending repayment will be collected in the regular course. The Government can issue instructions that their loans need not be collected now and that collections may be postponed by one year, even though such a provision is not contained in the Bill itself. For instance, loans advanced for purchasing pump-sets need not be collected now. In certain cases, in my own district of Madurai, loans have been advanced to agriculturists for purchasing pump-sets. The agriculturists have also purchased pump-sets. But the trouble seems to be that electricity has not been supplied to this area. Electric motors and pump-sets are there but they are not put to any use for lack of electrical energy. The Revenue Department is pressing these people to pay back the loan in instalments as promised. Such instances as may be brought to the notice of the Government by parties may be quickly and sympathetically disposed of. The indebted agriculturist should get relief whether it is the Government that is the creditor or it is a private individual that is the creditor. I hope the Government will take note of this fact and issue urgent instructions in the manner I have suggested.

"Sir, referring this Bill to a Select Committee is not going to take us far. On the contrary, the whole thing will be delayed. The Select Committee will have to go into the whole question and if the Council adopts any modifications, then the Bill may have to go to the Lower House again. What will really happen is the moratorium will cease meanwhile and another Ordinance may have to be promulgated to prolong the life of the dying Ordinance. Nothing is going to be gained by referring the matter to a Select Committee. The Government in their rule-making power as well as in their executive capacity can issue necessary instructions to the authorities concerned to make the Bill a boon to agriculturists which it really is."

SRI M. P. GOVINDA MENON:—"Mr. Chairman, I had a suspicion that the inspiration for the Moratorium Ordinance and this Bill came from my district. When the Hon. the Chief Minister had a tour of Malabar some time ago, my district presented him a very green appearance as a result of the north-east monsoon which had just set in and I think that he referred to the coming Ordinance or the Bill in a speech he delivered on that occasion in my own place, Ottapalam, in Malabar. Knowing him as I do, I anticipated some such thing when I read that speech. But the unfortunate Malabar is not going to get the benefit of this Bill. The Preamble to this Bill says: 'Whereas, after successive years of drought, by the bounty of Nature there has been adequate rainfall this year . . . Unfortunately, my district, though it was promised by the bounty of Nature plenty of rainfall, was denied the benefit of the north-east monsoon with the result that there is complete failure of the second crop. I am, however, glad that Nature has been very kind to the rest of the State and therefore I associate myself with the sentiments

18th January 1954] [Sri M. P. Govinda Menon]

expressed by those who support this Bill sent by the Assembly. The enactment is only for the duration of one year. Hon. Members who want this Bill to go before a Select Committee need not be very much worried, because this is only a temporary measure. The Government feel that as a result of the bounteous crop that the agriculturists are going to get this year they may have a sense of relief if they are not disturbed by the creditors. They may preserve the produce—I mean whatever they can save—and utilize it for the next year's crop. The moratorium is for a very short period. Of course, there may be defects here and there. Even then such a temporary measure is absolutely necessary and I hope the hon. Member Dr. John will withdraw his amendment to refer the Bill to a Select Committee.

"Then, Sir, there may be some dispute about particular clauses. As far as I am concerned, I feel that the definition of the word 'agriculturist' is very wide. We are giving protection not only in deserving cases but even to bring landlords, who will also come within the definition given in the Bill. Of course, there is the question of income-tax and that is the only type of exemption proposed in the Bill. I think the definition given in the Agriculturists' Debt Relief Act of 1938 (Act IX of 1938) is quite all right. Anyway, while we are giving some relief to persons who are not really deserving, the Bill will do a lot of good to those who really deserve relief. Therefore we would like to support this Bill.

"About the availability of rural credit facilities, I anticipate 12-20 there will be some trouble. The Government can really face the p.m. situation by helping the co-operative societies and enabling them to give loans to the needy agriculturists. So far as my district is concerned there is a big organization which I am afraid is not put to proper use. When rationing of foodstuffs was introduced we started in our district what were known as Producer-cum-Consumer Co-operative Societies. There are about 103 such societies in the district and they have huge reserve funds. After food was de-rationed, these societies have no work. I would seriously suggest to Government to consider utilizing these huge reserve funds that are available with the societies. We can convert these societies into rural urban banks throughout the district of Malabar. There will be ample credit facilities for the needy agriculturists if this is done. I hope the Hon. the Minister for Co-operation and other Hon. Ministers will seriously consider this suggestion of mine, because I am sure if they are converted into urban banks they will be of great help to the agriculturists.

"With these words, Sir, I oppose the amendment of the hon. Member Dr. John and support the Bill before the House."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, I do not feel my way to accept the amendment moved by the hon. Member Dr. John for referring the Bill to a Select Committee. Hon. Members from this side as well as the other side have

[Sri M. A. Manickavelu Naicker] [18th January 1954]

spoken as to how it was not at this stage necessary to refer the Bill to a Select Committee. The mover of the amendment traversed a wide field and talked about centralization, decentralization, freezing of debts and so many other things. I shall not try to meet those points at this stage, because he has given notice of specific amendments on some of these and these can be dealt with at the time the Clauses are discussed. This a short Bill with only eight clauses and only two or three of these require to be looked into carefully. Most of the hon. Members who have given notice of amendments to the clauses being able lawyers themselves, there will be no difficulty, I think, in going through the amendments, discussing them and coming to a sound conclusion. Therefore I feel it is not really very necessary to refer this Bill to a Select Committee.

"Then, Sir, some hon. Members wanted that Government should come to the aid of agriculturists by way of postponing the collection of loans advanced to them. One hon. Member also said that disbursement of loan should be expedited. All these are different matters and they do not strictly come under the purview of this Bill. As we go on with the discussion of the Bill clause by clause, I shall try to explain how far we can try to meet the points raised by hon. Members. Now it is only left to me to oppose the motion for referring this Bill to a Select Committee."

DR. V. K. JOHN:—"Mr. Chairman, Sir, before I reply to the points raised during the discussion, I would like to look into the rules, especially the convention that we discuss the principles of the Bill, and while we discuss the principles we move an amendment for referring the Bill to the Select Committee."

MR. CHAIRMAN:—"I said that both the motions, the one that the Bill be taken into consideration and the other that the Bill be referred to a Select Committee, were under discussion."

* DR. V. K. JOHN:—"Then, Sir, the Hon. Minister who moved the motion that the Bill be taken into consideration, has not met the points raised during the discussion. I strongly suggest that while a solution for liquidating agricultural indebtedness and also other indebtedness is required, freezing of debts is not the method which should be applied. It will defeat its own purpose. The cure suggested is worse than the disease. It will whet the appetite of those people to agitate for the extinction of loans. 'Let us suggest some other method', is what I suggested to the Hon. Minister. He had not the kindness to say whether the principle underlying the Bill, namely, the freezing of the debts, is or is not the correct principle to be applied to those cases, though the Act is to be in force only for a year. It is on that basis that I wanted that this Bill should go before a Select Committee for a thorough discussion of the principle underlying it. It is only in the Select Committee stage of the Bill that the principle can be discussed. Only if the principle is accepted, Members can bring in amendments to clauses which are not acceptable to them."

18th January 1954] [Dr. V. K. John]

But my suggestion now is that the principle itself has not been discussed and agreed to. If this Bill were to be passed as it is placed before this House, I say it will have far-reaching consequences, and the economy of the rural parts will be dislocated and destroyed. The Hon. Minister, I know, has a majority in the House. He can have my amendments defeated easily. I regret to say he has not met even one point I made for the discussion of the principle underlying the Bill. He ought to have at least defended the principle, namely, freezing of debts as a solution for solving the problem of agricultural indebtedness."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"I have nothing more to say at present, Sir. I would like to meet the points made by the hon. Member when we take up his amendment for extending the period of the Act to three years."

MR. CHAIRMAN:—"The question is—

'That the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954, be referred to a Select Committee.'

The amendment was lost.

MR. CHAIRMAN:—"The question is—

'That the Madras Indebted Agriculturists (Temporary Relief Bill), 1954 (L.A. Bill No. 8 of 1954) (as passed by the Assembly), be taken into consideration.'

The motion was carried.

The consideration of the Bill, clause by clause, was then taken up.

Clause 2.

MR. CHAIRMAN:—"Motion moved—

'That clause 2 do stand part of the Bill.'

* DR. V. K. JOHN:—"Mr. Chairman, Sir, I have given notice of amendments to clauses 2, 1 and also 3 to 6. They are all inter related and if you will permit me, I would like to speak on all of them together and that too only for a few minutes."

THE HON. SRI C. RAJAGOPALACHARI:—"Mr. Chairman, Sir, there is no objection to the hon. Member moving his amendment to clause 2 and incidentally referring to other amendments to explain the position. Technically we are discussing clause 2 and we shall discuss amendments to clause 2. The hon. Member while moving amendments to clause 2 may incidentally refer to other matters to explain the position."

* DR. V. K. JOHN:—"My amendment to clause 2 relates to definition. I move the amendment, namely,

[Dr. V. K. John] [18th January 1954]

“ For clause 2, substitute the following:—

“ *Definition.*—In this Act, unless the context otherwise requires, ‘ agriculturist ’ means a person who is in actual possession and cultivation of agricultural land.”

12.30 p.m. “ Now, Sir, the definition of the term ‘ agriculturist ’ as given in the Bill under clause 2 (a) includes ‘ a person who owns an interest in land, and who, by reason of such interest, is in possession of such land or is in receipt of the rents or profits thereof and shall include a lessee but shall not include, etc., etc.’

“ Now, Sir, under the present definition of the term ‘ agriculturist ’ not only does it include within its scope actual cultivators, tillers of the soil who are in actual possession of land but also intermediaries and landowners who are in receipt of rents and profits thereof. I say, Sir, it is not the object of the Bill to help landowners and intermediaries. What is it that is stated in the Preamble? The Preamble of the Bill seeks to help cultivators. In the Preamble of the Bill it is stated ‘ we must help the cultivators, the actual tillers of the soil, through whose sweat and labour the produce is raised ’. But what is it that we find under clause 2 (a) dealing with definitions? By the present definition of the term ‘ agriculturist ’ the very purport of the Bill, viz., to help the poor cultivators, is nullified, because under the loose definition now given even a non-cultivator is helped. If a non-cultivator owns a patch of land and is indebted, he is given protection now. Intermediaries are protected. That is why I say it is very wrong to extend the benefit to intermediaries who are non-cultivators. It is going against the very principle enunciated in the Preamble. The help that is now sought to be given to agriculturists must be confined to real agriculturists, viz., those who cultivate the lands, the tillers of the soil, and not intermediaries and absentee landlords, for they also are owners of lands and receive rents and profits thereof and as such come under the definition of ‘ agriculturists ’ as enunciated in clause 2 (a). On the other hand my amendment which seeks to define an ‘ agriculturist ’ as a person who is in actual possession and cultivation of agricultural land, will, if accepted, exclude the intermediaries and confer the benefit now sought to be given only to the real agriculturists.

“ Coming to clause (3) which puts a bar on suits and applications, I want that clauses 3 to 6 are omitted and in their place the following are substituted.”

SRI K. BALASUBRAMANYA AYYAR:—“ We are in clause 2 now. Why should we discuss amendments to clauses 3, 4, 5, 6 and so on? ”

* DR. V. K. JOHN:—“ As I explained at the beginning, I intend to speak on all the amendments I had given notice of with regard to the different clauses of the Bill, at the same time, because all the amendments are inter-related. For instance, I have

18th January 1954] [Dr. V. K. John]

given notice of an amendment to clause (1), sub-clause (3), viz., that this Act shall remain in force for three years from the date this Act comes into force. Then come my amendments seeking to omit clauses 3 to 6 and to substitute the following:—

“ For clauses 3 to 6, substitute the following:—

“ 3. In any suit or proceeding for the recovery of a debt due by an agriculturist, it shall be open to the Court to give him time for payment of the decree amount and extend such time from time to time on equitable considerations particularly the ability of the defendant to pay the decree amount without prejudice to the expenditure required for cultivation and the need of the decree-holder and the respective financial position of the parties.

Notwithstanding anything to the contrary in any other enactment in force, the Court may in its discretion order refund of the Court-fee paid in any suit or proceeding to which this Act applies.”

I submit, Sir, that the bar on suits and proceedings and also stay of execution of decrees should not be granted in favour of people who are not actually cultivating the land. That is the purport of the amendment which I had given notice of for omitting clauses 3 to 6 of the present Bill and substituting in their place the amendment which I have just read out.”

SRI K. BALASUBRAMANYA AYYAR:—“ I second the amendment of hon. Member Dr. John to Clause 2.”

MR. CHAIRMAN:—“ Amendment moved—

“ For clause 2, substitute the following:—

“ *Definition.*—In this Act, unless the context otherwise requires, ‘ agriculturist ’ means a person who is in actual possession and cultivation of agricultural land.”

* THE HON. SRI C. RAJAGOPALACHARI:—“ I suggest as usual that hon. Members who have given notice of amendments to this Clause 2 which is now under discussion, might discuss all their amendments to this clause so that Government might reply to them after the discussion is over.”

MR. CHAIRMAN:—“ The whole of Clause 2 as well as the amendment are now before the House for discussion.”

* SRI K. BALASUBRAMANYA AYYAR:—“ Sir, I move—

“ In sub-clause (a) in the second line, after the word “ Land ” add the words “ in the State of Madras ”; and “ after the words “ in possession of such land ” add the words “ and regularly engaged in cultivation thereof ” and omit the words “ or is in receipt of the rents or profits thereof ”.”

“ I want to make it clear that by the term ‘ agriculturist ’ it should be construed to mean a person who owns an interest in lands situated in the State of Madras. Otherwise if we leave the definition as it is at present, even people who have interest in lands in Andhra but remain here and borrow money will come under

[Sri K. Balasubramanya Ayyar] [18th January 1951]

the definition of the term 'debtor'. My amendment seeks to render help only to agriculturists who are in possession of lands in the State of Madras and who are regularly engaged in cultivation thereof. Then only we would have fulfilled the real object of the Bill, viz., to give relief, to the tillers of the soil who are now heavily indebted, by granting a moratorium. Otherwise if we leave the definition as it is, even a land owner having some interest in land and who is an absentee landlord, will be protected since he is having a technical, rather I can say a symbolic, possession of land because he engages some tenants and carries on cultivation through them and as such is in receipt of the rents or profits thereof. Therefore, he comes under the present definition of the term 'agriculturist'. Therefore even persons who are not engaged in direct cultivation of lands are now being termed as 'agriculturists' and are given protection. In the Ordinance it was said that an agriculturist would mean persons engaged in direct cultivation of lands. But that definition is dropped now. Under the present loose definition even a landlord residing here and who carries on cultivation of his lands in his village through his tenants is in legal possession of the land and as such becomes an 'agriculturist'. As an hon. Member observed even a merchant doing business here and owning some interest in land somewhere in his village and who carries on the cultivation by means of tenants becomes an 'agriculturist'. If he is indebted, he is now given protection. But that is not exactly the main purport of the Bill. That is why I have given notice of the amendment which I had just moved. Of course if the merchant pays income-tax and has been assessed to income-tax for any of the years 1951-52, 1952-53 and 1953-54, he will be excluded. But I say that is not enough. The definition ought to be made clear on the lines of the amendment which I had moved. Then only we would have fulfilled the object of the Bill, viz., to bring succour to the agriculturists who cultivate the lands and raise the produce. If all our agriculturists are cultivators, then the necessity for clarification of the term 'agriculturist' would not have arisen. But unfortunately that is not the case now. I long to see the day when all the agriculturists would be engaged in personal cultivation of their lands, and when there would be no more absentee-landlords. But until then it would be better to extend the relief now sought to be given only to those agriculturists who till the soil and through whose sweat and labour, the produce is raised. That is why I request that my amendment may be accepted."

Dr. V. K. JOHN:—"I second the amendment of the hon. Member, Sri Balasubramanya Ayyar."

Mr. CHAIRMAN:—"Amendment moved—"

"In sub-clause (a), in the second line, after the word "Land" add the words "in the State of Madras"; and after the words "in possession of such land" add the words "and regularly engaged in cultivation thereof" and omit the words "or is in receipt of the rents or profits thereof."

18th January 1951]

* SRI T. PURUSHOTHAM:—"Sir, I move—"

'Omit item (i) in sub-clause (a).'

All these firms referred to here were included in the exception provided under this clause in the original Ordinance. But now they have been removed from item No. (VI) of clause 2 (b) under the head 'Exception'. They are now included as item (1) in sub-clause (a) and at the same time not included under item No. (VI) under the head 'Exception' in sub-clause (b). That is why I have given notice of an alternative amendment either we should have co-operative societies also omitted from the Exceptions in clause 2 of the Bill or . . ."

* THE HON. SRI C. RAJAGOPALACHARI:—"I wonder if hon. Member Mr. Purushothama Mudaliar knows what he is doing. The removal of these banks from clause 2 (a) would mean that they are not entitled to this moratorium. Is it the intention of the hon. Member to include these firms registered under the Indian Partnership Act, 1932, or a company as defined in the Indian Companies Act, 1913, or a corporation formed in pursuance of an Act of Parliament of the United Kingdom or of any special Indian Law, under exception (vi) of clause 2? Or is it the intention of the hon. Member to include these under the definition of 'agriculturist' in clause 2 (a)? That is to say, does the hon. Member want that these firms also should be entitled to a moratorium in case they are not able to discharge their loans? Is that the intention of the hon. Member? It is one thing to say 'Remove it from the definition of 'debt'. It is another thing to say 'Remove it from the definition of agriculturists'. Perhaps the intention of the hon. Member is that relief should be given to debtors who owe money to those firms, which he had mentioned in his amendment. That is to say just as the co-operative societies, these firms also should be included in the exception (vi) to Clause 2 so that those agriculturists who owe money to these firms might be given a moratorium. Is that the real intention of the hon. Member?"

* SRI T. PURUSHOTHAM:—"I want either the co-operative societies to be omitted under the exception clauses, or in case it is persisted in, I wish to add at the end of (Madras Act VI of 1942) in line 4 of exception (vi) of clause 2 (b), the following words and figures:—"

'or a firm registered under the Indian Partnership Act, 1932 (Central Act IX of 1932), or a company as defined in the Indian Companies Act, 1913 (Central Act VII of 1913) or a Corporation formed in pursuance of an act of Parliament of the United Kingdom or of any special Indian law.'

"I had also given notice of an amendment to the clause under sub-clause (a) in item (ii) wherein I had suggested that all those who pay income-tax of Rs. 200 and less might be protected under the Act. I want a ceiling to be fixed so that only those who pay more than Rs. 200 (The Hon. Sri C. Rajagopalachari: 'You mean tax') as income-tax might not be classified as agriculturists for purposes of this relief. I have suggested in

[Sri T. Purushotham] [18th January 1954]

another amendment that only those who have been paying income-tax in all the three years 1951-52, 1952-53 and 1953-54 might be denied the benefit of this measure."

MR. CHAIRMAN:—"Is there anyone to second the amendment of the hon. Member Mr. Purushotham?"

"I find there is no one to second the amendment. For want of a seconder, the amendments of the hon. Member Sri Purushotham fall through."

12-40 p.m. * SRI G. KRISHNAMURTHI:—"Sir, I support the amendment moved by the hon. Member Sri K. Balasubramanya Ayyar. In my opinion, the definition of the term 'agriculturist' ought to be limited to persons who are actually engaged in tilling the soil. If the intention of the Government is just to extend the moratorium only to those who are actually engaged in tilling the soil and who cannot repay their debts, naturally the definition of an agriculturist must be a person who is actually engaged in the cultivation of the soil. Now, there is another difficulty in having the definition vague and in including persons who have got interest in land as agriculturists. There is a subsequent clause in this same Bill which says that no immovable property can be disposed of by these agriculturists for a year from the commencement of this Act. House property also comes under the definition of immovable property. A person who may depend for 90 per cent of his income on trade or some other business and depending only for 10 per cent of his income on land also comes under the provisions of this Bill. If the term 'agriculturist' stands as it is in the Bill before the House, such a person cannot even dispose of his house property or any other immovable property.

"The term 'land' has been defined to be 'not being land appurtenant to a residential building.' Now, in the case of Malabar, I do not know how the people who have got their houses on lands which are really farms are to get the benefit of this legislation so long as the term 'land' is defined to be 'land used for agriculture or horticulture, not being land appurtenant to a residential building.'

"In addition to the question of inability to dispose of house property for a year arising in the case of a landlord who depends only to a limited extent on his income from land, there is also the question of a dispute arising under the Transfer of Property Act questioning the disposal of the house property within a year by this kind of an agriculturist who is not really an agriculturist as he depends only to a very little extent on his income from land. Considering all these factors, I am of opinion that the definition of 'agriculturist' should be limited to those agriculturists who depend for their main income on their lands or those who are actually engaged in the cultivation of the soil."

18th January 1954] [Sri G. Krishnamurthi]

MR. CHAIRMAN:—"I think, I should put hon. Member Dr. V. K. John's amendment to the vote of the House."

* THE HON. SRI C. RAJAGOPALACHARI:—"Sir, there are only two amendments before us, hon. Member Dr. V. K. John's amendment and hon. Member Sri K. Balasubramanya Ayyar's amendment and the discussion can be on both and this will conclude sub-clause (a) of Clause 2 and then we can take up the amendments to sub-clause (b). If hon. Member Dr. V. K. John's amendment is not accepted, the amendment of hon. Member Sri K. Balasubramanya Ayyar also cannot come in."

* SRI K. BALASUBRAMANYA AYYAR:—"Even then the portion of my amendment to add the words 'in the State of Madras', after the word 'land' in the second line of sub-clause (a) has to be put to vote."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Mr. Chairman, Sir, hon. Gentleman Dr. V. K. John's amendment intends to restrict the meaning of the word 'agriculturist'. He wants that it should apply to a person who is in actual possession and is also in cultivation of it. Hon. Gentleman Sri K. Balasubramanya Ayyar says that he should not only be in cultivation but he must also be regularly engaged in cultivation. He also wants to omit the words 'or is in receipt of the rents or profits thereof.' This is the very crux of the matter behind the idea of the Government in having the word 'agriculturist' defined as it is in the Bill. (Interruption: Sri K. Balasubramanya Ayyar: 'So also are the words "regularly engaged in cultivation thereof"'.) Sir, if we accept this amendment, it will lead to a lot of difficulty in the matter of interpretation of the words 'regular cultivation'. It will raise a crop of petitions and counter-petitions and affidavits and counter-affidavits. What is regular cultivation and what is irregular cultivation will become matters of enquiry and the word 'cultivation' may even be disputed. Can we expect the Courts to go into all these things when the scope and object of the Bill is so short. I can understand such a thing in the case of the Agriculturists Relief Act which was passed in 1938. Then there was time to go into all these matters leisurely to give effect to the provisions of this Act. Here relief has to be given at once. All these amendments so to say curb the definition and, if accepted, there will have to be a lot of enquiry. It is only to avoid this that the definition of 'agriculturist' has been made a little wider. We cannot help it if some people are benefited by it. There is no harm even if some landowners are benefited. Just as the ryot has got his own difficulties in a small way the landowner has got his difficulties in a big way. We have therefore put a curb, namely, that those who pay income-tax do not come under this Bill. I hope this will satisfy hon. Members as by this provision big and monied people will not come under this Bill. Sir, I therefore oppose these amendments."

[18th January 1954]

* THE HON. SRI C. RAJAGOPALACHARI:—" Mr. Chairman, Sir, as regards the amendment to add the words 'in the State of Madras' after the words 'agriculturist' means a person who owns an interest in land', it could be added without any objection. But, the question is whether it is necessary to amend the Bill just now at this stage and send it back. This amendment was suggested even in the other House and I may also add why it is not there in the Bill. We would be excluding from the benefits of this moratorium people who have just borrowed here and have no land here but have land in the neighbouring area. I do not think we should convert this moratorium into a matter over which there should be any difference between people who are just on this side of the border or on that side of the border. It was not considered necessary. It will not make any material difference either by way of borrowing or by way of lending. A few border villages on both sides may have common dealings. We do not propose to erect an 'iron curtain' between the two areas and, therefore, I think that the Hon. Member will withdraw his amendment."

* SRI K. BALASUBRAMANYA AYYAR:—" Sir, the difficulty is in respect of persons who have lands outside the State."

* THE HON. SRI C. RAJAGOPALACHARI:—" If he has borrowed here it is just the same. Why should we make any difference? "

MR. CHAIRMAN:—" The question is—

' For Clause 2, substitute the following:—

" Definition.—In this Act, unless the context otherwise requires—' agriculturist ' means a person who is in actual possession and cultivation of agricultural land." "

The amendment was lost.

MR. CHAIRMAN:—" The question is—

' In sub-clause (a), in the second line, after the word " Land " add the words " in the State of Madras "; and after the words " in possession of such land " add the words " and regularly engaged in cultivation thereof " and omit the words " or is in receipt of the rents or profits thereof " . "

The amendment was lost.

Clause 2.

Sub-clause (b).

* SRI K. BALASUBRAMANYA AYYAR:—" Mr. Chairman, Sir, I beg to move that—

In item (ii), under " Exception ", after the words and figures " 31st March 1953 " add the words " and arrears of rent due on or before 31st March 1953 " . "

18th January 1954]

DR. V. K. JOHN:—" Sir, I second the amendment."

MR. CHAIRMAN:—" Amendment moved—

' In item (ii), under " Exception ", after the words and figures " 31st March 1953 " add the words " and arrears of rent due on or before 31st March 1953 " . "

* SRI K. BALASUBRAMANYA AYYAR:—" Sir, under the provisions of the Malabar Tenancy Act, the Tenants and Ryots Protection Act, many suits for arrears of rent have been stayed and if we now extend it beyond 31st March 1953 also it will work as a great hardship. This stay was granted by the Legislature or rather was imposed by the Legislature. What I want by the addition of these words ' and arrears of rent due on or before 31st March 1953 ' is that I want to exclude from the definition of ' debt ' rent as well as arrears of rent also."

THE HON. SRI C. RAJAGOPALACHARI:—" It means to say that we do not give under this Bill the benefit of the moratorium to current dues, that is, arrears accrued after 31st March 1953. The hon. Member's amendment, I suppose, proposes that there should be some benefit even in respect of old arrears accrued on or before 31st March 1953."

* SRI K. BALASUBRAMANYA AYYAR:—" Yes, Sir, but it should not be said that the amendment is not acceptable because the Bill has been passed in the other House."

* SRI T. PURUSHOTHAM:—" I beg to move—

' That in clause 2, sub-clause (b), item (v), under " Exception ", omit the words " or loan " . "

I want, Sir, that the benefit of this intended relief to agriculturists should cover the debts due to co-operative societies and the loans due to Government on account of supply of pump sets, purchase of bulls, well-subsidy, etc., I want that the recovery of all these loans should be put off for one year."

MR. CHAIRMAN:—" The hon. Member's amendment falls through for want of a seconder."

SRI T. PURUSHOTHAM:—" Mr. Chairman, Sir, I am not moving the other two amendments given notice of by me for sub-clause (b) of clause (2)."

* SRI K. BALASUBRAMANYA AYYAR:—" I beg to move—

' That in sub-clause (b), clause 2 in item (vi) under " Exception ", after the words and figures " 1st October 1953 " add the words " or a Company incorporated under the Indian Companies Act, 1913, or under any special law in force or a Chit Fund registered under the Indian Companies Act, 1913 " . "

12-50
p.m

[Sri K. Balasubramanya Ayyar] [18th January 1954]

Sir, I seek by my amendment that the chit funds also like co-operative societies should be exempted from the application of this Bill. I should like to say that the chit fund is a well known form of credit organization in our State. I know there are a large number of chit fund organizations whose members are all poor small agriculturists. In this connexion, I am only referring to chit funds registered under the Indian Companies Act and not to those chit fund organizations which are not so registered. This chit fund organization has got all the advantages of a co-operative society but without its disadvantages. These chit funds are generally taken advantage of by poor agriculturists. It is really a co-operative society without its formality, such as furnishing of sureties, etc. Subscriptions to chit funds are payable monthly and payments are made punctually. It is being worked out in many districts, in Tirunelveli, Ramanathapuram, Madurai, etc. I understand these organizations have made representations in this regard to the Hon. the Chief Minister. As a result of the passing of this measure these organizations will be put to a real difficulty because most members of these organizations are small agriculturists. This is one of the best ways of getting credit on a co-operative basis in our country. These chit funds are working very well and they have also been accepted by our courts of law. Therefore these organizations should be given special protection from the application of this Act. This is an organization which has been evolved by the genius of our own people. I do hope that the Government will recognize the help rendered by these chit funds to the people."

DR. V. K. JOHN:—"Sir, I second the amendment."

MR. CHAIRMAN:—"Amendment moved—

"That in sub-clause (b), clause 2 in item (vi) under "Exception", after the words and figures "1st October 1953" add the words "or a Company incorporated under the Indian Companies Act, 1913, or under any special law in force or a Chit Fund registered under the Indian Companies Act, 1913"."

* DR. V. K. JOHN:—"I strongly support this amendment, to omit 'chit fund registered under the Indian Companies Act' from the application of the provisions of this Bill. The chit fund is an indigenous system of pooling the resources and helping the members of the fund so that one member may get something one month, another member may get something another month and so on. The Government did not pay attention to this matter when the Ordinance was issued, when the Bill was drafted and also when the Bill was discussed on the floor of the other House. If the Government are not helpful in this matter, the economy of the countryside, particularly, in the district of Malabar will be disturbed. There is not one place where such chit funds are not functioning and almost every individual is a member of a chit fund. If chit funds are not exempted from the purview of this Bill, the economy of the countryside will be disturbed. I appeal

18th January 1954] [Dr. V. K. John]

to the Government to bring in either an amendment to meet this object or to provide for it in the rules to be framed by them under the provisions of this Bill. Somehow some protection will have to be given in the case of these chit funds. I know every amendment moved here will be lost. But I again appeal to the Government to give protection in some manner or other to these chit funds."

* THE HON. SRI C. RAJAGOPALACHARI:—"Sir, I wish to explain the position so that hon. Members who have moved amendments may not feel that we bear them down with strength of numbers. There are two amendments before us. One amendment is that arrears of rent also should not be given the benefit of the moratorium. It is somewhat difficult to deal with amendments moved by hon. Members who take up contradictory positions. On the one hand they do not want this moratorium Bill at all. They do not want it to be passed. They do not want moratorium to be given, because it will disturb the credit structure. At the same time they propose amendments which will increase the field of disturbance. It is difficult to argue with them. But let me 1 p.m. forget the general attitude and deal only with the proposals. Arrears of rent are really in the nature of a debt. Current arrears should be paid, according to the view of the Government, because it is an essential and vital fact connected with the relationship of landlord and tenant. But when the rent is allowed to go into arrears for a number of years it is a debt and not really that which the tenant can easily recover from the land and pay, because in the year what he can pay is the rent, that is, fair rent or fixed rent or contract rent, as the case may be. But so far as arrears are concerned, he has been unable to pay them for some reason or other. He cannot get out of the same land double or treble of what he would otherwise recover so that arrears have been treated as 'debt' and dealt with like other debts. That is the justification that Government offers for excluding arrears of rent from the liability to pay and including arrears of any debt to be entitled to moratorium."

"Then the other amendment that is proposed is about chit funds. I want hon. Members to appreciate our difficulties. We cannot include chit funds alone. Then we would have to include Scheduled Banks and other Banks like that. They go together, fall or stand together. Now, I want hon. Members, who are lawyers, to appreciate this position. If we do not allow one class of creditors to file any suits to recover the money through Courts under this moratorium but allow another class of creditors to file suits and to recover the money, what will happen is that the property of the debtor can be attached and sold, but the creditor who has been stayed compulsorily under this law will lose the advantage of recovering his money. Therefore it is that we say that we cannot allow a discrimination like that. We cannot allow the Bank creditors and Chit creditors to take away the property of the debtor and steal a march over other creditors who have not

[Sri C. Rajagopalachari] [18th January 1954]

been allowed to file suits. The other side may say 'Then, why do you allow it in favour of Co-operative Societies and Government dues?'. They stand as a class apart because they are not creditors so to say. Co-operative Societies have all pledged their joint security and they are all working together. We must protect the Co-operative Societies even though Chit funds may suffer. Now, Chit funds are very good as pointed out by Sri K. Balasubramanya Ayyar. I agree, that in a large number of cases, they are good. But in a certain number of cases, I would not say large or small, they have been also acting for purposes of exploitation and fraud. That is not the point. Assuming that they are all good, I want to know why these Chit funds should not recover the money without going to Courts. This moratorium gives protection only against going to Courts. It does not prevent anybody from paying. But, if it is argued that the fact that the Chit funds cannot go to Court will make the men unpunctual and they will not pay, then I submit that in such cases there is no great point in protecting such organizations. They ought to be able to pay and should be willing to pay because they are private organizations with 10 or 20 people. I am sure Chit funds will not go to Court and they will not suffer. They will continue to work even with this moratorium. It is not possible, without protecting the Indian Bank or the Indo-Commercial Bank or any other bank, to protect the Chit funds alone. Then these Banks or organizations will take away the property of the debtor and there will be nothing left for the man who is prevented by the moratorium."

SRI M. P. GOVINDA MENON:—"I have a very strong reason why the amendment of hon. Member Sri K. Balasubramanya Ayyar regarding sub-clause (b) of Clause 2 cannot be accepted, because under the Malabar Tenancy Bill which we are going to discuss in the afternoon and which is likely to become an Act soon, there is a provision that six years' arrears of rent can be claimed immediately by the landlord. Some suits are pending and if protection is not given to the agriculturist in respect of arrears of rent—not for the current rent there is the danger that all tenants in Malabar will be called upon to pay all the existing arrears. At least they may be given one year's breathing space to pay the arrears of rent. I therefore oppose the amendment of Sri K. Balasubramanya Ayyar because he wants to exclude all the arrears and not only the current rent from the definition of 'debt'."

MR. CHAIRMAN:—"I will now put amendment of the hon. Member Sri K. Balasubramanya Ayyar to the vote of the House. The question is —

'In item (ii), under "Exception", after the words and figures "31st March 1953" add the words "and arrears of rent due on or before 31st March 1953".'

The amendment was lost.

18th January 1954]

MR. CHAIRMAN:—"I will now put the next amendment of hon. Member Sri K. Balasubramanya Ayyar to the vote of the House. The question is—

'That in sub-clause (b), clause 2—

"in item (vi), under "Exception", after the words and figures "1st October 1953" add the words "or a Company incorporated under the Indian Companies Act, 1913, or under any special law in force or a Chit Fund registered under the Indian Companies Act, 1913".'

The amendment was lost.

Clause 2 was put and carried.

Clause 3.

MR. CHAIRMAN:—"Motion moved—

'That Clause 3 do stand part of the Bill.'

* DR. V. K. JOHN:—"Sir, I beg to move this very important amendment—

'For Clauses 3 to 6, substitute the following:—

"3. In any suit or proceeding for the recovery of a debt due by an agriculturist, it shall be open to the Court to give him time for payment of the decree amount and extend such time from time to time on equitable considerations particularly the ability of the defendant to pay the decreed amount without prejudice to the expenditure required for cultivation and the need of the decree-holder and the respective financial position of the parties.

Notwithstanding anything to the contrary in any other enactment in force, the Court may in its discretion order refund of the court-fee paid in any suit or proceeding to which this Act applies."

There should be equity and not discrimination between the debtor and the creditor. The creditor himself may be an agriculturist. I submit that the best course to adopt is to enable the Court or the Tribunal concerned to have a summary disposal and dispose of the claim by giving some time for payment of the decree amount or by asking the judgment-debtor to pay in instalments. This will do justice both to the creditor and the debtor. It is the practice obtaining in Courts to-day that if a debtor requests the Court to grant him time for payment giving good reasons, the Court grants him time. Now, I have mentioned 'without prejudice to the expenditure required for cultivation'. The Court can take that also into consideration, although it is not usually taken into consideration. Such an amendment will satisfy all parties and avoid discrimination between a particular creditor and a particular debtor. It may be that a rich man, who is a debtor and an agriculturist, will have to pay to a poor creditor who also may be an agriculturist. As I said in my opening speech, there must be certainty and flexibility, with regard to every piece of legislation. If there is no flexibility, that enactment ought to be

[Dr. V. K. John] [18th January 1954]

condemned. The present enactment has no flexibility whatsoever. It gives exemptions in certain cases but these exemptions are not rational. Let us have flexibility. In cases like this, flexibility can be introduced only by giving power to the Court to dispose of a particular matter on merits. A general rule which has a characteristic of certainty might work injustice in many cases and we must leave the matter to be decided by the Tribunal on the merits of each case. If the Government's object is only to protect the needy agriculturist I would request the Government to accept this amendment and not to be obstinate simply because they have, without consulting anybody, issued an Ordinance and they have also got this Bill passed by the Assembly. It is very simple. The only thing is that power is to be given to the Court to dispose of the matter on its merits. Hundreds of cases under the Madras Buildings (Lease and Rent) Control Act are disposed of and justice is done to the parties. But if the parties are prohibited from going to Courts, justice can never be done to them.

1-10 p.m. "I must make one comment on Clause 6. It is provided therein that a debtor who transfers his immovable property will have to prove that the transfer is bona fide. This is an extraordinary provision. In any legislation it is the person who attracts the transfer, the person who pays the money, that will have to prove that the transfer was not with intent to defeat or delay the creditors. But just the contrary rule has been introduced. I say that this kind of provision, which is apparently new, will not do good to anybody, but will introduce uncertainty in transfer of property and in dealings between creditor and debtor and cause injustice to a very large number of people. If my amendment is accepted, every matter will be enquired into by a Court. My amendment gives certainty and flexibility to the law."

The amendment was duly seconded.

Mr. CHAIRMAN:—"Amendment moved—

'For Clause 3 to 6, substitute the following:—

"3. In any suit or proceeding for the recovery of a debt due by an agriculturist, it shall be open to the Court to give him time for payment of the decree amount and extend such time from time to time on equitable considerations particularly the ability of the defendant to pay the decree amount without prejudice to the expenditure required for cultivation and the need of the decree-holder and the respective financial position of the parties.

Notwithstanding anything to the contrary in any other enactment in force, the Court may in its discretion order refund of the court-fee paid in any suit or proceeding to which this Act applies."

SRI M. P. GOVINDA MENON:—"Sir, this amendment is absolutely unnecessary. A Civil Court has got the right even to-day to give relief wherever necessary to the judgment-debtor or defendant in a suit for the recovery of a debt. That power is

18th January 1954] [Sri M. P. Govinda Menon]

already there and in addition this Act gives a moratorium for one year. The amendment has nothing to do with the Bill under discussion."

* THE HON. SRI C. RAJAGOPALACHARI:—"Sir, since the amendments cover clauses 3 to 6 and since Dr. John has elaborately attacked the provision about presumption, I would like to explain the position. The presumption will come into play only in respect of transfers made during the period of compulsory non-suing. It should be the duty of the transferor then to show that the transfer was a bona fide transaction and not merely a transaction with intent to defeat or delay the creditors, taking advantage of the relief given by this Act."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"The object of the Bill is to make the agriculturist forget the Court for a year. If the amendment is accepted, he will be constantly reminded of the Court, and he will have to be visiting the Court. Dr. John wants the Court to find out the ability of the defendant to pay the decree amount without prejudice to the expenditure required for cultivation and the need of the decree-holder and the respective financial position of the parties. This involves a very elaborate enquiry and there will have to be petitions, arguments and so on. The object is to avoid all that. If we accept the amendment, we will be defeating the very object of this Bill. As the Hon. Chief Minister already pointed out, the presumption affects only the transfers made during the period of the Ordinance and this Act, and the presumption can be easily rebutted. I oppose the amendment.

"As for the court-fee being refunded, if a suit is recklessly filed, it will wait only for one year and there will be no great harm caused."

Mr. CHAIRMAN:—"The question is—

'For Clauses 3 to 6, substitute the following:—

"3. In any suit or proceeding for the recovery of a debt due by an agriculturist, it shall be open to the Court to give him time for payment of the decree amount and extend such time from time to time on equitable considerations particularly the ability of the defendant to pay the decree amount without prejudice to the expenditure required for cultivation and the need of the decree-holder and the respective financial position of the parties.

Notwithstanding anything to the contrary in any other enactment in force, the Court may in its discretion order refund of the court fee paid in any suit or proceeding to which this Act applies."

The amendment was lost.

[18th January 1954]

Clause 3.

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, I move—
'At the end of the first paragraph and before Explanation I,
add the following proviso:—

"Provided he sends a registered notice under his signature
to his creditor within one month from the date of the
commencement of the Act, that he is an agriculturist
and claims the benefit of the Act."

"In the Ordinance protection was given to a creditor who did
not file a suit for the recovery of a debt in the honest belief that
his debtor was an agriculturist who was entitled to relief under the
Ordinance. But that provision has been omitted in this Bill.
Thinking that this debtor is an agriculturist, a creditor may not have
filed a suit for the recovery of the debt. But if he is not an agri-
culturist, the limitation period of three years will lapse, and the
debtor may plead that as an excuse. For avoiding such a contin-
gency, my amendment proposes that the debtor should give notice
to his creditor that he is an agriculturist and claim the benefit of
the Act."

* THE HON. SRI C. RAJAGOPALACHARI:—"May I draw
the attention of Sri Balasubramania Ayyar to Clause 5 which
provides a presumption in favour of the creditor in such a case?
It conclusively protects a creditor who does not file a suit believing
in good faith that his debtor is an agriculturist entitled to relief
under the Ordinance or this Act. It is provided more definitely in
this Bill than in the Ordinance."

* SRI K. BALASUBRAMANYA AYYAR:—"If the creditor
is unable to show sufficient reason, there will be difficulty. It is
only as safeguard that I want this provision. However, in view
of the reply of the Hon. Chief Minister I beg leave to withdraw my
amendment."

The amendment was, by leave, withdrawn.

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, I move—
'In Explanation II, omit the words "either against the
non-agriculturist or "'

"Where there are joint debtors, that is where one of the
debtors is an agriculturist and the other a non-agriculturist, the
suit against the non-agriculturist can very well be proceeded with
and it need not be stayed. He will have his remedies as against the
agriculturist later on. He can pay the debt and recover the money
from the agriculturist. This is a very reasonable amendment."

* DR. V. K. JOHN:—"Sir, I second the amendment. This
Bill protects not only agriculturists, but also non-agriculturists
who owe a debt jointly with agriculturists. In the definition of

18th January 1954] [Dr. V. K. John]

'agriculturist', the Government have brought in intermediaries
who do not cultivate the land. Nothing except obstinacy should
stand in the way of the Government accepting this amendment."

MR. CHAIRMAN:—"Amendment moved—

"In Explanation II, omit the words 'either against the
non-agriculturist or "'

SRI M. P. GOVINDA MENON:—"When a debt is payable
by an agriculturist jointly with a non-agriculturist, staying of
suit against the agriculturist and proceeding with the suit against
the non-agriculturist will create complications. When we pass a
measure for a temporary period, we need not create all sorts of
complications. So I oppose the amendment."

THE HON. SRI C. SUBRAMANIAM:—"In the filing of suits, 1-20
there is something like the splitting up of the cause of action. p.m.
Suppose there are two defendants in a suit. The plaintiff can file
a suit against one person and recover money from that person alone.
The hon. Member said this with reference to the pending suits.
But with reference to the filing of new suits, when the creditor
is entitled to recover from two persons, if he is to recover only
from one person, the provisions of the Civil Procedure Code will
be attracted. This will lead to all sorts of complications. That is
why we have advisedly retained this provision."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir,
the non-agriculturist mentioned in the Bill is not any non-agricul-
turist. He is one involved in the transaction. He has got to give
if he has entered into a transaction. We do not want to separate
them, because pressure will be brought to bear on the agriculturist.
That is why we have included the non-agriculturist here, apart
from the legal point raised by the hon. Member."

MR. CHAIRMAN:—"The question is—

"In Explanation II, omit the words "either against the
non-agriculturist or "'

The amendment was lost.

Clause 3 was put and carried.

Clause 4.

MR. CHAIRMAN:—"Motion moved—

'That Clause 4 do stand part of the Bill.' "

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, I move the
amendment standing in my name, namely,—

'In sub-clause (1),

"After the words 'stand stayed', add the words 'as
against the agriculturist defendant or judgment-debtor
in respect of such of the reliefs claimed therein as are of
the nature mentioned in section 3'."

[Sri K. Balasubramanya Ayyar] [18th January 1954]

Sir, this amendment is an answer to the various points mentioned by the Hon. the Finance Minister and others. There would not be any complication at all. This is a reasonable amendment, and this will expedite proceedings. Thousands of suits have now been stayed. In the whole State, thousands of suits have been stayed and most of the District Munsifs are without work. (A Voice: 'They may be happy.') But, unfortunately public money is spent on them. What about the revenue from court-fee? The Government will lose the court-fee. The whole work is now at a standstill. We cannot dispose of the matter by simply saying that it concerns only lawyers. Everybody is concerned in the matter. Lawyers are there to represent the case of their clients because it is the clients who suffer. Let us not have this lawyer phobia. The Hon. the Finance Minister is a lawyer, and, therefore, I am emboldened in saying this. Nothing will happen if the suit is stayed or the execution of a decree is stayed for only one year. Because it will proceed from that stage."

THE HON. SRI C. RAJAGOPALACHARI:—"Then, the hon. Member says that it shall be proceeded against."

* SRI K. BALASUBRAMANYA AYYAR:—"A decree must be given. Sir, I want that we remember that it is only for one year, and that all the other stages can go on. After one year, the decree can be passed. Otherwise, the further trial would take place after one year is gone."

The amendment was duly seconded.

MR. CHAIRMAN:—"Amendment moved—

'In sub-clause (1),

"After the words 'stand stayed', add the words 'as against the agriculturist defendant or judgment-debtor in respect of such of the reliefs claimed therein as are of the nature mentioned in section 3'."

THE HON. SRI C. RAJAGOPALACHARI:—"Is the hon. Member, therefore, moving his other amendment also?"

* SRI K. BALASUBRAMANYA AYYAR:—"Yes, Sir. I move the other amendment standing in my name, namely,—

'Add the following as sub-clause (4):—

"(4) On the application of a party to the suit or proceedings stayed under the Madras Ordinance V of 1953, the Court shall proceed with the trial of the suit or proceeding from the stage where it was stayed, if it is proved that the present Act does not apply to the suit or proceeding."

The amendments were duly seconded.

SRI M. P. GOVINDA MENON:—"I rise on a point of order. Sir. The hon. Member Mr. Balasubramanya Ayyar's second

18th January 1954] [Sri M. P. Govinda Menon]

amendment is out of order. To clause 3, the hon. Member Mr. Balasubramanya Ayyar moved an amendment seeking to omit the words 'either against the non-agriculturist or'. That amendment was outvoted. Clause 4 (1) says, 'All further proceedings in suits and applications of the nature mentioned in section 3'. The amendment now moved by the hon. Member Mr. Balasubramanya Ayyar is out of order, because all proceedings and suits are of the nature mentioned in clause 3. The hon. Member's amendment to omit 'either against the non-agriculturist or' in Explanation II to clause 3, was outvoted. Therefore, this amendment is out of order according to me."

SRI K. BALASUBRAMANYA AYYAR:—"It did not become out of order only now."

MR. CHAIRMAN:—"Amendment moved—

'Add the following as sub-clause (4):—

"(4) On the application of a party to the suit or proceedings stayed under the Madras Ordinance V of 1953, the Court shall proceed with the trial of the suit or proceeding from the stage where it was stayed, if it is proved that the present Act does not apply to the suit or proceeding."

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"I thank the hon. Advocate Member for meeting the argument of the hon. Member Sri K. Balasubramanya Ayyar."

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, the objection of the hon. Member Mr. Govinda Menon is quite correct. But as the amendment has been moved and seconded, it has to be voted out."

MR. CHAIRMAN:—"The question is—

'In sub-clause (1),

"After the words 'stand stayed', add the words 'as against the agriculturist defendant or judgment-debtor in respect of such of the reliefs claimed therein as are of the nature mentioned in section 3'."

The amendment was lost.

MR. CHAIRMAN:—"The question is—

'Add the following as sub-clause (4):—

"(4) On the application of a party to the suit or proceedings stayed under the Madras Ordinance V of 1953, the Court shall proceed with the trial of the suit or proceeding from the stage where it was stayed, if it is proved that the present Act does not apply to the suit or proceeding."

The amendment was lost.

Clause 4 was put and carried.

[18th January 1954]

Clause 5.

MR. CHAIRMAN:—"Motion moved—

'That clause 5 do stand part of the Bill.' "

* SRI T. PURUSHOTHAM:—"Sir, as clause 2 has been adopted already, these amendments I have given notice of do not arise."

Clause 5 was put and carried.

Clauses 6, 7 and 8 were put and carried.

Clause 1.

MR. CHAIRMAN:—"Motion moved—

'That clause 1 do stand part of the Bill.' "

* DR. V. K. JOHN:—"Sir, I am not moving my amendment to this clause. In this House, there is no hope of getting any amendments passed. I withdraw my amendment."

* THE HON. SRI C. RAJAGOPALACHARI:—"I certainly agree to the withdrawal. But the reason that the hon. Member has given is very wrong. He should really withdraw, because it is wholly contradictory to the general position he has taken up."

Clause 1 was put and carried.

The Preamble was put and carried.

* THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, I move—

'That the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954 (L.A. Bill No. 8 of 1954), (as passed by the Assembly), be read a third time and passed.'

I wish to thank especially the lawyer Members for raising objections on one hand and some other lawyer Members meeting them on the other. I will bear in mind the suggestions that were put forward. As far as the reasonable ones are concerned, they will be borne in mind while framing rules if they can be accepted legally. We shall try to improve matters, Sir."

MR. CHAIRMAN:—"Motion moved—

'That the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954 (L.A. Bill No. 8 of 1954) (as passed by the Assembly), be read a third time and passed.'

* DR. V. K. JOHN:—"Sir, after hearing all the discussion and explanation from the other side, I still believe that this is not a rational piece of legislation. Let me express the hope that the creditors and debtors, agriculturists and non-agriculturists as they are, will ignore this piece of legislation and pay off their debts as and when they can irrespective of the fact . . ."

SRI T. PURUSHOTHAM:—"Sir, as the Bill has gone through all the stages, is it in order for the hon. Member to call it not rational?"

18th January 1954]

* DR. V. K. JOHN:—"I am expressing only my hope. I am quite in order in saying what I said. I am expressing the hope that this Bill will be ignored by the public to whom this is intended to apply."

* THE HON. SRI C. RAJAGOPALACHARI:—"Sir, it may look strange, but I heartily support what Dr. John has said. I do want that debtors should ignore this Bill. I do want that creditors should ignore this to the extent the law permits them to ignore. But the debtors should ignore this altogether if they can and if their finances permit. We do hope that conditions will become better, and that this law will be utilized only by those who are unable to pay their debts. Then there is the question 'what about credit'? I hope, Sir, that this one year's moratorium will not interfere with credit, because it is not the intention of the Government to wipe off any debts. It is not the intention of the Government to extend the moratorium. It is not also the intention of the Government to bring it only as the first step. It is really intended to give time only for one year, and we do really hope that it will help the debtors."

MR. CHAIRMAN:—"The question is—

'That the Madras Indebted Agriculturists (Temporary Relief) Bill, 1954 (L.A. Bill No. 8 of 1954) (as passed by the Assembly), be read a third time and passed.'

The motion was carried and the Bill was read a third time and passed.

MR. CHAIRMAN:—"The House will now rise for lunch and meet again at 2.30 p.m."

The House then adjourned.

(After lunch—2.30 p.m.)

(2) THE MALABAR TENANCY (AMENDMENT) BILL, 1953 (L.A. BILL NO 12 OF 1953 (AS PASSED BY THE ASSEMBLY)—cont.

MR. CHAIRMAN:—"The House will now resume discussion on the Malabar Tenancy (Amendment) Bill, 1953. The hon. Member Dr. John will now speak."

* DR. V. K. JOHN:—"Mr. Chairman, Sir, this is a very important measure, and before I discuss the principles underlying this Bill, I think it is only right and proper that I must pay a very good and high compliment to the Hon. the Minister for Law, Sri Kuttikrishnan Nair, for the very able speech which he delivered in this House and which gave us a very good idea of the history of tenancy legislation in Malabar. I am quite satisfied that he has made a thorough study of the various reports on tenancy reform, preceding the introduction of tenancy legislation, and that he has also made a very good study of the various enactments concerned. I must also pay him a compliment for his courage in repealing

[Dr. V. K. John] [18th January 1954]

substantially all the provisions of the Amending Act of 1951 which came into force only in March 1952. Within a very short period, he found out the defects of that Amending Act which the Congress Party got through both the Assembly and the Council as a very well-considered measure of agrarian reform in Malabar. He found out the defects of that enactment and he had the courage to try to rectify them to a very large extent. I really pay him a compliment for it.

"Now, in dealing with agrarian reforms in Malabar, one has to take into consideration a few facts which are peculiar to Malabar. The first is that while the density of population in India is 281 per square mile, in Malabar it is 992 and in Travancore-Cochin State it is 1,015 per square mile. There is such a large pressure of population on the land and there are no industries worth mentioning in Malabar. In former days when the population was sparse, the jannis, mainly rajas, rulers and Nambudri Brahmans, would not cultivate the land because most of them considered it beneath their dignity to cultivate it, and they gave the land on kuzhikanam to cultivators. Kuzhikanam is improvement lease. I am mentioning these things because I myself have made a research into the land system in Malabar and have studied agrarian reforms in all parts of the world in connexion with that research. (At this stage, the Hon. Sri C. Rajagopalachari entered the Chamber and took his seat.) (To the Hon. the Chief Minister) You were not present a little earlier, Sir. I was then paying a high compliment to the Law Minister, the Hon. Sri Kuttikrishnan Nair. Now, Sir, this kanam, of which we hear so much in Malabar, is only a development of kuzhikanam. The land is so situated in Malabar that it requires a large investment to bring it under cultivation, whether it is garden cultivation or paddy cultivation. Now, the expenses incurred by a tenant were calculated and assessed by assessors and a document was entered into in that connexion, because the landlord wanted to know what the tenant's value in the land was. A kanam never meant mortgage of the land but it meant only the value of improvement as assessed by assessors. Now, when the population was sparse, the tenants were not evicted. Another peculiarity with Malabar was that there was no land tax before the British Government took possession of that part of the country. The kings and the rajas depended for their revenue on custom and other sources of income. There was no land-tax at all then. When the Britisher introduced the land-tax, it had to be paid by the proprietor or the janmi and that disturbed the relations between the landlord and the tenant. As a result, we have seen an agitation going on since 1836. As the population increased, the agitation also increased. Now, in the economic structure which is prevalent outside the Communist countries, namely, Russia and China, there has been a continuous action by exploiters and ex-proprietors. People when they could exploit somebody always exploited. Now, Sir, we are trying to prevent rack-renting by means of legislation. When there is a great pressure of population on land, any legislation against rack-renting cannot be enforced. There are so many

[18th January 1954] [Dr. V. K. John]

intermediaries according to the land system prevalent in Malabar. An estimate was taken in 1929 and I think it is stated in the report of the Committee concerned that there are only 5.6 per cent owner-cultivators in Malabar. The reason is that they found it more profitable to lease the land to cultivators than to cultivate it themselves. It will also be seen that out of a total of 2,71,469 pattas, 2,66,000 are single pattas paying less than Rs. 100. As I said, it will be seen that there are only 5.6 per cent owner-cultivators in Malabar. The real reason for this is that the owner of the land always found it advantageous to give it to somebody for cultivation. One will find that on a plot of land there are a few intermediaries with the janmi at the top and the rack-rented cultivator at the bottom. Now, the agitation in Malabar, as pointed out by the Hon. Minister, started in 1836. After many years, by about 1887 or 1900 the tenants got compensation which was due to them on eviction. The agitation continued. The result of all these agitations is expropriation on the one side and exploitation on the other. The tenants wanted to expropriate the landlords. On the other hand, there was the complaint that the landlords were exploiting the tenants, intermediaries were exploiting the cultivating tenants and that there was rack-renting. By a previous enactment, the landlords were compelled to give fixity of tenure to a large class of tenants without any compensation whatsoever being paid to them. By the present Bill, the landlords will certainly be expropriated, they will not be paid any compensation and they will not be allowed even to resume their land for personal cultivation. The fair rent has been changed frequently. Once it was two-thirds. Later on, it has become one-eighth. In this manner, the fair rent has been reduced. In 1946, the Government brought forward a measure to abolish the zamindaris without paying adequate compensation to the zamindars. It was a clear case of expropriation. They cannot go on expropriating the landlords or landholders in this fashion. If we look into the history of tenancy legislation in Malabar, we will find exploitation on the one side by the owner, intermediaries and others and expropriation on the other side. On the one side, there were the owners and intermediaries exploiting the cultivating tenants. On the other side were cultivating tenants and others asking the landlord or landowner to give up his rights in the property without any compensation. The two currents flowed side by side. Now, the tenants have gone further and I must say that expropriation is succeeding. What will really happen at the end of all these agitations? If we followed the course of expropriation which is adopted today, very soon the landlords would have lost all their rights in the properties without getting any compensation whatsoever and we would have introduced Bolshevism or Communism. On the other hand, if we allowed exploitation by the owners of land or intermediaries, in spite of any enactment that we may pass, in spite of any restriction that we may impose and even in spite of heavy penalties which we may impose, most of the cultivators will be rack-rented. Every cultivating tenant will have to pay a high rent to the owner or intermediary as the case may be. No legislation, however rigorous it may be, can prevent this. The

2-40
p.m.

[Dr. V. K. John] [18th January 1954]

question now is this. Can we have a more rational reform or measure by which the land-owner is not expropriated and the cultivator is not exploited? This position arose in Germany in the beginning of the 19th century. In 1811, two University Professors put up a proposition before the Emperor and an enactment followed soon. The professors who made an investigation into this question gave their findings. They have used the term 'marks' but I am going to use the term 'rupees' for purposes of convenience. According to their findings, this was the position. Out of Rs. 100 payable by a tenant to a landowner, Rs. 20 went as land-tax and the collection agency and others consumed another Rs. 20. The result was the landowner was left with a net income of Rs. 60. The Professors after making an elaborate investigation suggested a measure of reform under which this Rs. 60 was to be capitalised twenty times. A bond for a sum of Rs. 1,200 was to be executed by the cultivating tenant to the landlord and this would bear interest at 5 per cent. This bond was guaranteed by a co-operative society. I need hardly tell you that the co-operative societies prospered and thrived in Germany at that time better than in any other place, although today in Holland, Denmark and other places, the co-operative societies can be said to be functioning better. The Professors said that these bonds might also be guaranteed by the Government. But, the landowners did not want the Government guarantee. As I already said, these bonds carried 5 per cent interest. The sum of Rs. 60 was paid in two instalments by the co-operative societies to the landowners. The landlords or landowners required no collection agency and they were sure of getting this money in instalments twice a year. Moreover, the landlords could sell these bonds in the open market. These bonds were considered to be very good security and a bond worth Rs. 100 could very easily be sold for a sum much higher than Rs. 100. The co-operative societies used to collect from the cultivating tenant Rs. 60 to be paid to the landlord, Rs. 20 to be paid to the Government as tax, Rs. 15 to be paid into an Annuity Fund and Rs. 2 towards collection expenses. Thus a sum of Rs. 97 was accounted for out of a sum of Rs. 100. The sum paid into the Annuity Fund was invested at 5 per cent compound interest and this was utilised for paying off the bond. If you invest Re. 1 with compound interest at 5 per cent, it will bring Rs. 100 in 36 years. It is merely a mathematical calculation. Here, when they pay Rs. 15 every year, in 36 years, it will come to Rs. 1,600. These figures are not immutable. I am only explaining the general principles underlying the reform introduced in Germany. In the initial years, they had prescribed a period of 47-1/2 years for repayment. Actually, it was found that the cultivating tenants did not wait for 47-1/2 years, because, agriculture is a human problem. The tenants thought that by paying something less than the rent, they could become the owners of the land and that they could pay it at any time they liked. Ninety-nine per cent of the cultivating tenants in Germany paid off their bonds in 10 years' time. It was also found that the yield from the land increased by three times. The primary object of any land reform or agrarian reform must be

[Dr. V. K. John] [18th January 1954]

to get the largest output from the land. No doubt, agriculture is a human problem. When a man is told that he would become the owner of the land in a few years, he will starve himself instead of starving the land. If today the Germans are thrifty, it is due to the fact that for many years these land reforms were in operation there. The cultivators by paying a small sum towards the Annuity Fund become the owners of the land in a few years. The owner of the land was paid the market value for the lands taken away from him. He was not expropriated at all. The reform in Germany created an independent peasantry cultivating its own land. Nobody was compelled either to give the land or to take the land. It was left to the option of the tenant or the cultivator to buy the land from the landlord and thus acquire the ownership of the property. Now, what are the advantages of such a reform? The tenant by paying something less than the rent, became the owner of the land in a few years and the landlord was not expropriated. He got a bond. In this State, we have the Hindu Law and Marumakkattayam Law and other enactments. These bonds can take the place of immovable property. The landlords need not be expropriated and they may be enabled to sell the bond as they liked at any time and get interest out of the bond.

"Then, Sir, from the point of view of the nation which is the most important, output from the land must be increased. In Germany, the co-operative societies were filled with millions of marks. If Germany prospered in the 19th century, it was solely and entirely due to these agrarian reforms which filled every co-operative society with millions of marks which in turn found their way to create a boom in industry and trade. Though a small portion went to the improvement of agriculture, major portion of them went into industry, Germany's prosperity was entirely due to these agrarian reforms which, as it were, converted the land into cash and put it back into the co-operative societies.

"Now, Sir, this agrarian reform was copied in other parts of the world. I have made a special study of agrarian reforms in all parts of the world by reading a large number of volumes of reports sent by the Ambassadors of the United Kingdom to His Majesty's Government in United Kingdom on agrarian reforms as they obtain in various parts of the world. The United Kingdom Government called for these reports in order to find out what reform they could introduce in Ireland. I read through these reports in the British museum and you will find, Sir, that it is the German reform which converted the tenant cultivator into the owner of the land by enabling him to pay the owner in annuities without expropriating the landlord. This scheme was adopted in many countries. You know Frenchmen are a very emotional and gullible people and if Bolshevism did not enter France in 1917 and subsequently, it is due to the fact that there are five million owner-cultivators in France owning each one acre or two acres of vine yards and lands. We must have a measure which will not exploit the poor cultivator and which will not expropriate the

[Dr. V. K. John] [18th January 1954]

owner of the land. Such a measure alone can finally solve the agrarian problem. If we start expropriation, we shall only reach the goal of Communism. If there is exploitation, then the poor will suffer from hunger and poverty. I say it is impossible to have any legislation to prevent rack-renting in a place where there are nearly a thousand people to the square mile and about half of the land is covered by hills and lagoons which are uncultivable. Actually, there are 2,000 people to the square mile in Malabar. We must have a measure which will not have any repercussions hereafter. We find now various enactments which have had their repercussions. Take the period right from the year 1887. We have had several enactments which had their own repercussions. There will be agitation even now, after we pass this Bill into law. You have now reduced the rent to $1/8$ from $2/3$. The agitation will be for a reduction to $1/10$ or even $1/12$ and then the agitators will say that the landlord can get no rent at all. There will be such an agitation. On one side we will find people expropriating the landlords which is against the Fundamental Rights guaranteed in the Constitution. Unless we want to follow in the footsteps of Russia and China, there should not be expropriation if we possibly can avoid it. There should not be exploitation also on the other side, if we want to prevent hunger and poverty in the land. We can never prevent exploitation when there is so much pressure of population on land as we see in Malabar. We have only 5-6 per cent of the people as owner-cultivators. Naturally, people who have no occupation will cultivate whatever land that they come across and there will be rack-renting. We must try to have a reform which will regulate the relationship between the landlord and the tenant in the best manner possible. The Government have now introduced a most irrational piece of legislation and I protest against it. I want the Government to prevent exploitation and expropriation. I want them to follow the reform introduced in Germany and in other parts of the world. It was introduced all over Western Europe. It was not introduced in Russia and we know what the result was in 1917. The landlords were so powerful in Russia that they would never have such a reform and, therefore, expropriation came. I suggest that if the Government want to avoid future troubles, they should adopt this German method. There will be, I am quite sure, a countrywide agitation for a greater reduction of rent. We will never be able to resist that. With adult suffrage for elections, I am quite sure the representatives of the people will have to heed to such an agitation. In all agrarian reforms, we must bear in mind two alternatives. One is to give fixity of tenure and fair rent. The other is to make the cultivator buy up occupancy rights by paying the market value of the land to the owner. The other day, when I was speaking here, the Finance Minister incidentally pointed out that the Government had not got the money to buy up the occupancy rights of the owners. I say you have made a mistake. When the Government abolished the zamindaris, they allotted nearly 17-1/2 crores of rupees to benefit persons who were given ryotwari pattas. That was an irrational piece of legislation. As in Germany or in the

[Dr. V. K. John] 18th January 1954]

United Provinces, the persons who have benefited from this abolition of Zamindaris should be asked to pay into co-operative societies annuities—that is the price of the land in instalments. I do not ask the Government to pay the value of the land but the persons who have benefited from this and that, in accordance with their capacity. I would not mind if a landlord lost ten or fifteen per cent of the rent payable to him to enable the tenant to buy up his rights. It need not be even the market value but market value minus fifteen per cent. Sir, actually fifteen years ago, the zamindars should have sold their lands for the market value thereof. So, what I tell the landlords of Malabar, the intermediaries, once, twice and thrice is: 'See that the relationship of landlord and tenant does not exist. Let the tenant become the owner of the land by paying annuities—the value of the land in instalments—to a co-operative society.' Sir, this morning we were discussing a Bill to remove agricultural indebtedness for a temporary period. If co-operative societies are filled with lakhs and crores of rupees by cultivating tenants, then where is indebtedness? If land in Malabar is valued and paid in cash into co-operative societies, then that money will be available for improving land and for promoting trade and commerce. This is not a visionary scheme but a scheme which was followed in Germany and in many other countries of the world. If the Government are not prepared to pay anything, let those who are benefited pay. If we ask any economist—he would say that the relationship between tenants and landlords is an economic waste. In England the Small Holdings Act was passed in 1926. There is local self-Government in England and this Act has given powers to local bodies to look after the welfare of the people within their jurisdiction. Under this Act, a man can go and ask for a few acres of land for cultivation and he need only to pay fair rent for sixty years or its equivalent. Then he becomes the owner of the land. That is what our local bodies should also do. There should be decentralisation of authority, each local body having jurisdiction over a certain number of villages with a total population of 5,000. People must be given responsibility. It must be the concern, pride and privilege of the local bodies, to see that no man goes with a begging bowl in his hand within their respective jurisdictions, no man is without employment and without land and education and there is no poverty or hunger among the people. It is for the local body to acquire lands for the landless. (At this stage, Mr. Chairman sounded the gong.)

“Therefore, Sir, I would suggest that we introduce similar reforms as were introduced in Germany in the last century and which were also adopted by many other countries. If the present relationship between the landlord and the tenant ceases to exist, and if the rent that is now lost between them towards the cost of a collection agency, etc., is converted into an annuity which will enable the tenants to buy up the land, then the problem will be solved for all time. I can assure the Hon. Minister for Law that we will never see the end of agrarian reforms either in Malabar or

[Dr. V. K. John] [18th January 1954]

anywhere else if we adopt such measures, as are under discussion now. Next year we will have to bring in another amending Bill to revise the 1/8th share of the landlord into 1/12th. I am not weeping for the landlord. My heart is with the tenants, the poor cultivators who are rackrented, and I am against the intermediaries who have fixity of tenure and who are rackrenting the poor cultivators and get the best out of the land. It is these intermediaries who influenced the Government to pass the Act of 1930 and got fixity of tenure for themselves and not for the poor cultivators.

"I therefore suggest to Government that they must have a rational way of looking at agrarian reforms. Government must investigate the matter thoroughly. They must study and understand how the agrarian reforms were introduced in Germany, and how that reform was adopted by various other countries, and how it made the peasantry independent which led to an increase of the output by three times, how it solved the problem of indebtedness and made the cultivators the owner of the land. I would suggest to the Government that they may adopt the second alternative and enable the cultivator of land to buy up the land by payment of annuities, not by Government but by the cultivators themselves. If that is done, the problem of agrarian reforms in Malabar can be easily solved. It can be applied with or without modifications to other parts of the State and the country as well. I strongly commend this rational method to the Hon. Minister for Law to solve the agrarian problem in Malabar. That method was adopted in many countries and found to be a complete success. The method adopted in the legislation before the House is irrational. I strongly condemn it. It should not have been introduced at all. This is only whetting the appetite of intermediaries who will ask for more and more and rackrent the poor cultivators and expropriate the landlord and will not result in any good to the country, to the tenant or the cultivator or anybody else. I say the cultivator should be enabled to buy up the rights by paying the market value and then we would have solved the agrarian problem in Malabar. Otherwise the Government would be only creating new problems. The cure which the Government have now adopted is worse than the disease. I condemn the Bill. I condemn it strongly and ask the Government to withdraw it and introduce another Bill which will lead to no expropriation, and which will lead to no exploitation."

* SRI K. BALASUBRAMANYA AYYAR:—Mr. Chairman, Sir, in considering the various aspects of this Bill, I have to say that the Hon. the Law Minister when he introduced the original Bill in 1953 was very wise and the amendments were very sound. I wholeheartedly support many of the amendments which he introduced in that Bill. But, unfortunately, in the Select Committee things took a very different shape. There were large numbers of people belonging to various groups and they all pressed upon the Hon. the Chief Minister and the Hon. the Law Minister various other provisions. Therefore some of the amendments which were

[Sri K. Balasubramanya Ayyar]

never thought of by the Government, I make bold to say, to sections 14 and 20 of the principal Act were brought in and of course the Hon. Chief Minister applied his mind to those amendments and accepted some of them. After the Select Committee stage and accepted some of them. After the Select Committee stage the matter went before the Legislative Assembly. There again a large number of amendments were moved by various groups of people, certainly not friends of the Congress, and of them some were selected by the Hon. the Chief Minister and the Hon. the Law Minister and they were agreed to. Some of the amendments accepted have really created a revolution and that is why I am in the unfortunate position of not being able to welcome this Bill as I would otherwise have done if the Bill had been presented in the form in which it was originally introduced. I take my stand on the principle which the Hon. the Chief Minister enunciated during the discussions in the Select Committee and also during the consideration of the Bill in the Assembly, that the Government representing the State should be just to all parties, that the Government should do justice as between the ryot and the landlord, should do things which are right and proper and which are according to intrinsic principles of justice and which would be welcomed by all, and that the Government should not take sides. In respect of this matter I would only draw the attention of the Government to the way in which the Government of Madras broached the question on an earlier occasion. I shall quote the very words used in the report of the Malabar Tenancy Committee, 1928—

"The Government's position on this question has been that it is not profitable or just to go behind the decisions of Courts ranging over three-quarters of a century, which have recognized the full proprietary rights of the janmi. The Government are therefore, of opinion that any future attempt at legislation should take that right as a settled fact and proceed on the basis thereof."

"What do we see here now? People have been talking of janmis as not having full rights though the definition in the Act of 1930 and the Amendment Act of 1951 says that the janmis are entitled to full and absolute proprietorship of the land."

"The report further says:

"As a corollary to that proposition, they think that any attempt to take away the rights of the janmis, in any substantial way, whether it be by the grant of permanent occupancy rights or otherwise, should be accompanied by adequate provision for reasonable compensation being paid to the janmi. While this has to be conceded to the janmi the Government are also of the opinion that in the case of homesteads at least there is urgent necessity for creating security of tenure, that the claim of the actual cultivator of the soil for fixity of tenure and security from arbitrary evictions must be viewed with considerable sympathy and that every possible attempt should be made to secure this to him in so far as it can be reasonably done without injustice to the janmis."

"Now, Sir, what has happened? The vestige of janmis' rights has also been taken away. Two of the most important rights of any absolute owner are: (1) he has the choice to induct tenants into the land or not and (2) the right to recover rents. In the Select Committee stage the Leader of the Opposition in the Assembly, Sri Ramamurthi said: 'What wrong is there so long as the janmi gets the rent all right'. He further said: 'It does not even matter if the land were taken away from the landlord; so

[Sri K. Balasubramanya Ayyar] [18th January 1954]

long as he has the right to recover rent properly, then his rights are protected'. But when it comes to the question of fixing of rents, amendments proceed in such a fashion, discussions proceed in such a fashion that even the right to recover rent is in danger. When we say the jannis have the right to recover rent, the rent is reduced. It is said that the landlord should not apply for fixation of fair rent or revision of fair rent once the fair rent is settled. I say this fair rent is really unfair to the landlord. This is all in favour of the tenant and is called fair rent. After it is settled in the law court, still we in the Legislature ought to interfere and say what should be the fair rent.

3-10
p.m.

"Sri M. P. Govinda Menon has given notice of an amendment by which the tenant could pay the fair rent or contract rent whichever is less. Fortunately such a provision enabling the tenant to pay that rent which is lesser of the two rents, viz., contract or fair rent is not here in the Bill. Looking at the amendments that have been made after the Bill had emerged from the Select Committee and passed by the Assembly, it looks as though the whole Bill is over-weighted in favour of the tenants. The jannis seem to have had a raw deal. A transformation seems to have taken place soon after the Bill had passed through the Select Committee stage. What is it that we find now? Even the right to resume personal cultivation is now denied to the jannis. I submit, Sir, in all earnestness that so far as sections 14 and 20 of the principal Act—I mean the Malabar Tenancy Act of 1929—are concerned, those are the only sections wherein the poor janni is given at least some sort of rights. The right to resume personal cultivation had been given to the janni. That fact was conceded even when the present Bill was discussed in the Select Committee. 'That solemn right of the janni to resume personal cultivation for *bona fide* reasons would never be disturbed'—this was what we were told during the discussions in the Select Committee. But what do we find now? (The Hon. Sri C. Rajagopalachari: 'Even now it is not denied.') Of course the Hon. Chief Minister may say so. If we look into the particular clause, we find a great change had been effected. What was it that was stated in the Act of 1945? What was it that was conceded in the Malabar Tenancy (Amendment) Act of 1951? The right of the janni to resume any plot of his land he may require for personal cultivation to satisfy his *bona fide* needs and for his maintenance, was conceded in the above enactments. The principal Act contained such a provision. Even in the Kuttikrishna Menon Committee report which thoroughly went into this question, it was stated that the janni being the owner of the land, has got the right to resume cultivation in parts of his lands for his maintenance. None of the various committees which went into the question of tenancy reform in Malabar did ever say that the janni had no right to resume personal cultivation for his maintenance. I am yet to see the report of a committee which denied him such a right. Let me bring to the notice of the House what Sir A. P. Patro long ago observed. What did he say? He said: 'So long as the

18th January 1954] [Sri K. Balasubramanya Ayyar]

janni is the absolute proprietor of his land, you cannot deny him the right to resume cultivation if he so wants it'. All along it has been recognized in the various enactments for the reform of Malabar Tenancy that the janni is the absolute proprietor of his land and that the right to resume personal cultivation cannot be denied to him. That fundamental principle had never been denied. But a curious provision is inserted now? What is that provision? The Exception after the Explanation to clause 5 of section 14 of the principal Act now proposed in clause 15 of the present Bill says:

'Nothing in this clause shall apply to any holding which has been in the continuous occupation of the tenant or of any member of his tarwad, tavazhi illom, kutumba, kavaru or family for not less than six years.'

If the tenant has been in continuous occupation of the land for six continuous years, nothing on earth can move him now. All those solemn declarations by which the janni was characterized as the sole proprietor of the land and by which the right to resume personal cultivation was given to the janni to satisfy his primary needs, are now gone. All those proprietorships will be of no avail once the tenant has been in continuous occupation of the land for six years. I am not a resident of Malabar. Nor am I proficient in questions concerning Malabar tenures. Of course my hon. friend Mr. Govinda Menon wants that all these tenants should be declared outright owners of lands and not the jannis. But what do the reports show? Let it not be imagined that the jannis are rich people. What did the Raghavayya Committee say? They have stated that only 8 per cent of them are really rich, that 20 per cent of them have something for their own subsistence and that the rest of them are poor jannis. What did Sri K. P. Raman Menon, a leading member of the Bar in Calicut, say in the Kuttikrishna Menon Committee Report? He has brought out instances wherein a poor janni did not have enough funds even to pay the assessment for his lands. This has been recorded in that report. Therefore let not a one-sided view be taken that the jannis are a rich lot and that the tenants only are the people who need relief. There have been instances when a janni did not have the necessary funds to pay his gardener and when the gardener under him was also a janni. When such is the case and when the bulk of the jannis are poor, is it right and proper to deny him the right to resume personal cultivation if the janni so desires? What is the meaning in saying at one place that the janni is the absolute proprietor of his land and at the same time in another place denying him the right to resume personal cultivation because he could not now evict the tenant if the latter had been in continuous possession of the land for six years. All the time it should be remembered that right from 1946, the evictions had been stayed and now the six-years period would have elapsed and so the tenants had been in continuous occupation of the lands for more than six years. Under the present provision it virtually amounts to denying the right to the janni to resume personal cultivation. Therefore the fundamental principle of giving the right to resume personal cultivation for the janni which

[Sri K. Balasubramanya Ayyar] [18th January 1954]

had been conceded in the Acts of 1930 and 1951 had now been denied. Even though it has not been put in black and white, it virtually amounts to that. I had explained it just now. What did the Government say when they brought forward the Bill in 1951 to amend the Malabar Tenancy Act of 1929? They said in future legislation also, we will not touch the fundamental principle of the janmi being the absolute proprietor of his land. What use is that proprietorship when it is now said that he cannot resume personal cultivation and cannot evict his tenant? Of course Mr. Govinda Menon had taken pains to refer to old days. He had gone back as far as 1836. He has referred to T. T. Logan's Manual wherein it has been stated that the janmi has not got any proprietary right over the land and that only the cultivator alone, if at all any right exists, should be given the right of proprietorship, on the lines of the Roman dominus. But I say, Sir, I shall go still farther back. When in 1793 Tippu seceded Malabar to the British Government, a commission was appointed to settle the proprietorship of lands for which there were various claimants at that time. And, what did that commission say? They said that the janmi was the proprietor of the land and the kanamdars had also a share in it. Let it be understood that even in those days they never forgot the kanamdars. The one peculiarity we find in Malabar land tenure is that there is a plethora of intermediaries. Never mind this legislation or any other legislation. I say by no legislation, however much we may try to investigate and investigate, can we exactly define who will be the owner of the land? Can we say that the tiller of the soil is the owner? Even the much-talked of verumpattandar is not in many cases the actual tiller of the soil. Even there we have a distinction. There is the cultivating verumpattandar and non-cultivating verumpattandar. That is why I say it would be better to follow what eminent jurists, most eminent men who sat in various committees have said. Great jurists like Sir T. Muthuswami Iyer and Sir S. Subramania Iyer sat in the committee of 1884 which went in detail over this question. The committee was presided over by an eminent man Therein those eminent people have laid down that the janmi should have the unassailable right of proprietorship of the land and that he has the right to resume personal cultivation if he so likes it. But we find a curious departure from that fundamental principle. It is now said that if the tenant has been in continuous occupation for six years, the landlord cannot evict him even if he wants to resume personal cultivation for his maintenance. As I said previously, right from 1946, the Government have been staying all suits for eviction of tenants and they have been staying all suits for recovering arrears of rent. A legislation to that effect was passed in 1946 and it was extended for two years and then for another two years. The Tenants and Ryots Protection Act of 1949 gave another extension. We are now in 1953. Therefore all these seven years the tenants have been in continuous occupation of the lands. So by the present provision in this Bill, the landlord cannot evict any tenant. That is the present position. When such is the case, can we say that

18th January 1954] [Sri K. Balasubramanya Ayyar]

justice has been done to one and all. That is why I plead for justice to be meted out to the poor janmis, who have all along been neglected. I plead for justice at the hands of one, who now heads this Government and who will always do the just thing and will continue to do that in spite of unpopularity. That is why because he is such an upright man I plead that it is not fair to pass an expropriatory legislation like this, giving all the benefit to the tenants and at the same time depriving the poor janmi of even the right to resume personal cultivation to satisfy his primary needs. Let it not be understood that all the janmis are rich. Not even 8 per cent of the janmis are rich. That is why I say the proposal to provide for an exception, in the case of the tenants who have been in continuous possession of land for six years, against any eviction in the amendments proposed in clause 15 to sections 14 and 20 of the principal Act is not at all correct. It completely deprives the janmi from exercising his right to resume personal cultivation. I have already pointed out how it deprives the right of the janmi. The Hon. Law Minister was wise enough in not moving any amendment to that effect during the Select Committee stage. But some how when the Bill came before the Assembly for discussion, I think, to allay the agitation of many parties the 12-year period has been reduced to six. Of course, Mr Govinda Menon is so reactionary as to wipe out the landlords altogether from the field and make the tenants the complete owners of the soil. Such a provision has not been enacted now. To that extent we must thank the Government. (Laughter.) It is purely an expropriatory legislation. There is no doubt about it. After having stated that the janmis have full proprietary rights, nobody can support this legislation. Many families have been partitioned under the Marumakathayam Law and the Nambudri Act, 1932, and many junior members—I am not stating these out of my personal knowledge but they are mentioned in the various reports—are anxious to cultivate their lands. But this legislation does not help them to do so and I therefore say that this legislation which is now before this House after the Assembly stage completely deprives the janmis of all their rights. So far as the right of recovery of rents is concerned, so many provisions have been put in for the purpose of fixing fair rent that the 'fair rent' is always unfair to the landlord and all in favour of the tenant. The landlord cannot have any increase in rent even though the tenants who grow commercial crops have become very rich people, so to say, 'pepper kings', during these years of high prices. If there is any provision in this Malabar Tenancy Act which states that nothing in this Act shall apply to the tenants who have got more than"

3-20
p.m.

* THE HON. SRI C. RAJAGOPALACHARI:—"If janmi is so poor, how can he have rich tenants? If the land is very small for the janmi it must be very small for the tenant also. We should not pick up the poorest janmis on the one hand and the richest tenants on the other hand and compare them."

[18th January 1954]

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, I am not comparing the poor janmi with the rich tenant. Fortunately or unfortunately, Sir, there is a lot of land available in Malabar for purposes of improvement and for cultivation. We must also remember that there is no such irrigation system in Malabar as we have in Tanjore and other districts. Therefore there is great scope for the tenants to improve their lands and to get a lot of money by growing articles which have now risen in price. The chief difficulty in Malabar is this question of rising prices. The tenant can pay the rent in money or if he chooses in kind. My submission, therefore, is that this Bill as it is, is not just to the landlord. I am not against this Bill nor do I want to say that there should be no fixity of tenure. Wherever there are hard cases they must be protected. We must also take into consideration the fact that the janmi has got full proprietary rights and such proprietary rights as he has got must be absolutely protected and the amendments proposed in clauses 14 and 15 of this Bill should not be passed by the Legislative Council."

* SRI P. N. MARTHANDAM PILLAI:—"Mr. Chairman, Sir, if I am desirous of intervening in this debate, it is because some 30 years ago I happened to be the President of the First Malabar Tenancy Agitation Conference. This conference was held at Palghat and Sir M. Krishnan Nair put the mantle on my shoulders because the elder members were unwilling to accept it. I therefore had to go all the way to Palghat and listen to all their complaints. I was greatly impressed that the case of Malabar was entirely different from the rest of the country and the position of the tenant was literally much more onerous than the tenant in this part of the State. During the course of the speeches made, the representations made and the conclusions arrived at, I felt that the tenants in Malabar were poorer than the tenants in our part of the land. This agitation was started for the verumpattam-dars and other 'dars' whom I do not quite remember. They said that many middlemen, mostly lawyers and merchants who have earned a lot of money, had arisen. Now that Sri K. Balasubramanya Ayyar has also mentioned it after 30 years, my answer is that they are not middlemen but they are middle class men and I do not think that we can raise any objection to the middle class men owning land along with the poor men and along with the janmis. After I listened to the hon. Member, Sri M. P. Govinda Menon and the Hon. the Minister for Law, I necessarily felt that the cause of the tenant was really a good one and therefore every sympathy must always be shown to the tenant."

"Till I heard Sri K. Balasubramanya Ayyar I felt that the tenant's cause was unanswerable and no objection could be taken to the Bill. Now that I have heard him, I have some hesitation. It is not that I am against the janmi but there may be hard cases but I am quite willing to put up with hard cases provided no great injury is done to any class of men. Sir, we are going to have our own land reform, and I shall be the last man to accept

[18th January 1954] [Sri P. N. Marthandam Pillai]

the principle that the good of the majority must be accepted by the few men who lose but the position in Malabar, I still believe is entirely different. I therefore still support the Bill with the knowledge that no great harm will be done to the minority of the individuals who may be janmis and who may be poor. If they are poor janmis, I do not think they lose much. I am in the bad predicament of Sir John Wallis, who was the Chief Justice of the Madras High Court. In deciding a case he once said: 'Look here, Mr. Sadagopachariar, if I look to the vakil on the left I feel that his witnesses are lying and if I look to the witnesses on your side I see that they are lying.' Mr. Sadagopachariar, the clever advocate that he was, said: 'My Lord, in such a case, I request Your Lordship not to look at my witnesses.' Sir John Wallis got up and went away laughing. Similarly, I am feeling that the janmi requires some protection. I think the Government must have taken all this into consideration and also whatever representations either Sri M. P. Govindan Menon or the other groups have made. If there is any likelihood of any wrong to the janmis, I think we shall certainly look into it and, if possible amend the law after it has been in force for some time. These reforms are always thought of from time to time and they always have elements in them which are either good or bad. No law is perpetual. So we must have some time to amend the points which we consider to be really bad or oppressive. I do not want that the Government should harbour any feeling against the janmi or the tenant. The law is both for the prosperity of the whole lot of the people including the consumers who have nothing to do with cultivation and for the prosperity of the country as a whole. I therefore support the Bill wholeheartedly in the belief that the law which is enacted at present will really do good and if there is anything oppressive, I do say that it will receive the attention of the Government and the Government will remove any injustice that may be done to any of these people."

* SRI E. H. PARAMESWARAN:—"Mr. Chairman, Sir, I have great pleasure in supporting this Bill amending the Malabar Tenancy Act. In spite of everything that the hon. Member Sri K. Balasubramanya Ayyar, said and in spite of the condemnation of the hon. Member Dr. V. K. John, I feel it my duty to say . . ."

SRI MOHAMMAD RAZA KHAN:—"Dr. V. K. John did not oppose the Bill. He wanted something to be done on the model of . . ."

* SRI E. H. PARAMESWARAN:—"Yes, he wanted something on the model of what is obtaining in Germany and I do not think it was very relevant. Sir, the large number of tenants in Malabar are very enthusiastic that justice has been done to them. As one coming from the district of Malabar and as one who is neither a janmi nor a tenant I feel that there is every reason to congratulate the Government, the Hon. Minister for Law and the Hon. the Chief Minister on the very great progress that they have

[Sri E. H. Parameswaran] [18th January 1954]

been able to make in the Bill. I feel it my duty to say that the Hon. the Chief Minister took infinite pains in the drafting of the Bill in the Joint Select Committee. He was present at every meeting of the Joint Select Committee. I for one thought that he had no mastery of the peculiar problems of Malabar and that he might not be able to devote much attention to the Bill. But he bestowed his supreme wisdom and experience in the drafting of this legislation and the result is that we find that something satisfactory to the tenants and something satisfactory to the janmis also has been passed by the Legislative Assembly. We find that with regard to several matters like provision of ukudis, fair rent, etc., very great advance has been made. I should also like to congratulate the Government for having arranged to consult Mr. Kelappan of the Praja Socialist Party though he was not a Member of the Joint Select Committee. Mr. Kelappan is one of the great leaders of Malabar. The Government thought that a leader like Mr. Kelappan should be consulted. So they invited both Mr. Kelappan and Mr. Govinda Menon to go over to Madras and requested them to be present at the meeting of the Joint Select Committee. Representatives of janmis were also given an opportunity to present their case. All sides were heard and were given a patient hearing at the meeting of the Joint Select Committee.

"We are very glad that fixity of tenure is given to ukudidars and this will solve the housing problem to a very great extent. Fixity of tenure has also been given to the tenants who have been in possession of the land for a period of six years. This is very fundamental change and a very great change too. Of course there are people who say, 'we are not satisfied with any advance that is made'. There are people who say that the real owner of the soil is the tiller of the land and that the janmi has got no right over the land. We have heard all sorts of propaganda being carried on that janmis are tyrannical, that they are engines of tyranny and oppression and so on. I have heard speakers comparing them to the landlords of France before the French Revolution. All these are mere exaggeration. There is no use of saying now that janmies have no rights, that they are tyrannical and all that. With regard to fixing of fair rent also, there has been a great advance. The provision in the old Act that the tenant should pay half the assessment has now been eliminated, and that is a very great advance. In respect of coconut gardens and in respect of pepper gardens also there is reduction of rent. Therefore I feel that the tenants of Malabar have every reason to be glad that they have got a very welcome measure. I would make an appeal both to the janmis and tenants not to carry on an agitation but to live as brothers. Among janmis there are persons who have got hundreds of thousands of acres. But there are also janmis who live in utter poverty. I come from a village, Sir, where there are janmis who have not got the wherewithal for a living. They gave away their lands to the so called tenants several years back and they are not able to get back the lands and they are in utter

[18th January 1954] [Sri E. H. Parafeswaran]

poverty. The picture which Mr. Balasubramania Ayyar gave is not at all an incorrect picture. I felt very glad that the Government as a result of their efforts have produced a Bill which should be welcomed by all classes of people. All people who look at the Bill from an impartial point of view should welcome the provisions of the Bill and should feel that the Government have really done something to improve the agrarian situation in the district of Malabar. I would request the politicians not to carry on any propaganda either in favour of the old Bill or against it. I would like to say to janmis only this. Some kind of adjustability is necessary. There is no going two hundred years back. There is no use saying that janmis were very powerful and that no tenant would have any courage to stand before them. There is no use of harping upon the situation that existed two hundred years ago. Janmis and tenants must compose their differences. I think everybody will find that it is a happy measure and that it will conduce to the well-being and prosperity of Malabar. With these few words I have very great pleasure in congratulating the Government on the very beneficial measure that they have brought forward."

* SRI T. M. NARAYANASWAMY PILLAI:—"Mr. Chairman, Sir, I have very little to contribute to the discussion except to say that in passing this legislation the Government seem to have abandoned what I consider to be one of the essential principles. There was a Joint Select Committee consisting of all shades of opinion and that Committee came to certain definite conclusions with regard to several matters. On two important matters, decisions were arrived at by the Joint Select Committee and one of them related to the granting of fixity of tenure and the other related to the fixing of fair rent. On the question of granting of fixity of tenure, the Joint Select Committee decided that any one who was in continuous occupation for twelve years and more would get permanent occupancy. On the question of fixing fair rent, the Joint Select Committee decided that the decision of the Court was to prevail. Also there are three other important matters on which decisions were arrived at by the Joint Select Committee but I do not propose to refer to them now. On the two important matters which I was referring to, the Government, all of a sudden, without consulting anybody, seem to have yielded to some pressure. It is very refreshing to hear from my friend Sri Parameswaran that bad times are coming and that people should reconcile themselves to those times. (Interruption.) At any rate that is what I understood from his speech and that is the impression which his speech made upon me. We are not sitting here as a legislative body to be coerced into something which we consider to be wrong. The Joint Select Committee has given two directions. I wish to know the principle which the Government could urge or could lay before the House in order to justify the change of their opinion to which they themselves were committed. The Joint Select Committee said that it would be unjust to give fixity of tenure to people who did not have 12 years' occupancy;

[Sri T. M. Narayanaswamy Pillai] [18th January 1954]

that was also the opinion of the Government. Then why was it the Government reduced the period from 12 to 6 years? Was it because people clamoured for the change or was it because the tenants were so vociferous or clamorous that they would not be satisfied with anything less? Therefore, this Bill as passed by the Legislative Assembly does not represent the considered opinion of even the Government and if the Government are now forced to support the Bill as altered in one important matter, it must be on account of its yielding to and submitting to clamorous agitation; it is not in the interest of the country. We know the importance of agrarian reforms. My point is that persons who can command the ears of Government should not coerce other members of the society into submission. I have not given any amendment as I came here only this morning. If it were possible, I would suggest that this Bill be referred back to the Select Committee for considering these very points and for taking such further steps as are possible. If you would permit me, I will move the motion."

3-40 P.M. THE HON. SRI C. RAJAGOPALACHARI:—"I think the Hon. Member is ignoring the dissenting minutes."

* SRI T. M. NARAYANASWAMY PILLAI:—"My point is not that there are no dissenting minutes. My point relates to the changes in the attitude of the Government. What is the decision of the Government in the original Bill and the Select Committee and in the Bill as passed by the Assembly? What is the reason that prompted the Government to change their opinion?"

THE HON. SRI C. RAJAGOPALACHARI:—"If the hon. Member has an open mind, he will come to know of it."

* SRI T. M. NARAYANASWAMY PILLAI:—"My point is that the Government should stand by the recommendations of the Joint Select Committee rather than yield to pressure."

THE HON. SRI C. RAJAGOPALACHARI:—"The Constitution has been changed now."

* SRI T. M. NARAYANASWAMY PILLAI:—"The Constitution has not been changed but the way in which democratic administration is carried on has been changed. It is not in consonance with the true spirit of parliamentary democracy. I have not heard of a case where in open Parliament a Minister rises up and says 'My opponents are clamouring for this and therefore I yield to their request'. Is this a valid reason?"

THE HON. SRI C. RAJAGOPALACHARI:—"Between 1 and 12, we fixed six."

* SRI T. M. NARAYANASWAMY PILLAI:—"That is not a reason which is sound and which the Government should give."

18th January 1954]

SRI MOHAMMAD RAZA KHAN:—"Sir, without trying to contradict any of the Members of the Opposition, I would like to say at the outset that my sympathies are with the Government on this Bill because I quite realise the difficulties of the Government. In the last Assembly, during all the six years we were there, member after member from Malabar raised this issue of Malabar tenancy and Malabar agrarian reforms by way of adjournment motions, short notice questions and half-an-hour debates. After all that has been said by so many members who can speak with authority on the subject, the matter is not so easy that a legislation can be pushed through within a week or a month. Therefore, Sir, the then Government brought in a measure in the year 1951. Sri Madhava Menon, the then Law Minister, who happened to hail from Malabar, piloted the 1951 Act and he was very ably assisted at that time by Sri M. P. Govinda Menon. Unfortunately, it so happened that Sri Madhava Menon lost his seat on this very issue and his party suffered reverses in Malabar and I do not know whether Sri M. P. Govinda Menon has been responsible for putting Sri Madhava Menon in that unfortunate position. I leave it at that stage."

"I myself was surprised why an enactment, which was passed after a good deal of discussion and after going through a Joint Select Committee of both Houses which toured the district of Malabar and received memoranda from both sides—the janmis, tenants and others—had not received much support and why was it that within this very short period of one or two years there should be such keen agitation in Malabar that the whole thing should be scrapped. In fact, the hon. Member Sri M. P. Govinda Menon made a definite point when he said that apart from politics which played a prominent part it was on this question of agrarian reforms that the General Elections were fought and the Congress Party had to meet with such reverses. The fact is this, Sir. Whatever we may say about the merits or demerits of the enactment, the tenants in Malabar are not at all satisfied with the previous enactment. Much has been said by the Hon. Law Minister that particularly the machinery, which was created for fixing fair rent, etc., was found to be too cumbersome and if everything was to be finalised it would take not less than twelve years. I cannot claim to know anything about the tenure system prevailing even in Tamil Nad, but yet I venture to talk about Malabar where conditions are much more difficult and complicated. Now, Sir, one thing which really struck me was this. The other day I happened to be in the Assembly when the Hon. Chief Minister Sri C. Rajagopalachari, whose sense of justice and fairplay everybody knows, was replying to the debate on behalf of the Government. He said: 'Here is a case of two extremes. On the one hand, the majority of the people who are affected want very very drastic legislation. They want that the janmis should be left with nothing and that they should get everything which belongs to the janmis. On the other hand, the vested interests—I would not like to call the janmis like that—having been in possession of these things for a long period also feel that it would

[Sri Mohammad Raza Khan] [18th January 1954]

be difficult for them to part with them. We have to deal with both.' In the last Assembly the Zamindari Abolition Bill was passed. The Government have taken away their lands and most of the poor Zamindars are in the streets. But here it is not the Government who are getting the benefit. They are taking away the benefit from one section and passing it on to another section. On principle, it may look wrong. But we must look to present-day circumstances. The Hon. Chief Minister has studied the subject with a good deal of patience and he has bestowed much time and attention and has considered the view points of those who might have been opposed to the party in power or to the very Government and has made these proposals. My hon. Friend Sri M. P. Govinda Menon even said 'We are able to get so much from the Hon. the Chief Minister and the Government'. That itself is an indication and is a point in favour of the Government that they were able to understand the viewpoints of those who were opposed to them politically. But the question cannot be dealt with purely from the political angle because I know that there is real necessity and dire need for a legislation like this. Supposing the Government at this stage say 'We have gone so far. We cannot do anything more'. I am sure the present Law Minister will have to go back and another Law Minister from Malabar will have to come. I think the Government have done the best that is possible in the circumstances. It might have it some of the janmis. But in the generality of cases, we are not concerned with individuals. There may be some hard cases. We may sympathise with them. But the question is one which affects thousands of people, particularly in South Malabar, where poverty is rampant and people have been suffering for a very long time. Something has been done, Sir, in regard to fixity of tenure, fixation of fair rent, etc. The Hon. the Chief Minister has been very reasonable and I feel there is a case for us to give our support and co-operation to this enactment.

"Before I conclude my speech, I should like to refer to one thing. Even the other day Sri M. P. Govinda Menon drew the attention of the Hon. the Law Minister to a particular clause dealing with fixation of fair rent and said that as between the contract rent and fair rent, whichever was less should be accepted. I also find from the dissenting minutes that my friend Sri K. M. Seethi has also stressed this very same point and has pointed out that the section should be so amended as to provide for the payment by the tenant of fair rent or contract rent whichever is less. It would be well if the Hon. Chief Minister would accept this clause, because, as has been said in the preamble to this Bill, this Bill is intended to help the poor tenants. It is not intended to help the janmis who may not be getting proper rent. I hope that the Hon. the Chief Minister and the Hon. the Law Minister would do very well to examine this particular section and amend the provision suitably so as to provide for fair rent or contract rent whichever is less. I feel that the benefit of this enactment should go more to the tenants than to the janmis."

18th January 1954]

* SRI K. BHASHYAM:—"Sir, Malabar tenancy reform is a very difficult matter. It has been engaging the attention of the Government from time to time and also the attention of the people. The matter was considered by more than one committee and by more than one legislature. Every time some reform was effected, there was a good deal of dissatisfaction because one section or the other was not satisfied with the state of things as they were. I cannot at all understand why Malabar should be governed by a system of land tenure quite different from the one that is prevailing in the other parts of the State. Of course, the difference has been there for a long time. But now an attempt is being made to make the land tenure uniform throughout the State. Zamindaris were abolished for introducing the ryotwari system in those places. I suggested this before and I suggest it once again that we must introduce the ryotwari system in the whole of Malabar so that that district also may be on a par with the other parts of the State. I do not at all understand why there should be this difference except for the reason that it has been there for quite a long time."

THE HON. SRI C. RAJAGOPALACHARI:—"The method of cultivation, the nature of holdings, etc., vary considerably."

* SRI K. BHASHYAM:—"The Chief Minister is not a Malayalee, nor am I. But the rights as between the landlord and tenant are not variable; they are after all one and the same. It may be that pepper gardens may take a longer time to yield or jack-fruit trees may take a longer time, and there may be differences as to what portion of the produce the landlord should get and what portion of the produce the tenant should get. But on the question of the rights as between the landlord and the tenant, there cannot be any great difference between Malabar and the rest of the State. Even if there is some difference, it is not insuperable. I will suggest a way out if the Government are willing to consider it. The Government can carry out a survey of every one of the holdings and find out the proportion of interest which each one of the various tenure holders possesses in that land. Suppose the produce from a holding is one hundred paras of paddy, and out of it the janmi gets 10 paras, the Kanamdar 10 or 20 paras, the cultivating tenant 10 paras and so on. The land can be divided among these persons in proportion to the interest they possess and the whole land can be brought under the ryotwari settlement. What is the difficulty in this? One difficulty I can imagine and that is this. The holdings are so small that further subdivision will lead to fragmentation of holdings. If it is not possible to divide the land as suggested, we can amalgamate the share of two or three tenure holders, give it to one person and compensate the others. I am making this suggestion seriously. In a janmi conference held recently, the janmis wanted the ryotwari system to be introduced, giving to each one of the persons that portion of the land which corresponds to the interest he holds by way of income from that land. Under the ryotwari

[Sri K. Bhashyam] [18th January 1954]

system, there can be no question of clash of interests at all. The Government will be dealing directly with each one of the pattadars. This is the best arrangement that can be made. I feel that this Bill is not going to be the last word on the subject. There is going to be plenty of agitation over it. Malabar people are not people who will easily let things sleep. They have inherited some portion of the Andhra technique which the Tamil people do not have. There is no chance of my suggestion being accepted now. I think the Government will be well-advised to consider the suggestion seriously at least next time when they take up the question of land reform.

"Section 9-II of the Malabar Tenancy Act provides for the preparation of a Record of Rights in respect of every holding. In that case the Government will find out the interest which each tenure holder has got, whether it is one-third or one-fourth and so on. When that is done, the next thing is to divide the land in the proportion that is determined. Unfortunately the Government have repealed that section by this Bill on the ground that the preparation of a Record of Rights is an insuperable task. I am very sorry for it. The Government must have a survey and settlement.

"The whole tendency of modern legislation is to protect the actual cultivator on the land from being evicted. That is what has got to be done. I do not see why the intermediaries should be given fixity of tenure at all. The interests of the intermediaries may be bought out by the janmi or the tenant on the land and the intermediaries got rid of. I think the Government will have to do something in this direction and see that the interests of the intermediaries are purchased either by the janmi or by the cultivating tenant. Then there will be only the janmi and the tenant, and there will not be a plethora of intermediaries like the kanamdar, kuzhikanamdar and so on. All the intermediaries must go. I think legislation will be necessary for the purpose of getting rid of intermediaries. I strongly plead for uniformity in the land tenure system, because we have been following that policy and it is with that object that we abolished the zamindaris.

"The question of rent has always agitated the landlord and the tenant. If a tenant is asked to pay by way of rent more than what he has been paying so far, it is bound to create a lot of discontent. The tenants were discontented with the legislation for which hon. Member, Mr. Govinda Menon, also was responsible. My submission is that the electorate has expressed very strongly against that portion of the Bill. I think we have provided in the Madras Estates Land Act that if there is to be any increase in rent, it cannot be more than one anna or two annas in the rupee. There cannot be any sudden jump in the amount of rent. Suppose a tenant, who has been paying one hundred rupees so far, is asked to pay one thousand rupees. Certainly it is a great hardship. He might have drawn up his budget and incurred expenses. He

[18th January 1954] [Sri K. Bhashyam]

might have sent his son to England for higher education relying on the fact that he will have to pay a rent of only one hundred rupees. I have expressed my dissent against any sudden increase in rent all through. The fair rent cannot be higher than the rent which the tenant has been paying so far. If there is to be any increase at all it should be restricted as in the case of the Madras Estates Land Act. With this restriction, we may leave the fixation of fair rent to the Rent Court. There has been an agitation on the question of rent so far, and very soon in respect of the rent as fixed in the Bill also there will be agitation. (Interruption by the Hon. Sri C. Rajagopalachari.) If I am called, I will go and do something in the matter of agitation. But, I do not think I am big enough and persuasive enough for the purpose. Persons in charge of the Bill on the Government side or the Hon. Chief Minister himself may go and explain the position to the people. (Interruption by the Hon. Sri C. Rajagopalachari.) I know Mr. Govinda Menon is not pleased. His chief Mr. Kelappan came and talked to me about it. I told him he was right and he wanted me to speak about this in the Council. I really said. . ."

SRI M. P. GOVINDA MENON:—"The hon. Member promised to support."

* SRI K. BHASHYAM:—"Yes, I promised, and I kept up my promise. There is no doubt about it. What I point out is that, in such a case, it will be a very great hardship on the tenant. Coming from a lawyer, this will be very much discounted. Lawyers are a despised lot, and belong to a class of people who are not taken seriously. The Hon. the Chief Minister is supposed to have said I want to point out to you that in this case it is not for the benefit of the lawyer that I am saying all this. We must understand that lawyers speak not only for the clients but also for the general public. It is not a case of the lawyer speaking for himself. After all he may be a poor lawyer. He may not have an inch of land anywhere. I do not have any land in Malabar or anywhere else. All the experience and knowledge of the lawyers are given to the people. In expressing their opinion in cases affecting the interests of the people, they will be able to tell the exact position in respect of a particular matter, and they will say it whether it is considered or not. After all, they are persons who move with people at large and they will be able to put forth the grievances of the people better than others. Things are now changed, and other people also now purport to speak for them. Lawyers are not always speaking in their self-interest. They speak for the public also. Speaking for the public is not confined to politicians. There are some lawyers who really take a good deal of interest in public matters. We must give credit to them. There may be blacksheep among them, but that does not mean that there are no blacksheep among politicians. Coming to the point, if fair rent is to be fixed, let it be by a Civil Court. No doubt revenue officers have got great experience. I have no

[Sri K. Bhashyam] [18th January 1954]

objection to their trying cases which are really within their cognizance, e.g., classification of land into I class, etc. In a case dealing with property, it is not a matter of opinion. It is a question of deciding on the rights of parties on the evidence in the case, for which Civil Courts are the best fitted and they are manned by lawyers. Why should lawyers be discounted? I do not understand. Why then do the Government want the High Court Judges, even retired judges for all purposes? Why do they want a District Judge for the Industrial Tribunal? For sales tax appeals, they want a District Judge. Do the District Judges come from Heaven? They are only from the lawyer class."

THE HON. SRI C. RAJAGOPALACHARI:—"I do not think we have any Clause in the Bill that lawyers should not be entrusted with cases."

* SRI K. BHASHYAM:—"If the Hon. the Chief Minister objects to the relevancy of my remarks he is not quite correct. What I say is that the Civil Court must be substituted for the Rent Court, and it is a cheaper way of doing justice. The Hon. the Chief Minister must have great respect for lawyers, having belonged to that class himself once."

THE HON. SRI C. RAJAGOPALACHARI:—"There is no question about lawyers here."

* SRI K. BHASHYAM:—"Some people think that things are done in the interests of lawyers only. Is that opinion prevalent or not? I learnt that when the Moratorium Bill was being discussed and when lawyers protested against the stay of suits and proceedings and complained that Courts have no work to do, the Chief Minister is said to have exclaimed that it was the sweetest thing we had heard for some time." (Interruption.)

DR. V. K. JOHN:—"May I suggest to the hon. Member that lawyers can take care of themselves?"

* SRI K. BHASHYAM:—"What I do now is one way of taking care. What is the good of remaining silent over these matters? I plead very strongly for retaining the jurisdiction of the Civil Courts in all matters. They are the most important and competent persons to deal with cases. Rent Court is a misnomer. It consists of a person who is supposed to deal with tenants and cultivators. He has got some survey training and settlement training. Even District Munsifs are now given this training. What is the peculiarity about Rent Courts? I do not understand the magic of these Rent Courts and Revenue Courts. Will the people trust a Rent Court or a Revenue Court, I would like to know. I want to point out that the jurisdiction of Civil Courts must be retained. In matters which are of a technical nature, the revenue official may be asked to render all assistance

[Sri K. Bhashyam] 18th January 1954]

that he can to the Civil Court. The Rent Court is certainly not a very conducive forum to the settlement of fair rent between one party and another.

"Sir, I have exceeded my time, and I thank you for having shown me so much indulgence."

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Sir, I have to thank hon. Members for the various suggestions they have made in connection with the consideration of this Bill. I have to make it very clear that the Government have not done anything to deprive the interests of the ryots nor have the Government done anything to vest in people the rights wrested from any other body of people. What the Government have done is only to see that fair rent is fixed in respect of leases in Malabar. The Government had to interfere because, as you know, the productivity of the Malabar land is far below the average of the Madras State. Regarding paddy, the average yield comes to about 1,260 pounds in Malabar while the State average is 1,379 pounds. Regarding the population which mainly depends upon agriculture, about 50 per cent of the population depend entirely on agricultural operations. About 9,63,000 that is, 19 per cent depend on cultivating lands belonging to others. About 22½ per cent of the agricultural population are agricultural labourers. If we divide the land that is available for cultivation in Malabar, we will find that even among the agricultural population, it will be actually only about four-fifths of an acre if all cultivable lands are taken into account and it will only be one-third of an acre if lands on which foodgrains are raised, are taken into account. The Government are trying to see that there is a just and equitable distribution of the produce from the land as between persons who have contributed to the production. It is only a tenancy legislation that we are now taking into consideration. That is why we have to see that we are not taking away the rights of any person interested in land in Malabar. What we have done is only to give fixity of tenure to the tenants. It is nobody's case that granting fixity of tenure to the agriculturist who is cultivating the land is expropriation. We are only preventing the landlord from interfering with the fixity that should be enjoyed by the cultivator in respect of the land which he is actually cultivating. The six-year rule is applicable only to the cultivating verumpattamdar, the man who actually tills the land, and not in respect of Section 20 of the Principal Act. It will also be seen that the share that is now being distributed is fair and equitable. Regarding pepper, the distribution of produce is according to the old custom prevalent in Malabar, namely, one-sixth to the landlord and five-sixth to the tenant. There was some mistake in interpreting the wording of the previous agreement or custom that was prevailing in Malabar and the benefit of doubt was given to the landlord in the Amending Act of 1951. Now, we have given the benefit of doubt in favour of the tenant, the man who actually cultivates the land. It is also a mistake to presume that persons who cultivate and

4-10
p.m.

[Sri K. P. Kuttikrishnan Nair] [18th January 1954]

produce pepper are 'pepper kings' and are making money. Cultivation in Malabar is very difficult because the productivity of the soil is less due to the heavy rains that Malabar experiences. We were compelled to take up the question of bringing in the legislation because the Rent Settlement Authority was abolished and we thought that we had to evolve a machinery less costly and more efficient than that. We were also compelled to make certain changes in the provisions dealing with fixation of fair rent because we thought that the proportion fixed was a bit high and that in the case of tenants, they would be compelled to pay more. Certain experimental cases were tried by some of the staff of the Rent Settlement Authority which was functioning in Malabar for a few months and it was found that in certain cases the rent might go up a bit. It was because of that that we took it into our heads to revise the proportion already fixed in the Amending Act of 1951. It was not an arbitrary interference which was absolutely necessary based on our experience. We have made only those modifications which we consider absolutely necessary in the matter of the calculation or sharing of the profits on these items of property so that they may be enjoyed not only by the janmi and the actual cultivator but also by the four or five intermediaries concerned. You will also find, Sir, that the cost of labour in Malabar comes to about one and a half times the average cost in the rest of the State. Unless we give a greater proportion of the produce to the tenant, justice cannot be done to the workers who are employed in agriculture. We have to consider that aspect also and that is why we have changed the cost of cultivation from 22 paras to 25 paras.

"As far as the landlord is concerned, his rights in respect of the property are preserved, because we have not changed either section 14 or section 20 of the Principal Act except the clause relating to recovery of possession of land for one's own cultivation. We will also see from the statistics that out of 444,775 pattadars, 430,000 pattadars are persons who are in possession of land ranging from an extent of one acre to six acres. It is true that we have to safeguard their interests and we have done that in the present Bill. That is why we are reluctant to accept the suggestion made by the hon. Gentleman, Sri Govinda Menon and others that we should adopt the formula that if the fair rent is more than the contract rent, the tenant must be given the right to choose whichever is less. It is not necessary in the interests either of the landlord or of the tenant to adopt that formula because we have already revised the rent in respect of wet lands and garden lands and we have also fixed a limit of twice the existing rent as a ceiling for a period of twelve years. We have also given the advantage of spreading it over many years so much so that it shall never exceed $1\frac{1}{4}$ times the rent in the previous year. We have also prevented the landlord from filing an application to get the fair rent fixed for three years from the date of passing of this legislation. We have reduced the rent in respect of pepper and we have also exempted land which is set apart for communal

18th January 1954] [Sri K. P. Kuttikrishnan Nair]

purposes, from liability to fair rent. In view of all these things, it is not necessary to stipulate that fair rent or contract rent, whichever is less, should be paid by the tenant. We have seen to it that no injustice is done to him. We have also seen to it that no injustice is done to the landlord. We have further seen to it that the agricultural labourer gets a decent proportion of the yield. So, as far as the Government are concerned, they have done what is just and proper under the existing circumstances.

"An argument was advanced that because a Joint Select Committee had gone into the provisions of the Bill, the Government need not have moved certain amendments afterwards. If that argument is stretched further, the Government which bring in a Bill have to stick on to it, should not budge an inch from the clauses of the Bill and should get it passed. Sir, that may not work well. At the time of presenting a Bill, like the present one, we are aware of only certain things regarding the agricultural relationship in Malabar. When we are apprised of new factors, when we receive representations from various quarters and when we see that certain proposals of theirs are reasonable, we have to accept them. Accordingly, we accepted certain modifications suggested and not amendments that were brought forward by others. We accepted the principle of their proposals and brought forward amendments to the Bill in the Joint Select Committee as well as in the Legislative Assembly. If we had stuck to the report of the Joint Select Committee, I am afraid we would not have done full justice, as we ought to do, to representations made by responsible persons. Hon. Member Sri Govinda Menon remarked the other day that the Bill of 1950 prepared by Mr. Madhava Menon was very good and that he was not fully satisfied with the present Bill. As far as the Bill of 1950 is concerned, I can assure the hon. Member that in some respects, we have gone to a greater extent than what was contemplated in that Bill. Regarding fugitive cultivation, we have accepted the recommendations contained in that Bill. Regarding fixity of ulkudi, we have extended it to other areas and we have given fixity to all ulkudi-holders. The other Bill confined this benefit only to the watchmen. We have enlarged the scope of this clause to cover all persons occupying the ulkudi. Regarding cultivation expenses, I wish to say 4-20 p.m. that we have given more and we have deleted the provision relating to half the assessment in respect of paddy lands which the other Bill did not cover. By quoting all the clauses, I will be able to convince this House that we have done more than what the Bill referred to by the hon. Member contemplated. The only thing that we are unable to accept is the clause in the other Bill relating to the provision of adopting contract rent or fair rent, whichever is less. It may not be proper to have such a provision in a legislation of this type. When we consider any revision, we must see that no injustice is done. We must see that the operative sections are brought up-to-date, and so the contingency of accepting such a clause does not arise. We must see whether justice is done or not. In this case, we feel that justice has been done and it

[Sri K. P. Kuttikrishnan Nair] [18th January 1954]

is better to fix and adhere to the fair rent that is contemplated by the operative sections rather than admitting a clause contained in the other Bill relating to this matter.

"One hon. Member referred to the Rent Settlement Authority. Sir, we were compelled to change this machinery and entrust it to the Revenue department for the purpose of fixing fair rent. Our idea was not to deprive the Civil Courts of their powers of jurisdiction. As the hon. Members know, it is only fixation of fair rent and it requires a certain amount of knowledge of the soil, the yield of the place, the wages pertaining to the locality and things like that. Knowledge about these things is absolutely necessary for the purpose of fixing fair rent. If the Law Courts were entrusted with this work, I am sure it may not be possible for them to come to any conclusion, much less a correct conclusion, like the Revenue authorities. The function of the Rent Court is essentially a revenue matter. The power of deciding whether a document was a lease or a mortgage is given to the Civil Court because we know that the Rent Court will not be able to weigh the law and decide whether a document was a lease or mortgage. They cannot quickly come to a conclusion with regard to this matter. There is absolutely no intention on our part to deprive the Civil Court of their jurisdiction. What we want is this. The Rent Court must be given its proper place and the Civil Court must be given its proper place. In this Bill, we have apportioned the various duties as per the efficiency and skill of the machinery concerned which is utilised for the purpose.

"Sir, Dr. John referred to the German land reforms and all that. He said that we could capitalise rent and ask the tenant to pay the amount. He said that it would not come under expropriation. Sir, arbitrary fixation of rent by a multiple of 15 or 20 will be more expropriatory than the fixation of the ratio of fair rent. We have to consider the fact that it might be very good in a land reform matter. But in a tenancy reform measure, where the relationship between the landlord and tenant has to be settled we cannot take up such principles and adhere to them.

"Sir, I can assure hon. Member Sri Balasubramanya Ayyar that the Government have tried to be just in the apportionment of the rent. It is fair rent that the Government have fixed and the Government have not in any way taken away the janmis' paramount title or right to the properties. Their right to resume the possession of the land for *bona fide* cultivation alone is restricted. There is no question of taking away their right or disputing the paramount title of the janmi. I can claim that this Bill will satisfy the majority of the people of Malabar. I know there will be a certain section of the population which will not be satisfied. As far as the clauses are concerned, I am sure they will satisfy the majority of the people of Malabar. If we grant some more amenities or advantages to one class, it is sure to raise apprehensions on the side of the other class. On the whole, we have considered all the aspects and have come to the conclusion

18th January 1954] [Sri K. P. Kuttikrishnan Nair]

that it is not necessary to revise some of the rent fixing sections. We thought that an overall consideration of the whole question was necessary to have peace and to see that the production of the State increased as a result of friendly relations between the landlord and the tenant. We have not taken up this Bill for political or other considerations. We had to take up this legislation, as in the last six years or so, there has been a number of suits filed against the tenants for possession. A large sum of money was spent in litigation and practically about 80,000 families were involved in about 20,000 pending suits. We thought that a speedy, just and comprehensive legislation will be able to solve all these difficulties and will be able to achieve peace. I am sure that this House can take it from me that the Government have considered all aspects of the question and we were not cowed down by any representation on the part of any party or section. We thought that we should consider all these aspects in the interest of the landlord and the tenant in Malabar.

"Sir, I think I have covered all the points and I hope that the doubts and fears raised by the hon. Members have been cleared by my reply. I also hope that the hon. Members belonging to all sections will vote for all the clauses of the Bill with my assurance that this Bill has not hit any section of the people of Malabar. This is only a just Bill which we are bound to pass considering the welfare of the people of Malabar. Thank you, Sir."

MR. CHAIRMAN:—"The question is—

'That the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953), (as passed by the Assembly) be taken into consideration."

The motion was carried.

The consideration of the Bill clause by clause was then taken up.

Clauses 1-A, 2, 3, 3-A and 4 were put and carried.

Clause 4-A.

MR. CHAIRMAN:—"Motion moved—

'That clause 4-A do stand part of the Bill.' "

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, I move—
'In sub-clause (iii), delete the words beginning with 'after sub-section (4)', etc., and ending with "revision" and also sub-section (6).'

4-30
p.m.

The sub-clause says:

'Fair rent determined under section 9-CC shall not exceed twice the rent payable for the agricultural year 1949-50 . . .'

I want to remove the restriction placed on the Court in the matter of fixation of fair rent. Once fair rent is fixed, it is generally assumed that both sides will be bound by it. That is the principle

[Sri K. Balasubramanya Ayyar] [18th January 1954]

I want the Government to adopt and which the Government are not adopting in any tenancy legislation which they bring up before the House."

Dr. V. K. John seconded the amendment.

Mr. CHAIRMAN:—" Amendment moved—

' In sub-clause (iii), *delete* the words beginning with " after sub-section (4) ", etc., and ending with " revision " and also sub-section (6) " . ' "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—" I oppose the amendment."

Mr. CHAIRMAN:—" The question is—

' In sub-clause (iii), *delete* the words beginning with " after sub-section (4) " etc., and ending with " revision " and also sub-section (6) " . ' "

The amendment was lost.

Clause 4-A was put and carried.

Clause 5.

Mr. CHAIRMAN:—" Motion moved—

' That clause 5 do stand part of the Bill."

* SRI K. BALASUBRAMANYA AYYAR:—" Sir, I move—
' Insert a new clause (1) as follows:—

" In section 8, sub-section (1) of Act XIV of 1930, after the words ' shall be ' add the words ' one-fifth of the gross produce or ' and after the words ' in respect thereof ' the words ' whichever is higher ' . ' "

Sir, this provision was considered in the Select Committee but unfortunately the amendments that I gave notice of there were not taken up serially. It requires further consideration. This is an amendment proposed to section 8 of the original Act itself which clause 5 seeks to amend. It may be that the amendment cannot be made in the particular way I have suggested. But the position is this. I introduced this amendment at the Joint Select Committee stage but it was not taken up, even though several amendments were considered to sections 14, 20 and others of the Act, including that which dealt with fair rent for garden lands. Why I say it should be ' one-fifth of the gross produce or whichever is higher ' is, there are many dry crops like cholam, ragi and modan, a particular variety of paddy, in respect of which the usual rent accepted is one-fifth of the gross produce. This is mentioned in the Raghavendra Rao Report. Now the Government have said ' three times the annual assessment '. Unfortunately, in respect of dry lands, the Revenue department does not take each crop into consideration while deciding the assessment, as it does in the case of wet lands. In the taluk of Palghat and other places

[18th January 1954] [Sri K. Balasubramanya Ayyar]

where these dry crops are grown, it is usual to give only one-fifth of the gross produce as fair rent. This statement is found at page 85 of the Report I have mentioned and I rely on that statement. Particular crops are not taken into account and only the average normal yield is taken into consideration in the matter of assessment."

THE HON. SRI C. RAJAGOPALACHARI:—" You have not proposed any amendment to sub-section (3) which fixes one-eighth even in respect of commercial crops."

* SRI K. BALASUBRAMANYA AYYAR:—" The usual custom in respect of ragi, cholam, etc., is to give one-fifth of the gross produce. Had not Mr. Raghavendra Rao mentioned this in his report, I would not have moved this amendment at all. He says:

' It seems from the discussion in the Legislative Council that the prevailing custom in Palghat and Walluvanad taluks is to give only one-fifth of the produce as the janmi's share. In the Select Committee, one of the members has referred to this fact . . . ' "

Sri T. M. Narayanaswami Pillai seconded the amendment.

Mr. CHAIRMAN:—" Amendment moved—

' Insert a new clause (1) as follows:—

" In section 8, sub-section (1) of Act XIV of 1930, after the words ' shall be ' add the words ' one-fifth of the gross produce or ' and after the words ' in respect thereof ' the words ' whichever is higher ' . ' "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—" I may explain, Sir, that even in the same section the fair rent in respect of commercial crops is fixed as one-eighth of the gross produce. In another section, in respect of fugitive cultivation, we have fixed three times the annual assessment as constituting fair rent, because it is considered reasonable in respect of dry lands. I hope in view of this explanation Mr. Balasubramanya Ayyar will withdraw his amendment."

* SRI K. BALASUBRAMANYA AYYAR:—" I press my amendment."

Mr. CHAIRMAN:—" The question is—

' Insert a new clause (1) as follows:—

" In section 8, sub-section (1) of Act XIV of 1930, after the words ' shall be ' add the words ' one-fifth of the gross produce or ' and after the words ' in respect thereof ' the words ' whichever is higher ' . ' "

The amendment was lost.

Clause 5 was put and carried.

Clauses 6, 7 and 8 were put and carried.

[18th January 1954]

Clause 9.

MR. CHAIRMAN:—"Motion moved—

'That clause 9 do stand part of the Bill.' "

* SRI K. BALASUBRAMANYA AYYAR:—"Sir, I move—

'In clause 9-cc omit the words "or after the expiry of three years from the commencement of the Malabar Tenancy (Amendment) Act, 1954." "

The provision in the Bill is—

'If any dispute arises as to the amount of fair rent payable in respect of any land under the foregoing provisions of this Chapter, either the tenant, or after the expiry of three years from the commencement of the Malabar Tenancy (Amendment) Act, 1954, the landlord may apply to the Rent Court for the determination of the fair rent; and on such application being made, the fair rent shall be determined by the Rent Court.'

Once there is a dispute why should the landlord alone be compelled to wait for three years? This point was also referred to by the Government of India. Why should there be this difference between the landlord and the tenant? I do not want any disputes. But should there be a dispute as to the fixation of fair rent, the tenant can immediately apply to the Rent Court but so far as the landlord is concerned, after the passing of this Act, he will have to wait till 1957. If he is alive till then, he can apply for determination of fair rent. This provision is perfectly unfair to the landlord.

The amendment was duly seconded.

4-40
p.m.

MR. CHAIRMAN:—"Amendment moved—

'In clause 9-cc omit the words "or after the expiry of three years from the commencement of the Malabar Tenancy Amendment Act, 1954." "

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"I oppose the amendment, Sir. All of us are aware that there are more than 20,000 suits pending in Malabar in respect of eviction for *bona fide* cultivation. We want to give a few months' time for the tenant and the landlord to try whether they can 'square up the disputes that raise between them. After three years the landlords can go to the court. We have also to consider another fact. The object of any tenancy legislation is to prevent rackrenting. This can only be achieved if we allow the tenant immediately to go to court and get a fair rent fixed. If we allow the landlords also the right to go to court there will be another rush of petitions in the courts from the landlords as well. I have therefore to oppose the amendment."

* SRI T. M. NARAYANASWAMY PILLAI:—"I think the pendency of suits would be wiped out by the passing of this Act. Unless these suits are disposed of, there is no meaning in passing such a legislation. This very Bill is intended to put an end to

18th January 1954] [Sri T. M. Narayanasamy Pillai]

litigation. Therefore, the reason given by the Hon. the Minister for Law cannot hold good. There is discrimination between the landlord and the tenant."

MR. CHAIRMAN:—"I cannot allow the hon. Member to speak at this stage."

* THE HON. SRI C. RAJAGOPALACHARI:—"For three years, the landlord is not allowed to go to a court and ask for increased rent. Thereafter if he applies, he will get an increase by only 25 per cent each year. Thereafter when it reaches double the rate at the most, it stops there. Therefore there is no great harm done to the landlord in this three years' period being accepted."

SRI K. BALASUBRAMANYA AYYAR:—"It is not for the purpose of asking for fixation of increased rent. It is only for the purpose of making an application to the Rent Court, if there should be a dispute, that this three years' limit has been fixed. The clause says: 'The landlord may apply to the Rent Court for the determination of the fair rent; and on such application being made, the fair rent shall be determined by the Rent Court'. The tenant can apply immediately, but the landlord has to wait for three years."

MR. CHAIRMAN:—"The question is—

'In clause 9-cc omit the words "or after expiry of three years from the commencement of the Malabar Tenancy (Amendment) Act, 1954." "

The amendment was lost.

Clause 9 was put and carried.

Clause 10 was put and carried.

Clause 11.

MR. CHAIRMAN:—"Motion moved—

'That clause 11 do stand part of the Bill.' "

* SRI K. BALASUBRAMANYA AYYAR:—"I move my amendment, namely—

'Omit the words: "shall not be liable to be revised on the application of the landlord before the expiry of twelve years from the date of the orders of the Rent Court, but" and after the words "reduced" insert the words "or enhanced"; and at the end add the words "and the landlord respectively." "

"This is on a par with the earlier amendment I moved. The provision is very unfair and I am pressing my amendment for the acceptance of the Government. The fair rent ceases to be fair. That is the whole difficulty. 'Fair rent shall not liable to be revised on the application of the landlord before the expiry of 12 years from the date of the order of the Rent Court but may for sufficient causes be reduced by the said court on the application of

[Sri K. Balasubramanya Ayyar] [18th January 1954]

the tenant.' Why should there be this discrimination? If it is sauce for the goose let it be sauce for the gander also. The right is given to the tenant to ask for a reduction within 12 years but the landlord cannot apply within 12 years. Why should there be this discrimination? I have therefore moved the amendment, and request that it may be accepted by the Government. Let the landlord and the tenant have the right to apply to the Court and if the Court fixes the fair rent let them accept it."

The amendment was duly seconded.

MR. CHAIRMAN:—"Amendment moved—

'Omit the words "shall not be liable to be revised on the application of the landlord before the expiry of 12 years from the date of the orders of the Rent Court, but" and after the words "reduced" insert the words "or enhanced"; and at the end add the words "and the landlord respectively".'

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Sir there seems to be some amount of misapprehension. I can assure the hon. Member that in respect of these revisions and other things, too many petitions will not come. That has been our experience. In the 1930 Act there was a provision for revision of rent. But only very few petitions were filed. Unless it is a question of very bad rackrenting, these things will not happen. We have fixed 12 years because it is the usual period fixed in other cases also."

* SRI K. BALASUBRAMANYA AYYAR:—"I only want that the landlord should be given the same right as the tenant."

MR. CHAIRMAN:—"The question is—

'Omit the words "shall not be liable to be revised on the application of the landlord before the expiry of 12 years from the date of the orders of the Rent Court, but" and after the words "reduced" insert the words "or enhanced"; and at the end add the words "and the landlord respectively".'

The amendment was lost.

Clause 11 was put and carried.

Clauses 12 and 13 were put and carried.

Clause 14.

MR. CHAIRMAN:—"Motion moved—

'That clause 14 do stand part of the Bill.'

SRI M. P. GOVINDA MENON:—"A new section has been introduced to prove the real nature of the transaction. This clause says:

'Notwithstanding anything in the Indian Evidence Act, 1872 (Central Act I of 1872), or in any other law for the time being in force, any person interested in any land may plead, adduce evidence and prove that a transaction entered into on or after the 1st January 1916 and purporting to be a mortgage of that land is not in fact a mortgage, but a transaction by way of kanam, kanam kuzhikanam, etc. . . .'

[18th January 1954] [Sri M. P. Govinda Menon]

The Hon. Minister for Law enumerated the points on which he has improved the original Bill brought forward by the then Minister Sri Madhava Menon. In the Act of 1951 there was a Section, i.e., Section 52-A. That section gave the right to the tenants to prove the real nature of the document. The year 1916 is mentioned because as I said in my general remarks the landlords of Malabar came to know then that there was a likelihood of legislation being brought in regarding this matter. So they began converting what were known as kanams, etc., into mortgages. Therefore section 52-A gave the right to tenants to agitate and reopen the question. Now the present Bill also gives the right to the tenants. But there is a world of difference between these rights given to the tenants. Sri Madhava Menon's Act gave not only the right but laid the onus of proof on the landlord. There was a presumption in favour of the tenant. Now that onus is shifted. Not only this, but the proposed clause does not say what would be the effect of the declaration made by a court of law that this is not a mortgage but a kanam, etc. I, therefore, move—

'That the following be added at the end of sub-clause (1) of the new section 11 of Madras Act XIV of 1930:—

"When according to a decision under this section a transaction has been held not to be a mortgage in fact, but a transaction by way of kanam, kanam kuzhikanam, kuzhikanam, verumpattam or other lease, the amount purporting to be secured by way of mortgage shall with effect from the date of decision—

(a) be treated as kanartham in case the transaction has been held to be kanam or kanam kuzhikanam and security for due payment of rent in other cases; and

(b) bear interest at the rate specified in the instrument relating to the transaction or at five and a half per cent per annum whichever is less."

"The previous provision giving the Rent Settlement Authority the right of presumption regarding whether a deed is mortgage or kanam deed is now taken away. The onus of proof is shifted to the tenant. He must prove whether his deed is kanam or mortgage. The proposed clause does not say what will be the effect of a decision if a court comes to the conclusion that a deed is not a mortgage but a lease. That is why I have now brought forward this amendment, which I have just read out. I say when the decision of the court is that a deed is not a mortgage but a kanam, the effect of that decision would be to treat the amount purporting to be secured by way of mortgage as kanartham in case the transaction has been held to be kanam or kanam kuzhikanam. That should be treated as a security for the payment of rent. It must bear interest. That is why I have brought forward a consequential amendment specifying the rate of interest as one specified in the instrument relating to the transaction or at five and a half per cent per annum whichever is less. I think

[Sri M. P. Govinda Menon] [18th January 1954]

that this is but just and fair. In the absence of that valuable presumption in the previous section 52-A, my amendment fulfills the purpose and this alone will satisfy the numerous tenants, on whose shoulders the onus of proof is now shifted."

SRI G. KRISHNAMURTHI:—"I second the amendment just moved."

MR. CHAIRMAN:—"Amendment moved—

'That the following be added at the end of sub-clause (1) of the new section 11 of Madras Act XIV of 1930:—

"When according to a decision under this section a transaction has been held not to be a mortgage in fact, but a transaction by way of kanam, kanam kuzhikanam, kuzhikanam, verumpattam or other lease, the amount purporting to be secured by way of mortgage shall with effect from the date of the decision—

(a) be treated as kanartham in case the transaction has been held to be kanam or kanam kuzhikanam and security for due payment of rent in other cases; and

(b) bear interest at the rate specified in the instrument relating to the transaction or at five and a half per cent per annum whichever is less."

* THE HON. SRI C. RAJAGOPALACHARI:—"Mr. Govinda Menon knows more about it very probably than what I do. But still I would like to draw his attention that there is no question raised now about onus to which reference has been made just now. We need not discuss that now. It is now provided in the first sub-clause to the clause proposed in the Bill. If it is claimed that a transferee is entitled to fixity of tenure in accordance with the provisions of section 10 of the principal Act the question to be decided by the court is whether it is a Malabar mortgage with such fixity of tenure or a pure and simple mortgage. According to Mr. Govinda Menon, once it is recognized by the court that it is a kanam and not a mere mortgage, the amount purporting to be secured by way of mortgage should be treated as kanartham and shall bear interest at the rate specified in the instrument or at five and half per cent per annum whichever is less. But I say that according to the second sub-clause of the new section proposed by Government, the power is given to the court, in case the court holds that the transferee is entitled to fixity of tenure in accordance with provisions of section 10, to pass necessary directions regarding the application of the sum, if any, advanced to the landlord. The power is also given to the court to make other suitable alterations in the terms recorded in the instrument executed by the parties. I think the provision in the second sub-clause of the proposed section given notice of by Government and passed by the Assembly, is a better and more flexible provision than the one suggested by Mr. Govinda Menon wherein a certain decision of the court is assumed and on that assumption certain

18th January 1954] [Sri C. Rajagopalachari]

directions are proposed. I think it would be by far better to leave the second sub-clause as it stands at present rather than allow the court to rely upon the fictitious statement of the transferee. The court should be given the power to decide what is to be done. That power has now been given in the second sub-clause of the proposed section. I think in the light of what I have said, Mr. Govinda Menon will not press his amendment. The court should not be asked to rely conclusively on the statements in the documents."

The amendment of Mr. Govinda Menon was by leave of the House withdrawn.

Clause 14 was then put and carried.

Clause 15.

MR. CHAIRMAN:—"Motion moved—

"That clause 15 do stand part of the Bill."

SRI M. P. GOVINDA MENON:—"Sir, I move—

'Omit sub-clause (5) in sections 14 and 20 of the principal Act.'

"I am not moving now the alternative amendment I had given notice of. Sub-clause (5) of section 14 of the principal Act gives the power to the landlord to evict his tenant for *bona fide* purposes. Hon. Members here need not feel depressed that there is no provision in the Bill giving the right of eviction to the landlord. I have been hearing so many speeches wherein the cry had been raised that the janmis had been denied the right to evict the tenants for *bona fide* reasons. In fact under section 14 of the Act, there are various clauses by which a landlord could evict his tenant. There is no difficulty with regard to that. The question now is what is to be done if the landlord wants to do his own cultivation. Can he evict the tenant straightway? Section 20 contains various sub-sections by which the kanamdars, kuzhikanamdars and verumpattamdars could be evicted by the landlords on *bona fide* grounds. But we find in section 14 of the principal Act, a new provision has been added now when this Bill was discussed and passed by the Assembly. A proviso has been added to section 14 by which it is now provided that if a tenant had been in continuous occupation of a land for six years, on no ground he could be evicted. I ask in all seriousness 'Why can't the Government do away with the landlord straightway. Why stipulate a provision stating that the tenant, because he had been in occupation for six years, should not be disturbed? Why can't the tenant be made the proprietor of the land when during all these six years he had been tilling the soil and raising the produce? Why can't that concession be shown to him?' I ask with all the seriousness at my command that this sort of loophole should not be created. This sort of provision enabling the landlord to evict the tenant for *bona fide* purposes should be omitted completely. The tenant

[Sri M. P. Govinda Menon] [18th January 1954]

had all along been cultivating the lands. He had been doing his work conscientiously. All on a sudden if the landlord were to say that for *bona fide* reasons he wants to resume personal cultivation, where can the poor tenant go? Is he to be left in the lurch? That is why I say, 'do not give any such loophole'. Once some sort of fixity of tenure had been given, let that fixity be everlasting. Let it be made clear that if a tenant had been in continuous occupation of land for six years, not only should he be allowed to continue without being evicted but he should be declared the owner of the land straightway. Let not Dr. John feel that the middle class are being deprived. The tenants are poorer than the middle class. Our object is that the man who cultivates, the man who tills the soil and the man who works from dawn to dusk and through whose sweat and labour the produce is raised, should not be distributed. Let there be no intermediary between the actual cultivator and the State. Let there not be a separate class over and above the actual cultivator. Let it not be misunderstood that I am Communistic in my utterances. I only want that the man who works and who raises the produce, should be made the ultimate owner of the land. After all it is but just and proper to do so. Till such a state of affairs comes when the cultivators will become the absolute owners, when the maximum and minimum holdings will be fixed, when the nationalization of land will complete, let the cultivators of the soil not be disturbed from pursuing their work of cultivation. That is why I say it would be better to omit sub-section 5 of sections 14 and 20 by which the landlord is given the power to evict the tenant for *bona fide* purposes, and leave the tenant helpless. Of course, Government might say that they have now removed the ambiguity in the term '*bona fide*' by now putting the word '*primary needs*' in place of *bona fide*. To that extent I may be glad. But even then the picture is not rosy for the tenants. The sub-section should be omitted. They should be given fixity. They should not be disturbed. If that sub-section is removed Government would have given a quietus to the present agitation of the peasants of Malabar."

The amendment was duly seconded.

Mr. CHAIRMAN:—"Amendment moved—

'Omit sub-clause (5) in sections 14 and 20 of the principal Act.'"

* THE HON. SRI C. RAJAGOPALACHARI:—"I think Mr. Govinda Menon has forgotten to add to his amendment a consequential amendment."

SRI M. P. GOVINDA MENON:—"It follows."

* THE HON. SRI C. RAJAGOPALACHARI:—"Oh, I see.

"There are two sections, 14 and 20, in the principal Act. In both of these sections there are various sub-sections wherein conditions are laid down for evicting a tenant. Under certain

[18th January 1954] [Sri C. Rajagopalachari]

conditions the landlord can apply for evicting his tenant. Objections have not been raised in respect of the other sub-sections of sections 14 and 20 by which the landlord could apply for evicting his tenant. Objection has now been raised to the provision that a landlord could apply for eviction of his tenant in case he requires the land *bona fide* for his personal cultivation or for a member of his family. If the landlord requires the land for maintaining himself and his family and to satisfy his primary needs, as between him on the one hand and his tenant and his primary needs on the other, the former is given preference. In fact that was the old provision also. It was said in the old provision that if the landlord were to require the land for *bona fide* reasons, the tenant could be evicted. Because there were certain ambiguities raised in law courts regarding the interpretation of the term '*maintenance*' we have now changed it into '*primary needs*'. By '*primary needs*' is meant what one requires for food, shelter and clothing for himself and his family. That is the ordinary meaning of the term which would appeal to anyone. In fact this was what was pointed out during the Select Committee sittings by us when we changed the wording '*maintenance*' into '*primary needs*'. I do not think any ambiguity would arise regarding the interpretation of the term '*primary needs*'. But Mr. Govinda Menon wants to oppose even that. He does not want that if a landlord were to require his land for satisfying even his primary needs, he should be allowed to evict the tenant. I think Mr. Govinda Menon is going too far. It is not proper to deny the landlord even the facility to cultivate his own land for satisfying his primary needs. I think that instead of moving this amendment 5 p.m. and getting a negative vote and sowing the seed for further agitation, I would beg of Sri M. P. Govinda Menon not to plant the seed for agitation but to leave the Bill to grow in a healthy atmosphere. I may also point out that as between sections 14 and 20 of the Malabar Tenancy Act we allow the six-year rule only in respect of one section and we do not allow it in regard to the other section. This is a provision greatly in favour of the tenants. Without arguments and reasoning, if I could persuade him on this one ground that we should allow the Bill a fair chance and not plant a new seed for agitation, I would request Sri Govinda Menon not to press this amendment."

SRI M. P. GOVINDA MENON:—"Sir, I would have been happy if I were in a position to accept the suggestion coming from such high quarters but I cannot accept it on principle because, according to my experience, '*primary needs*' will become the subject-matter of litigation in courts hereafter. What is a primary need of one man may not be the primary need of another."

* THE HON. SRI C. RAJAGOPALACHARI:—"May I interrupt, Sir, with your permission. I thought Sri Govinda Menon would be convinced. What I wish to say is that there is no question here of favouring a particular person A, B or C. The idea is to favour those who want themselves to cultivate their lands. Here

[Sri C. Rajagopalachari] [18th January 1954]

is a man who has got justice ownership of the land who says 'I will cultivate it myself'. For what purpose, it may be asked. It is not for making huge profits but for meeting his primary needs. Why should not the Government help him to do so? I think we should bring in a class of people who were not hitherto cultivators to cultivate the land and for that reason the Government press their opposition to the amendment."

SRI M. P. GOVINDA MENON:—"Sir, if as the Hon. the Chief Minister says a person wants to cultivate, he can purchase leasehold rights."

THE HON. SRI C. RAJAGOPALACHARI:—"Why should he purchase leasehold rights and why should he not cultivate his own lands?"

SRI M. P. GOVINDA MENON:—"Sir, those who have money are sometimes investing it in purchasing the general rights and sometimes the kanam rights. If a tenant and his family have been in possession of the land, he must be given fixity of tenure. I am not withdrawing my amendment."

MR. CHAIRMAN:—"The question is—

'Omit sub-clause (5) in sections 14 and 20 of the principal Act.' "

The amendment was lost.

SRI M. P. GOVINDA MENON:—"Mr. Chairman, Sir, I move that—

'(a) in the proposed sub-clause (iii) in item (3) of clause 15, after the words "inter vivos", add the words "voluntary or involuntary".'

'(b) for the word "two" in line 4 substitute the word "six".'

The amendment was duly seconded.

MR. CHAIRMAN:—"Amendment moved—

'(a) in the proposed sub-clause (iii) in item (3) of clause 15, after the words "inter vivos" add the words "voluntary or involuntary".'

'(b) for the word "two" in line 4, substitute the word "six".'

SRI M. P. GOVINDA MENON:—"Sir, the amended item (iii) of the new sub-clause would read as follows:—

'(iii) no person whose right to evict arises under an instrument of transfer *inter vivos* voluntary or involuntary shall be entitled to sue for eviction on the ground specified in clause (5) or clause (6) until the expiry of six years from the date of the instrument.'

This is a very good and wholesome proposal made by the Government because in Malabar the landlords used to make bogus assignments in favour of their relations or dependants in order to circumvent the provisions of sections 14 and 20 of the principal Act.

[18th January 1954] [Sri M. P. Govinda Menon]

These dependants or relations would be made to file suits saying that they are the absolute proprietors and under the instruments of transfer they have got the right to evict the tenants. It is a very wholesome provision that no person whose right to evict arises under an instrument of transfer shall be entitled to sue for eviction for a certain period. But, the transfer is *inter vivos*. I want only to add the words 'voluntary or involuntary'. It is a very simple, innocuous and innocent amendment which even this House could accept. What is the use of our existence if we could not accept even such an innocent amendment? Sometimes the transfer may be voluntary or involuntary. The landlord may make his dependant file a collusive suit and get the property attached and the dependant will become the owner saying that he was a person without property. It should be made clear and therefore I have proposed this amendment. If this simple amendment cannot be accepted I do not know what is the use of our moving amendments here or continuing the existence of this House."

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Sir, I oppose the amendment. The hon. Member himself admitted that it was only a very minor thing and he could very well withdraw it. This aspect has been considered and the necessary safeguards are there. I submit, Sir, that the hon. Member will kindly withdraw this amendment."

DR. V. K. JOHN:—"Involuntary *inter vivos* is unknown to law!"

MR. CHAIRMAN:—"The question is—

'(a) in the proposed sub-clause (iii) in item (3) of clause 15, after the words "inter vivos" add the words "voluntary or involuntary".'

'(b) for the word "two" in line 4, substitute the word "six".'

The amendment was lost.

* SRI K. BALASUBRAMANYA AYYAR:—"Mr. Chairman, Sir, I move—

'That in sub-clause (4) Exception, at the end, add the words "before the year 1946".'

The amendment was duly seconded.

MR. CHAIRMAN:—"Amendment moved—

'That in sub-clause (4) Exception, at the end, add the words "before the year 1946".'

* SRI K. BALASUBRAMANYA AYYAR:—"Mr. Chairman, Sir, this amendment, viz., 'six years before the year 1946' raises a great question of principle. I would therefore press it with all the earnestness which I can command even though our

[Sri K. Balasubramanya Ayyar] [18th January 1954]

experience has been that no amendments are accepted. I do so because the year 1946 is a crucial year so far as Malabar Tenancy Amendment Acts are concerned. In this year by legislation there was a stay of all suits for eviction or for recovering arrears of rent. The Government said that till a notification was made this Amending Act granting the stay of suits would be in force. They did not make any such notification and this Act went on. The Government also passed another Act, the Tenants and Ryots Protection Act, 1949. Therefore this thing has been continuing from the year 1946 to 1953-54. For the last 8 years the tenants have been in possession not on account of their ability or on account of the action of the landlord but by the action of the Legislature which passed an Act putting them in possession. The suits for eviction might have been good or bad and might not have even been just but all suits were stayed for the purpose of giving general relief. I do not quarrel with this thing but what I want to say is that because the suits had been stayed and the tenants had not been evicted they have been continuing in possession. Now, this Exception says that the landlord cannot resume his land if any holding has been in continuous occupation of a tenant for not less than six years. A landlord, who in the evening of his life wants to enjoy a portion of his property of two or three acres for the purpose of maintaining himself and his family is to be denied this right especially in cases where the period of tenancy of the cultivating tenant has expired. It is only after the expiry of the period for which the tenant has been let into the land that the landlord has the right to resume his land. Even after this period he is not to be allowed to resume the land for his own primary needs as the Hon. the Chief Minister has explained, namely, food, raiment and water. He is now to be denied this right and already six years have elapsed. No landlord can resume even a portion of his land for cultivation. (An hon. Member: 'If the tenant has been continuously in occupation from 1946'.) He has been put into occupation by the Legislature and that is why I say let the period of six years be counted prior to 1946. That will be reasonable for all. Originally twelve years was also fixed by the Select Committee."

* DR. V. K. JOHN:—"Sir, I support this amendment. I think no Government should have been a party to an amendment to reduce the period from 12 to 6 years. Perhaps, the Hon. the Minister for Law must have had the advantage of a Tutor in mathematics. For 8 years from 1946 to 1954 the tenants have been in possession on account of an Act passed by the Legislature. If they had been in possession for six years now, they were certainly compelled to be in possession when you cannot evict them. I am not very much in sympathy with the landlords who want to evict tenants and I am only concerned with the rationality of the amendment reducing the period of 12 years to 6 years. The Joint Select Committee said it must be 12 years and the original Bill also said it should be 12 years. There was some sense in it because for 8 years the landlords could not evict the tenants. How

18th January 1954] [Dr. V. K. John]

can the Government now say that no tenant could be evicted if he had been in possession for six years while he had already been in possession for the last eight years. Reducing it from 12 to 6 years is therefore an irrational amendment. I hope a day will come when there will be no evictions at all, when every tenant who is the tiller of the land and who is in possession of the land will become the owner or the owner will have land which is his own for cultivation. I do not see any reason why an owner should not have a land for cultivation if he wants it *bona fide* for cultivation purposes. Mahatma Gandhi was quoted as saying that there should be nobody between the Government and the tiller of the soil. We must have something rational and the rational thing is to allow the cultivator to be the owner of the land and not to be a tenant with fixity of tenure for eternity. Landlord-tenant relationship should be scrapped. I am afraid, if this is not done, the present measure will only lead to further agitation hereafter. Coming to the amendment, I wish to state that no Government should have been a party to such a provision to which the amendment relates when they know that eight is bigger than six."

5-10
p.m.

SRI M. P. GOVINDA MENON:—"Mr. Chairman, Sir, I can understand the hon. Member Sri K. Balasubramania Ayyar honestly and frankly supporting janmis. I respect his feelings and sentiments. But I cannot understand the attitude of those people who shed crocodile tears for the tenants and who are all for tenants but always support the interests of landlords. The tenant has been cultivating the land for years and has been giving food to the landlord and his family. Why not Dr. John have some sympathy for the tenant who cultivates the land and gives food to the landlord? I know that many landlords who have lands have come to Madras and have started business. Many of them have started coffee hotels. Some have opened '*vethalai kadais*'. These people have not been cultivating their own lands. I generally welcome, Sir, brutal, frontal attacks but I cannot bear side attacks."

* THE HON. SRI C. RAJAGOPALACHARI:—"Sir, too much heat blurs reason. The real commonsense reason I would press for accepting the Bill as it is without amendment is this. Although Dr. John says vociferously that no Government should have been a party to it, I do not see why the Government should not have an open mind in this matter. If the principle should be maintained that once a Government come to a decision they should not change it, then we should not accept any amendment to the Bill. But that is not correct. The real commonsense reason is, if between two parties one has been carrying on for six years without direct cultivation, it should be presumed that he can continue to do the same."

* SRI T. M. NARAYANASWAMY PILLAI:—"I may agree that a person who has been cultivating the land for six years may be given fixity of tenure. But the main question is when this

[Sri T. M. Narayanaswamy Pillai] [18th January 1954]

period of six years should commence, i.e., six years before 1946 or six years from 1946. If a tenant has been in occupation for six years prior to 1946 all that the Hon. the Chief Minister says is correct; but after 1946 the rights of the parties—the landlord and the tenant—have been in dispute, and the landlord's right is held in abeyance by the Court. Under the provisions of this Bill, a tenant who may be defying the provisions of law from 1946 has now been given the right of occupancy. That is the main principle underlying the amendment to which the Government have now agreed. That is what Mr. Balasubramania Ayyar objects to and what I object to. If a landlord has got a right under the law at the time when the ban on eviction was imposed that right should be protected. But the provision in the Bill states that notwithstanding the rights of the parties, the tenant is entitled to protection. That is what we object to and that is the standpoint which we cannot understand."

* THE HON. SRI C. RAJAGOPALACHARI:—"I think I have not been misunderstood. I have great respect for Mr. Narayanaswamy Pillai's opinion. That is why I am asking whether he is under a mistake or whether he really objects to my argument."

"Here is a case where a particular right—it is a peculiar right—is given. Ordinarily a tenant should not be evicted without good cause. That is accepted as a matter of policy or expediency or as a matter of principle. Whatever it may be, it is not contested now. But under certain circumstances a landlord can interfere with the position of the tenant. What are those special circumstances? A case may arise when the landlord is absolutely in need of the land for his primary needs. That is a very limited right given to the landlords to interfere with the tenant's position, apart from the question of continuous occupation for six years or for one year or for two years. Now it is stated in the Bill that that limited right of interfering with the tenant, who is ordinarily not to be evicted but because the landlord is in dire need has to be evicted, has to be tested by facts, by evidence and by reflection. Here is a indisputable fact that for six years,—whatever may be the cause,—he has been carrying on and meeting his primary needs without the cultivation of land. Therefore this limited contingent right to interfere with the tenant is not given when the tenant has had possession for six years. The legal position of calculating the six year period should not come in for consideration. What we want to consider is whether the land is necessary for primary *bona fide* needs. It has been proved that it is not necessary by the fact that for six years he has been carrying on without it."

SRI T. M. NARAYANASWAMY PILLAI:—"The point to be considered is, Sir, that from 1946 which is the crucial date a tenant may be in unlawful possession of the land and that such possession of the land from 1946 should not be taken into consideration in giving fixity of tenure."

18th January 1954]

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"If we accept the amendment, we will be depriving the tenant who has been in continuous occupation for six years, the concession which we have given by way of fixity of tenure. We cannot say that all the landlords in Malabar were prevented from filing suits as a result of the Tenants and Ryots Protection Act. There may be only a few individual cases."

"I will tell hon. Members that as far as Malabar tenancy is concerned, it is only in exceptional cases there are disputes. We can only prescribe a certain procedure by which we have to protect *bona fide* persons and allow them certain privileges by prescribing a six-year limit. We have given all that to *bona fide* tenants and if in a few cases some persons are hard hit we cannot help it. Sir, I oppose the amendment."

MR. CHAIRMAN:—"The question is—

'That in sub-clause (4), Exception, at the end, add the words "before the year 1946".'

The amendment was lost.

Clause 15 was put and carried

Clause 16 was put and carried.

Clause 17.

MR. CHAIRMAN:—"Motion moved—

'That clause 17 do stand part of the Bill.'

SRI M. P. GOVINDA MENON:—"Sir, I beg to move—

'For the existing clause 17, substitute the following:—

"17. Substitution of new section for section 28, Madras Act XIV of 1930. For section 28 of the principal Act, the following section shall be substituted:—

"28. The maximum rent payable by every cultivating tenant of a holding other than a Kanamdar or a customary *verumpattamdar*, every tenant of a commercial site, who is entitled to fixity of tenure under this Act, every tenant of Kudiyruppu, every holder of a protected *ulkudi* and every holder of a *kudi-kidappu* shall be the fair rent fixed under this Act or the rent which he has been paying before if such rent is less than the rent thus fixed'."

The above amendment is the most important amendment which I have given notice of and which I move. Though I know I have not got a party to support my amendment, I am very optimistic about the success of my amendment. I believe that the Hon. the Chief Minister will yield to some pressure—not political or any other pressure—but the pressure of logic and the pressure of reasoning. I will place logical arguments before him and I hope, I will succeed in convincing him. If the Government accept

[Sri M. P. Govinda Menon] [18th January 1954]

my amendment, the Bill will have to be sent back to the Assembly again, and that is the difficulty experienced by Hon. Ministers on the Treasury Bench. I should like to ask, Sir, what are we here for if alterations cannot be made in a Bill by means of amendments moved here in this House? If we cannot usefully make amendments it is better that this House is abolished.

5-20 P.m. "If the amendment is accepted, the Bill must go to the Assembly again. The Constitution provides for that. The Constitution provides for the existence of two Chambers for this purpose. Another argument of the Hon. the Law Minister is that this is a very urgent matter and that thousands of cases are pending in Malabar. I concede, but that argument will not hold good. In the morning session, we passed the Madras Indebted Agriculturists (Temporary Relief) Act. This Act will stay all the suits pending now. Even if the Malabar Tenancy Bill is passed into law to-day, these suits cannot be disposed of. These suits for recovery of arrears of rent will have to be stayed, because under the Moratorium Act 'debt' does not include current rent but includes arrears of rent. I understand from the newspapers that the Assembly will be sitting again from the 22nd February 1954 and that the Budget will be introduced on the 27th February. We can wait for a few weeks more. There is enough time between the 22nd and 27th February. This Bill can go back to the Assembly and between the 22nd and 27th February 1954—the year of Grace—we can pass the Malabar Tenancy (Amendment) Bill completely. If there is a difference between the contract rent and the fair rent, I plead that the tenant need only pay the lesser of the two."

* THE HON. SRI C. RAJAGOPALACHARI:—"On a point of information, Sir, may I ask a question. When we have passed clause 4-A, will this be in order?"

SRI M. P. GOVINDA MENON:—"This is in order. Section 9-CC only says how fair rent has to be fixed. Section 28 is the section which deals with the payment of rent. So I am in order. Clause 17 says 'Substitution of new section for section 28—For section 28 of the Principal Act, the following section shall be substituted, namely:—

'Every cultivating tenant . . . shall be bound to pay to his landlord—

(a) in case fair rent has been determined under section 9 CC, such fair rent as modified in appeal if any, under Section 9-D.

(b) in case there has been no such determination, the rent agreed to by both the parties to be the fair rent payable in accordance with the provisions of Sections 4 to 9-B.

(c) in case there is no such agreement, the fair rent, if any, fixed under this Act, as it stood before the commencement of the Malabar Tenancy (Amendment) Act, 1951, or

(d) in case no fair rent has been fixed as aforesaid, the rent payable according to the contract, express or implied between the parties.'

Therefore, the liability of the tenant to pay rent arises under this new section and in this connexion I say that the clause 'which-ever is less' must be accepted."

18th January 1954]

* THE HON. SRI C. RAJAGOPALACHARI:—"If I am wrong in my facts, Mr. Govinda Menon can correct me. Section 4-A is the substantial section which lays down the law for deciding the rent. We have passed it and we have said therein that it shall not exceed more than twice the rent payable, but that if it exceeds, the increase shall be spread over more than one year so that in no year the rent shall be not more than one and a quarter times the rent payable for the year immediately preceding. Therefore, this procedural section cannot now re-open that section."

SRI M. P. GOVINDA MENON:—"This is about the fixing of fair rent. As already stated by me, the liability to pay fair rent arises only under section 28, which comes under clause 17. So I am entitled to move this amendment to clause 17."

DR. V. K. JOHN:—"I support the point of order raised by the Hon. the Chief Minister. This amendment is not in order at all."

THE HON. SRI C. RAJAGOPALACHARI:—"I think I am right."

SRI M. P. GOVINDA MENON:—"With very great respect to the Hon. the Chief Minister, I may point out that clause 4-A says how fair rent should be calculated. The liability to pay arises only under section 28."

* THE HON. SRI C. RAJAGOPALACHARI:—"Would it be in order if the Bill provided fair rent to be determined in a particular way and the payment to be made in a different way?"

SRI M. P. GOVINDA MENON:—"If my amendment is accepted, the Government will have to come with consequential amendments."

THE HON. SRI C. RAJAGOPALACHARI:—"That amounts to saying that if the present amendment is accepted, we will have to alter the previous decision. That is why I say it is out of order."

MR. CHAIRMAN:—"I rule out of order the amendment of the hon. Member."

Clause 17 was put and carried.

Clauses 18 to 26 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

* SRI K. P. KUTTIKRISHNAN NAIR:—"Sir, I move—
'That the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953) (as passed by the Assembly), be read a third time and passed.'"

[18th January 1954]

MR. CHAIRMAN:—"Motion moved—

'That the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953) (as passed by the Assembly), be read a third time and passed.' "

* DR. V. K. JOHN:—"Sir, it is my prayer and my fervent hope that wisdom will dawn upon this Government to go into this Act again and produce a rational measure of agrarian reform which will enable the owners of land to resume their land for cultivation if they *bona fide* require it and the tillers of the soil to be the owners of the land by allowing them to purchase the land in annuities. It was stated here that Mahatma Gandhi was of the opinion that there should not be anybody between the tiller and the Government. In many other States in India also opinions have been expressed by important persons, who have gone into this question, that the tiller of the soil should be the owner of the land. The present measure will only lead to further agitation for another legislation. I hope, Sir, wisdom will dawn upon the Government which will bring in a measure which will prevent exploitation and expropriation at the same time."

SRI M. P. GOVINDA MENON:—"Mr. Chairman, Sir, I concede that the present Bill as passed by both Houses is really an improvement over the 1951 Act. I do not want to go into all the questions. I shall just summarise them. As far as the cultivator is concerned, in fixing the fair rent, the cultivation expenses have been increased from 22 to 25 paras. It is a great deal so far as the cultivator is concerned. In the matter of eviction, an Explanation has been added to Clause (5) of sections 14 and 20 of the principal Act that in considering requirements for maintenance regard shall be had only to primary needs. I am not satisfied with that, but anyway it is an improvement on the previous Act. Again, under section 14, a cultivating verumpattamdar, who has been in continuous occupation of a holding for not less than six years, is protected. A person whose right to evict arises has to wait for two years. These are real improvements as far as the cultivating tenant is concerned. In respect of the provision for eviction of verumpattamdar, kanamdar, etc., also, there are some improvements."

"In the matter of fair rent, there is considerable improvement. Under the Malabar Tenancy Amendment Act of 1951, the tenant had to pay one-half of the net produce, after deducting twenty-two Palghat paras of paddy per acre for cultivation expenses, and an amount equal to one-half of the annual assessment payable in respect of the land. Under this Bill the cultivation expenses have been raised to twenty-five paras of paddy per acre, and the tenant need not pay one-half of the annual assessment for the land. In respect of garden lands also, the rent has been reduced and this is a considerable improvement."

"Certainly the tenants of Malabar will be grateful to the Government, especially to the Hon. Chief Minister who intervened and

[18th January 1954] [Sri M. P. Govinda Menon]

helped to get such an improved Act for the tenantry of Malabar. Of course, I am not satisfied. When I say this, it is not for the purpose of starting an agitation. As I said in a former speech on this Bill, agitation is the reflection of the position in the country. The Hon. Chief Minister might have gone a step further. If he had conceded complete fixity of tenure and fixed the rent at fair rent or contract rent whichever was less, the people of Malabar will be happier in spite of the drought which prevailed for the last several years. Unfortunately that has not been done. I also pray along with Dr. John that wisdom may dawn on this Government and that they may be pleased to give complete fixity of tenure and fix the rent at fair rent or contract rent whichever is less.

"This Act is not going to solve all the agrarian problems and ills of our country. But it will create a better relationship between the landlord and the tenant. This Act has done some good and it is an improvement on the 1951 Act. The people of Malabar will be grateful to the Hon. Law Minister and the Hon. Chief Minister for this Act."

MR. CHAIRMAN:—"The question is—

'That the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953) (as passed by the Assembly), be read a third time and passed.' "

The motion was carried and the Bill was passed.

MR. CHAIRMAN:—"The House stands adjourned *sine die*."

The House then adjourned *sine die*.

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

* 1. Annual Report of the Madras Public Service Commission for the year 1952-53 [Laid on the table of the House under Article 323 (2) of the Constitution of India].

2. Bills passed by the Assembly and received therefrom in the Council—

• (a) The Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953).

(b) The Madras Indebted Agriculturists (Temporary Relief) Bill, 1954 (L.A. Bill No. 8 of 1954).

* Laid on the table of the House on 11th January 1954.

• Circulated to M.L.As. by messengers on 10th January 1954.

[18th January 1954]

APPENDIX I.

[Vide answer to starred question No. 74 asked by Sri T. M. Daiya-sikhamani Achariar at the meeting of the Legislative Council held on 18th January 1954, page 578 supra.]

G.O. No. 4759, Development, dated 28th October 1953.

Acts—Madras Shops and Establishments Act, 1947—Gold, silver and other jewellery workers employed on contract basis—Exemption from provisions subject to certain conditions—Granted.

READ—the following papers:—

Letter from the Regional Secretary of the All-India Vishvakarma Brahman Board, dated 7th August 1953.

From the Director of Controlled Commodities, Letter No. 3129/PC/52, dated 8th February 1953.

Order—No. 4759, Development, dated 28th October 1953.

The following notification will be published in the *Fort St. George Gazette* in English and in the languages of the State. The Senior Translator to Government is requested to supply the Controller of Stationery and Printing with the requisite translations of the notification:—

NOTIFICATION.

In exercise of the powers conferred by section 6 of the Madras Shops and Establishments Act, 1947 (Madras Act XXXVI of 1947), the Governor of Madras hereby exempts permanently the gold, silver and other jewellery workers who are employed on a contract basis and are paid according to the amount of work turned out from the provisions of the said Act, subject to the following conditions, namely:—

(1) that the provisions of section 7 and Chapters IV and V of the said Act are enforced, and

(2) that the establishment concerned maintains the visit book, so as to enable the Inspectors appointed under section 42 of the said Act to record their remarks therein.

18th January 1954]

APPENDIX II.

[Vide answer to clauses (a) and (c) of starred question No. 75 asked by Sri T. Puru hotham at the meeting of the Legislative Council held on 18th January 1954, page 580 supra.]

Statement showing the annual reports published by Government.

Name of the annual report.	Whether published for the official year or Calendar year.	Date prescribed for the issue of the reports.	Remarks.
(1)	(2)	(3)	(4)
1 State Administration Report.	Part I Calendar year. Part II Official year.	..	..
2 Annual Report of the Madras Public Service Commission.	Official year.	15th July of every year.	..
3 Review of Administration Reports of Municipal Councils and District Boards.	Do.	No date has been prescribed.	..
4 Administration Report relating to Rural Welfare Scheme and the Intensive Khadi Scheme.	Do.	30th June of every year.	..
5 Administration Report of the Harijan Welfare Department.	Do.	No date has been prescribed.	..
6 Hindu Religious and Charitable Endowments (Administration Report).	Fasli year.	Do.	..
7 Administration Report of the Agricultural Department.	Do.	The Government have drawn up a programme of dates for the publication of the Report.	The fasli year is adopted to synchronise with the Agricultural year.
8 Administration Report of the Police Department.	Calendar year.	No date has been fixed.	..
9 Administration Report of the Jail Department.	Do.	A programme of dates has been prescribed.	..
10 Certified Schools	Do.	25th April.	..
11 Borstal Schools	Do.	Do.	..
12 Probation Department ..	Do.	Do.	..
13 Vigilance Department ..	Do.	Do.	..
14 The Statistics of Civil Courts.	Do.	20th November.	..
15 The Statistics of Criminal Courts.	Do.	Do.	..
16 The Village Courts Reports ..	Do.	1st May.	..
17 Motor Vehicles Administration Reports.	Do.	Do.	..
18 Report on Habitual Offenders Settlements.	Official year.	31st July.	..
19 Administration Report of the Co-operative Department.	Fasli year.	No date has been fixed.	The fasli year is adopted to synchronise with the Co-operative year
20 Administration Report on the Department of the Controlled Commodities.	Official year.	Do.	..

[18th January 1954]

Name of the annual report.	Whether published for the official year or Calendar year.	Date prescribed for the issue of the reports.	Remarks.
(1)	(2)	(3)	(4)
21 Annual Report of the Animal Husbandry Department.	Official year.	1st July of the year.	..
22 Forest Administration Report.	Do.	15th September.	..
23 Administration Report of the Cinchona Department.	Do.	Soon after the end of the year.	..
24 Annual Report on the working of the Factories Act.	Calendar year.	1st April.	Calendar year has been fixed on an All-India basis for the sake of uniformity.
25 Annual Report on the working of the Payment of Wages Act.	Do.	Do.	
26 Annual Report on the working of the Workmen's Compensation Act.	Do.	Do.	
27 Annual Report on the working of the Industrial Disputes Act.	Do.	1st March	
28 Annual Report on the working of the Industrial Employment (Standing Orders).	Do.	Do.	..
29 Annual Report on the working of the Trade Unions Act.	Official year.	1st July.	..
30 Administration Report on the working of the Industries Department.	Do.	Calendar of dates has been prescribed.	..
31 Administration Report of the Fisheries Department.	Do.	15th July.	..
32 Annual Report of the Excise and Prohibition Department.	Do.	20th July.	..
33 Annual Report of the College of Indigenous Medicine.	Academic year.	1st September of the following year.	The College session is for the academic year.
34 Annual Report of the Hospitals and Dispensaries of Indigenous Medicine.	Calendar year.	15th April of the following year.	..
35 Annual Report on the Health conditions in Madras State.	Do.	1st July of the following year.	..
36 Annual Report of the Town-Planning Department.	Official year.	5th October of the following year.	..
37 Annual Report of the Sanitary Engineer to Government.	Do.	15th May of the following year.	..
38 Annual Report on the Civil Hospitals and Dispensaries in the State.	Calendar year.	15th August of the following year.	Calendar year is adopted by other States also.
39 Annual Report on the Department of the Chemical Examiner to Government, Mental Hospitals.	Do.	27th April of the following year.	Do.
40 Annual Report on the King Institute, Guindy and the Government Analyst.	Official year.	15th July of the following year.	..
41 Annual Report on the Medical Colleges.	Academic year.	1st October of the following year.	The College session is for the academic year.
42 Administration Report of the Director of Public Instruction.	Official year.	1st July of the following year.	..
43 Annual Report on the Government Examinations.	Do.	1st October.	..

18th January 1954]

Name of the annual report.	Whether published for the official year or Calendar year.	Date prescribed for the issue of the reports.	Remarks.
(1)	(2)	(3)	(4)
44 Administration Report on Madras Record Office.	Official year.	1st July of the following year.	..
45 Administration Report on the Government Museum, Madras and Pudukottai, Connemara Public Library (Exchange section).	Do.	1st June.	..
46 Annual Report of the Government Press.	Do.	15th September of the year.	..
47 Administration Report on the Stationery Department.	Do.	28th July of the year.	..
48 Administration Report on Libraries.	Do.	1st June.	..
49 Administration Report on the Survey, Settlement, Maintenance of Revenue Records and Registration.	Do.	Calendar of dates has been prescribed in each case and every effort is taken to adhere to the dates.	..
50 Administration Report relating to stamps.	Do.		..
51 Note on the statistics on the Registration Department.	Do.		..
52 Administration Report on Taxation Acts.	Do.		..
53 Administration Report relating to the Settlement of and Revenue.	Fasli year.	..	..
54 Administration Report relating to Court of Wards.	Do.	..	..
55 Annual Report on the working of the Estates Land Act, 1908.	Do.	..	..
56 Administration Report on the Electricity Department.	Official year.	15th September.	A calendar year of dates has been prescribed.
57 Administration Report of the Public Works Department (Buildings branch).	Do.	Narrative portion is published before 30th June and statistical portion is published before 30th September of the year.	..
58 Administration Report of the Boiler Department.	Do.	31st July.	..
59 Administration Reports of the Madras Port Department and the Tuticorin Port Trust.	Do.	1st July.	..
60 Administration Report of the State Broadcasting Department.	Do.	1st June.	..
61 Administration Report of the Highways Department.	Do.	19th December.	..
62 Administration Report of the Irrigation Department.	Do.	..	..

NOTE.—Where no specific date has been prescribed for publication of the reports, it has to be assumed that the reports are to be published as soon as possible after the end of the year.

[18th January 1954]

APPENDIX III.

[Vide item III (1) on page 584 supra.]

L.A. BILL No. 8 OF 1954.

(As passed by the Assembly.)

A Bill to provide temporary relief to indebted agriculturists.

WHEREAS, after successive years of drought, by the bounty of Nature there has been adequate rainfall this year and agriculturists are applying themselves with assiduity to the cultivation crops; AND WHEREAS, agriculturists have borrowed or added to their debts during the years of drought and may, if freed for a time from the pressure of creditors, be enabled to rehabilitate themselves;

AND WHEREAS, it is in the interests of the general public that, at the present time, agriculturists be spared the distractions and expenditure involved in litigation launched by their creditors, in order that the maximum possible advantage may result to the State in the matter of production of food crops;

It is hereby enacted as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras Indebted Agriculturists (Temporary Relief) Act, 1954.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force at once.

2. *Definitions.*—In this Act, unless the context otherwise requires—

(a) 'agriculturist' means a person who owns an interest in land, and who, by reason of such interest, is in possession of such land or is in receipt of the rents or profits thereof and shall include a lessee; but shall not include

(i) a firm registered under the Indian Partnership Act, 1932 (Central Act IX of 1932), or a company as defined in the Indian Companies Act, 1913 (Central Act VII of 1913), or a corporation formed in pursuance of an Act of Parliament of the United Kingdom or of any special Indian law; or

(ii) any person who was assessed to income-tax under the Indian Income-tax Act (Central Act XI of 1922) in any of the years 1951-52, 1952-53 and 1953-54

Explanation.—Where a joint Hindu family or a tarwad, tavazhi, kutumba or kavaru is an agriculturist, every co-parcener or member of the tarwad, tavazhi, kutumba or kavaru, as the case may be, shall be deemed to be an agriculturist provided that he has not been assessed to income-tax in any of the years 1951-52, 1952-53, 1953-54.

[18th January 1954]

(b) 'debt' means any sum of money which a person is liable to pay under a contract (express or implied) for consideration received and includes rent in cash or kind which a person is liable to pay or deliver in respect of the lawful use and occupation of land.

Explanation.—It is immaterial that the sum or produce is recoverable only by sale of property in enforcement of a mortgage or charge or that the contract was entered into by the person's predecessor-in-title or by the manager of the joint Hindu family or the karnavan of the tarwad or tavazhi or the yajaman of the kutumba or kavaru of which such person was or is a member.

Exception.—'Debt' does not include—

(i) rent or compensation for the use and occupation of house property;

(ii) rent or compensation for the use and occupation of immovable property not being house property, accrued due after the 31st March 1953;

(iii) any liability arising out of a breach of trust;

(iv) any liability in respect of maintenance;

(v) any sum payable to the State or the Central Government or to any local authority, whether by way of revenue, tax, cess, or loan or otherwise;

(vi) any sum payable to any co-operative society, including a land mortgage bank, registered or deemed to be registered under the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), provided that the right of the society to recover the sum did not arise by reason of an assignment made subsequent to the 1st October 1953;

(vii) wages or remuneration due as salary, or otherwise for services rendered;

(c) 'land' means land used for agriculture or horticulture, not being land appurtenant to a residential building;

(d) 'Ordinance' means the Madras Indebted Agriculturists (Temporary Relief) Ordinance, 1953 (Madras Ordinance V of 1953);

(e) 'pay' with its grammatical variations, includes deliver;

(f) 'suit' or 'application' does not include an appeal from a decree or order passed in a suit or application or an application for revision or review.

3. *Bar of suits and applications.*—No suit for the recovery of a debt shall be instituted, no application for the execution of a decree for payment of money passed in a suit for the recovery of a debt shall be made, and no suit or application for the eviction of a tenant on the ground of non-payment of a debt shall be instituted

[18th January 1954]

or made, against any agriculturist in any civil or revenue court before the expiry of a year from the date of commencement of this Act.

Explanation I.—“ Suit ” does not include a claim to a set off made in a suit instituted by an agriculturist.

Explanation II.—Where a debt is payable by an agriculturist jointly or jointly and severally with a non-agriculturist, no suit or application of the nature mentioned in this section shall be instituted or made either against the non-agriculturist or against the agriculturist before the expiry of the period mentioned in this section.

Explanation III.—A suit shall be deemed to be a suit for the recovery of a debt notwithstanding that other reliefs are prayed for in such suit, and a decree shall be deemed to be a decree for payment of money passed in such suit notwithstanding that other reliefs are granted by such decree:

Provided that a suit for possession of land shall not be deemed to be a suit for recovery of a debt by reason merely of mesne profits being also prayed for in such suit.

4. *Stay of proceedings.*—(1) All further proceedings in suits and applications of the nature mentioned in section 3 in which relief is claimed against an agriculturist, not being proceedings for the amendment of pleadings or for the addition, substitution, or the striking off of parties, but otherwise inclusive of proceedings consequent on orders or decrees made in appeals, revision petitions, or applications for review, shall, subject to the next succeeding sub-section, stand stayed until the expiry of a year from the date of commencement of this Act:

Provided that, in regard to property under attachment, the Court may pass such orders as it deems necessary for the custody or preservation of the property or for the sale of such property if it is subject to speedy or natural decay, or, if in respect of it, the expenses of custody or preservation are considered excessive.

(2) On application made by the defendant or the respondent or by all the defendants or all the respondents, as the case may be, the stay effected by sub-section (1) in a suit or application shall be dissolved and the suit or application shall be proceeded with from the stage which had been reached when further proceedings in the suit or the application were stayed.

(3) In the case of suits or applications of the nature mentioned in section 3, instituted or made against an agriculturist, the provisions of the Madras Tenants and Ryots Protection Act, 1949 (Madras Act XXIV of 1949), or of section 54 or section 55 of the Malabar Tenancy (Amendment) Act, 1951 (Madras Act XXXIII of 1951), shall not have effect in so far as the said provisions are inconsistent with the provisions of sub-section (1).

18th January 1954]

5. *Exclusion of time for limitation.*—(1) In computing the period of limitation or limit of time prescribed for a suit for the recovery of a debt or an application for the execution of a decree passed in such suit, the time during which the institution of the suit or the making of the application was barred by section 3 of the Ordinance or section 3 of this Act, or during which the plaintiff or his predecessor-in-title, believing in good faith that section 3 of the Ordinance or section 3 of this Act applied to such suit or such application, refrained from instituting the suit or making the application, shall be excluded.

Explanation.—“ Good faith ” shall have the meaning assigned to it in section 3 (22) of the General Clauses Act, 1897 (Central Act X of 1897).

(2) Where in a suit or an application in which the question of the exclusion of time under sub-section (1) arises, the defendant or the respondent, or one of the defendants or respondents, with respect to whom the question is raised, would have been an agriculturist but for the fact that in the year ending 1951-52, 1952-53 or 1953-54 he had been assessed to income-tax (Central Act XI of 1922), it shall be conclusively presumed that, in refraining from instituting the suit or making the application, the creditor believed in good faith that such defendant or respondent was an agriculturist.

6. *Effect of transfer of immovable property by the debtor.*—Every transfer of immovable property by a debtor entitled to the benefit of section 3 or section 4, made after the commencement of the Ordinance and before the expiry of a year from the commencement of this Act, shall, in any suit or other proceeding, with respect to such transfer, be presumed, until the contrary is proved, to have been made with intent to defeat or delay the creditors of the transferor.

7. *Power to make rules.*—The State Government may make rules to carry out the purposes of this Act.

8. *Repeal of Madras Ordinance V of 1953.*—The Madras Indebted Agriculturists (Temporary Relief) Ordinance, 1953 (Madras Ordinance V of 1953), is hereby repealed.

INDEX TO MADRAS LEGISLATIVE COUNCIL DEBATES

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UNDER THE CONSTITUTION OF INDIA.

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18th January 1954.

	PAGES
A	
Abdul Salam, Sri M. K. M.— See Questions and Answers.	
Adityan, Sri S. B.— Budget for the second six months of 1953-54 — general discussion on the — 215-218	
Resignation of — clarification of Finance Minister's statement ..	302
Resignation of membership of Council by —	362
See Questions and Answers.	
Agricultural Farms, Limited, Ramayyanpatti, Tirunelveli district — Question re State aid to — amount of —	160
Allapichai, Sri A. M.— Bills— Appropriation (No. 2) Bill, 1953	343-345
	352
Election of — as Deputy Chairman	64
Allowance— Question re Municipal Bill Collectors, payment of cycle — to ..	167
Amrit Nagar Rehabilitation Colony — Question re details of — for T. B. patients	285-286
Andhra State— Question re Non-Andhra personnel to — allotment of	85-86
Annamalai Pillai, Sri N.— Budget for the second six months of 1953-54 — general discussion on the — 230-233	
Condolence resolution on the death of Rajan, Dr. T. S. S., Muniswamy Pillai, Sri V. I., and Ellappa Chettiar, Sri S.	4, 5
Appropriation Accounts for 1950-51— See Papers laid on the table of the House.	

A—cont.

Appropriation (No. 2) Bill, 1953 —

See Bills.

Architecture—

Question re training in — 576-578

Audit Report, 1951 —

See Papers laid on the table of the House.

B

Backward classes—

Question re reservation of seats for — in Arts and Professional
Colleges 88

Balasubramanya Ayyar, Sri K.—

Bills—

Appropriation (No. 2) Bill, 1953 310, 324
325-329
330-331
332, 350

Co-operative Societies (Amendment) Bill, 1953 68

General Sales Tax (Amendment) Bill, 1954 423-424
425, 437
438Indebted Agriculturists (Temporary Relief) Bill, 1954 585
592-593, 600, 601-602, 605, 606
607-608, 609, 614, 615, 616, 617Malabar Tenancy Amendment (Bill), 1953 626-631
632, 647, 648, 649, 650
651, 652, 659-660

Slum Improvement (Acquisition of Land) Bill, 1954 450-453

South Kanara Cultivating Tenants Protection Bill, 1954 525-526
538

Discussion re Privilege of the House re presentation of Budget. 22

Resolution re Cancer Diagnostic Centres with laboratories —
Starting of, etc., in District Headquarters Hospitals— .. 389Resolution re Secondary Education Commission's recommen-
dations, implementation of — 377-379

Bashyam Ayyangar, Sri V.

Bills—

Appropriation (No. 2) Bill, 1953 340-343

Slum Improvement (Acquisition of Land) Bill, 1954 453-454

Condolence Resolution on the death of Rajan, Dr. T. S. S., Muni-
swami Pillai, Sri V. L., and Ellappa Chettiar, Sri S. .. 5, 6

Basic Training School for Women, Cuddalore —

Question re Girls' Section in the — Strength of 294-295

Basic Training Schools—

Question re Selection Committee for — Cuddalore, particulars of. 159

Beggars (child)—

Question re measures taken to tackle the problem of — in the
City 88-91

Bellary District Board—

See Papers laid on the Table of the House

Bench Court, Karaikudi—

Question re abolition of — 414-415

B—cont.

Bhaktavatsalam, The Hon. Sri M.—

Resolution re Cotton Transport Act, 1923, amendments to notif-
ications under the — 70-71

Bharat Sevak Samaj—

Question re permission to Government servants to join — .. 290-291
357

Bhashyam, Sri K.—

Bills—

Estates Land (Reduction of Rent) Amendment Bill, 1953 370, 371
374

General Sales Tax (Amendment) Bill, 1954 429-430

Hindu Religious and Charitable Endowments (Amendment) Bill,
1954 376

Malabar Tenancy Amendment (Bill), 1953 639-643

Shops and Establishments (Amendment) Bill, 1954 375-376

Slum Improvement (Acquisition of Land) Bill, 1954 459-462

State Co-operative Societies (Reconstitution and Formation) Bill,
1954 418-419Motion re District Municipalities Act, 1920, amendments to
Schedule IV to — 365Resolution re Secondary Education Commission's recommenda-
tions, implementation of — 379

Bills—

Appropriation (No. 2) Bill, 1953—

Considered and passed 302-356

Message from the Governor re — 97

Message from the Assembly re — 24

Contingency Fund Bill, 1954—

Considered and passed 442-446

Message from the Assembly re — 363

Message from the Governor re — 415

Co-operative Societies (Amendment) Bill, 1953—

Considered and passed 65-70

Message from the Assembly re — 24

Estates Land (Reduction of Rent) Amendment Bill, 1953—

Considered 367-375

Withdrawn 375

General Sales Tax (Amendment) Bill, 1954—

Considered and passed 422-442

Message from the Assembly re — 363

Hindu Religious and Charitable Endowments (Amendment)

Bill, 1954—Leave for introduction granted 376-377

Indebted Agriculturists (Temporary Relief) Bill, 1954—

Considered and passed 584-619

Message from the Assembly re — 584

Malabar Tenancy (Amendment) Bill, 1953—

Considered and passed 539-557
619-667

Message from the Assembly re — 512

B—cont.

Bills—cont.

Preservation of Private Forests (Amendment) Bill, 1954—	
Considered and passed	447-448
Message from the Assembly <i>re</i> —	363
Shops and Establishments (Amendment) Bill, 1954—	
Leave for introduction granted	375-376
Slum Improvement (Acquisition of Land) Bill, 1954—	
Considered and passed	448-472
Message from the Assembly <i>re</i> —	363
Message from the Governor <i>re</i> —	415
South Kanara Cultivating Tenants Protection Bill, 1954—	
Considered and passed	521-538
Message from the Assembly <i>re</i> —	512
State Co-operative Societies (Reconstitution and Formation) Bill, 1954 —	
Considered and passed	415-422
Message from the Assembly <i>re</i> —	363
Message from the Governor <i>re</i> —	415
State (Official Language) Bill, 1954—	
Leave for introduction granted	377
Board of Revenue—	
Question <i>re</i> abolition of — proposal	287-288
Boundary Commission—	
Resolution <i>re</i> appointment of — for transfer of contiguous Tamil areas from Andhra State to Madras State, not moved	387
B. Ts. and First Grade Pandits —	
Question <i>re</i> salary of —	507
Budget for the second six months of 1953-54—	
General discussion on the —	97-153 168-249
Presentation of —	25-27
Business of the House—	
Discussion <i>re</i> programme of the —	167-168
Motion <i>re</i> change in the order of—Rule 22 (3) of the Council Rules	538-539

C

Cancer Diagnostic Centres—	
Resolution <i>re</i> starting of — in District Headquarters Hospitals, etc.	387-392
Central Co-operative Stores—	
Question <i>re</i> deficit alleged in the Arni Branch of —	61-62
Central Film Library—	
Question <i>re</i> charges of films hired to schools	293-294
Chairman, Mr.—	
Announcement <i>re</i> —	
Adityan, Sri S. B., resignation of membership of the Council	362
Message from the Assembly <i>re</i> —	
Appropriation (No. 2) Bill, 1953	24
Contingency Fund Bill, 1954	363
Co-operative Societies (Amendment) Bill, 1953	24
General Sales Tax (Amendment) Bill, 1954	363

C—cont.

Chairman, Mr.—cont.

Announcement *re* — cont.

Message from the Assembly—cont.

Indebted Agriculturists (Temporary Relief) Bill, 1954	584
Malabar Tenancy Amendment Bill, 1953	512
Preservation of Private Forests (Amendment) Bill, 1954	363
Slum Improvement (Acquisition of Land) Bill, 1954	363
South Kanara Cultivating Tenants Protection Bill, 1954	512
State Co-operative Societies (Reconstitution and Formation) Bill, 1954	363
Message from the Governor <i>re</i> —	
Appropriation (No. 2) Bill, 1953	97
Contingency Fund Bill, 1954	
Slum Improvement (Acquisition of Land) Bill, 1954	
State Co-operative Societies (Reconstitution and Formation) Bill, 1954	415
Panel of Chairmen	24
Privileges Committee, Election of members to	301
Bills—	
Appropriation (No. 2) Bill, 1953	302, 311 332, 334, 344, 355, 356
Contingency Fund Bill, 1954	443, 446
Co-operative Societies (Amendment) Bill, 1953	65, 67 69, 70
General Sales Tax (Amendment) Bill, 1954	423, 434 435, 436, 438, 439, 440
Hindu Religious and Charitable Endowments (Amendment) Bill, 1954	376
Indebted Agriculturists (Temporary Relief) Bill, 1954	584, 587 589, 590, 598, 599 601, 602, 604, 605 606, 607, 608, 610 611, 612, 613, 615 616, 617, 618, 619.
Malabar Tenancy (Amendment) Bill, 1953	539, 542 555, 619, 647, 648, 649, 650, 651 652, 654, 655, 656, 658, 659, 663 665, 666, 667.
Preservation of Private Forests (Amendment) Bill, 1954	447, 448
Shops and Establishments (Amendment) Bill, 1954	375-376
Slum Improvement (Acquisition of Land) Bill, 1954	450, 458 459, 471, 472.
South Kanara Cultivating Tenants Protection Bill, 1954	521, 522 523, 524, 537, 538
State Co-operative Societies (Reconstitution and Formation) Bill, 1954	416, 422
State (Official Language) Bill, 1954	377
Budget for the second six months of 1953-54—General discussion on the —	216, 233 249
Clarification of Finance Minister's statement <i>re</i> resignation of Sri S. B. Adityan	302
Condolence resolution on the death of Rajan, Dr. T. S. S., Muniswami Pillai, Sri V. L., and Ellappa Chettiar, Sri S.	1, 6
Election of Allapichai, Sri A. M., as Deputy Chairman	62-64

	PAGES
C—cont.	
Chairman, Mr.— <i>cont.</i>	
Motion <i>re</i> —	
Business of the House, change in the order of [Rule 22 (3) of the Council Rules]	539
District Boards Act, 1920, amendments to Schedule IV to the — ..	515-517 519-521
District Municipalities Act, 1920, amendments to Schedule IV to the —	365, 366- 367
Privileges Committee, election of two members to —	64
Resolution <i>re</i> —	
Cancer Diagnostic Centres with laboratories — starting of, in District Headquarters Hospitals, etc.	389
Secondary Education Commission's recommendations, implementation of —	377, 379
Teachers in aided institutions to be placed on a par with teachers in Government service regarding security of service	399, 401
See "Rulings".	
Chakkarai Chetty, Sri V.—	
Bills—	
Co-operative Societies (Amendment) Bill, 1953	65, 69
General Sales Tax (Amendment) Bill, 1954	425, 430
Indebted Agriculturists (Temporary Relief) Bill, 1954	590-592
Budget for the second six months of 1953-54 — general discussion on the —	201-203
Condolence resolution on the death of Rajan, Dr. T. S. S., Muniswami Pillai, Sri V. I., and Ellappa Chettiar, Sri S.	3
Election of Allapichai, Sri A. M., as Deputy Chairman	63
Motion <i>re</i> —	
District Boards Act, 1920, amendments to Schedule IV to the — ..	517
District Municipalities Act, 1920, amendments to Schedule IV to the —	366
Resolution <i>re</i> Secondary Education Commission's recommendations, implementation of —	380-381
Children's Aid Society, Madras—	
Question <i>re</i> Superintending personnel of —	299-300
Chittoor District Board—	
See Papers laid on the table of the House.	
City Improvement Trust Administration Report for the year 1952-53—	
See Papers laid on the table of the House.	
Civil Supplies Department—	
Question <i>re</i> disbandment of staff —	362, 405-408
Clubwala Jadhav, Srimathi Mary C.—	
Budget for the second six months of 1953-54 — general discussion on the —	170-178
Colleges—	
Question <i>re</i> Backward and Scheduled classes — reservation of seats in Arts and Professional —	88
Committee of Privileges—	
Election of members to —	301
Motion <i>re</i> election of two members to —	64

	PAGES
C—cont.	
Condolence Resolution on the Death of — Rajan, Dr. T. S. S., Muniswami Pillai, Sri V. I., and Ellappa Chettiar, Sri S.	1-6
Conspiracy cases—	
Question <i>re</i> number of — withdrawn by Government	83-85
Constitution of India—	
Question <i>re</i> amendments to —	361-362
Contingency Fund Bill, 1954—	
See Bills.	
Coonoor Municipal Council—	
See Papers laid on table of the House.	
Co-operative House Building Societies—	
Question <i>re</i> loans to — grant of —	410, 473- 477
Co-operative Societies (Amendment) Bill, 1953—	
See Bills.	
Co-operative Societies (Reconstitution and Formation) Ordinance, 1953	
See Papers laid on the table of the House.	
Cotton Transport Act, 1923—	
Resolution <i>re</i> amendments to notifications under the —	70-72
Courts—	
Question <i>re</i> Munsif's Courts (Additional), opening of in North Arcot district	16
D	
Daivasikhamani Achariar, Sri T. M.—	
Bills—Appropriation (No. 2) Bill, 1953	336-340
See Questions and Answers.	
Departmental Reports—	
Question <i>re</i> Annual, — particulars regarding publication of — ..	560-581 669-671
Departmental Tests—	
Question <i>re</i> eligibility of temporary [Rule 10 (a) (i)] candidates to appear for —	6, 7
Deputy Chairman—	
Election of Allapichai, Sri A. M. as —	62-64
Deputy Collectors—	
Question <i>re</i> number of — recruited from Vannar community ..	288-289
Deputy Superintendent of Police—	
Question <i>re</i> number of — recruited from Vannar community ..	288-289
Dovasthanams and Mutts —	
Question <i>re</i> traditional architecture in — training in	576-578
District Boards—	
Question <i>re</i> —	
Abolition of —	164
Election of Members to —	164-165
District Municipalities Act, 1920 —	
Motion <i>re</i> amendments to Schedule IV to the —	363-367

	PAGES
E	
Educational concessions—	
Question re grant of — to children of Vannar community ..	58-59
Electricity Schemes (Rural)—	73-75
Question re execution of — in Chingleput and North Arcot districts	583
Ellappa Chettiar, Sri S.—	
Condolence resolution on the death of —	1-6
Estates Land (Reduction of Rent) Amendment Bill, 1953 —	
See Bills.	
Ethirajulu, Sri M.—	
Budget for the second six months of 1953-54 — general discussion on the —	149-153
See Questions and Answers.	168-170
Examinerships—	
Question re teachers in schools, grant of —	508-509
F	
Films—	
Question re price of — for sale by private exhibitors to Government	295-296
See Central Film Library.	
Finance Accounts for 1950-51—	
See Papers laid on the table of the House.	
First Grade Pandits—	
See B.Ts.	
Five Year Plan—	
Question re revision of —	53
Fundamental rules—	
Question re application of — to Municipal employees	166
G	
Gajapathy Nayagar, Sri A. —	
Bills—	
General Sales Tax (Amendment) Bill, 1954	428-429
Indebted Agriculturists (Temporary Relief) Bill, 1954	588-589
South Kanara Cultivating Tenants Protection Bill, 1954	590
State (Official Language) Bill, 1954	528-529
Budget for the second six months of 1953-54 — general discussion on the —	377
See Questions and Answers.	219-223
Gambling—	
Question re number of cases of in Tiruchirappalli district	12-13
General Hospital, Madras—	
See Hospitals.	
General Industrial Engineers, Limited, Gudiyattam—	
Question re sales tax collection from —	298
General Sales Tax (Amendment) Bill, 1954—	
See Bills.	
Gnanamuttu, Sri Alexander —	
Budget for the second six months of 1953-54—General discussion on the	138-143
See Questions and Answers.	

	PAGES
G—cont.	
Government servants—	
Question re permission to — to join Bharat Sevak Samaj	290-291
Government Transport—	
Question re—	
Building of bus bodies	290-297
Particulars regarding — System, number of buses, daily collections, etc.	167
Govinda Menon, Sri M. P.—	
Bills—	
Appropriation (No. 2) Bill, 1953	350-351
Co-operative Societies (Amendment) Bill, 1953	355
Indebted Agriculturists (Temporary Relief) Bill, 1954	69
Malabar Tenancy Amendment (Bill), 1953	596-597
South Kanara Cultivating Tenants Protection Bill, 1954	610-612, 613
Budget for the second six months of 1953-54 — general discussion on the —	615, 616-617
Discussion re privilege of the House re presentation of the Budget ..	542-544
See Questions and Answers.	545-557, 641-652
Gurunandan Row, Sri V.—	
Bills—	
Contingency Fund Bill, 1954	654, 655, 656, 657
General Sales Tax (Amendment) Bill, 1954	658, 659, 661, 663
Shops and Establishment (Amendment) Bill, 1954	664, 665, 666, 667
South Kanara Cultivating Tenants Protection Bill, 1954	524-525
See Questions and Answers.	115-122
H	
Hindu Religious and Charitable Endowments (Amendment) Bill, 1954—	
See Bills.	
Hindu Religious Institutions—	
Question re audit of —	22-23
Hospitals—	
Question re—	
General Hospital, Madras, Physical Therapy Section, Equipment of —	286-287
Menials employed in Government — in City, scales of pay of — ..	7-10, 31
Status of washermen employed in Government	155-156
I	
Indebted Agriculturists (Temporary Relief) Bill, 1954—	
See Bills.	
Indebted Agriculturists (Temporary Relief) Ordinance, 1953—	
See Papers laid on the table of the House.	

J

Jails—	
Question <i>re</i> status of washermen employed in —	155-156
Jail Reforms Committee—	
Question <i>re</i> recommendations of — and orders thereon	301
John, Dr. V. K.—	
Bills—	
Appropriation (No. 2) Bill, 1953	332-334 348, 352, 355
Contingency Fund Bill, 1954	443
Co-operative Societies (Amendment) Bill, 1953	66-68
Estates Land (Reduction of Rent) Amendment Bill, 1953	369-370 373, 375
General Sales Tax (Amendment) Bill, 1954	425-426 427, 431, 435, 436, 438
Indebted Agriculturists (Temporary Relief) Bill, 1954	584-588 589, 598, 599, 600-601 602, 608-609, 611-612 614-615, 618, 619
Malabar Tenancy Amendment (Bill), 1953	539, 545 619-626, 642, 650, 660-661 665, 666
Preservation of Private Forests (Amendment) Bill, 1954	447-448
Shops and Establishments (Amendment) Bill, 1954	376
Slum Improvement (Acquisition of Land) Bill, 1954	458, 459 462-464
South Kanara Cultivating Tenants Protection Bill, 1954	521, 522 531-534, 538
State Co-operative Societies (Reconstitution and Formation) Bill, 1954	416
Budget for the second six months of 1953-54 — general discussion on the —	97-109
Condolence resolution on the death of —	
Rajan, Dr. T. S. S., Muniswamy Pillai, Sri V. I., and Ellappa Chettiar, Sri S.	2
Discussion <i>re</i> Privilege of the House <i>re</i> presentation of Budget	23, 24
Motion <i>re</i> —	
District Board Act, 1920, amendments to Schedule IV to the —	517
District Municipalities Act, 1920, Amendments to Schedule IV to the —,	366
Resolution <i>re</i> —	
Secondary Education Commission's recommendations, implementation of	381-382
Teachers in aided institutions to be placed on a par with teachers in Government service regarding security of service	397-399
See Questions and Answers.	

K

Kodangi lake—	
Question <i>re</i> repairs to — in Cuddalore	16, 17
Krishna District Board—	
See Papers laid on the table of the House.	

K—cont.

Krishnamurthi, Sri G.—	
Bills—	
Indebted Agriculturists (Temporary Relief) Bill, 1954	604
Malabar Tenancy Amendment (Bill), 1953	654
Slum Improvement (Acquisition of Land) Bill, 1954	465 466
South Kanara Cultivating Tenants Protection Bill, 1954	530 531
Budget for the second six months of 1953-54 — general discussion on the —	132-136
Motion <i>re</i> District Boards Act, 1920, amendments to Schedule IV to the —	517-518
Resolution <i>re</i> Secondary Education Commission's recommendation, implementation of —	379 380
Teachers in aided institutions to be placed on a par with teachers in Government service regarding security of service —	392 397 401, 403, 404
See Questions and Answers.	
Krishnamurthi, Sri T. G.—	
Bills—Indebted Agriculturists (Temporary Relief) Bill, 1954	594-596
Budget for the second six months of 1953-54 — general discussion on the —	127-132
Krishna Rao, The Hon. Dr. U.—	
Bills—	
Co-operative Societies (Amendment) Bill, 1953	65, 68 69
Shops and Establishments (Amendment) Bill, 1954	376
State Co-operative Societies (Reconstitution and Formation) Bill, 1954	415-416 421-422
Kuttikrishnan Nair, The Hon. Sri K. P.—	
Bills—Malabar Tenancy Amendment (Bill), 1953	539-542 643-647, 648, 649 650, 652, 659, 663-665

L

Lakshmanaswami Mudaliyar, Dr. A.—

Bills—	
Estates Land (Reduction of Rent) Amendment Bill, 1953	368
Slum Improvement (Acquisition of Land) Bill, 1954	455-458
Budget for the second six months of 1953-54 — general discussion on the —	178 189 233-234
Condolence resolution on the death of Rajan, Dr. T. S. S., Muniswamy Pillai, Sri V. I., and Ellappa Chettiar, Sri S.	1-2
Discussion <i>re</i> —	
Privilege of the House <i>re</i> presentation of Budget	21-22
Programme of the Business of the House	167
Election of Allapichai, Sri A. M., as Deputy Chairman	63
Resolution <i>re</i> —	
Cancer Diagnostic Centres with laboratories — starting of in District Headquarters Hospitals, etc.	389
Secondary Education Commission's recommendations, implementation of—	383-384 385-386

	PAGES
L—cont.	
Land Colonization Scheme — Question re Todas — in Nilgiris, introduction of —	13
Local Board employees— Question re minimum salary for — fixation of —	60-61 75-80
Local bodies— Question re National leaders' portraits, purchase by —	17-19
M	
Madras Medical Service— Question re Non-Clinical professors in — retention in service after superannuation	56-57
Madras Secretariat— Question re re-organization of —	86
Madras State Loan, 1963— Question re schemes to be financed from —	158-159
Mahomed Usman, Sri— Budget for the second six months of 1953-54 — general discussion on the —	136-138
Malabar District Board— See Papers laid on the table of the House.	
Malabar Tenancy (Amendment) Bill, 1953— See Bills.	
Mangalore Port Trust Act, 1953— See Papers laid on the table of the House.	
Manickavolu Naicker, The Hon. Sri M. A.— Bills— Estates Land (Reduction of Rent) Amendment Bill, 1953 General Sales Tax (Amendment) Bill, 1954 Indebted Agriculturists (Temporary Relief) Bill, 1954 Preservation of Private Forests (Amendment) Bill, 1954	371-373 422-423 433, 434, 438, 442 584 597, 598, 599, 605, 613 615, 617, 618 447-448
Marriages— Question re registration of —	14-16
Marthandam Pillai, Sri P. N.— Bills— Malabar Tenancy Amendment (Bill), 1953 South Kanara Cultivating Tenants Protection Bill, 1954 State Co-operative Societies (Reconstitution and Formation) Bill, 1954 Budget for the second six months of 1953-54 — general discussion on the —	632-633 520 420 203-207
Maternity Service— Question re Training of Dais in —	292-293
Medical Colleges— Question re Professors in — in Madras and Andhra States	409-410
Medical course— Question re Introduction of shortened —	56

M—cont.	
Medical practitioners— See Rural Medical Practitioners.	
Menials— Question re Scales of pay of — in Government Hospitals in the City. ..	7-10
Messages from the Assembly and Governor re — See Chairman, Mr.—Announcements.	
Metal Worker's Co-operative Society, Kumbakonam— Question re report on the working of the —	583
Modified Scheme of Elementary Education— Question re particulars regarding committee of enquiry on— .. See Papers laid on the table of the House.	156-58
Mohammed Rosa Khan, Sri Bills— Appropriation (No. 2) Bill, 1953 General Sales Tax (Amendment) Bill, 1954 Malabar Tenancy Amendment (Bill), 1953 Condolence Resolution on the death of Rajan, Dr. T. S. S., Muni. swamy Pillai, Sri V. I., and Ellappa Chettiyar, Sri S. See Questions and Answers.	308-310 311, 312, 332 431-432 433 633 637-638
Motion re— Business of the House, change in the order of [Rule 22 (3) of the Council Rules] Committee of Privileges, election of two members to — District Boards Act, 1920— Amendments to Schedule IV to the — District Municipalities Act, 1920— Amendments to Schedule IV to the —	528-539 64 512-521 368-367
Motor Vehicles Rules — Amendments to — See Papers laid on the table of the House.	
Motor Vehicles Taxation Act, 1931—Amendments to — See Papers laid on the table of the House.	
Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953 — Amendments to— See Papers laid on the table of the House.	
Municipal Bill Collectors— Question re cycle allowance to — payment of —	167
Municipal employees — Question re application of Fundamental Rules to —	166
Muniswamy Pillai, Sri V. I.— Condolence resolution on the death of —	16
Munsif's Courts— Question re North Arcot district, opening of a 11th division — in — ..	16
Muthulakshmi Reddi, Dr. S.— Bills—Appropriation (No. 2) Bill, 1953 M.L.C.—3	318-324

M—cont.

Muthulakshmi Reddi, Dr. S.—cont.	
Resolution re Cancer Diagnostic Centres with laboratories — starting of in District Headquarters Hospitals, etc.	387-389
See Questions and Answers.	390-391, 392

N

Nallasenapathi Sarkarai Manradar, Sri N.—	
Budget for the second six months 1953-54 — general discussion on the —	207-211
Narayanaswamy Pillai, Sri T. M.—	
Bills—Malabar Tenancy Amendment (Bill), 1953	635-636
	650-651, 661-662
Budget for the second six months of 1953-54 — general discussion on the —	143-148
Narsapaya, Sri S.—	
Bills—	
South Kanara Cultivating Tenants Protection Bill, 1954	526-528
State Co-operative Societies (Reconstitution and Formation) Bill, 1954	416-418
	420
Nathamuni Naidu, Dr. C.—	
Budget for the second six months of 1953-54—general discussion on the —	223-227
Clarification of Finance Minister's Statement re resignation of Sri S. B. Adityan	302
Condolence resolution on the death of Rajan, Dr. T. S. S., Muniswamy Pillai, Sri V. L., and Ellappa Chettiar, Sri S.	4
Resolution re Cancer Diagnostic Centres with laboratories — starting of in District Headquarters Hospitals, etc.	389
See Questions and Answers.	
National Extension Service—	
Question re blocks allotted under — and the cost and staff thereof.	10-12
North Arcot Co-operative Pumpet Society, Vellore—	
Question re particulars relating to —	92-93

O

Odayappa, Sri S. O. S. P.—	
Bills—Estates Land (Reduction of Rent) Amendment Bill, 1953	371
Budget for the second six months of 1953-54 — general discussion on the —	227-230

P

Palmyra trees—	
Question re number of — dried up in Tiruchendur taluk	93-95
	154
Panchayat boards—	
Question re Ranipet, Arkonam and Arcot — conversion into municipalities	165
Pandit (First Grade)—	
Question re periods of work of — in higher forms	57-58

P—cont.

Panel of Chairmen—	
See Chairman, Mr.— Announcements re—	
Papers laid on the table of the House—	
Appropriation Accounts for 1950-51 and Audit Report, 1952	28
Bellary District Board, changes in taluks (G.O. No. 2024, L.A., dated 29th September 1953)	557
Bellary District Board, inclusion of certain villages within the jurisdiction of — (G.O. No. 1570, L.A., dated 18th July 1953)	28
Bills (as passed by the Assembly)—	
(1) Appropriation (No. 2) Bill, 1953	356
(2) Contingency Fund Bill, 1954	472
(3) Co-operative Societies (Amendment) Bill, 1953	72
(4) General Sales Tax (Amendment) Bill, 1954	472
(5) Indebted Agriculturists (Temporary Relief) Bill, 1954	667
(6) Malabar Tenancy (Amendment) Bill, 1953	667
(7) Preservation of Private Forests (Amendment) Bill, 1954	472
(8) Slum Improvement (Acquisition of Land) Bill, 1954	472
(9) State Co-operative Societies (Reconstitution and Formation) Bill, 1954	472
Chittoor District Board, inclusion of certain villages within the jurisdiction of (G.O. No. 1674, L.A., dated 7th August 1953).	28
City Improvement Trust—Administration Report for the year 1952-53	153
Coonoor Municipal Council, supersession of —	28
Co-operative Societies (Amendment) Bill, 1953	72
Co-operative Societies (Reconstitution and Formation) Ordinance, 1953	29
Estates Land (Reduction of Rent) Amendment Bill, 1953 (L.C. Bill No. 1 of 1953)	404
Finance Accounts for 1950-51 and Audit Report, 1951	28
General Sales Tax (Amendment) Ordinance, 1953	29
Indebted Agriculturists (Temporary Relief) Ordinance, 1953	29
Krishna District Board, changes in villages within the jurisdiction of (G.O. No. 1624, L.A., dated 29th July 1953)	28
Madras Industrial Investment Corporation, Limited, balance sheet as on 30th June 1953	472
Malabar District Board, changes in villages within the jurisdiction of — (G.O. No. 1684, L.A., dated 10th August 1950)	28
	30
Mangalore Port Trust Act, 1953	
Motor Vehicles Taxation Act, 1931, amendments to—	
Notification No. 689, issued with G.O. No. 2007, Home, dated 23rd June 1953, re trailers belonging to American Consulate-General at Madras	27
Notification No. 717 issued with G.O. Ms. No. 2222, Home, dated 9th July 1953, re American Embassy at New Delhi	27
Notification No. 832 issued with G.O. No. 2636, Home, dated 17th August 1953, re Jeep Station Wagon of the World Health Organization assigned to Madanapalle Field Tuberculosis Research Station	27
Notification No. 858 issued with G.O. Ms. No. 2703, Home, dated 25th August 1953	28

P—cont.

Papers laid on the table of the House—cont.

Motor Vehicles Taxation Act, 1931, amendments to—cont.

Notification No. 962 issued with G.O. Ms. No. 3073, Home, dated 29th September 1953, re Pudukkottai State	28
Notification No. 1047 issued with G.O. Ms. No. 3233, Home, dated 23rd October 1953, re exemption of lorry MSZ 8027 of the Department of Industries and Commerce	28
Notification No. 1061 issued with G.O. No. 3309, Home, dated 30th October 1953, re exemption of stage carriages of the Travancore-Cochin State plying on inter-State routes	28
Notification No. 1160 issued with G.O. Ms. No. 3617, Home, dated 1st December 1953	557
Notifications Nos. 1161 and 1162 issued with G.O. Ms. No. 3572, Home, dated 28th November 1953	557
Notification No. 1170 issued with G.O. Ms. No. 3719, Home, dated 10th December 1953	557

Motor Vehicles Rules, amendments to—

Notification issued with G.O. Ms. No. 2265, Home, dated 15th July 1953	29
Notification issued with G.O. Ms. No. 2266, Home, dated 15th July 1953	29
Notification issued with G.O. Ms. No. 2383, Home, dated 27th July 1953	29
Notification issued with G.O. Ms. No. 2510, Home, dated 10th August 1953	29
Notification issued with G.O. Ms. No. 2561, Home, dated 11th August 1953	29
Notification issued with G.O. Ms. No. 2673, Home, dated 20th August 1953	29
Notification issued with G.O. Ms. No. 2704, Home, dated 26th August 1953	29
Notification issued with G.O. Ms. No. 2831, Home, dated 5th September 1953	29
Notification issued with G.O. Ms. Nos. 2857 and 2863, Home, dated 8th September 1953	29
Notification issued with G.O. Ms. No. 3301, Home, dated 29th October 1953	30
Notification issued with G.O. Ms. No. 3321, Home, dated 2nd November 1953	30

Motor Vehicles (Taxation of Passengers and Goods) Rules, 1953, amendments to—

Notification issued with G.O. Ms. No. 2023, Home, dated 21st June 1953	30
Notification issued with G.O. No. 3097, Home, dated 3rd October 1953	30

Parulekar Committee Report on Modified Scheme of Elementary Education in Madras

30

Preservation of Private Forests (Amendment) Ordinance, 1953

29

Private Secretary to Governor, exclusion of the post from the purview of Public Service Commission

28

Public Accounts Committee for 1949-50

28

Public Service Commission—

Annual Report for 1952-53

567

Exclusion of disciplinary cases enquired into by a Judge of the High Court from the purview of—

153

Public Service Commission Regulations, 1950, amendment to

29

P—cont.

Purushotham, Sri T. —cont.

Bills—cont.

Hindu Religious and Charitable Endowments (Amendment) Bill, 1954	370-377
Indebted Agriculturists (Temporary Relief) Bill, 1954	589
	593-594
	603-604
	607, 618
Slum Improvement (Acquisition of Land) Bill, 1954	454-455
Budget for the second six months of 1953-54 — General discussion on the —	122-127
Clarification of Finance Minister's statement re resignation of Sri S. B. Adityan	302
Discussion re privilege of the House re presentation of the Budget.	20
Election of Allapichai, Sri A. M., as Deputy Chairman	63-64
Resolution re—	
Boundary Commission for transfer of contiguous Tamil areas from Andhra State to Madras State, not moved	387
Secondary Education Commission's recommendations, implementation of —	377-387
See Questions and Answers.	

Q

Questions and Answers—

Abdul Salam, Sri M. K. M.—

Question re—	
Conspiracy cases, number withdrawn	83-85
Co-operative House Building Societies, grant of loans to —	410, 473-477
Gambling in Tiruchirappalli district	12-13
Prohibition cases filed in courts in 1952-53	62

Adityan, Sri S. B.—

Question re—	
Local Board employees, fixation of minimum salary for —	60-61, 75-80
Menials in Government Hospitals in City, scales of pay of —	7-10, 31
Palmyra trees, number dried up in Tiruchendur taluk	93-95, 154

Dajvasikhamani Achariar, Sri T. M.—

Question re—	
Bench Court at Karaikudi, abolition of —	414-415
Devasthanams and Mutta, training in traditional architecture.	576-578
Metal Workers' Co-operative Society, Kumbakonam — report on the working of —	583
Shops and Establishments Act, 1917—relaxation of provisions	578-579 668

Q—cont.

Questions and Answers—cont.

Ethirajulu, Sri M.—

Question re—	
Basic Training School for Women, Cuddalore	294-295
Basic Training Schools at Cuddalore, particulars regarding Selection Committee for	159
Deputy Collectors and Deputy Superintendents of Police — Number recruited from Vannar community	288 289
Kondangi lake in Cuddalore, repairs to	16-17
Power laundries, particulars regarding working of	93
Special Magistrates, appointment of—for trial of Prohibition cases	19
Udumalpet Saluvaiyalar Sangham, representation from	59-60
Vannar community, free educational concessions to children of	58-59
Washermen employed in Government institutions, status of	73-75
Washermen, extension of provisions of Madras Shops and Establishments Act to	155-156
Washermen, extension of provisions of Madras Shops and Establishments Act to	159

Gajapathy Nayagar, Sri A.—

Question re Andhra State, allotment of non-Andhra personnel to	85 86
--	-------

Gnanamuthu, Sri Alexander—

Question re—	
Agricultural Farms, Limited, Ramayyanpatti Tirunelveli district, amount of State aid to	160
Madras Secretariat, reorganization of	86
Professors in Medical Colleges in Madras and Andhra States	4 9 110

Gurunandan Row, Sri V.—

Question re—	
Government Transport, building of bus bodies	246 297
Government Transport system, particulars regarding Shops and Establishments Act, 1917, working of the Special Officer's report on the	167

John, Dr. V. K.—

Question re sales tax levy at multi points, appointment of committee to enquire into	413 414
	477 496

Krishnamurthi, Sri G.—

Question re—	
Central Film Library, charges for films hired to schools	293-294
Departmental Tests, eligibility of temporary (Rule 10 (a) (i)) candidates to appear for	6-7
Films, for sale by private exhibition to Government, price of	295 296
Notes to the text-books for the S.S.L.C. Examination, ban on publication of	506 509
Pandit (First Grade) in Higher forms, periods of work of	57 58
Rules re publication of text-books	573 574
Teachers employed under local bodies' absence from headquarters on Saturdays	576 576
Text-books for the S.S.L.C. Course, publication by Government of	574 576
Visual education in middle and high schools, projects for	572 573

Mohammad Raza Khan, Sri

Question re sales tax, levy of—at single point	581
--	-----

Muthulakshmi Reddi, Dr. S.—

Question re—	
Child beggars, measures taken to tackle the problem of — in the City	88 91
Children's Aid Society, Senior and Junior Certified Schools for Girls and Remand Home for Boys and Girls, superintending personnel of —	299 300
Data for maternity service, revival of system of training of	292-293

Q—cont.		PAGES
Questions and Answers—cont.		
Muthulakshmi Reddi, Dr. S.—cont.		
Question re—cont.		
First Grade Pandits and B.Ts., salary of	507	
Marriages, registration of	14-16	
Women-patrols to protect women and girls straying into the City, appointment of	96-97	
Women Police, appointment of—to arrest women offenders and criminals	53-56	
Women's Welfare Centres, number of	510-512	
Nathamuni Naidu, Dr. C.—		
Question re—		
District Munsifs' Courts (Additional) in North Arcot, opening of	16	
Examinerships for superannuated teachers	508-509	
General Hospital, Madras, Physical Therapy section—equipment of	286-287	
General Industrial Engineers, Limited, Gudiyattam, collection of sales tax from	298	
Medical course (shortened), introduction of	56	
Medical Practitioners (rural), subsidy to practitioners of modern medicine, increase of	86-87	
North Arcot Co-operative Pumpset Society, Vellore, particulars re	92-93	
Todas, land colonization scheme for	13	
Purushotham, Sri T.—		
Question re—		
Amrit Nagar Rehabilitation Colony for Tuberculosis patients, details re	285-286	
Annual Departmental reports, particulars regarding publication of	580-581	
Bharat Sovak Samaj, permission to Government servants to join	669-671	
Board of Revenue, abolition of — proposal for	290-291	
Central Co-operative Stores, Arni Branch, alleged deficit in	357	
Civil Supplies Department, disbandment of staff of	287-288	
Constitution of India, Amendments to	61-62	
Cycle allowance to Municipal Bill collectors, payment of	362, 405-408	
District Boards, abolition of	361-362	
District Boards, election of members to	167	
Electricity Schemes (rural), execution of—in Chingleput and North Arcot districts	164	
Five-Year Plan, revision of	164-65	
Hindu Religious Institutions, audit of	583	
Jail Reforms Committee, orders on the recommendations of	53	
Madras Medical Service, retention of non-clinical Professors in service after superannuation	165-166	
Madras State Loan, 1963, schemes to be financed from	250-283	
Modified Elementary Education Scheme — particulars regarding Committee of Enquiry	301	
	58-57	
	158-59	
	156-58	

Q—cont.		PAGES
Questions and Answers—cont.		
Purushotham, Sri T.—cont.		
Question re—cont.		
Municipal employees, application of Fundamental Rules to	166	
National Extension Service, blocks allotted under—and the cost and staff thereof	10-12	
Panchayat Boards, Arkonam, Arcot and Ranipet, conversion into municipalities	165	
Penitentiary, Madras, shifting of from present site	299	
Portraits of National leaders, purchase of	17-19	
Retired officers, re-employment of	91-92	
Revenue Divisional or Regional Commissioners, selection to posts of	290	
Rural schools and urban social education centres	510	
Scheduled and Backward Classes, reservation of seats in Arts and Professional Colleges	88	
Secretariat Departments, reorganization after separation of Andhra	571-572	
State Transport System, particulars regarding 'Red Lady' buses	160-163	
Tramway service, cessation of	410-413	
Tuberculosis Sanatorium, Tambaram, provision of quarters to Medical officers, etc.	87-88	
R		
Rajagopalachari, The Hon. Sri C.		
Bills—		
Appropriation (No. 2) Bill, 1953	310, 311	
	322, 325, 330, 334	
Co-operative Societies (Amendment) Bill, 1953	67-69	
Estates Land (Reduction of Rent) Amendment Bill, 1953	372-374	
	375	
General Sales Tax (Amendment) Bill, 1954	424, 425	
	426, 427, 428, 429	
	430, 431, 441, 442	
Indebted Agriculturists (Temporary Relief) Bill, 1954	585, 599	
	601, 603, 605, 606, 607	
	609-610, 613, 614, 616	
	617, 618, 619	
Malabar Tenancy (Amendment) Bill, 1953	555, 631	
	636, 639, 642, 649, 651	
	654-655, 656, 657-658	
	661, 662, 664, 665	
Shops and Establishments (Amendment) Bill, 1954	375	
Slum Improvement (Acquisition of Land) Bill, 1954	456, 459	
	460-470, 471	
	877	
State (Official Language) Bill, 1954		
Budget for the second six months of 1953-54, general discussion on the	25-27	
	12, 139, 140 189-200	
Condolence resolution on the death of Rajan, Dr. T.S.S., Muniswami Pillai, Sri V. I., and Ellappa Chettiar, Sri S.	1	

R—cont.		PAGES
Rajagopalachari, The Hon. Sri C.—cont.		
Discussion re—		
Privilege of the House re presentation of Budget	21, 23, 24	
Programme of the House	176-8	
Election of Allapichai, Sri A. M., as Deputy Chairman	83	
Motion re—		
District Municipalities Act, 1920, amendments to Schedule IV to the	366	
Privileges Committee, election of two members to	94	
Resolution re Secondary Education Commission's recommendations, implementation of	384	
	386-387	
Rajan, Dr. T. S. S.—		
Condolence resolution on the death of	1-6	
Rajaram, The Hon. Sri K.—		
Motion re—		
District Boards Act, 1920, amendments to Schedule IV to the	512-515	
District Municipalities Act, 1920, amendments to Schedule IV to the	518-519	
	363-364	
	365	
Ramaswamy Reddiar, Sri O. P.—		
Budget for the second six months of 1953-54, general discussion on the	109-115	
Romand Home for Boys and Girls—		
Question re superintending personnel of—	299-300	
Requisitioning of Buildings (Andhra Area) Ordinance, 1953—		
See Papers laid on the table of the House.		
Resolution re—		
Boundary Commission for transfer of contiguous Tamil areas from Andhra State to Madras State, not moved	387	
Cancer Diagnostic Centres with laboratories, starting of—in District Headquarters Hospitals, etc.	387-392	
Cotton Transport Act, 1923, amendments to notifications under the	70-72	
Secondary Education Commission's recommendations, implementation of	377-387	
Teachers in aided institutions to be placed on a par with teachers in Government service regarding security of service	392-404	
Retired officers—		
Question re Re-employment of	91-92	
Revenue Divisional or Regional Commissioners—		
Question re selection to posts of—	290	
Ruling—		
Bills—Amendments to procedural clauses altering decisions on earlier clauses are out of order	665	
Procedure—When an hon. Member wants to speak or move a motion he must do so from the seat that is allotted to him	375	

R—cont.		PAGES
Rural medical practitioners—		
Question re Subsidy to — practising in modern medicine, increase of	86-87	
S		
Salem District Board—		
See Papers laid on the table of the House.		
Sales tax —		
Question re—		
General Industrial Engineers, Limited, Gudiyattam, collection of — from	298	
Levy of — at multi-points— appointment of committee to enquire into	581-583	
Levy of — at single point	581	
Sales Tax (Amendment) Ordinance, 1953.		
See Papers laid on the table of the House.		
Scheduled Classes—		
Question re Arts and Professional Colleges, reservation of seats for —	88	
Schools—		
Question re—		
Basic Training School, Cuddalore, Selection Committee for	159	
Basic Training School for Women, Cuddalore	294-295	
Schools (rural)—		
Question re establishment of new — and social education centres	510	
Secondary Education Commission—		
Resolution re implementation of recommendations of the —	377-387	
Secretariat—		
See Madras Secretariat.		
Secretariat Departments (Madras)—		
Question re Reorganization of — after separation of Andhra	571-572	
Senior and Junior Certified Schools for Girls—		
Question re superintending personnel of —	299-300	
Shetty, The Hon. Sri A. B.—		
Bills—Slum Improvement (Acquisition of Land) Bill, 1954	448-450	
	471, 472	
Resolution re Cancer Diagnostic Centres with laboratories, starting of—in District Headquarters Hospitals, etc.	389-390	
	391	
Shops and Establishments Act, 1947—		
Question re —		
Extension of provisions of — to washermen	159	
Relaxation of provisions in —	578-579	
	668	
Working of the — Special Officer's Report	413-414	
	477-496	
Shops and Establishments (Amendment) Bill, 1954—		
See Bills.		
Sivagnana Gramani, Sri M. P.—		
Bills—Appropriation (No. 2) Bill, 1953	312-318	
Sivasubramanya Nadar, Sri S. P.—		
Bills—Appropriation (No. 2) Bill, 1953	345-346	

S—cont.

Slum Improvement (Acquisition of Land) Bill, 1954— See Bills.	
Social Education Centres— See Schools (rural).	
South Kanara Cultivating Tenants Protection Bill, 1954— See Bills.	
Special Magistrates— Question re appointment of — for trial of Prohibition cases	19-20
S.S.L.C. Course— Question re text-books for — publication by Government	574-575
S.S.L.C. Text-books— Question re notes to — ban on publication	508-509
State Co-operative Societies (Reconstitution and Formation) Bill, 1954— See Bills.	
State (Official Language) Bill, 1954— See Bills.	
State Transport System (Madras)— Question re Particulars regarding 'Red Lady' buses	160-163
Subramaniam, The Hon. Sri C.— Bills— Appropriation (No. 2) Bill, 1953	302, 331 333, 346-350, 351, 352, 355
Contingency Fund Bill, 1954	442, 444-446
General Sales Tax (Amendment) Bill, 1954	424, 426
Malabar Tenancy (Amendment) Bill, 1953	435-436, 440
South Kanara Cultivating Tenants Protection Bill, 1954	522, 523 524, 534-537, 538
State Co-operative Societies (Reconstitution and Formation) Bill, 1954	420
Budget for the second six months of 1953-54—General discussion on the —	98, 103, 121 141, 145, 233-249
Clarification of statement re resignation of Sri S. B. Adityan	302
Discussion re Privilege of the House re presentation of the Budget	20, 22
Motion re Business of the House, change in the order of [Rule 22 (3) of the Council Rules]	538
Resolution re — Secondary Education Commission's recommendations, implementation of	382-383 387
Teachers in aided institutions to be placed on a par with teachers in Government service regarding security of service	398, 399-401, 403, 404
Suppression of Immoral Traffic Act, 1930— Question re women-patrols for the protection of women and girls straying into the City, appointment of	96-97
Teachers— Question re Absence on Saturdays from headquarters of — employed in local bodies	575-576
See Resolution.	

T

T—cont.

Tenants and Pannaiyal Protection (South Arcot) Rules, 1953— See Papers laid on the table of the House.	
Text-books— Question re rules re publication of	573-574
Thiagaraja Reddiar, Sri P. B. K.— Bills— Appropriation (No. 2) Bill, 1953	335-336
Todas— Question re Land Colonization Scheme for —	13
Tramway service— Question re stoppage of — Steps taken by Government to meet the City traffic needs	410-413
Tuberculosis patients— Question re Amrit Nagar Rehabilitation colony for — Details re.	285-286
Tuberculosis Sanatorium, Tambaram— Question re provision of quarters for Medical Officers, etc., in— ..	87-88
Udumalpet Salavaiyalar's Sangham— Question re representation from —	59-60
Usman, Sri Mahomed— Bills— Appropriation (No. 2) Bill, 1953	311, 312
Condolence resolution on the death of Rajan, Dr. T. S. S., Muniswami Pillai, Sri V. L., Ellappa Chettiar, Sri S.	2-3
Vannar Community— Question re Deputy Collectors and Deputy Superintendents of Police belonging to — Recruitment of	288-289 58-59 73-75
Free educational concessions to children of —	
Venkataswami Naidu, The Hon., Sri K. — Bills—Hindu Religious and Charitable Endowments (Amendment) Bill, 1954	376
Visual education— Question re Projectors for — in middle and high schools, number of	572-573
Washermen— Question re status of — employed in Government institutions	155-156
Women patrols— Question re Appointment of — for protection of women and girls straying into the City	96-97
Women Police— Question re appointment of — to arrest women offenders and criminals	53-56
Women's Welfare Centres— Question re number of — activities, etc.	510-512